

**BERMUDA STATUTORY INSTRUMENT**

**SR&O 3/1952**

**RESERVE POLICE (GENERAL) REGULATIONS 1951**

*[made under section 9 of the Police Act 1951 [repealed] and brought into operation on 7 January 1952]*

ARRANGEMENT OF REGULATIONS<sup>1</sup> Citation

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SCHEDULE

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**Citation**

1 These Regulations may be cited as the Reserve Police (General) Regulations 1951.

*[regulation 1 amended by 1997 : 37 effective 6 May 1999]*

**Interpretation**

2 In these Regulations—

"the Act" means the Police Act 1951;

"the Commandant" means the Commandant of Reserve Police;

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*[regulation 2 amended by 1997 : 37 effective 6 May 1999]*

### **Establishment**

3 (1) The Reserve Police shall consist of the Commandant of Reserve Police, and the Deputy Commandant of Reserve Police, together with—

|     |                       |
|-----|-----------------------|
| 4   | Assistant Commandants |
| 8   | Inspectors            |
| 16  | Sergeants             |
| 156 | Constables            |

(2) The Reserve Police shall be organized in such manner as may be provided in instructions issued by the Commissioner under subsection (2) of section 9 of the Act.

(3) The Commandant may, with the approval of the Commissioner, appoint an Executive Officer to carry out such duties as may be required for the better administration of the Reserve Police.

*[regulation 3 amended by 1997 : 37 effective 6 May 1999]*

### **Enrolment; re-engagement**

4 (1) Any person wishing to be enrolled in the Reserve Police shall apply to the Commandant in Form A in the Schedule.

(2) A person shall not be eligible for enrolment in the Reserve Police unless—

- (a) he is a Commonwealth citizen;
- (b) in the case of a male, he is not less than 23 years of age and not more than 60 years of age; and, in the case of a female, she is not less than 23 years of age and not more than 45 years of age.
- (c) he is not—
  - (i) a member of the Bermuda Regiment within the meaning of the Defence Act 1965 [*title 7 item 21*]; or
  - (ii) a fire officer within the meaning of the Bermuda Fire and Rescue Service Act 1982 [*title 10 item 15*]
- (d) he is examined and passed as physically fit for general police duties by a Government Medical Officer nominated by the Commissioner to carry out such examination;
- (e) he is approved by the Commandant and by the Commissioner.

(3) A person qualified to enrol in the Reserve Police shall be enrolled by the Commandant, or by the Deputy Commandant or an Assistant Commandant nominated by the Commandant for that purpose.

(4) A person on enrolment in the Reserve Police shall complete and sign a declaration in Form B in the Schedule.

(5) A member of the Reserve Police wishing to re-engage under paragraph (b) of subsection (2) of section 10 of the Act may with the approval of the Commandant and of the Commissioner, re-engage before any officer mentioned in paragraph (3) for a period of three years from the end of his current term of service, and shall, on re-engagement, complete and sign a declaration in Form C in the Schedule:

Provided that—

(a) no such re-engagement shall be made by a member of the Reserve Police earlier than three months before the end of his current term of service; and

(b) no such re-engagement shall be made by a member of the Reserve Police who has reached the age of—

(i) 60 years in the case of a male; or

(ii) 45 years in the case of a female.

*[regulation 4 amended by 1997 : 37 effective 6 May 1999; para (2)(c)(ii) amended by 2007:23 s.16 effective 2 July 2007]*

### **Training**

5 (1) Compulsory training classes held under subsection (1) of section 11 of the Act shall not exceed one and a half hours in duration, and shall be held at such places and at such times as the Commandant, in consultation with the Commissioner, may determine.

(2) The Commandant, in consultation with the Commissioner may require members of the Reserve Police to be temporarily seconded or attached to the Bermuda Police Service for training in police duties, so, however, that the aggregate duration of any such secondments or attachments during each year of a member's enrolment shall not exceed 36 hours.

(3) Nothing in the last foregoing paragraphs shall be construed—

(a) so as to affect any power of the Commissioner under section 14 of the Act to call out any member of the Reserve Police for general duty; or

(b) so as to prohibit the temporary secondment or attachment of a member of the Reserve Police to the

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Bermuda Police Service for training in police duties with the consent of that member.

(4) Any member of the Reserve Police while temporarily seconded or attached to the Bermuda Police Service for training in police duties shall be under the control and direction of the Commissioner.

(5) In any case where the Commandant is satisfied—

(a) that any member of the Reserve Police of not less than three years seniority is fully trained and efficient in police duties; or

(b) that it is impracticable for any member of the Reserve Police by reason of absence from Bermuda or by reason of illness or injury or other unavoidable cause to complete his compulsory training in any year of his enrolment,

then in either such case the Commandant may direct that that member of the Reserve Police shall not be required to undergo such compulsory training as may be specified in the direction.

*[regulation 5 amended by 1997 : 37 effective 6 May 1999]*

### **Equipment**

6 (1) Members of the Reserve Police shall be equipped in accordance with scales of clothing and equipment issued from time to time by the Commandant with the approval of the Commissioner.

(2) Members of the Reserve Police, when called out for general duty under section 14 of the Act, or when attending training classes or temporarily seconded or attached to the Bermuda Police Service for training in police duties, shall wear such clothing and shall carry such equipment, as may from time to time be prescribed by instructions issued by the Commandant under subsection (2) of section 9 of the Act.

*[regulation 6 amended by 1997 : 37 effective 6 May 1999]*

### **Promotion**

7 (1) The promotion of constables in the Reserve Police to the rank of sergeant shall be made by the Commandant.

(2) The promotion of sergeants in the Reserve Police to the rank of inspector shall be made by the Commandant subject to the approval of the Commissioner.

(3) Recommendations with respect to the suitability of Inspectors for appointment as Assistant Commandants and with respect to the suitability of Assistant Commandants for appointment as Deputy Commandant shall be furnished to the appropriate authority by the Commandant, together with such recommendations, if any, as the

Commissioner may wish to make in the matter, at such times as the appropriate authority may direct.

*[regulation 7 amended by 1997 : 37 effective 6 May 1999]*

**Discharge**

8 (1) Notwithstanding anything in regulation 4, any member of the Reserve Police of or below the rank of Inspector may apply in writing to the commandant to be discharged from the Reserve Police; and the provisions of subsection (1) of section 12 of the Act shall apply accordingly.

(2) In any case where the Commandant refuses to discharge a member of the Reserve Police who has duly applied under the foregoing paragraph he shall as soon as may be inform the member by notice in writing accordingly.

(3) Any member of the Reserve Police who is aggrieved by the refusal of the Commandant to discharge him may, within seven days of receiving a notice in accordance with the last foregoing paragraph, appeal in writing to the appropriate authority against the refusal to discharge.

(4) The appropriate authority shall consider the appeal subject to such procedure as he thinks just and equitable in the circumstances, and shall determine the appeal.

(5) The appropriate authority shall cause the Commandant to be informed of the determination of the appeal; and the Commandant shall govern himself accordingly.

*[regulation 8 amended by 1997 : 37 effective 6 May 1999]*

**Officer applying to relinquish appointment**

9 An officer in the Reserve Police who wishes to apply under subsection (2) of section 13 of the Act for permission to relinquish his appointment shall (unless he is the Commandant) apply in writing to the Commandant, who shall as soon as may be forward the application together with his recommendations and such recommendations, if any, as the Commissioner may wish to make, to the appropriate authority for his consideration.

*[regulation 9 amended by 1997 : 37 effective 6 May 1999]*

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**SCHEDULE**

Forms

**FORM A**

Application for Enrolment in Reserve Police

To the Commandant of Reserve Police.

I [blank] of [blank] hereby apply to be enrolled in the Reserve Police.

I am a Commonwealth citizen. My age is [blank].

I am not a member of the Bermuda Regiment, nor am I a member of the Hamilton or St. George's Fire Brigade.

[blank]  
Signature of applicant.

Dated this [blank] day of [blank] 19[blank]

**FORM B**

Declaration upon Enrolment in Reserve Police

I [blank] of [blank] declare that I will well and truly serve as a member of the Reserve Police for a period of three years in conformity with, and subject to, the provisions of the Police Act, 1951, the provisions of any regulations duly made under that Act which have effect in relation to the Reserve Police, and the provisions of any instructions duly issued under that Act by the Commandant of Reserve Police.

[blank]  
Signature of member of Reserve Police.

Dated this [blank] day of [blank] 19 [blank]

**FORM C**

Declaration upon Re-Engagement in Reserve Police

I [blank] of [blank] a [blank] in the Reserve Police, declare that I will well and truly serve as a member of the Reserve Police for a period of three years commencing at the end of my current term of service, in conformity with and subject to, the provisions of the Police Act, 1951, the provisions of any regulations duly made under that Act which have effect

in relation to the Reserve Police and the provisions of any instructions duly issued under that Act by the Commandant of Reserve Police.

[blank]  
Signature of member of Reserve Police.

Dated this [blank] day of [blank] 19 [blank]

*[schedule amended by 1997 : 37 effective 6 May 1999]*

*[Note: the Police Act 1951 has been repealed and replaced by the Police Act 1974 [title 10 item 21]*

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*[Amended by:*  
1965 : 165  
1997 : 37  
2007 : 23]