ST HELENA

REVISED EDITION OF THE LAWS, 2017

SECURITY & LAW ENFORCEMENT

POLICE SERVICE ORDINANCE, 1975[1]

Ordinance 4 of 1975
In force 10 October 1975

Amended by Ordinances 7 of 1985, 22 of 1987, 23 of 1987, 9 of 1994, 2 of 2001, 8 of 2003, 6 of 2015, 6 of 2016, 14 of 2017

Subsidiary legislation:
POLICE (DISCIPLINE) REGULATIONS, 1976
Legal Notice 17 of 1976
Amended by L.N. 10/2000, L.N. 9/2015

POLICE REGULATIONS, 2000
Legal Notice 10 of 2000
Amended by L.N. 11/2000, L.N. 11/2003, L.N. 9/2015, L.N. 21/2026

COLONIAL SPECIAL CONSTABULARY MEDAL REGULATIONS, 1957
Legal Notice 25 of 1957

COLONIAL POLICE LONG SERVICE MEDAL REGULATIONS, 1973
Legal Notice 1 of 1973
Amended by L.N. 9 of 2015

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[1] *Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.*

POLICE SERVICE ORDINANCE, 1975

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POLICE SERVICE ORDINANCE, 1975

AN ORDINANCE to make provision for the police service in St Helena.

PART I
PRELIMINARY

Short title

1. This Ordinance may be cited as the Police Service Ordinance, 1975.

Interpretation

2. **(1)** In this Ordinance, unless the context otherwise requires—

"officer" means a police officer below the rank of sergeant but excluding a police cadet;

"Director of Police" means the officer appointed under section 5 of this Ordinance to command the Service;

"function" includes powers and duties;

"Justice" means a Justice of the Peace or Magistrate;

"member of the service" has the meaning given to that term by section 16;

"police cadet" means a member of the Service who has not attained the age of 18 years;

"police officer" includes any member of the Service having the powers of a constable, and includes a special constable, where the context so admits, but does not include a police cadet;

"Police Welfare Fund" means the fund established under section 51(3);

"public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise;

"Senior Police Officer" means any police officer of and above the rank of Chief Inspector;

"Service" means the St Helena Police Service for which provision is made in this Ordinance.

(2) Any reference to 'Assistant Superintendent' or above in any St Helena or Ascension Island Ordinance is to be construed as a reference to 'Senior Police Officer'.

Continuance of service

3. Any person who, on the date of the commencement of this Ordinance, is serving in the Service of St Helena is deemed to be employed under the provisions of this Ordinance without any break in his or her service as a police officer.

PART II
CONSTITUTION AND APPOINTMENTS

Constitution and maintenance of Service

4. **(1)** The Service is to be constituted and maintained in accordance with the provisions of this Ordinance and with Headquarters in St Helena.

(2) The Service is to consist of a Director of Police, and as many other police officers and police cadets as the Governor from time to time appoints.

(3) The costs and expenses of constituting and of maintaining the Service are to be charged on the Consolidated Fund to the amounts and in the proportions from time to time by annual vote or otherwise voted by the Legislative Council or granted by other lawful authority.

Appointment of Director of Police

5. The Governor must appoint some fit and proper person to be Director of Police, who, subject to the general orders of the Governor, has the sole command of the Service and is responsible to the Governor for the proper expenditure and use of all public funds and property specially appropriated by the Legislative Council for the service thereof.

Appointment of acting Director of Police

6. The Governor may appoint a member of the Service as the acting Director of Police to act as Director of Police when required and to have the same powers as the Director of Police when performing that function.

Power of Director of Police to delegate authority

7. **(1)** If by any law the Director of Police is designated by rank to perform any function –

(a) the Director of Police may, subject to the approval of the Governor, and unless by law expressly prohibited from so doing, depute any member of the Service by name to perform that function on his or her behalf (except this power of delegation), ~~and~~ subject to any conditions, exceptions, and qualifications the Governor directs; and

(b) thereupon, or from a date specified by the Director of Police, the person deputed must perform that function subject as aforesaid.

(2) *Repealed*

Affirmation on appointment

8. A person appointed to a post in the Service under this Ordinance is not capable of holding that post until he or she takes and subscribes an affirmation as set out in Form 1 in the Schedule.

Requisites for appointment

9. A person must not be appointed to the Service unless he or she is of good Character and—

(a) in the case of police cadets - is above the age of 16 years; or

(b) in the case of all other officers - is above the age of 18 years.

Probation and term of service

10. **(1)** Every member of the Service must on appointment by the Governor serve a period of 2 years on probation or any longer or shorter period the Governor requires.

(2) Subject to sections 11 and 12, any member of the Service —

(a) may continue to serve in the Service until he or she has attained the age of 60 years; and

(b) on reaching the age of 60 years, may apply for continuance of his or her service

beyond that age.

(3) An application made under subsection (2)*(b)* may be granted by the Governor only if such continuance is recommended by the Director of Police: ~~Provided that~~ but the continuance so granted must not exceed 5 years.

(4) Any reference in this section to a period of probation does not apply to a police officer whose first appointment in the Service was that of a Senior Police Officer, without affecting the terms upon which that officer was appointed.

Dismissal during probation

11. **(1)** During the period of probation, the services of any police officer or police cadet may be dispensed with at any time if the Director of Police, with the concurrence of the Governor, considers that he or she is not fitted, physically or mentally, to perform the duties of the office or that he or she is not likely to become an efficient and well-conducted police officer.

(2) If at the end of the period or probation, the services of the officer or cadet have not been dispensed with, he or she must be confirmed in his or her appointment.

Discharge or dismissal from Service

12. Any member of the Service below the rank of Senior Police Officer may at any time during the period of his or her employment in the Service—

(a) be discharged, if he or she has—

(i) been pronounced by a medical officer to be physically or mentally unfit for further service;

(ii) been generally inefficient in the discharge of his or her duties and it is in the public interest that he or she should cease to perform his or her duties as a police officer; or

(iii) applied for his or her discharge, or been permitted by the Director of Police to resign;

(b) be dismissed if—

(i) offending against the provisions of this Ordinance; or

(ii) convicted of any criminal offence before any court of law exercising criminal jurisdiction whether within or outside St Helena.

Warrant card

13. A warrant card must be issued to every police officer and is evidence of his or her appointment under this Ordinance.

Training of members of Service

14. All members of the Service must undergo any training courses within or outside St Helena that the Governor from time to time directs.

Uniform, clothing and equipment

15. Every member of the Service must be issued with the articles of uniform, clothing and equipment necessary for the effectual discharge of his or her duties; such articles must be kept and used in accordance with regulations made under this Ordinance.

Status of members of Service

16. Every person for the time being serving in the Service is deemed a member of the Service and has and may enjoy all the rights, privileges, powers, authorities and immunities conferred on a member of the Service by any law which is now in force or may hereafter be enacted.

Every police officer to be a constable

17. Every police officer has all such rights, powers, authorities, privileges and immunities and is liable to all such duties and responsibilities, as a police constable duly appointed now has or is subject or liable to, either at common law or by virtue of any law which now is or may hereafter be in force in St Helena.

General powers of police officers

18. If by any law, powers are conferred upon police officers of a certain rank, such powers may lawfully be exercised by police officers of any higher rank.

Liability for service on Ascension Island

19. Any member of the Service who has attained the age of 18 years may be required to serve on Ascension Island for a period specified by the Director of Police.

Motor vehicles for use by Service

20. There must be provided out of funds appropriated by the Legislative Council a sufficient number of motor vehicles to be used by the Service as the exigencies of the Service require and to be distributed throughout St Helena as the Director of Police may direct.

PART III
RECRUITMENT OF SPECIAL CONSTABLES

Engagement of special constables

21. **(1)** The Director of Police may engage men and women as special constables for full or part time employment with the Service when it is necessary to augment the regular Service for the preservation of the public peace and the prevention and detection of crime.

(2) The Governor may prescribe the terms and conditions of service of special constables and may prescribe different terms and conditions for different classes of special constables as may be necessary.

(3) The Director of Police must issue to each special constable on appointment a notice of appointment as set out in Form 2 in the Schedule.

Powers of special constables

22. **(1)** Every special constable has the same powers, enjoys the same privileges and protection, is liable to perform the same functions, is subject to the same penalties and answerable to the same authorities as any other member of the Service.

(2) Every special constable has a rank as assigned to him or her by the Director of Police.

Clothing, etc. of special constables

23. The Governor may provide at public expense for the issue to special constables of clothing and equipment for the due performance of their functions as special constables.

Neglect, etc. by special constables

24. *Repealed*

Termination of services of special constables

25. The Director of Police may terminate the services of any special constable, and must give the special constable concerned written notice of the termination as set out in Form 3 in the Schedule.

PART IV
DUTIES AND POWERS OF MEMBERS OF THE SERVICE

Duties of the Service

26. **(1)** It is the duty of every police officer—

(a) to preserve the peace and prevent and detect crime and other offences against the law;

(b) to arrest persons found committing any offence rendering them liable to arrest without warrant, or whom the officer reasonably suspects of having committed any such offence[2];

(c) *Repealed*

(d) to stop, search and detain any aircraft, vessel, (excluding a ship of war or having the status of a ship of war) boat, motor vehicle, cart or other conveyance in or on which there is reason to suspect that anything stolen or unlawfully obtained or any smuggled goods may be found, and also any person who is reasonably suspected of having or conveying in any manner anything stolen or unlawfully obtained or any smuggled goods;

(e) *Repealed*

(f) to execute summonses, subpoenas, warrants, commitments and other process issued by the courts;

(g) to keep order in and within the precincts and in the vicinity of all courts during the sittings of such courts;

(h) to deal with disturbances of the peace;

(i) to assist in carrying out any revenue, excise, quarantine, immigration and aliens

[2] *See Part IV of the Police & Criminal Evidence Ordinance, 2003 for powers of arrest without warrant*

registration laws;

(j) to act as an officer and warder of any prison;

(k) to escort and guard prisoners;

(l) to perform any other functions that the police officer is from time to time required to perform by the Governor or under any law, rule or regulation:

(1A) All searches of persons pursuant to subsection (1) must be carried out under relevant legislation and with strict regard to decency and if any person to be searched is a female the search must only be carried out by another female acting as, or under the direction of, a member of the Service.

(2) For the performance of the duties and functions prescribed in subsection (1), any police officer may carry arms in accordance with standing orders issued under section 52 or any other order issued by the Director of Police or by the Governor.

27. *Repealed.*

Power of searching persons on or about ships or aircraft

28. **(1)** If a member of the Service has reasonable grounds to believe that any person on board or about to board any ship, (excluding a ship of war or having the status of a ship of war) boat or aircraft within the territorial waters or airspace of St Helena, or any person who has landed from any ship, boat or aircraft (whether or not the person has travelled on that ship, boat or aircraft) has any firearm or uncustomed or prohibited goods about his or her person –

(a) the member of the Service may search the person without warrant; and

(b) any person may be detained for a period not exceeding 6 hours for the purpose of being searched under this subsection.

(2) It is an offence for a person as mentioned in subsection (1) to –

(a) rescue or destroy or attempt to destroy any goods to prevent seizure; or

(b) obstruct any member of the Service in going, remaining or returning from on board any ship, boat or aircraft or in searching such ship, boat, aircraft or person or otherwise in the execution of his or her duty.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

Director of Police may designate detention centres

29. **(1)** The Director of Police may designate any secure place to be a detention centre for the temporary confinement of persons under arrest.

(2) A person under arrest may be detained in a place designated in accordance with subsection (1) until—

(a) he or she is admitted to bail; or

(b) if he or she is not admitted to bail - he or she can be brought before a Justice of the Peace to be dealt with according to law.

Police protection by Justices' warrant

30. **(1)** If any action is brought against any member of the Service for any act done in accordance with the warrant of any Justice of the Peace –

(a) the member is not responsible for any irregularity in the issuing of the warrant or for any want of jurisdiction of the Justice issuing it, but may plead the general issue and give the warrant in evidence at the trial; and

(b) upon proof that the signature to the warrant is the hand-writing of the person

whose name appears subscribed to it and that that person was reputed to be and acted as a Justice of the Peace and that any act complained of was done in accordance with the warrant, there must be a verdict for the member of the Service, who is entitled to recover his or her costs of the action.

(2) A police officer, if required to do so while executing a warrant directed to him or her, to produce the warrant to any person taken into custody under it and to permit a copy of it to be taken by that person or on behalf of that person either at the time of arrest or at any time afterwards so long as the warrant remains in the officer's custody.

Summonses

31. Any summons lawfully issued by a Justice or by a court may be served by any member of the Service at any time.

Proof of service of process

32. **(1)** If any summons or other process of a court is served by a member of the Service, the service may be proved by endorsement on the original or on a copy of the summons or process under the hand of any such person effecting the service, showing the fact, mode and date of the service of the summons or process.

(2) A person who wilfully and corruptly endorses any false statement on the original or a copy of a summons or other process served or to be served by the person commits an offence.
Penalty: A fine of £500 or imprisonment for 6 months, or both.

Dispersal of assembly and related offences

33. *Repealed*

Power to prevent congestion in public place

34. **(1)** Any member of the Service may order any person or persons causing an obstruction in any public place or thoroughfare to remove, or cause to be removed, the obstruction.

(2) A person who fails to obey an order under subsection (1) commits an offence.
Penalty: A fine of £250 or imprisonment for one month, or both.

Power to control traffic

35. **(1)** A member of the Service in uniform may control traffic either orally or by hand or mechanical device.

(2) A person who disobeys any instruction or any signal contemplated by subsection (1) commits an offence.
Penalty: A fine of £250 or imprisonment for one month, or both.

Power to regulate traffic

36. **(1)** Whenever, in the opinion of the Director of Police, a street is liable or likely to be thronged or obstructed, the Director or any other member of the Service acting under his or her authority may—

(a) direct the route to be observed by motor vehicles or carts which are in use or are being driven or propelled in or near to such streets, or by persons riding or driving

any animal in or near to such streets;

(b) prevent motor vehicles or carts or persons riding or driving any animal from entering such street;

(c) prescribe the lane to be kept by persons riding, driving or walking in any such street;

(d) generally do all that is necessary to prevent a congestion of the traffic and provide for the safety and convenience of the public.

(2) A person who disregards or fails to obey any reasonable order of the Director of Police or any other member of the Service acting under the Director's authority given with the object of carrying out the provisions of this section commits an offence.
Penalty: A fine of £250 or imprisonment for one month, or both.

Removal of motor vehicle

36A. (1) A police officer may remove to a convenient place of safety any motor vehicle or other property found unattended in any public place, the removal of which the officer reasonably believes to be necessary or desirable—

(a) for preventing the obstruction of any highway; or

(b) in order to protect the vehicle (or anything in it or on it) or property from any danger of theft or damage, whether or not the danger is an immediate one.

(2) Subsection (1) applies to any vehicle or property in the possession, custody or control of a person arrested as if such property had been found unattended.

Assaulting police officer, obstruction, etc.

37. It is an offence for a person to—

(a) assault, obstruct or resist any police officer acting in the execution of his or her duty;

(aa) aid or incite any person so to assault, obstruct or resist; or

(b) by the giving of false information with intent to defeat or delay the ends of justice, wilfully mislead or attempt to mislead any such officer.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

PART V
DISPOSAL OF STOLEN OR UNCLAIMED PROPERTY IN CUSTODY OF POLICE

Disposition or detention of property alleged to be stolen etc

38. (1) If –

(a) any goods or money alleged to be stolen or fraudulently obtained are in the custody of any member of the Service by virtue of any warrant of a Justice or in prosecution of any charge of an offence in regard to the stealing or obtaining possession of the property; and

(b) the person charged with stealing or obtaining possession cannot be found, or has been discharged, or tried and acquitted or convicted, the Magistrates' Court may –

(i) make an order for the delivery of the goods or money to the party who appears to be the rightful owner of them; or

(ii) if the owner cannot be ascertained, then if the goods are of a perishable nature, make such order with respect to them as the court thinks fit, but if the goods are not of a perishable nature, order them to be detained in the custody of the Director of Police to be dealt with as hereinafter provided.

(2) An order made under subsection (1) is not a bar to the right of any person to

take any action at law to establish the person's ownership or right to the goods or money, on condition however that such action must be commenced within 12 months next after the order is made.

Power to detain and sell unclaimed property

39. If any goods or money found or otherwise taken charge of by any member of the Service, or alleged to be stolen or unlawfully obtained, and of which the owner is unknown, are delivered to the Director of Police by order of the Magistrates' Court or otherwise, the goods or money may, after the expiration of 6 calendar months during which no owner appears to claim the same, be sold or disposed of by the Director of Police or under his or her written order and the proceeds of such sale or such money must be paid forthwith to the Consolidated Fund.

Advertisement of property to be sold

40. **(1)** All goods sold pursuant to section 39 must be sold by public auction after the requirements of subsection (2) have been met..

(2) The Director of Police must cause details of the items to be sold to be published, and an advertisement giving notice of the sale and containing also a statement of all bank notes, coins and monies, plate, jewellery or other valuable property (if any) ordered to be disposed of as provided by section 39, must be inserted in some public newspaper or a Government notice published in St Helena one month at least before the day of the sale and must again be inserted in such newspaper or Government notice not more than one week before the day of sale.

Effect of other law

41. *Repealed*

PART VI
RECORDING, MANAGEMENT AND INVESTIGATION OF COMPLAINTS AGAINST POLICE OFFICERS

Inciting rioting in Service

42. *Repealed*

Police officers to obey lawful orders

43. Every member of the Service must obey all lawful orders of his or her senior officers, whether given orally or in writing, and must obey and conform to ~~police~~ regulations made and standing orders issued under this Ordinance.

Complaints Register

43A. All complaints against police officers must be recorded in the Police Service Complaints Register.

Hearing and determination of charge or complaint in disciplinary proceedings

44. **(1)** When any member of the Service, other than a Senior Police Officer, is charged with a breach of any disciplinary regulations made under this Ordinance, any Senior Police Officer may hear and determine the charge or complaint and may, if he or she finds the member of the Service guilty, impose any one of the sentences referred to in subsection

(4).

(2) When any Senior Officer within the Service, other than the Director of Police, is charged with a breach of any disciplinary regulations made under this Ordinance, the Director of Police and Head of Human Resources may hear and determine the charge or complaint and may, if they find such member of the Service guilty, impose any one of the sentences referred to in subsection (4).

(3) If the Director of Police is charged with a breach of any disciplinary regulations made under this Ordinance, the Governor must appoint one or more persons to hear and determine the charge or complaint (**"the Panel"**). If the panel finds the Director of Police guilty, it may impose any one of the sentences referred to in subsection (4).

(4) The sentences which may be imposed under subsections (1), (2) and (3) are the following:

(a) formal verbal warning (stage one) as provided in section 44A;
(b) written warning (stage two) as provided in section 44B;
(c) final written warning (Stage Three) as provided in section 44C;
(d) dismissal with notice as provided in section 44D;
(e) dismissal without notice as provided in section 44E:

But no punishment imposed under paragraph *(c)*, *(d)* or *(e)* becomes effective until confirmed by the Governor.

(5) Any sanction imposed under subsection (4)*(b)* or *(c)* can be accompanied by a recommendation to the Governor for a reduction in rank for the officer concerned.

(6) For the purposes of this Part, a Senior Police Officer, the Director of Police and the Panel referred to in subsection (3) have the same powers in respect of securing and compelling the attendance of witnesses and their examination upon oath and otherwise as are conferred upon a Justice of the Peace under the Magistrates' Court Ordinance.

Verbal warning (Stage One)

44A. (1) For minor offences, a formal verbal warning will be issued, making clear that it constitutes the first step of the disciplinary procedure and that further misconduct may result in more serious consequences.

(2) A copy of the verbal warning will be placed in the employee's personal file and remains valid for 6 months (after which it should be disregarded for disciplinary purposes, subject to satisfactory conduct).

Written warning (Stage Two)

44B. (1) For a more serious offence, or where a lesser or minor offence follows a formal verbal warning that has been issued and remains valid, a written warning will be issued and the written warning must state that a final written warning may be considered if there are further acts of misconduct when the written warning is valid.

(2) A copy of the written warning will be placed in the officer's personal file and remains valid for 12 months (after which it should be disregarded for disciplinary purposes, subject to satisfactory conduct).

Final written warning (Stage Three)

44C. (1) For a serious offence, or where an offence follows a written warning

that remains valid, a final written warning will be issued and the written warning must state that further acts of misconduct during the period when a final written warning is valid may lead to dismissal.

(2) A copy of the final written warning will be placed in the officer's personal file and will remain valid for 18 months (after which it should be disregarded for disciplinary purposes, subject to satisfactory conduct).

Dismissal with notice

44D. (1) For acts of further misconduct, other than gross misconduct, by an officer under a final written warning, dismissal is the final step that will be taken if, despite warnings, conduct does not improve.

(2) An officer must, in such circumstances, be notified of the date on which his or her employment will terminate, and the appropriate notice period.

(3) The decision to dismiss must be confirmed in writing within 5 working days of the disciplinary hearing by the person conducting the disciplinary hearing under section 44.

Dismissal without notice

44E. (1) For offences deemed to be gross misconduct an officer will have his or her employment terminated with immediate effect (subject to confirmation by the Governor) and will not receive pay in lieu of notice:

Provided that he or she will be entitled to pay for any leave entitlement earned but not taken within the current holiday year and any other outstanding monies due to him or her.

(2) The decision to dismiss must be confirmed in writing within 5 working days of the disciplinary hearing by the person conducting the disciplinary hearing under section 44.

Referral of complaint

44F. (1) If the member of the Service referred to in section 44(1) is found guilty of a charge or complaint which is heard by a Senior Police Officer other than the Director of Police, the record of the proceedings must be sent to the Director of Police, who may, after giving the officer or cadet the opportunity of being heard—

(a) return the proceedings for the taking of further evidence;
(b) quash the proceedings and re-hear the charge or complaint himself or herself (and on such re-hearing may take further evidence);
(c) reverse or vary the findings;
(d) confirm the punishment if it is one under section 44(4)*(a)* or *(b)*; or
(e) if the punishment is one under section 44(4), *(c) (d)* or *(e)*, recommend to the Governor that the punishment be confirmed.

(2) If a Senior Officer referred to in section 44(2) is found guilty of a charge or complaint which is heard by the Director of Police, the record of the proceedings must be sent to the Governor, who may, after giving the Senior Officer the opportunity of being heard—

(a) return the proceedings for the taking of further evidence;
(b) quash the proceedings and re-hear the charge or complaint himself or herself (and on such re-hearing may take further evidence);
(c) reverse or vary the findings; or

(d) confirm the punishment.

Appeals to the Governor

45. **(1)** A member of the Service who is dissatisfied with a decision given by the Director of Police may, within 14 days after the decision has been communicated to the member, appeal to the Governor.

(2) A member of the Service who is dissatisfied with the decision of a Senior Police Officer other than the Director of Police may, within 14 days after the decision has been communicated to the member, appeal to the Director of Police; and if dissatisfied with the decision of the Director of Police, the member may appeal to the Governor within 14 days after the decision of the Director of Police has been communicated to the member.

(2A) If the Director of Police is dissatisfied with a decision given by the Panel under section 44(3), he or she may, within 14 days after the decision has been communicated to him or her, appeal to the Governor.

(3) The Governor after considering any appeal made under this section and the notes of evidence and statements and any other documents submitted to him or her, must—

(a) allow the appeal;

(b) dismiss the appeal; or

(c) vary the punishment by substituting some other punishment which the relevant Senior Officer or the Panel might have imposed.

(4) All punishment by a Senior Officer or the Panel under section 44 must within 7 days after the decision be communicated to the Governor for consideration of the punishment.

(5) Every application for consideration of punishment under this section must be in writing.

(6) The decision of the Governor on an appeal or an application under this section is final.

Collection of fines by stoppages

46. *Repealed*

Suspension from duty

47. **(1)** If =

(a) the Director of Police considers that the public interest requires that any member of the Police Service should cease to exercise the functions of his or her office immediately; and

(b) disciplinary or criminal proceedings are being instituted or are about to be instituted against the member,

the Director may suspend the member from duty.

(2) If –

(a) the Governor considers that the public interest requires that the Director of Police should cease to exercise the functions of the office immediately; and

(b) disciplinary or criminal proceedings are being instituted or are about to be instituted against the Director,

the Governor may suspend the Director from duty.

(3) A member of the Police Service or a Director of Police who has been suspended under this section must continue to receive full pay during the period of suspension.

Members of Service to return arms and equipment

48. **(1)** Every member of the Service who by resignation, dismissal, discharge or otherwise leaves the Service, must before leaving deliver up each and every article of uniform, clothing, arms, accoutrements and other Government property which ~~may be~~ is in his or her possession.

(2) A person who fails to deliver up ~~such~~ property as mentioned in subsection (1) commits an offence.
Penalty: A fine of £250 or imprisonment for 3 months.

(3) A person convicted of an offence under subsection (2) is, in addition to any other penalty, liable to pay the value of the property not delivered up, which value must be ascertained by the court, which may thereupon make an order for payment.

PART VII
MISCELLANEOUS

Power to make regulations

49. **(1)** The Governor may make regulations relating to all or any of the following matters, that is to say—

(a) the description and issue of arms, accoutrements, badges of rank, uniforms and necessaries to be supplied to the Service;

(b) the leave of absence which may be granted to members of the Service;

(c) generally, for the good government of the Service and all such matters as may from time to time be considered expedient for rendering the Service efficient in the discharge of its duties and for securing proper discipline in the Service.

(2) *Repealed*

Right of officer to prosecute police cases

50. If any member of the Service lays an information or makes complaint against any person, the Director of Police or any member of the Service deputed by him or her –

(a) may appear before the Magistrates' Court trying or enquiring into the matter of the said information or complaint; and

(b) has the same privileges as to addressing the Court and as to examining the witnesses summoned in the matter as the member of the Service who laid the information or made the complaint would have had.

Rewards and gratuities

51. *Repealed*

Powers of Director of Police to issue standing orders

52. **(1)** The Director of Police, acting in his or her discretion but subject to any regulations or directions made or given by the Governor, may issue such standing orders as

he or she thinks fit and proper for the good order and welfare of the Service.

(2) Standing orders issued under subsection (1) are binding upon all members of the Service, and, without limiting the power to issue them, must provide for the following matters—

(a) the duties to be performed by members of the Service and matters for their guidance in the discharge of their duties;
(b) the training of the Service;
(c) the issue of arms, ammunition, accoutrements, uniforms and other necessities to be supplied to members of the Service;
(d) the qualifications of persons who may be appointed in the Service, 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 of those services;
(e) the organisation and administration of the members of the Service;
(f) general police duties;
(g) the management and government of police offices and other estate;
(h) the management and government of cells and lock-up rooms and of persons confined in them;
(i) the distribution, posting and removal of members of the Service from station to station and the place or places in which they are to reside;
(j) duties of members of the Service in connection with civil disturbances.

Power to take photographs, etc.

53. **(1)** Subject to subsection (2), any member of the Service may take the photograph and DNA sample –

(a) of any person who has been arrested under the powers conferred by this or any other law; and
(b) of any person who has been convicted of any offence.

(2) If a person who has not previously been convicted of any offence has been photographed, or had a DNA sample taken pursuant to subsection (1) is acquitted upon his or her trial, or if the charge against such a person is withdrawn, all photographs (both negatives and copies) and DNA samples so taken must be forthwith destroyed or handed over to the person.

Member of Service not to engage in private business

54. A member of the Service must not, while he or she holds such appointment, engage in any private business or trade, without the consent of the Governor.

Members of Service not to be members of political society or union

55. **(1)** Members of the Service must not, except with the express approval of the Governor, be members of, or have any connection whatsoever with any political society in St Helena or elsewhere.

(2) A member of the Service who commits a breach of this section is liable to immediate dismissal from the Service.

Causing disaffection among members of Service

56. It is an offence for a person to –

(a) cause or attempt to cause, or do any act calculated to cause disaffection amongst the members of the Service; or

(b) induce, or attempt to induce, or do any act calculated to induce any member of the Service to withhold his or her services or to commit breaches of discipline. he

Penalty: A fine of £2,000 or imprisonment for 2 years, or both.

Offence of making false report of commission of offence, etc.

57. It is an offence for a person knowingly to—

(a) make or cause to be made to any member of the Service a false report of the commission of any offence; or

(b) mislead any member of the Service by giving false information or by making false statements or accusations.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

Impersonation etc

58. *Repealed*

Non-exemption from ordinary course of law

59. Nothing in this Ordinance exempts any member of the Service from being proceeded against in the ordinary course of law, when accused of any offence punishable under any other law in force in St Helena.

SCHEDULE
(Sections 8, 21(3) and 25)

FORMS

POLICE SERVICE ORDINANCE, 1975

Form 1
AFFIRMATION ON APPONTMENT
(Section 8)

I .....do hereby solemnly and sincerely affirm that I will well and truly serve our Sovereign Lady the Queen 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 as long as I continue to hold the said office, or any other office in the St Helena Police Service, I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.

(Signature)
I certify that the foregoing affirmation was taken and signed in my presence.

This day of 20 .

Justice of the Peace

POLICE SERVICE ORDINANCE, 1975

Form 2
APPOINTMENT OF SPECIAL CONSTABLE
(Section 21(3))

To …….
of .....

I, the undersigned Director of Police, do under the powers conferred on me by section 21 of the Police Service Ordinance, 1975 hereby appoint you to be a Special Constable for St Helena for the period of..... from the date hereof or until further notice.
Dated this day of 20 .

(Signed)
Director of Police

POLICE SERVICE ORDINANCE, 1975

Form 3
NOTICE TO TERMINATE APPOINTMENT OF SPECIAL CONSTABLE
(Section 25)

To ……
of ……..……..……..……..……..……..……..……

I, the undersigned, Director of Police, do in exercise of the powers conferred on me by section 25 of the Police Service Ordinance, 1975 hereby give you notice that your appointment as a Special Constable made on the ..... day of ……..……., 20…… is terminated with effect from the date hereof.
Your form of appointment, clothing and equipment must be delivered to the officer in charge of .....police station within 7 days of the date of the service of this notice.
Dated this day of 20 .

(Signed)
Director of Police

POLICE SERVICE ORDINANCE, 1975

POLICE (DISCIPLINE) REGULATIONS, 1976

(Section 49)

PART I
PRELIMINARY

1. Citation
2. *Repealed*
3. *Repealed*

PART II
OFFENCES AND DISCIPLINE

4. Kinds of offences and by whom triable
5. *Repealed*
6. Disciplinary offences created by these Regulations
7. Procedure in police disciplinary proceedings
Schedule: Standards of professional behaviour

PART I
PRELIMINARY

Citation

1. These Regulations may be cited as the Police (Discipline) Regulations, 1976.

Application

2. *Repealed*

Interpretation

3. *Omitted*

PART II
OFFENCES AND DISCIPLINE

Kinds of offences and by whom triable

4. Offences may be of two kinds, namely—
(a) offences created by the Ordinance; and
(b) disciplinary offences created by this Part of these Regulations.

Offence created by the Ordinance

5. *Repealed*

Disciplinary offences created by these Regulations

6. A member of the Service commits an offence against discipline if he or she fails to comply with the Standards of Professional Behaviour set out in the Schedule.

Procedure in police disciplinary proceedings

7. **(1)** When a complaint is received or an allegation of misconduct is made against any officer a 'Notice of Alleged Breach of the Standards of Professional Behaviour' will be served on that officer by an officer of Inspector or above.

(2) This notice will set out the complaint or allegation of misconduct and must be served at the earliest possible stage of the investigation.

(3) The serving of the notice does not necessarily mean that misconduct proceedings will be taken against the officer, but the notice is given to safeguard the interests of the officer concerned and allow the officer the opportunity to secure any documentation or other material or make notes that may assist in responding to the allegations.

(4) Within 10 working days, starting on the day the officer is served with the notice, the officer may provide a written or verbal response to the investigator relating to any matter under investigation and the officer may provide any relevant documents to the investigator. Failure by the officer to provide a response to this notice may lead to an adverse inference being drawn in any subsequent misconduct hearings.

(5) At the conclusion of the investigation then, upon request, the officer must, subject to the harm test, be provided with a copy of the investigators report or such parts that refer to that officer.

SCHEDULE
(Regulation 6)

STANDARDS OF PROFESSIONAL BEHAVIOUR

1. Honesty and integrity
Police officers are honest, act with integrity and do not compromise or abuse their position.

2. Authority, respect and courtesy
Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

3. Equality and diversity
Police officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

4. Use of force
Police officers only use force to the extent that it is necessary, proportionate and reasonable in all the circumstances.

5. Orders and instructions
Police officers only give and carry out lawful orders and instructions.

6. Duties and responsibilities
Police officers are diligent in the exercise of their duties and responsibilities.

7. Confidentiality
Police officers treat information with respect and access or disclose it only in the proper course of police duties.

8. Fitness for duty
Police officers when on duty or presenting themselves for duty are fit to carry out their duties and responsibilities.

9. Discreditable conduct
Police officers behave in a manner which does not discredit the police service or undermine public confidence, whether on or off duty.

10. Challenging and reporting improper conduct
Police officers report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour expected.

POLICE SERVICE ORDINANCE, 1975

POLICE REGULATIONS, 2000

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PART 1
PRELIMINARY

Citation

1. These Regulations may be cited as the Police Regulations, 2000.

Interpretation

2. **(1)** In these Regulations—
"Board" means the Promotions Board established by regulation 38;
"Discipline Regulations" means the Police (Discipline) Regulations, 1976;
"overtime" has the meaning specified in regulation 16.

(2) Nothing in these Regulations authorises pay or allowances payable to a person to be reduced retrospectively.

PART 2
GOVERNMENT

Division 1- Organisation

Authorised establishment

3. The authorised establishment of the several ranks of the St Helena Police Service and any change to that establishment is subject to the approval of the Governor but the establishment must be sufficient to provide for the carrying out of police duties under responsible supervision.

Ranks

4. The ranks of the Service are to be known by the following designations—
(a) Director of Police;
(b) Chief Inspector;
(c) Inspector;
(d) Sergeant;
(e) Officer;
(f) Cadet.

Business interests precluding appointment to the Service

5. **(1)** Unless the Governor consents, on the request of the candidate concerned, a person is not eligible for appointment to the Service if he or she is currently engaged in any private business or trade.

(2) A member of the Service must not engage in any private business or trade without the written consent of the Governor first being obtained.

Division 2 - Appointment and retirement

Qualifications for appointment to the Service

6. **(1)** A candidate for appointment to the Service must—

(a) produce satisfactory references as to character, and, if he or she has served in any other Police Force, in the armed forces, in the civil service or as a seafarer, satisfactory proof of his or her good conduct while so serving;

(b) except in respect of an application for appointment as a cadet, have attained the age of 18 years;

(c) be certified by a medical officer approved by the Governor to be—

(i) in good health; and

(ii) both physically and mentally fit to perform the duties on which he or she will be employed after appointment;

(d) if a candidate for appointment in the rank of officer, satisfy the Director of Police that he or she is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic, or an examination of a higher standard, as prescribed by the Director of Police;

(e) if a candidate for appointment in the rank of sergeant or inspector, be qualified for promotion to such rank;

(f) give any information required as to his or her previous history or employment or any other matter relating to his or her appointment to the Service; and

(g) be given a notice in terms approved by the Governor drawing attention to the conditions of service.

(2) In assessing the suitability of a candidate who has passed an examination in accordance with sub-regulation (1)*(d)*, the Director of Police must appoint suitable members from within the Service to be members of an interviewing panel for the purpose of interviewing potential candidates.

Retirement and resignation

7. **(1)** Subject to sub-regulation (2), a member of the Service may not retire or resign from the Service unless the Member gives to the Director of Police—

(a) a month's written notice of the member's intention to retire or resign; or

(b) any shorter period of notice the Director of Police accepts.

(2) While a member is suspended in respect of an alleged breach of the Discipline Regulations, the member may not, without the consent of the Director of Police—

(a) give notice for the purposes of sub-regulation (1); or

(b) retire in pursuance of such a notice previously given.

Division 3 - Personal records

Personal records to be kept of members of the Service

8. **(1)** The Director of Police must ensure that there is kept a personal record of each member of the Service.

(2) Subject to sub-regulation (3), the personal record must contain—

(a) a personal description of the member;

(b) particulars of the member's place and date of birth;

(c) particulars of the member's marriage (if any);

(d) a record of the service of the member (if any) in any branch of Her Majesty's military forces, or in the civil service;

(e) a record of the member's service (if any) in any other police force;

(f) a record of whether the member passed any qualifying examination; and

(g) a record of the member's service in the Service including particulars of—

(i) promotions;

(ii) postings;

(iii) removals;

(iv) injuries received;

(v) periods of illness;

(vi) commendations;

(vii) rewards;

(viii) discipline record;

(ix) the date the member ceased to be a member of the Service with the reason, cause or manner.

(3) *Repealed*

(4) A member who so requests is entitled to inspect his or her personal record and be provided with a copy of it. Any costs incurred in such provision must be borne by the member.

Transfer of personal records

9. *Repealed*

Personal record of member leaving Service

10. **(1)** A member of the Service who ceases to be a member of the Service must be given a certificate showing—

(a) his or her rank on ceasing to be a member of the Service and setting out the period of the member's service; and

(b) the reason, cause or manner of the member leaving the Service.

(2) If the member was required to resign or was dismissed, the certificate must not contain any description of the circumstances in which the member was required to resign or was dismissed.

(3) The Director of Police may append to the certificate any recommendation that

he or she feels justified in giving, such as that the member's conduct was exemplary, very good or good.

(4) If a member of the Service ceases to be such a member his or her personal record must be kept until the person concerned reaches the age of 60 years and must then be destroyed.

Fingerprints

11. **(1)** Each member of the Service must in accordance with the directions of the Director of Police have his or her fingerprints taken.

(2) Fingerprints of members of the Service taken in accordance with sub-regulation (1) must be kept separate from the fingerprints of persons whose fingerprints have been taken otherwise than in accordance with that sub-regulation.

(3) The fingerprints of a member of the Service taken in accordance with sub-regulation (1) and all copies and records of them must be destroyed on the member ceasing to be a member of the Service.

PART 3
DUTY, OVERTIME AND LEAVE

Duty to carry out lawful orders

12. Each member of the Service must—
(a) carry out all lawful orders;
(b) at all times punctually and promptly perform all appointed duties; and
(c) at all times punctually and promptly attend to all matters within the scope of the member's office.

Work not required to be performed

13. *Repealed*

Normal daily period of duty

14. **(1)** This regulation applies to each member of the Service below the rank of Inspector, who has not been assigned to specific duties by the Director of Police.

(2) The normal daily tour of duty (including the period of refreshment referred to in sub-regulation (3)) of a member of the Service to whom this regulation applies is 8 hours *unless designated otherwise by the Director of Police*[3].

(3) As far as the exigencies of duty permit—
(a) the normal daily period of duty is to be performed in one tour of duty; and
(b) an interval of 30 minutes is to be allowed for refreshment.

(4) If a member—
(a) is required to perform his or her normal daily period of duty in more than one tour of duty; and

[3] *Words inserted by LN 21/2026 – in force 12 November 2026*

(b) does not travel to and from his or her home between tours,

an interval for refreshment and rest is to be normally included at the beginning or end of one of those tours.

(5) In this Part **"daily"**, in relation to members of the Service, means a period of 24 hours commencing at a time or times the Director of Police fixes. The Director of Police may fix different times in relation to different groups of members.

Variable shift arrangements

14A. (1) This regulation applies to every member of the Service below the rank of Inspector.

(2) The Director of Police may bring into operation variable shift arrangements.

(3) Variable shift arrangements must provide; as respects members for whom they are in operation—

(a) for hours of duty equivalent to those resulting from the application of regulations 14(2) and 17(2); and

(b) for annual leave equivalent to that resulting from the application of regulation 19(1) and the Schedule.

Rostering of duties

15. (1) The Director of Police must in accordance with this regulation compile duty rosters for members of the Service below the rank of Inspector.

(2) In these Regulations—

(a) a reference to a rostered rest day is to be construed, in relation to a member of the Service who is required to do duty on that day, as a reference to a day which according to the duty roster was, immediately before the member was so required to do duty, to have been a rest day for the member; and

(b) a day off granted *in lieu* of a rostered rest day is to be treated as a rostered rest day.

(3) A roster referred to in sub-regulation (1) must be compiled—

(a) at intervals not exceeding 3 months; and

(b) not later than one month before the date on which it is to come into force.

(4) A roster must set out, for the 3 months following the date on which it is to come into force, in relation to each member of the Service to which it relates—

(a) his or her rest days; and

(b) those days, being public holidays, on which the member may be required to do duty; and

(c) the times at which the member's scheduled daily periods of duty are to begin and end.

(5) Subject to sub-regulation (6), a duty roster must make provision for—

(a) an interval of not less than ~~8 hours~~ *10 hours*[4] between the ending of each of a member's daily periods of duty and the beginning of the next; and

[4] *Substituted by LN 21/2026 – in force 12 November 2026*

(b) an interval between each of his or her rostered rest days not exceeding 7 days,
unless the Director of Police determines otherwise.

(6) If, owing to the exigencies of duty, it is necessary to alter a duty roster, the officer responsible for making the alteration must endeavour, so far as practicable, to avoid requiring a member to do an additional daily period of duty such that the condition in sub-regulation (5)*(a)* would not be satisfied.

Overtime

16. (1) Subject to and in accordance with this regulation, a member of the Service ~~below the rank of Inspector~~[5] is to be compensated in respect of time for which the member—

(a) remains on duty after the member's tour of duty ends; or

(b) is recalled between two tours of duty,

(in these Regulations referred to as **"overtime"**).

(2) A member must not be compensated for overtime for which he or she received an allowance or time off under regulation 17.

(3) Subject to sub-regulation (6), a member of the Service, of the rank of sergeant or below, is to be granted an allowance in respect of each week at the rate of 1/24 of a day's pay for each completed period of 15 minutes of overtime worked by the member on any occasion during that week

(4) If such a member—

(a) before the expiry of a pay period, elects in respect of specified overtime worked by the member during the weeks ending within that period, to be granted in lieu of an allowance time off subject to and in accordance with sub-regulation (5); and

(b) in accordance with the election receives time off in respect of the overtime,

no allowance in respect the overtime is payable under sub-regulation (3).

(5) Subject to the exigencies of duty, if by virtue of an election under sub-regulation (4) time off fails to be granted to a member in respect of overtime worked by the member in any week, then within such time (not exceeding 3 months) after that week as the Director of Police fixes, the Director must grant to the member time off—

(a) equal, subject to sub-regulation (6), to the period of that overtime worked by the member during that week; and

(b) for each completed 45 minutes of such overtime, an additional 15 minutes off.

(6) For the purpose of sub-regulations (3) and (5), no account is to be taken of any period of less than 30 minutes of overtime worked on any occasion.

(7) For the purpose of this regulation—

"**a day's pay**" means the member's pay for the week in question divided by 5;

"**member recalled to duty**" does not include a member who is only warned to be in readiness for duty if required;

"**pay period**" means the period for which, pursuant to regulation 25, a member is paid;

"**week**" means the period of 7 days beginning with a day fixed by the Director of Police.

[5] *Words omitted by LN 21/2026 – in force 12 November 2026*

Public holidays and rest days for officers below the rank of Inspector

17. **(1)** This regulation applies to every member of the Service below the rank of Inspector *and to members of the Service of the rank of Inspector when they are on call*[6].

(2) Subject to the following provisions of this regulation, a member must, so far as the exigencies of duty permit. be—

(a) allowed a day's leave on each public holiday; and

(b) granted rest days at the rate of 2 rest days in respect of each week.

(3) A member, if required to do duty on a day that is a rostered rest day—

(a) with less than ~~42~~ *14*[7] days notice - must be granted—

(i) an allowance at the appropriate rate;

(ii) another rest day in lieu of the rostered rest day; or

(b) with at least ~~42~~ *14*[8] days notice - must be granted another rest day in lieu of the rostered rest day.

(4) A member required to do duty on a day that is a public holiday must be granted—

(a) if the public holiday is rostered as a working day - an allowance at the appropriate rate;

(b) if the public holiday is rostered as a rest day - an allowance at the appropriate rate and a day off *in lieu*.

(5) The appropriate rate for rest day and public holiday is 1/16 of a day's pay for each completed 15 minutes of duty on that day.

(6) If at a member's request a member works on a day that is a public holiday or a rostered rest day the member is not to be treated for the purposes of this regulation as having been required to do duty on that day but is to be granted another day off *in lieu* of that day, which is to be treated as a public holiday or a rostered rest day as the case may be.

Public holidays and monthly leave days for higher ranks

18. **(1)** Police officers of the rank of inspector and above must be allowed—

(a) a day's leave on each public holiday; and

(b) the grant in any week of 2 rest days,

so far as the exigencies of duty permit.

(2) A police officer of and above the rank of Inspector who is required to do duty on a rest day or public holiday is to be granted a day's leave *in lieu* of each such day, unless the exigencies of duty do not permit such grant, within 12 months.

(3) In this regulation **"month"** means a period of 28 days beginning with a day as fixed by the Director of Police.

Annual leave

19. **(1)** Each member of the Service must be granted annual leave in

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[6] *Words inserted by LN 21/2026 – in force 12 November 2026*

[7] *Substituted by LN 21/2026 – in force 12 November 2026*

[8] *Substituted by LN 21/2026 – in force 12 November 2026*

accordance with the Schedule to these Regulations so far as the exigencies of duty permit.

(2) The annual leave of a member of the Service is additional to the days upon which he or she is not required to perform police duties in accordance with—

(a) regulation 17, in the case of a member below the rank of Inspector; or

(b) regulation 18, in the case of a member of and above the rank of Inspector,

and a member who is below the rank of Inspector, so far as the exigencies of duty permit, is to be allowed to take his or her annual leave in one period continuous with such days as aforesaid falling within the period in which the member desires to take annual leave.

Sick leave

20. **(1)** A member of the Service is not entitled to be absent from duty on account of injury or illness unless a medical officer has certified the member to be unfit for duty.

(2) Notwithstanding sub-regulation (1)—

(a) with the consent of and subject to compliance with any conditions specified by the Director of Police, a member may be so absent without such certificate of unfitness if the period of unfitness for duty does not exceed 6 days, including any day on which, even if the member were fit to do so, the member would not have been required to perform police duty;

(b) if, notwithstanding such certificate of unfitness for duty, a medical officer appointed or approved by the Governor has examined the member and certified the member to be fit for duty, the member is no longer entitled to be absent from duty.

Maternity and paternity leave, etc.

21. The Police Service conditions for maternity and paternity and similar leave will be those in place within the St Helena Government Code of Management, including those sections covering—

(a) maternity leave

(b) paternity leave

(c) adoption leave

(d) keeping in touch days.

PART 4
PAY

Rates of pay

22. **(1)** The rates of pay of members of the Service are to be in accordance with instructions issued by the Governor from time to time.

(2) In reckoning the service of a member of the Service in any rank for the purposes of the rate of pay—

(a) account is to be taken of all the member's service in that rank; and

(b) service in a higher rank, on temporary promotion to the higher rank or otherwise is to be treated as if it had been service in that lower rank.

(3) In reckoning a member's service in a rank, unless the Director of Police otherwise directs, no account is to be taken of any previous service in a rank which terminated in the member's reduction in that rank as a punishment, but any previous service in a higher rank which is so terminated is to be treated as if it had been service in the rank to which the member was reduced.

Temporary salary

23. **(1)** A member of the Service of and above the rank of Inspector who is required for a continuous period exceeding 7 days to perform duties normally performed by a member of the Service of a higher rank than his or her own, otherwise (subject to sub-regulation (2)) than as the direct or indirect result of the absence of a member of the Service on a monthly or other leave day granted under regulation 18, is to be paid in respect of that period, excluding the first 7 days of the period, at a rate equal to the lowest rate of pay for that higher rank.

(2) If a member of the Service is absent for a continuous period comprising both—

(a) monthly or other leave days granted under regulation 18; and

(b) one or more annual leave days granted under regulation 19,

sub-regulation (1) has effect as if the entire continuous period of absence were a period of annual leave.

(3) Subject to sub-regulation (4), a member of the Service below the rank of Inspector who, in any year, has been required to perform duties normally performed by a member of the Service of a higher rank than his or her own for 14 complete days is to be paid in respect of each further complete day in that year on which the member is required to perform such duties at a rate equal to the lowest rate of pay to which the member would be entitled on promotion to the higher rank.

(4) If a member is entitled to be paid under sub-regulation (3) and the higher rank is that of a member of the Service of and above the rank of Inspector, there is no entitlement to an allowance, or time off, under regulation 16 or 17 in respect of such duties, but if in such a case the member is required to do duty on a public holiday or rostered rest day, the member is to be granted a day's leave for each such day.

(5) In this regulation—

"**day**" means, in relation to a member of the Service below the rank of Inspector, the member's normal daily period of duty;

"**year**" means a period of 12 months beginning on 1st April.

Pay during sick leave

24. **(1)** Subject to sub-regulations (2) and (3), if on any relevant day a member of the Service has during the period of 12 months ending with that day been on sick leave for 183 days, he or she ceases for the time being to be entitled to full pay, and becomes entitled to half pay while on sick leave.

(2) Subject to sub-regulation (3), if on any relevant day a member of the Service

has been on sick leave for the whole of the period of 12 months ending with that day, he or she ceases for the time being to be entitled to any pay while on sick leave.

(3) The Director of Police may in a particular case determine that for a specified period a member who is—

(a) entitled to half pay while on sick leave - is to receive full pay;

(b) not entitled to any pay while on sick leave - is to receive either full pay or half pay,

and may from time to time extend the period.

Calculation of monthly, weekly and daily pay

25. **(1)** A month's pay is to be calculated, for all purposes, at a monthly rate of pay determined by dividing by 12 the annual rate of pay.

(2) A week's pay is to be calculated, for all purposes, at a weekly rate of pay determined by dividing by 52 the annual rate of pay.

(3) A day's pay is to be calculated, except for the purposes of regulations 16 and 17, at a daily rate determined by dividing by 7 the weekly rate of pay, determined in accordance with sub-regulation (2).

PART 5
ALLOWANCES AND OTHER EMOLUMENTS

Restriction on payment of allowances

26. **(1)** An allowance is not to be paid to a member of the Service except as provided by these Regulations, and the amount and conditions of payment of an allowance is as so provided.

(2) Nothing in this regulation applies to the reimbursement of expenses incurred by a member of the Service in the execution of the member's duty, being expenses authorised either generally or specifically by the Director of Police in respect of which no allowance is payable under these Regulations.

Restriction on payments for private employment of police

27. **(1)** Without limiting this regulation, a member of the Service who is engaged on duty at the request of a person who has agreed to pay the Director of Police for the member's services is not entitled to any payment for those services except as provided by these Regulations, and any payment made pursuant to the agreement is to be made by that person to the Director of Police.

(2) Any payment made to the Director of Police pursuant to sub-regulation (1) is deemed to form part of the Consolidated Fund.

Plain clothes allowances

28. **(1)** A member of the Service who is required for a continuous period of

not less than a week to do duty in plain clothes must be paid a plain clothes allowance at an annual rate determined by the Director of Police.

(2) A member of the Service who is required to perform duties in plain clothes for not less than 40 hours in the aggregate in any period of 6 months is, subject to sub-regulation (3), to be paid a plain clothes allowance in respect of those duties at an hourly rate determined by the Director of Police.

(3) For the purposes of sub-regulation (2) and the calculation of the aggregate duration of the duties there referred to—

(a) if the duties were performed on an occasion falling within a continuous period of plain clothes duty as mentioned in sub-regulation (1) - no account is to be taken of those duties;

(b) if the duties performed on any occasion lasted less than 4 complete hours - no account is to be taken of those duties;

(c) if the duties performed on any occasion lasted for a completed number of hours and a fraction of an hour - no account is to be taken of that fraction.

(4) Notwithstanding sub-regulation (1) or (2), if a member of the Service is provided with overalls when doing duty in plain clothes or for any other reason is, in the opinion of the Director of Police, put to substantially less or substantially more than the normal expense caused by wearing the member's own clothes, a plain clothes allowance payable to the member under sub-regulation (1) or (2) must be paid, not at the rate determined under the sub-regulation in question, but at a rate determined by the Director of Police having regard to the circumstances of the case.

Refreshment

29. A member of the Service below the rank of Inspector who, having been retained on duty beyond his or her normal daily period of duty or engaged on duty away from his or her normal place of duty, and, by reason of being so retained or engaged, has been unable to obtain a meal in his or her usual way must be provided with adequate refreshment as determined by the Director of Police.

On call allowance

29A.[9] A member of the Service who is required to be on call must be paid an on call allowance at a rate of £15.00 per night.

Shift allowance

29B.[10] **(1)** A member of the Service is entitled to a shift allowance for any hours of their shift that are scheduled between 8pm and 8am.

(2) The shift allowance is calculated on an hourly basis and is equal to 10% of the member's standard hourly salary for each eligible hour worked.

Motor vehicle allowances

30. (1) An officer who is required by the Director of Police to use his or her private vehicle for purposes of the Service may be paid a mileage allowance at the current rate as set by the Government of St Helena.

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[9] *29A inserted by LN 21/2026 – in force 12 November 2026*
[10] *29B inserted by LN 21/2026 – in force 12 November 2026*

(2) *Repealed*

(3) Expense claims in respect of the mileage allowance under sub-regulation (1) must be submitted monthly and certified by the officers concerned to the effect that the total mileage claimed has been incurred as a result of the use of their particular vehicles for purposes of the Service.

(4) No payment will be made for repairs, breakdowns, depreciation or any other charges incurred by an officer in connection with his or her vehicle.

(5) The Director of Police is responsible for ensuring that his or her own travelling and that of the members of the Service are conducted on the most economical lines and that the journeys made are absolutely necessary. An officer is personally liable for any unnecessary or excessive expenditure on claims that he or she has countersigned.

(6) A mileage allowance will not be paid for a routine journey between an officer's home and place of work. However, in special circumstances, such as being required to return to work outside of normal hours, an officer may be paid a mileage allowance.

Promotion examination allowances

31. (1) A officer who has taken an examination or paper in consequence of which he or she obtains a pass in the qualifying examination for promotion to the rank of sergeant must be paid a promotion examination allowance of £100.

(2) A sergeant who has taken an examination or paper in consequence of which he or she obtains a pass in the qualifying examination for promotion to the rank of inspector must be paid a promotion examination allowance of £100.

Tutor Constable payment

31A.[11] A tutor constable is entitled to a one-off payment of £200 upon their successful completion of a probationary officer's portfolio.

Continuance of allowances when member is ill

32. If a member of the Service, who is regularly in receipt of a plain clothes allowance or any allowance to meet an expense which ceases during his or her absence from duty, is on sick or maternity leave, the allowance is to be paid during his or her absence from duty up to a period of a month, but thereafter, during the remainder of his or her absence from duty, payment may be suspended at the discretion of the Director of Police.

Allowances in respect of periods of suspension

33. The payment of an allowance in respect of a member of the Service who has been suspended may be paid or withheld at the discretion of the Director of Police.

PART 6
UNIFORM AND EQUIPMENT

Issue of uniform and equipment

34. Uniform and equipment must be issued by the Service free of charge to all members of the Service.

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[11] *31A inserted by LN 21/2026 – in force 12 November 2026*

Re-issue of uniform and equipment

35. *Repealed*

Ownership of uniform and equipment

36. Subject to regulation 37, uniform and equipment issued by the Service does not become the property of the member of the Service to whom it is issued and must be handed back by the member on leaving the Service.

Replacement of uniform and equipment

37. If an article of uniform or equipment is replaced by the Service, the original article must be handed back unless the member, with the consent of the Director of Police, buys the article at a price fixed by the Director of Police or, with the Director's consent, retains it without payment.

PART 7
PROMOTION

Promotions Board

38. There is established a Promotions Board consisting of—
(a) the Director of Police; and
(b) 2 other persons, one of whom must be from the Human Resources department of the St Helena Government.

Qualification for promotion

39. **(1)** An officer is qualified for promotion to the rank of sergeant if he or she has—
(a) obtained a pass in the qualifying examination for promotion to the rank of sergeant; and
(b) *Repealed*
(c) completed his or her probationary period.

(2) A sergeant is qualified for promotion to the rank of inspector if he or she—
(a) obtained a pass in the qualifying examination for promotion to the rank of inspector; and
(b) completed his or her probationary period in respect of his or her rank of sergeant.

(3) For the purpose of sub-regulations (1) and (2) **"examination"** means an examination covering the following subjects—
(a) criminal law;
(b) evidence and procedure in criminal courts;
(c) traffic law; and
(d) general police duties.

(4) Promotion from one rank to another is by selection by the Promotions Board, provided that any promotion to Chief Inspector and above will be subject to confirmation by the Governor.

Holding of examinations

40. **(1)** An examination under this Part must be held at a time and place the Director of Police determines.

(2) An examination must not be held unless the Promotions Board has approved the syllabus and conditions of the examination.

(3) When the Promotions Board has approved the syllabus and conditions of an examination the Board must publish a notice specifying—

(a) the date when it is to be held; and

(b) the date by which application to enter the examination must be made.

(4) A member of the Service who wishes to enter for an examination must submit his or her name to the Promotions Board within the time specified in a notice published in accordance with sub-regulation (3).

Period of probation for officer promoted to sergeant

41. **(1)** Subject to sub-regulation (2), a member of the Service who is promoted to the rank of sergeant must be on probation in that rank for a period of one year or for any longer period the Director of Police determines in the circumstances of the particular case.

(2) If the Director of Police considers that a person who is on probation in the rank of sergeant is unlikely to perform the duties of that rank satisfactorily, the Director may reduce the person to the rank of officer.

Temporary promotion

42. A member of the Service who is required to perform the duties of a higher rank may, even if there is no vacancy for that rank, be promoted temporarily to it. Temporary promotion to the rank of sergeant or inspector must only be made if the member is qualified for such promotion under regulation 39.

Seeking influence prohibited

43. A police officer must not seek by influence to obtain promotion or other advantage in the service.

SCHEDULE
(Regulations 14(3), 19(1))

ANNUAL LEAVE

Annual leave entitlement

(1) Annual leave is leave for which all officers appointed locally and who are employed full time are eligible.

(2) An officer is entitled to such annual leave as is provided in these Regulations, but it is granted subject to the requirements of the Service.

(3) The Director of Police may cancel any leave granted if it is necessary for the officer to return to duty before the expiry of the leave granted. In such case the unexpired portion of leave may be taken on a subsequent occasion.

(4) The leave year for all officers ~~eligible for annual leave~~[12] runs from 1st January to 31st December, irrespective of the date of engagement. Annual leave is taken during the calendar year it is earned and except for leave taken prior to retirement is itself leave earning.

Rate of annual leave

~~**(1)** The rates of leave for which officers are eligible annually are set out in the following table —~~

~~**Established Officers**~~

~~*Grade Level*~~	~~*Annual leave in working days*~~
~~8 – 9~~	~~30 days~~
~~5 – 7~~	~~25 days increased to 30 days after 10 years service~~
~~1 – 4~~	~~25 days increased to 30 days after 15 years service~~

~~**Unestablished Officers**~~

~~25 days with entitlement to accumulate up to 65 days.~~

(1) Officers are eligible for 30 days leave annually.[13]

(2) Length of service includes for the purpose of these Regulations all probationary service.

(3) In the first calendar year of service an officer accumulates leave at the rate of ~~1.25~~ 2.25[14] working days for each completed month of service. If this results in a fraction of .25 it is to be ignored, where .5 or .75 it is to count as a whole day. Such leave may be taken as it is earned within the first calendar year.

(4) Except for officers working on Ascension, the following number of leave days of the annual entitlement must be taken annually:

Leave Entitlement	*Leave days that must be taken*
30 days	20 days
25 days	15 days

Any leave, which in terms of this paragraph is required to be taken and is not taken is

[12] *Words omitted by LN 21/2026 – in force 12 November 2026*
[13] *Paragraph (1) substituted by LN 21/2026 – in force 12 November 2026*
[14] *Substituted by LN 21/2026 – in force 12 November 2026*

forfeited.

Deferred leave

(1) ~~Any balance of leave remaining at the end of a year may be accumulated and treated as deferred leave up to a maximum of 90 days.~~ Any balance of leave remaining at the end of a year (which, as set out in the rates of annual leave above, cannot exceed 10 days per leave year) may be accumulated and treated as deferred leave up to a maximum of 20 days.[15]

(2) Subject to the requirements of the Service deferred leave may be taken or may be required to be taken—

(a) prior to retirement;

(b) in conjunction with annual leave when an officer is taking leave overseas; or

(c) in conjunction with other leave under these Regulations when an officer would otherwise be on half pay or unpaid leave.

Annual leave—Ascension Island

(1) An officer posted to Ascension may, if he or she so wishes, accumulate the whole or part his or her leave entitlement, to be treated as deferred leave on his or her return to St Helena, subject to a maximum of 90 days deferred leave.

(2) Officers locally engaged on Ascension must take leave in the same manner as officers working on St Helena.

Leave on termination

When the appointment of an officer is terminated on due notice or by tendering salary *in lieu* of notice, the officer is eligible for any annual or deferred leave due to him or her on the termination of his or her employment up to a total of 90 days. Notice may be given to run concurrently with any leave due to the officer.

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[15] *Substituted by LN 21/2026 – in force 26 November 2026*

POLICE SERVICE ORDINANCE, 1975

THE COLONIAL SPECIAL CONSTABULARY MEDAL REGULATIONS, 1957

Made by the Governor under clause 13 of the Royal Warrant of 1 April 1957[16]

1. **(1)** The Colonial Special Constabulary Medal and its Clasps will be granted in accordance with the provisions of the Royal Warrant as a reward for long and meritorious service to a member of the St Helena Special Constabulary who has served continuously and has been in receipt of remuneration for his or her service by way of salary or allowance, or training or retaining fees, as a Special Constable in any rank for not less than 15 years in the St Helena Special Constabulary or for periods amounting in the aggregate to not less than 15 years service in that and any other Constabulary Force to which the Royal Warrant has been applied.

(2) No period of service as a whole time member of the permanent staff of such Force or Forces is to count as qualifying service.

(3) The member must have been recommended by the Director of Police as willing and competent to discharge the duties of a Special Constable and as having performed such duty as a Special Constable as required of him or her during the qualifying period of service

(4) If service has been rendered in another Special Constabulary Forces as aforesaid an interval not exceeding 12 months between any 2 periods of service is not to be regarded as breaking the continuity of such service.

(5) A break in service not exceeding 6 calendar months in any one such Special Constabulary Force is not to be regarded as breaking the continuity of such service.

(6) A Clasp will also be granted to a recipient of the Medal on the recipient's completing each further 10 years' qualifying service subsequent to the date of completion of the first 15 years aforesaid. For each Clasp so awarded a small silver rose emblem may be added to the ribbon when worn alone.

2. Recommendations for the award of the Medal must be submitted annually in the month of January by the Director of Police to the Governor or Officer Administering the Government. The Medal is to be awarded on the authority of the Governor or Officer Administering the Government and a notification of the award must be published in the Government *Gazette*.

3. *(a)* A recipient of the Medal or Clasp who is convicted of a criminal offence or is dismissed or removed from the St Helena Special Constabulary for misconduct forfeits the Medal and Clasp unless the Governor or Officer Administering the Government otherwise directs.

(b) A Medal or Clasp so forfeited may be restored to the recipient by the Governor at his or her discretion.

(c) A notice of forfeiture or restoration must in every case be published in the Government *Gazette*.

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[16] *Royal Warrant dated 1st April 1957, approving the creation of a medal to be designated "The Colonial Special Constabulary Medal".*

POLICE SERVICE ORDINANCE, 1975

COLONIAL POLICE LONG SERVICE MEDAL REGULATIONS, 1972

Made by the Governor under clause 13 of the Royal Warrant of 12 November, 1969[17]

1. Citation
2. Service required
3. Continuity of service
4. Exemplary character
5. Recommendations
6. Forfeiture and restoration

Citation

1. These Regulations may be cited as the Colonial Police Long Service Medal Regulations, 1972.

Service required

2. **(1)** The Colonial Police Long Service Medal will be granted as a reward for long service and good conduct to members of all ranks of the St Helena Police Service who have completed 18 years continuous service as hereinafter defined.

(2) A Clasp will also be granted to a recipient of the Medal on his or her completing 25 years' qualifying service, and a further Clasp on completing 30 years' qualifying service. For each Clasp so awarded a small silver rose may be added to the ribbon when worn alone.

Continuity of service

3. **(1)** Service in properly organised Police Forces in other territories under Her Majesty's protection or administration may be allowed to reckon towards the required period of qualifying service, as may also service which would reckon as qualifying service for the Police Long Service and Good Conduct Medal, if the total period of such service amounts to not less than 18 years.

(2) If service has been rendered in St Helena and in one or more of the territories defined above, an interval not exceeding 12 months between any 2 periods of service is not to be regarded as breaking the continuity of such service.

(3) A break in service not exceeding 6 calendar months in St Helena or in any one territory as defined above is not to be regarded as breaking the continuity of such service.

(4) Service in Her Majesty's Armed Forces, or the Merchant Navy, whether on secondment, on recall or when called upon to serve may be allowed to reckon towards the required period of qualifying service, provided that such military or merchant navy service interrupted and was continuous with qualifying Police Service.

Exemplary character

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[17] *Royal Warrant dated 12th November 1969, approving the creation of a medal to be designated "The Colonial Police Long Service Medal".*

4. **(1)** For the purposes of these Regulations service is to be reckoned as qualifying service only if it is certified that the character and conduct of the person recommended for the grant of the Medal or Clasp has been exemplary.

(2) The term "exemplary character" is not to be held to apply to any member of the Police Force who during the last 16 years of service has been found guilty of insubordination, insobriety, sleeping on duty, or other misconduct incurring reduction in rank or censure by the Governor or Officer Administering the Government.

Recommendations

5. Recommendations for the award of the Medal or Clasp must be submitted by the Director of Police to the Governor or Officer Administering the Government. The Medal will be awarded on the authority of the Governor or Officer Administering the Government and a notification of the award must be published in the Government *Gazette*.

Forfeiture and restoration

6. *(a)* A recipient of the Medal or Clasp who is convicted of a criminal offence or is dismissed or removed from the Service for misconduct forfeits the Medal or Clasp unless the Governor or Officer Administering the Government otherwise directs.

(b) A Medal or Clasp so forfeited may be restored to the recipient by the Governor or Officer Administering the Government at his or her discretion.

(c) A note of forfeiture or restoration must in every case be published in the Government *Gazette*.