

POLICE SERVICE ACT, 1970 (ACT 350)

As amended by

THE POLICE SERVICE (AMENDMENT) DECREE 1974, (NRCD 303)1

PROVISIONAL NATIONAL DEFENCE COUNCIL (ESTABLISHMENT) PROCLAMATION
(SUPPLEMENTARY AND CONSEQUENTIAL PROVISIONS) LAW, 1982 (PNDCL 42)2

THE POLICE SERVICE (PENSIONS) LAW 1985 (PNDCL 126)3

POLICE SERVICE (AMENDMENT) LAW, 1988 (PNDCL 194A)4

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THE THREE HUNDRED AND FIFTIETH
ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED

THE POLICE FORCE ACT, 19705

AN ACT to provide for the organisation and administration of the Police Service and for other matters connected therewith.

DATE OF ASSENT: 19th January, 1971

BE IT ENACTED by the President and the National Assembly in this present Parliament assembled as follows:

PART I—FUNCTIONS OF THE SERVICE

Section 1—Functions of the Service.

(1) It shall be the duty of the Police Service to prevent and detect crime, to apprehend offenders, and to maintain public order and the safety of persons and property.

(2) Every police officer shall perform such functions as are by law conferred upon a police officer and shall obey all lawful orders and directions in respect of the execution of his office which he may receive from his superiors in the Police Service.

Section 2—Statutory Declarations.

Every superior police officer may take and receive the declaration of any person for the purposes of the Statutory Declarations Act, 1835.

PART II—STRUCTURE AND CONDITIONS OF SERVICE

Section 3—Members of the Force.

The following shall be members of the Police Force:—

- (a) the Inspector-General of Police;
- (b) Commissioners of Police;
- (c) Deputy Commissioners of Police;
- (d) persons holding posts, or being of ranks, created under this Act; and
- (e) persons holding posts created by or under any other enactment, being posts which are designated by that enactment as Police Force posts.[As substituted by The Police Service (Amendment) Decree, 1974 (NRCD 303) s.2]

Section 4—Administration of the Service.

(1) The Inspector-General of Police shall be the Head of the Police Service, and shall, subject to any directions of the Minister, be responsible for exercising general day-to-day supervision over the operation and administration of the Police Service.

(2) The Inspector-General of Police may delegate to any other members of the Police Service such of his functions under this Act as he thinks fit.

Section 5—Filling of Vacancies.

(1) A vacancy in a Police Service post or rank may be filled—

- (a) by promotion, that is by appointing a police officer who is to be moved from another grade or rank with an immediate increase in his salary;
- (b) by transfer within the Service, that is by appointing a police officer who is to be moved from another grade or rank with no alteration in his salary;
- (c) on reduction in rank, that is by appointing a police officer who is to be moved from another grade or rank with an immediate reduction in his salary;
- (d) by recruitment, that is by appointing a person who is not a police officer or who would cease to be a police officer if the appointment were not made.

(2) Wherever practicable, a vacancy in the Police Service shall be filled either by promotion or transfer within the Service.

(3) Promotions shall be made according to merit.

Section 6—Acting Assignment.

(1) Where a Police Service post is vacant or a police officer is absent from duty for any reason the Inspector-General of Police may assign a member of the Police Service to carry out the appropriate duties.

(2) An assignment under this section shall cease to have effect—

(a) on the filling of the vacancy or the return to duty of the officer, as the case may be; or

(b) if some other person is assigned to carry out the said duties; or

(c) if the assignment is revoked by the Inspector General of Police.

Section 7—Functions of Public Services Commission.

The Public Services Commission shall, in the exercise of its functions under article 141 of the Constitution and in consultation with the appropriate authority, provide in accordance with clause (6) of article 140 of the Constitution for the procedure to be followed and requirements to be observed in the making of appointments.

Section 8—Schemes of Service and Training.

(1) The Inspector-General of Police may, with the consent of the Minister, prepare schemes of service giving details of duties, training facilities, and other matters relating to service as a police officer.

(2) There shall be a branch of the Police Service with the function of supervising and coordinating, under the general direction of the Inspector-General of Police, arrangements for the training of members of the Police Service.

Section 9—Modes of Leaving the Force.

(1) A person holding a post otherwise than on a limited engagement shall retire from the Police Force on reaching the age of 55 years, or in the case of a woman on reaching the age of 50 years: Provided that this subsection shall not prevent the appointment of any person on a limited engagement.

(2) A person holding a post as a police officer otherwise than on a limited engagement may retire from the Police Force at any time after he has reached the age of 45 years, or in the case of a woman 40 years:

Provided that a superior police officer may retire at any earlier time with the consent of the Chairman of the National Redemption Council, and a subordinate police officer may retire at any earlier time with the consent of the Inspector-General of Police.[As substituted by The Police Service (Amendment) Decree, 1974 (NRCD 303) s.3]

(3) A police officer may resign from the Police Service in accordance with such conditions as may be prescribed.

(4) A police officer may leave the Police Service on the expiry or other termination of a limited engagement.

(5) A police officer may leave the Police Service by transfer, with his consent, to employment in another Public Service or to other approved employment in accordance with regulations made under this Act.

(6) A police officer may leave the Police Service on the abolition of his post; and where a post in a grade is abolished by the revocation or amendment of the instrument by which it was created, the appointing authority shall, if two or more persons hold posts in that grade, determine which of those persons is to be treated as the person whose post is abolished.

(7) Unless the person in respect of whom a determination is to be made under subsection (6) is to be promoted or transferred, he shall be given an opportunity to make representations to the appointing authority, who shall consider any such representations before making the determination.

(8) Where a post or rank is held by an officer on probation and it appears to the appointing authority during or at the end of the probationary period that he is unlikely to fulfil the requirements of the post or rank, the appointing authority may order that he shall cease to be a member of the Police

Service, and if no such order is made he shall revert to the post or rank, if any, held by him immediately before the commencement of such probationary period.

PART III—THE POLICE COUNCIL

Section 10—Membership and Functions of the Police Council

[Repealed by The Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequently Proclamation Law, 1982 (PNDCL 42) s. 65].

Section 11—Composition and Functions of Regional Police Committees

[Repealed by The Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequently Proclamation Law, 1982 (PNDCL 42) s. 65].

Section 12—Secretary to the Police Council.

(1) There shall be a Secretary to the Police Council who shall be a public officer.

(2) The Secretary shall not be a member of the Police Council, and he shall perform such administrative functions relating to its work as the Police Council may determine.

Section 13—Protection from Legal Proceedings.

The Chairman and any member of the Police Council shall have the same protection and privilege in case of any action or suit brought against him for any act done or omitted to be done in the exercise of his duties in relation to the hearing of appeals under section 20 of this Act as is by law given to acts done or words spoken by a Judge of the Superior Court of Judicature in the exercise of his judicial office.

Section 14—Attendance of Public Officers.

The Police Council may require any public officer to attend and give evidence before it concerning any matter which it is required to consider in the exercise of its functions.

Section 15—Production of Documents.

The Police Council may require the production of any official document reasonably required for the exercise of its functions; and any public officer who submits any matter for the consideration of the Police Council shall ensure that all relevant documents and papers are made available to the Police Council.

Section 16—Failure to Comply with Request of Police Council.

Any public officer who without reasonable excuse fails to appear before the Police Council when notified to do so, or who fails to comply with any request lawfully and properly made by the Police Council, shall be guilty of misconduct and the Police Council may direct that the matter should be brought to the notice of the appropriate disciplinary authority.

PART IV—MISCONDUCT AND UNSATISFACTORY SERVICE

Section 17—Misconduct and Unsatisfactory Service.

It shall be misconduct for a police officer—

- (a) to be absent from duty without leave or reasonable excuse;
- (b) to be insubordinate;
- (c) to use, without lawful authority, any property or facilities provided for the purposes of the Police Service for some purpose not connected with his official duties;
- (d) to engage in any activity outside his official duties which is likely to involve him in political controversy or to lead to his taking improper advantage of his position in the Police Service;
- (e) to engage in any gainful occupation outside the Police Service without the consent of the Inspector-General of Police;
- (f) to become or be a member of a trade union or of any other association (other than an association authorised by the Minister) having similar objects;
- (g) to sleep on duty;
- (h) to take any alcoholic drink while on duty;
- (i) to permit a prisoner to escape through negligence or wilfulness;
- (j) to divulge any confidential information to a person not authorised to receive it;
- (k) to do any other act without reasonable excuse which amounts to a failure to perform in a proper manner any duty imposed on him as such, or which contravenes any enactment relating to the

Police Service, or which is otherwise prejudicial to the efficient conduct of the Police Service or tends to bring the Police Service into disrepute.

Section 18—Penalties.

- (1) The following are the penalties that may be imposed in disciplinary proceedings under this Act in respect of the misconduct or unsatisfactory service of a police officer:—
- (a) dismissal, that is termination of an appointment with forfeiture of all retirement benefits;
 - (b) removal, that is termination of an appointment with or without a reduction in retirement benefits;
 - (c) reduction in rank, that is removal to another rank with immediate reduction of salary;
 - (d) reduction of salary, that is an immediate adjustment of salary to a lower point on the salary scale attached to the post in question;
 - (e) deferment of increment, that is a postponement of the date on which the next increment is due, with corresponding postponement in subsequent years;
 - (f) stoppage of increment, that is non-payment for a specified period of an increment otherwise due;
 - (g) imposition of a fine not exceeding one-eighth of one month's salary;
 - (h) severe reprimand or reprimand;
 - (i) in the case of constables only, confinement to barracks for a period not exceeding fourteen days;
 - (j) caution or admonition.
- (2) For the purposes of this Act, dismissal, removal and reduction in rank shall be treated as major penalties and all other penalties shall be treated as minor penalties.

Section 19—Disciplinary Authorities.

- (1) The Chairman of the National Redemption Council acting in accordance with the advice of the Police Council shall have disciplinary powers over all police officers.
- (2) The Chairman of the National Redemption Council may delegate his disciplinary powers in respect of all or any police officers to the Inspector-General of Police, and may authorise the Inspector-General of Police to exercise all or any of the said powers through a disciplinary board or superior police officer in accordance with regulations made under section 20.
- (3) Any person or body in whom disciplinary powers under this Act are for the time being vested shall be a disciplinary authority for the purposes of this Act.[As substituted by The Police Service (Amendment) Decree 1994 (NRCD) s.5]

Section 20—Disciplinary Proceedings.

- (1) Disciplinary proceedings shall be either summary or formal.
- (2) No major penalty shall be imposed on an officer in summary proceedings not arising out of a conviction.
- (3) The Commissioner after consultation with the Inspector-General of Police may by legislative instrument make regulations providing for the conduct of disciplinary proceedings in cases of misconduct or unsatisfactory service, and providing for appeals—
- (a) to the Police Council, in the case of police officers of the rank of Inspector and above;
 - (b) to the Inspector-General of Police, in the case of police officers below the rank of Inspector.
- (4) The defendant in any appeal proceedings before the Police Council shall be entitled to be represented by counsel, and where he is so represented, the Police Force shall also be entitled to be represented by counsel.
- (5) Subject to the provisions of this Act and except as may be otherwise provided by regulations made under this section, the Police Council on deciding an appeal under this section may make such order thereon as it thinks fit.
- (6) The Inspector-General of Police shall not be entitled to sit as a member of the Police Council for the purpose of determining an appeal made to the Police Council.
- (7) Where the defendant in any disciplinary or appeal proceedings referred to in this section has exhausted all available processes provided by this Act or regulations made thereunder, and is aggrieved in respect of any matter relating thereto, he may petition the Chairman of the National Redemption Council whose decision shall be final.[As substituted by The Police Service (Amendment) Decree 1974 (NRCD 303) s.5].

Section 20A—Dismissals, Removals, etc. from the Police Service.

Notwithstanding the provisions of the Police Service Act, 1970 (Act 350), any regulations made thereunder or any other enactment the Provisional National Defence Council in consultation with the Police Council shall have power to dismiss, remove or take any disciplinary action as it may consider necessary against any member of the Police Service.[Inserted and to be cited as Police Service (Amendment) Law, 1988 (PNDCL 194A), s.1].

Section 20B—Courts Prohibited from Entertaining Actions.

No Court or other Tribunal shall entertain any action whatsoever or take any decision, make an order or grant any relief in any proceedings in respect of any claim arising from any dismissal, removal or disciplinary action taken against a member of the Police Service under section 1 of this Law.[Inserted and to be cited as Police Service (Amendment) Law, 1988 (PNDCL 194A), s.2].

Section 21—Pay not to Accrue in Certain Cases.

(1) No pay shall accrue to any police officer in respect of any period during which he is absent from duty without leave, unless the Police Council in the case of a superior police officer, or the Inspector-General of Police in any other case, authorises the payment of such proportion of his pay, not being more than one half, as the Council or the Inspector-General of Police thinks fit.

(2) No pay shall accrue to any police officer in respect of any period during which he is absent from duty as a deserter or undergoing any sentence of imprisonment for any offence of whatever nature.

Section 22—Loss of or Damage to Property.

Where in any disciplinary inquiry a police officer has been punished for an offence involving the sale, loss by neglect or wilful or negligent injury or damage to any accoutrement, clothing, public stores or other property issued for the use of the Police Service or taken by him into his possession as a police officer, the Inspector-General of Police may order, in addition to any punishment imposed on such officer, that the amount of the loss or damage or such portion of it as he thinks proper be recovered by stoppages from that officer's pay.

PART V—COMPLAINTS AND OFFENCES

Section 23—Complaints by the Public.

(1) Any member of the public shall be entitled, without prejudice to any other means of redress legally available to him, to make a complaint in writing, signed by him, as to—

(a) any instance of bribery, corruption, oppression or intimidation by a police officer;

(b) any neglect or non-performance of his duties by a police officer;

(c) any other misconduct by a police officer.

(2) A complaint of bribery, corruption, oppression or intimidation shall be addressed to the superior police officer in charge of the district or unit to which the police officer concerning whom the complaint is made belongs or to the Inspector-General of Police.

(3) A complaint of neglect or non-performance of duty or other misconduct shall be addressed to any superior police officer.

(4) The Inspector-General of Police or superior police officer, as the case may be, on receiving a written complaint under this section, shall cause a full and impartial investigation to be made, and shall—

(a) send a report of his conclusions to the complainant;

(b) take such action on the report as the circumstances may require.

(5) Any person who knowingly makes any false or malicious complaint under this section shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred new cedis.

Section 24—Desertion.

(1) A police officer who deserts shall be guilty of an offence and liable on conviction to a fine not exceeding fifty new cedis or to imprisonment not exceeding three months, or to both.

(2) For the purposes of this section, a police officer deserts who leaves or fails to attend at his place of duty with the intention of remaining permanently absent from duty without proper authority or if, having left or failed to attend at his place of duty in any circumstances, he does any act with the like intention.

(3) A person who has been absent without authority for a continuous period of twenty-one days or more shall, unless the contrary is proved, be presumed to have deserted for the purposes of this section.

Section 25—False Statement on Appointment.

Any police officer who on appointment in the Police Service falsely states that he has not been convicted of or imprisoned for a criminal offence or that he has never been employed by the Government shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred new cedis or to imprisonment not exceeding six months, or to both.

Section 26—Refusal to Serve.

Any person enlisted as a supernumerary or special police officer, and any member of the Volunteer Police Reserve called out for active service who, without reasonable cause refuses or neglects—

(a) to serve on being called upon; or

(b) to obey any lawful order or direction,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred new cedis, unless he satisfies the Court that he was prevented from serving or complying with any such order or direction by sickness or such other unavoidable cause as the Court deems a sufficient excuse.

Section 27—Harbouring Officers.

Any person who harbours or entertains, or supplies any intoxicating liquor to, any police officer in uniform or any person whom he knows to be a police officer on duty or permits any such officer or person to be in or upon his premises (except for some reason shown to be in course of duty), shall be guilty of an offence and liable on conviction to a fine not exceeding fifty new cedis.

Section 28—Unlawful Possession of Uniform and Other Property.

(1) Any person not being a police officer who has in his possession any article being part of the clothing, accoutrements or equipment supplied to any police officer and who is not able satisfactorily to account for his possession of it shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred new cedis or to imprisonment not exceeding twelve months, or to both.

(2) Every police officer shall on ceasing to hold and exercise his office forthwith deliver over all the clothing, arms, accoutrements and equipment supplied to him free of charge for the execution of his duty or taken by him into his possession for the execution of his duty to the superior police officer under whom he is serving and if he fails to do so shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred new cedis or to imprisonment not exceeding twelve months, or to both.

(3) Any person who has in his possession, wears or uses any article so closely resembling any part of the uniform of a police officer as to be likely to deceive shall be guilty of a misdemeanour.

Section 29—Causing Disaffection.

Any person who causes or does any act calculated to cause disaffection among police officers, or induces or does any act calculated to induce any police officer to withhold his service or commit any act of misconduct, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred new cedis or to imprisonment not exceeding twelve months, or to both.

PART VI—VOLUNTEER POLICE RESERVE

Section 30—Volunteer Police Reserve.

(1) There shall be a reserve body of persons to be known as the Volunteer Police Reserve.

(2) The Reserve shall not form part of the Police Service or of the Public Services within the meaning of the Constitution but shall be a voluntary body subject to the provisions of this section and section 31.

(3) Notwithstanding subsection (2), a member of the Reserve shall be deemed to be a public officer for the purposes of the Criminal Code, 1960 (Act 29); and every member of the Reserve when called out for active service shall have the powers and duties given by law to a police officer.

(4) The Reserve shall be organised within districts of such extent as the Inspector-General of Police may determine.

(5) The Reserve in any district shall be under the control of the senior police officer of the district and of such other officers as the Inspector-General of Police may appoint.

Section 31—Calling Out for Active Service.

(1) In case of actual or apprehended public disorder, the Prime Minister acting in accordance with the advice of the Cabinet may call out the Volunteer Police Reserve or any of its members for active service.

(2) The Minister may authorise the Inspector-General of Police to call out the Reserve or any part thereof for active service, for such periods and for the performance of such duties as the Inspector-General of Police considers necessary for the maintenance of law and order, the control of traffic or crowds or otherwise for the assistance of members of the Police Service:

Provided that the period for which any member may be called out under this subsection shall not exceed fourteen days.

(3) The superior police officer in charge of a police region or division may call out the Reserve or any of its members within the region or division for active service:

Provided that the period for which any member may be called out under this subsection shall not exceed eight days.

(4) For the purposes of subsection (3) a police region or division means an area established as such by the Inspector-General of Police.

(5) Every person called out under this section shall be bound to assemble at such place as may be directed and perform such service as may be required of him.

(6) The period of active service of members of the Reserve shall continue—

(a) in the case of calling out under subsection (1), until the Prime Minister by order terminates the period of calling out;

(b) in the case of calling out under subsection (2) or (3), until the period of calling out is terminated, by writing under his hand, by the officer who called out the Reserve or until the date stipulated in the notice of calling out.

(7) Nothing in this Act shall render any member of the Reserve liable to serve or proceed on duty without his consent beyond the limits of the district of the Reserve in which he resides.

PART VII—MISCELLANEOUS AND SUPPLEMENTAL

Section 32—Power to Regulate Traffic.

(1) Any superior police officer or other police officer so authorised by a superior police officer may at any time for the purpose of preserving public order and safety stop, divert or otherwise direct and regulate the course of traffic.

(2) Any person who opposes or disobeys any order under this section shall be guilty of an offence and liable on conviction to a fine not exceeding fifty new cedis or to imprisonment not exceeding three months, or to both.

Section 33—Duty in Case of Fire.

(1) It shall be the duty of every police officer to assist in the extinguishment of all fires which threaten life or property and for such purpose a police officer may enter any building or part thereof and do all other things which he considers necessary to check the spread of the fire, and damage occasioned by such officer in the performance of his duty shall be deemed for all purposes to be damage by fire.

(2) Any person who obstructs a police officer in the performance of his duties under this section shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred new cedis or to imprisonment not exceeding six months, or to both.

Section 34—Police Welfare Fund.

(1) There shall be a Police Welfare Fund, and there shall be paid to the Accountant-General to the credit of the Fund all fines imposed on police officers in disciplinary proceedings, all sums paid for the hire of police officers, voluntary contributions and moneys granted by the National Assembly.

(2) The Fund shall be under the control of the Inspector-General of Police and, in accordance with regulations made under this Act, there shall be payable from the Fund—

- (a) rewards and gratuities to, or in respect of, subordinate police officers;
- (b) grants for providing and improving comforts, conveniences and advantages, not chargeable to the general revenue, for the benefit of subordinate police officers;
- (c) gratuities to, or in respect of, dependents of any deceased subordinate police officer.

Section 35—Disposal of Property in Possession of Police.

(1) Where property has come into the possession of the police a District Magistrate may, on application either by or on behalf of the Inspector-General of Police or by a claimant of the property, make an order for the delivery of the property to the person appearing to the Magistrate to be entitled thereto.

(2) An order under subsection (1) shall not affect the right of any person to take legal proceedings against any person in possession of property delivered by virtue of the order for the recovery of the property.

(3) The Minister may by legislative instrument regulate the disposal of property which has come into the possession of the police where the owner of the property cannot be ascertained or no order of a Magistrate has been made with respect thereto.

(4) Regulations made under this section may authorise the sale of such property, and the application of the proceeds of sale, and the application of any money of which the owner cannot be ascertained, to all or any of the following purposes:—

- (a) the expenses of executing the regulations;
- (b) the payment of reasonable compensation to any person by whom the property has been delivered into the possession of the police;
- (c) the making of payments for the benefit of discharged prisoners or of persons dependent on prisoners or discharged prisoners;
- (d) the Police Welfare Fund; or
- (e) such other purpose as the Minister may direct.

(5) Where the property is a perishable article or its custody involves unreasonable expense or inconvenience it may be sold at any time, but the proceeds of sale shall not be disposed of until they have remained in the possession of the police for six months; and in any other case the property shall not be sold until it has remained in the possession of the police for six months.

Section 36—Annual Report.

(1) As soon as may be after the 30th day of June in each year the Inspector-General of Police shall prepare a report giving details of the administration of the Police Service and the Volunteer Police Reserve during the previous twelve months.

(2) The report shall be submitted to the Minister who shall cause it to be laid before the National Assembly.

Section 37—Regulations.

(1) The President, after consulting the Police Council and the Cabinet, may by legislative instrument make regulations—

- (a) designating posts created under any other enactment as Police Service posts;
- (b) dividing the Police Service into branches and divisions, and specifying the composition, organisation and functions of any such branch or division and the functions of any member thereof;
- (c) creating posts and ranks in the Police Service and specifying the number of persons constituting each rank or grade of post;
- (d) providing, in relation to each post or rank created by or under this Act, the conditions of service attached to it;
- (e) providing for the enlistment in the Police Service of persons as supernumerary or special police officers for specified purposes or occasions;
- (f) for the determination of the salary or salary scale payable to a police officer;
- (g) regulating the award of increments of salary, and the payment of allowances and other additional remuneration;
- (h) regulating hours of work and the granting of leave with or without pay or allowances;

- (i) for making available to police officers (with or without charge) housing accommodation, medical treatment or other facilities;
 - (j) regulating the presentation of petitions by police officers;
 - (k) for other matters relating to the conditions of service of police officers;
 - (l) providing for the retirement ages, pensions, gratuities and other allowances, conditions for resignation, and the procedure to be followed in determining whether a police officer should be removed or should retire for medical reasons;[As substituted by The Police Service (Pensions) Law 1985 (PNDCL 126) s. 3(1)]
 - (m) providing for the transfer of a police officer, with his consent, to employment in another Public Service or to other approved employment;
 - (n) providing for the making of payments from the Police Welfare Fund;
 - (o) providing for the organisation of the Volunteer Police Reserve, the fixing of the numbers and ranks of its members, the enrolment in, discipline, and loss of membership of the Reserve;
 - (p) providing for any other matter which under this Act is to be prescribed or which otherwise relates to the administration and functions of the Police Service or the Volunteer Police Reserve.
- (2) Subject to regulations made under this Act and to any directions given to him by the Minister, the Inspector-General of Police may issue Police Service Instructions providing for any matter referred to in paragraphs (f) to (k) of subsection (1), and any matter otherwise relating to the administration and functions of the Police Service or the Volunteer Police Reserve.

Section 38—Control of Private Security Organisations.

(1) The Minister may by legislative instrument make regulations—

- (a) controlling the establishment and operations of any private security organisation,
- (b) requiring the registration of all private security organisations,
- (c) regulating the conditions under which a private security organisation may employ any person,
- (d) regulating the use of uniforms by any private security organisation,
- (e) prescribing fees and forms for any of the above purposes.

(2) In this section "private security organisation" includes any organisation which undertakes private investigations as to facts or the character of any person, or which performs services of watching, guarding, patrolling or carriage for the purpose of providing protection against crime, but does not include the Police Service, the Prisons Service or the Armed Forces of Ghana.

(3) Any doubt as to whether or not an organisation is a private security organisation for the purposes of this section shall be determined by the Minister.

Section 39—Interpretation.

In this Act, unless the context otherwise requires—

"approved employment" means such employment as the Minister may by executive instrument specify;

"Minister" means the Minister to whom responsibility for the Police Service is assigned by the Prime Minister;

"police officer" means a member of the Police Service;

"prescribed" means prescribed by regulations made under section 36;

"prisoner" includes a person involved in a criminal case and who is in police custody;

"salary" includes wages;

"subordinate police officer" means a member of the Police Service other than a superior police officer;

"superior police officer" means an officer not below the rank of Assistant Superintendent of Police.

Section 40—Repeals and Savings.

(1) The following enactments are hereby repealed:—

Sections 150 and 151 of the Criminal Procedure Code, 1960 (Act 30).

Police Service Act, 1965 (Act 284).

Police Service Act, 1965 (Amendment) Decree, 1966 (N.L.C.D. 16).

Police Service Act, 1965 (Commencement) Decree, 1966 (N.L.C.D. 25).

Police Service Act, 1965 (Amendment) Decree, 1969 (N.L.C.D. 336).

(2) Notwithstanding the repeal of the above enactments, the following statutory instruments shall continue in force as if made under the corresponding provisions of this Act, until modified or revoked:—

Police Force Regulations, 1922 (No. 7)

Police Reward Fund Regulations, 1922 (No. 8)

Transport of Private Property (Police Escort) Regulations, 1922 (No. 20).

Police Force (Volunteer Police Reserve) Regulations, 1939 (No. 16).

Unclaimed Property Disposal Regulations, 1941 (No.37)

Police Force (Volunteer Police Reserve) (Amendment) Regulations, 1956 (L.N. 134).

Police Force (Volunteer Police Reserve) (Amendment) (No. 2) Regulations, 1956 (L.N. 245).

Unclaimed Property Disposal (Amendment) Regulations, 1963 (L.I. 321).

(3) Notwithstanding the repeals effected by subsection (1), all Police Service Instructions issued under the Police Service Act, 1965 and in force immediately before the commencement of this Act shall continue in force as if made under section 37 (2) of this Act, until modified or rescinded.

Section 41—Amendment of Criminal Procedure Code.

The Criminal Procedure Code, 1960 (Act 30) is hereby amended by the insertion immediately after section 149 thereof of the following new section:—

"Property in Possession of Police.

150. Where property has come into the possession of the police in connection with any criminal charge it shall be dealt with in accordance with section 35 of the Police Service A