

THE POLICE ACT, 1964  
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Assented to in Her Majesty's name this 3rd day of  
June, 1964.

S. A. BENKA-COKER,  
*Acting Governor-General.*

LS

No. 7



1964

Sierra Leone

**An Act to Consolidate and Amend the Law Relating to  
the Organisation, Discipline, Powers and duties of  
the Police Force**

[4th June, 1964.] Date of  
commence-  
ment.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Representatives in this present Parliament assembled, and by the authority of the same, as follows:—

**PART I—PRELIMINARY**

1. This Act may be cited as the Police Act, 1964, and shall be deemed to be a consolidation and re-enactment of the Police Act so that any provisions hereof already in operation prior to the commencement of this Act shall be deemed to have taken effect on and from the date upon which they originally came into operation.

Short title.  
and con-  
struction  
Cap. 150.

Interpre-  
tation.

2. In this Act, unless the context otherwise requires—  
 “Commissioner”, “Deputy Commissioner”, and  
 “Assistant Commissioner” mean respectively the  
 Commissioner of Police, the Deputy Commissioner  
 of Police, and an Assistant Commissioner of  
 Police;  
 “constable” means any police officer of or below the  
 rank of Sergeant-Major;  
 “the Council” means the Sierra Leone Police Council  
 established under section 6;  
 “Court” means any court established by any law in  
 force in Sierra Leone;  
 “the Force” means the Police Force established under  
 this Act;  
 “junior police officer” means a Chief Inspector, an  
 Inspector and a Sub-Inspector of Police;  
 “the Minister” means the Minister charged with the  
 responsibility for Internal Affairs;  
 “non-commissioned officer” means any police officer of  
 and above the rank of Corporal but not above  
 the rank of Sergeant-Major;  
 “Police” or “the Police” means a member or members  
 of the Force;  
 “police officer” means any member of the Force;  
 “Superintendent of Police” includes a Senior Superin-  
 tendent of Police, a Deputy Superintendent of  
 Police, and an Assistant Superintendent of Police;  
 “Superior Police Officer” means any police officer of or  
 above the rank of Assistant Superintendent.

PART II—CONSTITUTION AND EMPLOYMENT OF THE FORCE  
 AND THE ESTABLISHMENT AND FUNCTIONS OF THE COUNCIL

Establish-  
ment of  
Police Force.

3. There shall be established in Sierra Leone a Police  
Force to be known as the Sierra Leone Police Force.

General  
duties of  
the Police.

4. The Police shall be employed for the detection of crime  
and the apprehension of offenders, the preservation of law and  
order, the protection of property and the due enforcement of all  
laws and regulations with which they are directly charged.

Composi-  
tion of the  
Force.

5. The Force shall consist of a Commissioner, a Deputy  
Commissioner, and such Assistant Commissioners, Senior  
Superintendents, Superintendents, Deputy Superintendents, Assis-  
tant Superintendents, Bandmasters, Chief Inspectors, Inspectors,  
Sub-Inspectors, Non-commissioned Officers, Constables and  
Recruits as the Minister may direct.

Establish-  
ment of  
Sierra Leone  
Police  
Council.  
No. 33 of  
1962.

6. (1) There shall be established a Sierra Leone Police  
Council which shall consist of—

- (a) a Chairman who shall be the Minister or such  
other Minister as the Prime Minister may from  
time to time appoint;

- (b) the Mayor of Freetown;  
 (c) such Paramount Chief as the Prime Minister may from time to time appoint;

(d) the Chairman of the Public Service Commission.

(2) The Commissioner or such other Superior Police Officer as he may designate shall attend the meetings of the Council and save for the purpose of voting may take part in the proceedings of the Council.

7. (1) The organisation and administration of the Force and all other matters relating thereto (not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force) shall be under the general supervision of the Council.

(2) The Prime Minister shall cause the Council to be kept fully informed concerning the matters under its supervision and shall cause the Council to be furnished with such information as the Council may reasonably require with respect to any particular matter under its supervision.

(3) The Council may make recommendations to the Government with respect to any matter under its supervision and, if in any case the Government acts otherwise than in accordance with any recommendation, it shall cause a statement containing that recommendation and its reasons for acting otherwise than in accordance with that recommendation to be laid before the House of Representatives.

8. The Commissioner shall, subject to the general directions of the Minister, have the command and superintendance of the Force and shall be responsible to the Minister for the efficient administration and government of the Force and for the proper expenditure of all public moneys appropriated for the service thereof.

9. The Deputy Commissioner shall act as principal assistant to the Commissioner in the performance of his duties in respect of the Force and shall, during the absence or incapacity of the Commissioner, have power to do any act or thing which may by law be done by the Commissioner.

10. The Commissioner may, with the consent of the Minister, by writing under his hand delegate any of his powers under this Act (except this power of delegation) so that the delegated powers may be exercised by the delegate with respect to the matters specified or defined in the instrument of delegation.

### PART III—GENERAL ADMINISTRATION

11. (1) Every Superior Police Officer shall on appointment take and subscribe the oath set out in the First Schedule.

(2) Such oath shall be taken and signed before the Commissioner. In the case of the Governor-General the oath shall be taken and signed before the Governor-General.

Functions of Council.

Commissioner of Police.

Deputy Commissioner.

Delegation by Commissioner.

Oath for Superior Police Officers. First Schedule.

## ENLISTMENT AND SERVICE OF CONSTABLES

Enlistment  
of con-  
stables.  
Second  
Schedule.

12. Every constable shall before enlistment sign an attestation paper in the form in the Second Schedule and shall, on appointment be enlisted to serve in the Force for six years or such other period as may be fixed by the Minister, to be reckoned in all cases from the date on which he has been approved for service and taken on the strength. For the first three years of service a constable shall be on probation and if during that time he shall be found to be unfit for his duties he shall thereupon cease to belong to the Force or have any claim against the Force except for any pay which may be due to him when he so ceases to belong to the Force:

Provided that for the first six months of service or until he has successfully completed the period of training a constable shall be considered a recruit, and will draw such pay as may be laid down for a recruit.

Declaration  
for con-  
stables.  
Third  
Schedule.

13. Every constable shall on being enlisted make and sign the declaration set out in the Third Schedule before the Commissioner or before a Superior Police Officer authorized by the Commissioner to receive such declaration, and the Commissioner or other officer receiving such declaration shall date and sign it as having been made before him.

Re-engage-  
ment.

14. (1) Any constable of good character who has completed or is within six months of completing his period of enlistment may, with the approval of the Commissioner, re-engage to serve for subsequent periods of three years until he has completed a total of twenty-one years service reckoning from the time of his enlistment. A constable who so re-engages shall make before a Superior Police Officer the declaration set out in the Fourth Schedule.

Fourth  
Schedule.

(2) Upon completing such period of twenty-one years he may, if he so desires, and with the approval of the Commissioner, continue to serve in the Force for such extended period as may be approved in the same manner in all respects as if his term of service were still unexpired, except that it shall be lawful for him to claim his discharge at the expiration of three months after he has given notice to the Commissioner of his wish to be discharged.

(3) If a constable offers to re-engage within six months after having received his discharge he will, if his offer of service is accepted, on re-engagement be entitled to the rank which he was holding at the time of his discharge, provided that there is a vacancy in the establishment of that rank at the time he re-engages.

(4) The Commissioner may at his discretion permit a constable to re-engage after a period of six months has elapsed since discharge and may, further in his discretion, reinstate such constable to the rank he held prior to discharge.

(5) Any constable whose period of service expires during a state of war, insurrection, hostilities or local disturbances may be retained in service and such service may be prolonged for such period as the Minister may direct.

(6) Subject to the provisions of subsection (2) no constable shall be at liberty to resign, or to withdraw himself from his duties, unless expressly allowed to do so by the Commissioner.

15. Any police officer of and below the rank of Inspector at any time during the currency of any term of engagement may be discharged, when such police officer—

Discharge of certain police officers.

(i) has been pronounced by a Medical Officer to be physically or mentally unfit for further service; or

(ii) in the appropriate case has applied for his discharge under subsection (2) of section 14 or has been permitted by the Commissioner to resign.

16. The power to make appointments on promotion, acting appointments and to confirm appointments of, and the exercise of disciplinary control over, police officers of and below the rank of Inspector shall be vested in the Commissioner:

Disciplinary control and powers of appointment of Commissioner.

Provided that the power to dismiss or reduce in rank any such police officer shall be exercised by the Public Service Commission in accordance with the provisions of subsection (5) of section 95 of the Constitution.

P.N. No. 78 1961.

#### SUPERNUMERARY CONSTABLES

17. (1) If in any case application is made by any person for constables to be employed on special duties, the Commissioner may enlist suitable persons as supernumerary constables who shall be engaged in such special duties only. Every person so enlisted shall sign before a Superior Police Officer the declaration set out in the Fifth Schedule and an attestation paper in the form set out in the Second Schedule.

Supernumerary constables.

Fifth Schedule.

Second Schedule

(2) Except as provided in subsection (7) the persons so enlisted shall be deemed to be police officers for all purposes and shall be subject to all the provisions of this Act as regards the discipline, powers and immunities of police officers. The extent of their duties shall be defined by the Commissioner.

(3) Supernumerary constables shall wear uniforms as prescribed by the Commissioner. Such uniforms shall only be worn on duty and when going to and from duty.

(4) The cost of uniform and equipment of any such supernumerary constable, and any other expenses which the Commissioner may declare to be necessary, shall be borne by the person employing such constable:

Provided that if a sum sufficient to cover such cost and expenses is first deposited with the Accountant-General the uniform and equipment may be supplied and the other expenses met by the Government in the first instance.

(5) Any person availing himself of the services of supernumerary constables shall pay such constables monthly at rates to be fixed from time to time by the Commissioner, who may require such person to deposit with the Accountant-General

such amount or amounts as the Commissioner considers necessary for the payment of such constables during their period of service. The Commissioner shall not be held responsible for the payment of supernumerary constables.

Fifth Schedule.

(6) (a) The services of any supernumerary constable may be terminated by the Commissioner or a Superior Police Officer duly authorised by him by notices in writing in the form set out in the Fifth Schedule to the supernumerary constable and employer concerned:

Provided that when it is desired by any person availing himself of the services of any such supernumerary constable to have such services discontinued he shall give one month's notice in writing to the Commissioner, and shall at the same time give one month's notice in writing to such supernumerary constable of the intention to terminate his services.

(b) In the event of any person as aforesaid having, after dispensing with the services of any supernumerary constables enlisted on his behalf, any balance standing to his credit with the Accountant-General after the payment of all expenses incurred in relation to such supernumerary constables, such balance shall on demand be paid by the Accountant-General to such person.

(7) No supernumerary constable shall by virtue of his service as such have any claim on any police fund or for a pension or gratuity under this Act or any Act.

(8) The dependants of a supernumerary constable who is killed in the actual discharge of his duty may be paid such gratuities and pensions as may be provided by Rules made under section 58.

(9) In the event of the Commissioner not having required any deposit of money with the Accountant-General to meet expenses and for the payment of supernumerary constables, or if the sum so deposited is insufficient for such purposes, any sum due and payable under this section may be recovered by proceedings in the name of the Commissioner before a Magistrate by any Superior Police Officer.

#### SPECIAL CONSTABLES

Enlistment of special constables.

18. (1) (a) It shall be lawful for the Commissioner to enlist fit men as special constables for full-time or part-time employment with the Force when it is necessary to augment the regular force for the preservation of public peace and the prevention and detection of crime.

(b) The Minister may prescribe the terms and conditions of service, including the rates of pay of special constables, and may prescribe different terms and conditions for such different classes of special constables as he may specify.

(c) The Minister may designate any person enlisted as a special constable to a post not above the rank of Inspector.

(2) When it shall appear that any unlawful assembly or riot, or disturbance of the peace has taken place, or may be reasonably apprehended, and that the ordinary officers employed for preserving the peace are not sufficient for its preservation and for the protection of the inhabitants and the security of property, a police officer, not below the rank of Senior Superintendent, may forthwith enlist fit men as special constables for such time as shall seem necessary for the preservation of the public peace.

(3) On enlistment every special constable shall receive a notice of appointment in the form set out in the Sixth Schedule. **Sixth Schedule.**

(4) The provisions of this section shall be in addition to and not in derogation of the provisions of section 17.

19. (1) Every special constable shall have the same powers, privileges and protection and shall be liable to perform the same duties, and shall be amenable to the same penalties and be subordinate to the same authorities as a police officer. **Powers, duties and rank.**

(2) Every special constable shall have such rank as shall be assigned to him by the Minister under paragraph (c) of subsection (1) of section 18.

20. The clothing and equipment for the use of special constables for the proper carrying out of their duties shall be provided at the public expense. **Equipment**

21. If any person, being appointed a special constable and being called upon to serve, refuses or neglects to serve or obey such lawful orders and directions as may be given to him for the performance of his duties, he shall, for every such refusal or neglect, be liable, upon summary conviction to imprisonment not exceeding three months or to a fine not exceeding twenty pounds, unless he satisfies the Magistrate that he was prevented by sickness or other unavoidable cause as may be in the opinion of the Magistrate a sufficient excuse from so serving or from performing the duties required of him. **Refusal to serve or to obey lawful orders.**

22. (1) The Commissioner, or a Superior Police Officer duly authorised by him, may terminate the services of any special constable, and shall forthwith transmit notice thereof in writing in the form set out in the Sixth Schedule to the special constable concerned. **Power to terminate services. Sixth Schedule.**

(2) Every special constable shall within one week after the receipt of a notice terminating his appointment deliver to such person at such time and place as may be stated in the notice, his form of appointment, clothing and other equipment which may have been provided for such special constable under this Act. Any special constable who refuses or neglects to make such delivery shall be liable on summary conviction to a fine not exceeding two pounds, and to pay the cost of any clothing and equipment not so delivered.

23. (1) No special constable shall by virtue of his service as such have any claim on any police fund or for a pension or gratuity under this Act or any Act: **Non-eligibility for pension or gratuities.**

Act No. 61  
of 1961.  
Act No. 26  
of 1962.

Provided that, notwithstanding the provisions of this subsection, special constables enlisted and designated Auxiliary Police by the Commissioner shall be eligible for the payment of gratuities on the same conditions as other non-pensionable officers.

(2) The dependants of a special constable who is killed in the actual discharge of his duty may be paid such gratuities and pensions as may be provided by Rules made under section 58.

#### PART IV—POWERS OF POLICE OFFICERS

Prosecution.

24. Any police officer may conduct in person all prosecutions before any court of summary jurisdiction whether the information or complaint be laid in his name or not and whether or not the offence was committed in his presence or that of any other police officer.

Power to  
arrest with-  
out having  
warrant in  
possession.

25. Any warrant lawfully issued by a court for apprehending any person charged with any offence may be executed by any police officer at any time notwithstanding that the warrant is not in his possession at that time, but the warrant shall, on the demand of the person apprehended, be shown and read to him as soon as practicable after his arrest.

Summonses.

26. Any criminal summons lawfully issued by a court may be served by any police officer at any time during the hours of daylight:

Provided that in cases where a police officer has reasonable cause to believe that a person is evading service, such summons may be served at any time.

Finger-  
prints, etc.

27. (1) Whenever any person is prosecuted and charged before any court with an offence which amounts to felony or involves fraud or dishonesty, then, and in every such case, whether such offence is to be tried summarily or on information, or whether the said person has or has not been admitted to bail, it shall be lawful for a Superior Police Officer or the police officer for the time being in charge of a Police Station, if he is of the opinion that there are grounds for suspecting that such person has been previously convicted or has been engaged in crime, or that from any other cause his photographs, measurements, thumbprints and fingerprints are required for the purposes of justice, to cause to be taken for use and record in the Force, such photographs, measurements, thumbprints and fingerprints of the said person as such Superior Police Officer or the police officer for the time being in charge of a Police Station, shall think fit:

Provided that if no conviction of the said person shall follow as a result of, or in connection with, such said prosecution, then, and in every such case, the photographs of the said person shall, together with the records of his measurements, thumbprints and fingerprints, be destroyed or handed over to him.

(2) A Superior Police Officer or the police officer for the time being in charge of a Police Station is hereby authorised and empowered to take all such necessary action and do all such things as the proper and efficient execution of the provisions of this section may reasonably require.

(3) Where a thumbprint or a fingerprint is likely to become an exhibit in a criminal case any police officer may take for comparison the thumbprints and fingerprints of any person who is reasonably suspected of having made that thumbprint or fingerprint.

(4) Any person who shall refuse to submit to the taking and recording of his photographs, measurements, thumbprints or fingerprints shall be taken before a Magistrate who, on being satisfied that such person has been prosecuted and charged before any court with an offence which amounts to felony or involves fraud or dishonesty, or is reasonably suspected of having made a thumbprint or fingerprint likely to become an exhibit in a criminal case, shall make such order as he thinks fit, authorising a police officer to take the measurements, photographs, thumbprints and fingerprints of such person.

28. A police officer not below the rank of Superintendent, a Magistrate or two Justices of the Peace, whenever any tumult, riot, or felony happens, or is expected to happen, in any place, may order every person who sells intoxicating liquors on premises in or near the place where such tumult, riot, or felony happens, or is expected to happen, to close such premises during any time which the said police officer, Magistrate or Justices may order; and any person who keeps open any such premises during any time during which the said police officer, Magistrate, or Justices shall have ordered them to be closed, shall on summary conviction, be liable to a penalty not exceeding fifty pounds; and it shall be lawful for any member of the Force, after such order has been given, to use such force as may be necessary for the purpose of closing such premises.

Power to close licensed premises in case of riot.

29. It shall be lawful for the Minister, whenever any tumult or riot has taken place, or may reasonably be apprehended, or public order is otherwise endangered, by Proclamation, to put in force for a period not exceeding three months in such areas as are named in the said Proclamation, all or any of the following provisions:—

Provisions only to apply when put in force by Proclamation.

(a) A police officer may disperse any assemblage whatever which in the opinion of the police officer is likely to cause, provoke, facilitate or render more serious any disturbance or breach of the peace in any street, highway, path or public place and may arrest any person in such assemblage refusing or delaying to disperse, or re-assembling after dispersal. Any person so refusing or delaying to disperse or so re-assembling, shall if the Magistrate considers that there was reasonable ground for dispersing the assemblage, be liable on summary conviction to imprisonment for a period not exceeding three months, or to a fine not exceeding twenty-five pounds.

(b) Any person found in a street, highway, path or public place in possession of any stick, stave, bludgeon, iron bar, or weapon of any sort or description which, in

the opinion of a police officer he is carrying either for the purpose of assisting a disturbance, or is likely to use in case of a disturbance arising, may be arrested, and if the Magistrate is of the same opinion, be summarily convicted by him, and punished in like manner as is laid down in paragraph (a).

- (c) Any person making use of any words or gestures in the opinion of a police officer likely to lead to a breach of the peace, may be arrested and may, if the Magistrate is of the same opinion, be summarily convicted by him and punished in like manner as is laid down in paragraph (a).

Power to  
stop pro-  
cessions.  
Cap. 73.

**30.** (1) Any police officer may stop any procession in respect of which a permit is required under the Processions Act, and for which no permit has been issued, or which violates any of the conditions of a permit issued under that Act, and may order such procession to disperse.

(2) All persons taking part in any such procession as aforesaid, who refuse to obey an order to disperse, shall be liable on summary conviction to a fine not exceeding ten pounds.

Power to  
regulate  
processions.  
Cap. 73.

**31.** (1) The Superior Police Officer in charge of the Police in any area may, as regards any procession of the nature of those set out in sub-section (6) of section 3 of the Processions Act, prescribe a particular route in such area, which the procession shall follow, and may prescribe that the procession shall abide by any traffic directions given by a police officer.

(2) Any person who shall take part in any such procession which follows a route other than the route which may have been prescribed under sub-section (1), or who refuses to comply with any such traffic directions, shall be guilty of an offence, and shall be liable on summary conviction for a first offence, to a fine not exceeding ten pounds, and for a second or subsequent offence to a fine not exceeding twenty-five pounds or to imprisonment for a period not exceeding six months.

Traffic.

**32.** The Superior Police Officer in charge of the Police in any area may make such orders as he thinks fit for the temporary direction and parking of any vehicular traffic which includes cycles, hand carts or any animal-drawn vehicle.

Idle and  
disorderly  
persons.

**33.** Any person conducting himself in such manner in any public place, street, or highway, as to cause an obstruction or annoyance to the public, may be moved on by any police officer, or arrested and taken before a Magistrate and on summary conviction shall be liable to a fine not exceeding five pounds.

Court may  
make  
Orders  
with respect  
to property  
in possession  
of Police.

#### PART V—PROPERTY UNCLAIMED, FOUND OR OTHERWISE

**34.** (1) Where any property has come into the possession of the Police in connection with any criminal charge, or as unclaimed property, or property found or otherwise, a court of summary jurisdiction may, on application either by a member of the Police Force, or by a claimant of the property, either order

the delivery of the property to the person appearing to the court to be the owner thereof, or, if the owner cannot be ascertained, make such order for the sale or other disposition of the property as to the court may seem just:

Provided that except in the case of property of the kind specified in subsection (3) no property may be sold until it has remained in the possession of the Police for a period of three months and a description of the property to be sold has been published in two editions of the *Gazette* issued at an interval of not less than thirteen days.

(2) An order for the delivery of property to a claimant under this section shall not affect the right of any person to take, within six months from the date of the order, legal proceedings for the recovery of any property delivered by virtue of the order against any person in possession of such property, but on the expiration of those six months the right shall cease.

(3) Where any such property as is specified in subsection (1) is a perishable article or its custody involves unreasonable expense or inconvenience, it may be sold at any time without an order of the court.

(4) Where any property is sold under the provisions of subsections (1) or (3) then—

(a) the ownership and all other legal rights subsisting in such property prior to the sale shall be extinguished by the sale; and

(b) the proceeds of sale (after deducting all reasonable expenses incurred in the storage, preservation or sale of the property) shall be deposited at interest at the Post Office for the benefit of such person or persons (if any) as may establish their rights to the property sold and if no such rights are established within a period of five years from the date any such monies were deposited they shall be paid into the Consolidated Revenue Fund and all further claims thereto shall be barred absolutely.

35. Property forfeited to the Crown which is in the possession of the Police may be destroyed, employed in the service of the Crown or sold as the Minister thinks fit and if such property is sold the proceeds shall be disposed of according to the provisions of subsection (2) of section 40 of the Interpretation Act, 1961. Forfeited property.  
No. 46 of 1961.

#### PART VI—OFFENCES

36. (1) Any police officer who begins, raises, abets, countenances or incites mutiny shall be liable on conviction to imprisonment for a period not exceeding five years. Offences.

(2) Any police officer who—

(a) causes or joins in any disturbance whatsoever;

- (b) being at any assemblage tending to riot does not use his utmost endeavour to suppress such assemblage;
- (c) coming to the knowledge of any mutiny, or intended mutiny, does not without delay give information thereof to his superior officer;
- (d) strikes or offers any violence to his superior officer, such officer being in the execution of his duty; or
- (e) deserts or aids or abets the desertion of any police officer from the Force,

shall be liable on summary conviction to imprisonment for a period not exceeding two years.

(3) Any person who, on enlistment to the Force, gives any answers, knowing the same to be false, to any of the questions set out in his attestation paper (as set out in the Second Schedule), shall on summary conviction be liable to imprisonment for a period not exceeding six months.

#### Desertion

37. Any police officer may be proceeded against for desertion without reference to the time during which he may have been absent, and thereupon may be found guilty of desertion:

Provided that a police officer shall not be convicted as a deserter or of attempting to desert unless the court shall be satisfied that there was an intention on the part of such officer either not to return to the Force or to escape some particular service.

#### Apprehension of deserters.

38. Upon reasonable suspicion that any person is a deserter, any police officer or other person may apprehend him, and forthwith bring him before a court having jurisdiction in the place wherein he was found, which may deal with the suspected deserter, or remand him to a court having jurisdiction in the place in which he has deserted.

#### Assault on police officer.

39. Every person who assaults, obstructs or resists any police officer in the execution of his duty, or aids or incites any other person so to assault, obstruct or resist any police officer or any person aiding or assisting such police officer in the execution of his duty, shall be guilty of an offence, and on summary conviction shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding one year.

#### Penalty on persons causing disaffection, etc., among members of Force.

40. Any person who causes, or attempts to cause, or does any act calculated to cause disaffection amongst police officers or induces or attempts to induce, or does any act calculated to induce any police officer to withhold his service or to commit breaches of discipline, shall be guilty of an offence and liable on summary conviction to imprisonment for a period not exceeding two years or a fine not exceeding one hundred pounds or both such fine and such imprisonment.

**41.** (1) Every person who knowingly harbours or entertains, or either directly or indirectly sells or gives any intoxicating liquor to any police officer, or permits any such police officer to abide or remain in his house (except in case of extreme urgency) when on duty, shall be guilty of an offence, and liable on summary conviction to imprisonment for a period not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

Harbouring  
police officer  
or giving  
police officer  
gift or  
intoxicating  
liquor.

(2) Any person who, by threats or by offer of money, gift, intoxicating liquor or any other thing induces or endeavours to induce any police officer to commit a breach of his duty as a police officer or to omit any part of such duty, shall be guilty of an offence, and liable on summary conviction to imprisonment for a period not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and in addition the money, gift, intoxicating liquor or thing shall be forfeited to the Crown.

**42.** Any person who knowingly uses or attempts to pass off any forged or false certificate, character, letter or other document for the purpose of obtaining admission into the Force or who, on applying for enlistment, shall knowingly make any false answer to any question which shall be put to him by a police officer, shall be guilty of an offence and liable on summary conviction to imprisonment for a period not exceeding six months or to a fine not exceeding fifty pounds.

Obtaining  
admission  
into Force  
by fraud.

**43.** Nothing in this Act shall be construed as exempting any police officer from being proceeded against in the ordinary course of law when accused of any offence punishable under any other Act or law.

Ordinary  
course of  
law not to  
be interfered  
with.

**44.** (1) No person who has been acquitted by a court of any offence shall be tried on the same charge or suffer any punishment on account thereof under this Act.

Persons  
acquitted by  
court not  
punishable  
on same  
charge under  
this Act

(2) If any police officer has been convicted by a court of any offence, he shall not be liable to be punished for the same offence under this Act otherwise than by reduction in rank or grade or by dismissal from the Force.

nor if con-  
victed except  
by reduction  
in rank or  
dismissal.

**45.** (1) Subject to any Rules made under this Act, whenever a junior police officer or a constable ceases to belong to the Force, he shall deliver up his arms, uniform and other equipment supplied to him by the Government at such time and place and to such person as the Commissioner shall direct.

Constables  
to return  
arms and  
equipment.

(2) If he fails to produce, or to account satisfactorily for the absence of, any such arms, uniform or equipment, he shall be liable to pay the value of such arms, uniform or equipment as a civil debt and in any action for the recovery of any such sum a statement signed by a Superior Police Officer that such officer or constable has failed to produce or to account satisfactorily for the absence of any arms, uniform or equipment and stating the value of any such arms, uniform or equipment shall be sufficient evidence of the facts therein stated.

(3) If such failure to produce or to account satisfactorily for the absence of any such arms, uniform or equipment is, in the opinion of the Magistrate, wilful, the defaulter shall be guilty of any offence under this subsection and, in addition to being liable for the payment of any sum of money for the value of such arms, uniform or equipment, shall be liable on summary conviction to imprisonment for a period not exceeding twelve months.

Power of  
summoning  
witnesses.

46. Every Superior Police Officer empowered to enquire into offences by police officers, created by Rules made under this Act, and any member of a Court of Enquiry appointed thereunder to enquire into any matter affecting the order and discipline of the Force shall, in any matter touching such enquiries, be vested with all the powers of a Magistrate of summoning and enforcing the attendance and examination of witnesses and calling for documents in any matter before him. In every such enquiry where witnesses are examined on oath or affirmation, the proceedings and evidence shall be recorded in writing.

Carrying  
out of  
sentences  
of imprison-  
ment.

47. Any sentence of imprisonment awarded by a Superior Police Officer shall be subject to confirmation by the Commissioner, and shall be served in a police cell or police guardroom and may involve—

- (a) deprivation of pay for the period of imprisonment;
- (b) attending all punishment drills, not exceeding one hour at a time, for four hours in all on the same day;
- (c) employment on fatigue duties;
- (d) forfeiture of pay.

Power of  
suspension.

48. A Superior Police Officer may suspend any police officer of or below the rank of Inspector charged with any criminal offence, or with any offence created by Rules under this Act:

Provided that any such suspension shall be reported without delay to the Commissioner.

Pay not to  
accrue  
during  
absence  
without  
leave or  
imprison-  
ment.

49. (1) No pay shall accrue to a police officer in respect of any day during which he is absent on desertion or without leave or undergoing any sentence of imprisonment.

(2) A police officer, when under suspension pending the hearing of a charge against him, shall not be entitled to more than half-pay. If the hearing of the charge results in an acquittal, the member shall be entitled to receive full pay in respect of the period of suspension.

(3) No period of such absence, imprisonment or suspension shall be reckoned as one day for the purposes of this Act or any Rules made hereunder, unless the absence, imprisonment or suspension has lasted for six consecutive hours or upwards, whether wholly in one day, or partly in one day and partly in another.

(4) When any period of such absence, imprisonment or suspension exceeds six consecutive hours as aforesaid, but does not exceed twenty-four hours, it shall not be reckoned as more

than one day but if such period exceeds twenty-four hours every period of twenty-four hours, or part thereof, after the first period of twenty-four hours shall be reckoned as one day.

(5) A police officer below the rank of Chief Inspector who has been recommended to be dismissed from the Force shall not be entitled to any pay for the period between the date of such recommendation by the Commissioner and the date on which the officer is dismissed by the Public Service Commission acting upon such recommendation.

**50.** (1) All fines imposed upon police officers below the rank of Chief Inspector for offences under Rules made under this Act shall be recovered by stoppages from the offender's pay due at the time of committing such offence, and thereafter accruing due. The amount of stoppage in respect of any fine shall be in the discretion of the officer authorised to impose fines, but shall in no case exceed one-fifth of the monthly rate of pay of the offender and whenever more than one order of stoppage is in force against the same person, so much only of his pay shall be stopped as shall leave him a residue of at least four-fifths of his monthly rate of pay, excluding good conduct pay. Fines to be recovered by stoppages.

(2) When more than one order of stoppage is made upon the same person, the orders later in date shall, where necessary, not be enforced until the earlier orders are discharged.

(3) In all cases of damage or loss of arms, clothing, equipment or any Government property, in addition to such other punishment as may be awarded, the offender shall be put under stoppages of pay until he has made good the cost of repairing or replacing the articles lost or damaged: Loss of arms, etc.

Provided that the total amount of stoppages referred to under this section shall not exceed in any one month one-fifth of the offender's monthly rate of pay.

**51.** (1) All fines, stoppages for loss of clothing or equipment or pay which has been forfeited may be deducted from the pay of any police officer who has incurred the liability. All such fines shall be paid into the Consolidated Revenue Fund. Fines or stoppages and purchases in canteen.

(2) All debts incurred by purchases from an official Police canteen may be deducted from the pay of any police officer who has incurred the liability.

**52.** (1) Police officers shall not, except with the express approval of the Minister, be members of, or have any connection whatsoever with, any political society, organisation, or movement, or with any trade union, or any union (Civil Service or otherwise), either within or without Sierra Leone: Membership of political society, or trade union.

Provided that no such express approval shall be necessary in relation to membership of a Police Federation established under such conditions as the Minister may, by Rules made under this Act, prescribe.

(2) Any breach of the provisions of this section may entail immediate dismissal from the Force.

**53.** All police officers shall carry out the lawful commands of their superior officers. Obedience to lawful commands.

than one day but if such period exceeds twenty-four hours every period of twenty-four hours, or part thereof, after the first period of twenty-four hours shall be reckoned as one day.

(5) A police officer below the rank of Chief Inspector who has been recommended to be dismissed from the Force shall not be entitled to any pay for the period between the date of such recommendation by the Commissioner and the date on which the officer is dismissed by the Public Service Commission acting upon such recommendation.

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(2) When more than one order of stoppage is made upon the same person, the orders later in date shall, where necessary, not be enforced until the earlier orders are discharged.

(3) In all cases of damage or loss of arms, clothing, equipment or any Government property, in addition to such other punishment as may be awarded, the offender shall be put under stoppages of pay until he has made good the cost of repairing or replacing the articles lost or damaged:

Provided that the total amount of stoppages referred to under this section shall not exceed in any one month one-fifth of the offender's monthly rate of pay.

**51.** (1) All fines, stoppages for loss of clothing or equipment or pay which has been forfeited may be deducted from the pay of any police officer who has incurred the liability. All such fines shall be paid into the Consolidated Revenue Fund.

(2) All debts incurred by purchases from an official Police canteen may be deducted from the pay of any police officer who has incurred the liability.

**52.** (1) Police officers shall not, except with the express approval of the Minister, be members of, or have any connection whatsoever with, any political society, organisation, or movement, or with any trade union, or any union (Civil Service or otherwise), either within or without Sierra Leone:

Provided that no such express approval shall be necessary in relation to membership of a Police Federation established under such conditions as the Minister may, by Rules made under this Act, prescribe.

(2) Any breach of the provisions of this section may entail immediate dismissal from the Force.

**53.** All police officers shall carry out the lawful commands of their superior officers.

Fines to be recovered by stoppages.

Loss of arms, etc.

Fines or stoppages and purchases in canteen.

Membership of political society, or trade union.

Obedience to lawful commands.

Private  
business or  
trade.

54. No police officer shall, while he holds such appointment, engage in any private business or trade without the consent of the Commissioner.

#### PART VII—MISCELLANEOUS PROVISIONS

Rewards  
and  
gratuities.

55. (1) It shall be lawful for the Commissioner, either on his own initiative, or on the recommendation of a Judge of the Supreme Court, or of a Magistrate, to grant monetary rewards and gratuities to police officers (including special and supernumerary constables) for or in respect of—

- (a) wounds or injuries received on service or otherwise in the course of duty;
- (b) special acts of bravery, such as—
  - (i) saving or attempting to save life;
  - (ii) saving or attempting to save property from loss by fire, theft, shipwreck or in other circumstances attended by danger;
- (c) valuable intelligence acquired by personal risk, hardship, or unusual skill;
- (d) any other special or meritorious service:

Provided that any monetary reward or gratuity exceeding ten pounds shall require the sanction of the Minister.

(2) All sums of money as may from time to time be granted under subsection (1) shall be paid out of the Consolidated Revenue Fund.

Attachment  
of pay, etc.  
for debt.

56. The pay, allowances or gratuities of any police officer, or any monetary rewards granted under section 55, shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, except a debt due to Government.

Unlawful  
possession  
of arms and  
clothing of  
police.

57. Any person, who shall knowingly detain, buy, exchange or receive from any police officer or deserter from the Force or who shall solicit or entice, or be employed by, any such police officer or deserter knowing him to be such, to sell, put away, or dispose of, any arms, clothing or equipment furnished for the use of the Police, or who shall have in his possession any such arms, clothing or equipment, and shall not give a satisfactory account of how he came by the same, shall be guilty of an offence, and on summary conviction, be liable to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

#### PART VIII—RULES AND STANDING ORDERS

Rules.

58. The Minister may make rules relating to all or any of the following purposes—

- (i) providing for the registration and photographing of criminals and persons prosecuted and charged before any Court with an offence which amounts to felony or involves fraud or dishonesty;

- (ii) describing the duties of police officers in connection with such registration and photographing;
- (iii) prescribing that the duties of police officers in connection with the registration and photographing of criminals and persons prosecuted and charged before any Court with an offence which amounts to felony or involves fraud or dishonesty may in places where there are no police officers be carried out by prison officers;
- (iv) prescribing the manner and form of registration of criminals and the places in which registers shall be kept;
- (v) providing for the taking of fingerprints of criminals and any persons prosecuted and charged before any Court with an offence which amounts to felony or involves fraud or dishonesty;
- (vi) prescribing the persons who may be authorised to take fingerprints;
- (vii) prescribing how property which has come into the possession of the Police or which has been forfeited to the Crown shall be disposed of;
- (viii) providing for the discipline of the Force and offences against discipline and punishments therefor;
- (ix) providing for the appointment of Courts of Enquiry to enquire into any matters affecting the good order and discipline of the Force, and regulating their procedure;
- (x) providing for the establishment and management of canteens and recreation rooms for the benefit of the Force;
- (xi) prescribing the dress, clothing and equipment to be issued to the Force;
- (xii) prescribing the pay and allowances of police officers and making provision for the withholding, suspending, deferring or stopping of increments of pay;
- (xiii) prescribing the leave to be enjoyed by police officers;
- (xiv) generally for the purpose of giving effect to this Act;
- (xv) providing for the application of any of the provisions of the Pensions Act and of any Rules made thereunder relating to the grant of gratuities and pensions to the dependants of special or supernumerary constables killed in the actual discharge of their duties as police officers, notwithstanding that such special or supernumerary constables as the case may be do not hold any pensionable office within the meaning of the said Act

Standing  
Orders.

59. The Commissioner may make such Standing Orders as he may think fit and proper for the good order, discipline and welfare of the Force, and such orders shall be binding upon all police officers. Without prejudice to the generality of the foregoing paragraph, such orders may provide for the following matters—

- (1) the duties to be performed by police officers and for their guidance in the discharge of such duties;
- (2) the training and discipline of the Force;
- (3) the issue of arms, ammunition, accoutrements, uniforms and other necessaries to be supplied to the Force;
- (4) the qualifications of persons seeking enlistment in the Force, the form and method of their appointment, their general government with respect to their classification and rank, the services required of them and their conduct in the performance thereof;
- (5) organisation, administration and training of the Force;
- (6) general police duties;
- (7) the management and government of police offices, training schools, barracks, stations and rifle ranges;
- (8) management and government of cells and lock-up rooms and of persons confined therein;
- (9) distribution, posting and removal of police officers from station to station and the place or places in which they shall reside;
- (10) duties of Police in connection with civil disturbances; and
- (11) duties of the Police Band.

#### PART IX—APPLICATION TO PROVINCES

Court  
Messengers.

60. A Court Messenger who has been transferred to the Force shall notwithstanding that he has not complied with the provisions of sections 12 and 13, be deemed for all purposes to be a police officer and for the purposes of this Act to have been enlisted to serve in the Force on the date on which he was enlisted to serve in the Force of Court Messengers.

Proclama-  
tion, etc. in  
case of riot.

61. The powers exercisable by the Minister under section 29 as to Proclamations may be exercised by a Resident Minister in respect of his province or any district or districts therein.

#### PART X—SAVINGS AND REPEAL

Repeal of  
Cap. 150,  
and  
saving of  
Rules and  
Regulations,  
etc.

62. The Police Act is hereby repealed:

Provided that—

- (a) all Rules, Regulations and Standing Orders made under the provisions of the Police Act shall be deemed to have been made under the provisions of this Act, and shall continue in force except in so far as they shall from time to time be amended, revoked or replaced by Rules, Regulations and Standing Orders made under the provisions of this Act;

(b) persons who were police officers immediately before such repeal took effect shall be police officers under this Act and their status, seniority, rights, duties and functions shall not be affected thereby except in so far as expressly modified by the provisions of this Act or any Rules, Regulations or Standing Orders made hereunder.

FIRST SCHEDULE (Section 11)

OATH TO BE TAKEN BY A SUPERIOR POLICE OFFICER

I.....do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second, Queen of Sierra Leone, Her Heirs and Successors, in the office of....., without favour or affection, malice or ill-will, and that I will cause Her Majesty's peace to be kept and preserved; and that I will prevent to the utmost of my power all offences against the same; and that I will truly and faithfully obey all lawful commands of the Government of Sierra Leone; and that while I continue to hold the said office, or some other office in the Sierra Leone Police Force, I will to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law—so Help me God.

Signed.....

SWORN before me this day of , 19

Governor-General/Commissioner.

SECOND SCHEDULE (Sections 12 & 17)

SIERRA LEONE POLICE FORCE

ATTESTATION PAPER

I.....an applicant seeking enlistment in the Sierra Leone Police Force give my answers to the following questions—

1. What is your full name?
2. What is your present age?  
Give date of birth if known.  
(Birth Certificate to be produced if available.)
3. Where were you born?
4. What is your nationality?
5. Who is your next of kin?
6. Where were you educated?
7. What standard of education have you reached?
8. What is your present occupation?
9. Have you ever been employed in Government service? Or in H.M. Forces?  
If so give particulars and reasons for leaving such service.
10. Have you ever been in prison? If so why?
11. Have you ever been convicted of any criminal offence?  
If so, give particulars.
12. Have you ever suffered from any serious illness?  
If so, give particulars.

- 13. Are you engaged in or connected with any commercial under-  
taking whatsoever?  
If so, give particulars.
- 14. Are you in debt to anyone?  
If so, give particulars.
- 15. Are you a judgment debtor? Or are there any writs for debt  
outstanding against you?  
If so, give particulars.
- 16. Are you married?  
If so, state number of wives and their names.
- 17. Have you any children?  
If so, give names, sex and ages.
- 18. Are you a member or have you any connection whatsoever with  
any political society, organisation or movement or any trade  
union or any union (Civil Service or otherwise) either within or  
without Sierra Leone?

I,.....hereby declare that the replies  
given by me to the above questions and recorded hereon are true. I under-  
stand that if any of my replies to these questions are subsequently proved to  
be false I am liable to imprisonment for a period of six months.

Signature of—

Signature of—

Witness.....

Recruit.....

Date.....

Place.....

*(If the recruit is unable to write  
rolled impressions of his two thumb-  
prints should be made hereon).*

Left

Right

I CERTIFY THAT the above declarations have been made before me and  
signed (or marked) in my presence and that recruit.....  
(Name) understands the nature of the questions asked and that his replies  
have been correctly recorded hereon.

Date.....

Place.....

.....  
**Superior Police Officer.**

THIRD SCHEDULE

(Section 13)

DECLARATION TO BE MADE BY A CONSTABLE ON BEING ENLISTED

I,.....do hereby solemnly and sincerely declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Sierra Leone, Her Heirs and Successors, and the Government of Sierra Leone, in the office of constable, for a period of.....years and for such other period or periods as I may re-engage to serve; that I will obey all lawful orders of the said Government and the officers placed over me, and subject myself to all Acts and Rules relating to the Police now in force or which may from time to time be in force.

Signed.....

DECLARED before me this                    day of                    , 19   .

.....  
*Superior Police Officer.*

FOURTH SCHEDULE

(Section 14)

DECLARATION TO BE MADE BY A CONSTABLE RE-ENGAGING

I, No.....Rank..... Name..... at present serving in the Sierra Leone Police Force, desiring to re-engage for further service in such Police Force, do hereby solemnly declare that I will serve Her Majesty Queen Elizabeth the Second, Queen of Sierra Leone, Her Heirs and Successors, in such Force, upon the conditions contained in the Police Act, 1964, and all Acts amending or substituted therefor and all Rules now or which may hereafter be in force thereunder, for a further term of .....years.

*Signature*.....

DECLARED before me this                    day of                    , 19   .

.....  
*Superior Police Officer.*

Re-engagement approved by me.

....., 19.....

.....  
*Commissioner of Police.*

FIFTH SCHEDULE

(Section 17)

DECLARATION TO BE MADE BY A SUPERNUMERARY CONSTABLE ON ENLISTMENT

I, ..... do hereby solemnly and sincerely declare and promise that I will obey all orders of Her Majesty Queen Elizabeth the Second, Queen of Sierra Leone, Her Heirs and Successors and of the Government of Sierra Leone and the officers placed over me, and subject myself to all Acts and Rules relating to the Sierra Leone Police Force, now in force, or which may from time to time be in force during my period of service.

Signature of Witness

Signature of Supernumerary Constable

.....

.....

Date.....

Place.....

.....

(If the supernumerary constable is unable to write, rolled impressions of his two thumbprints should be made herein.)

Left

Right

I CERTIFY THAT the above declaration has been made before me and signed (or marked) in my presence and that Supernumerary Constable .....(Name) understands the nature and purport thereof.

Date.....

Place.....

.....  
Superior Police Officer.

NOTICE TO TERMINATE APPOINTMENT OF SUPERNUMERARY CONSTABLES (Section 17)

To ..... of ..... , I, the undersigned Commissioner/Superior Police Officer, do in exercise of the powers conferred on me by section 17 of the Police Act, 1964, hereby give you notice that the appointment of..... as a Supernumerary Constable, made on the day of ..... 19 , is terminated with effect from the day of ..... 19 .

(Signed).....  
Commissioner of Police/  
Superior Police Officer.

SIXTH SCHEDULE (Sections 18 and 22)  
APPOINTMENT OF SPECIAL CONSTABLE (Section 18)

To....., of....., I, the undersigned Commissioner/Assistant Commissioner do, under the powers conferred upon me by section 18 of the Police Act, 1964, hereby appoint you to be a special constable for the.....District, for the period of.....from the date hereof or until further notice.

DATED this , day of , 19 .

(Signed).....  
Commissioner of Police.

NOTICE TO TERMINATE APPOINTMENT OF SPECIAL  
CONSTABLE (Section 22)

To....., of....., I, the undersigned Commissioner/Superior Police Officer do in exercise of the powers conferred on me by section 22 of the Police Act, 1964, hereby give you notice that your appointment as a special constable, made on the day of , 19 , is terminated with effect from the date hereof. Your form of appointment, clothing and equipment must be delivered to the N.C.O. in charge of the nearest police station within 7 days of the date of service of this notice.

DATED this , day of , 19 .

(Signed).....  
Commissioner of Police/  
Superior Police Officer.

Passed in the House of Representatives this 28th day of April, in the year of our Lord one thousand nine hundred and sixty-four.

S. V. WRIGHT,  
Clerk of the House of Representatives.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed the House of Representatives and found by me to be a true and correctly printed copy of the said Bill.

S. V. WRIGHT,  
Clerk of the House of Representatives.