
POLICE AND PRISON OFFICERS (PROMOTION) (AMENDMENT) REGULATIONS 2010

The Chief Constable and Superintendent of Prisons, with the approval of the Administrator, makes the following Regulations exercising the powers under section 9 of the Police Ordinance 2007(a) and sections 11 and 15 of the Prisons Ordinance 1971(b).

Citation and commencement

1. These Regulations may be cited as the Police and Prison Officers (Promotion) (Amendment) Regulations 2010 and come into force on the day that they are published in the Gazette.

Regulation 4 (Selection Board) revoked and replaced

2. (1) Regulation 4 of the Police and Prison Officers (Promotion) Regulations 2007(c) (the “principal Regulations”) is revoked and replaced with—

“Selection Board

4. (1) A selection board (the “Board”) is to decide on whether or not an officer is to be promoted for all ranks up to and including the rank of Superintendent.

(2) The Board is to consist of such persons as the Chief Constable may appoint from time to time, but is to include—

- (a) the Deputy Chief Constable or a Divisional Commander;
- (b) an officer of at least the rank of Superintendent;
- (c) subject to paragraph (3), a locally engaged officer of at least the rank of Chief Inspector (who may be the same officer as the officer referred to in sub-paragraph (a) or (b));
- (d) only officers of a higher rank than the rank into which it may appoint an officer.

(3) Paragraph (2)(c) does not apply when the Board is interviewing candidates for promotion into the rank of Superintendent.

(4) Subject to paragraph (5), a representative of the Police and Prison Officers’ Association is to sit with the Board to observe its proceedings.

(5) Paragraph (4) does not apply if a candidate notifies the Board that the candidate does not wish a representative of the Police and Prison Officers’ Association to sit with the Board to observe its proceedings so far as they relate to that candidate.

(6) The Board is to meet as directed by the Chief Constable or the Superintendent of Prisons.

(7) The Board is to interview those candidates whom it considers may be suitable for promotion and is to produce a report on those candidates whom it considers are suitable for promotion.”.

Regulation 6 (Constable qualifications for promotion) amended

3. Sub-paragraph (c) of regulation 6 of the principal Regulations is revoked.

Regulation 7 (Sergeant qualifications for promotion) amended

4. Sub-paragraph (c) of regulation 7 of the principal Regulations is revoked.

Regulation 8 (Chief Inspector or Superintendent qualifications for promotion) amended

5. (1) Sub-paragraph (b) of regulation 8 of the principal Regulations is revoked.

(2) Sub-paragraph (c) of regulation 8 of the principal Regulations is revoked and replaced with—

“(c) have completed 2 years of service in the rank of Inspector;”.

Regulation 9 (Additional powers of Chief Constable and Superintendent) revoked

6. Regulation 9 of the principal Regulations is revoked.

Regulation 10 (Qualifying examinations) amended

7. Paragraph (1) of regulation 10 of the principal Regulations is amended by revoking “, Sergeant Warder” after “Sergeant”.

Dated this 11th of June 2010.

(SBA/AG/2/CR/190/2)

D. J. Kelly,
Chief Constable and Superintendent of Prisons,
Sovereign Base Areas.

Notes

(a) Ordinance 6/07.

(b) Ordinance 11/71.

(c) Public Instrument 28/07.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. This explanatory note relates to the Police and Prison Officers (Promotion) (Amendment) Regulations 2010 (the “Regulations”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Regulations. It does not form part of the Regulations.
2. The Regulations amend the Police and Prison Officers (Promotion) Regulations 2007 (the “principal Regulations”). The principal Regulations are amended so that the Chief Constable will now decide on the composition of the promotion Board. Previously the Board had to consist of the Chief Constable, the Deputy Chief Constable and a Chief Superintendent. A representative of the Police Association will normally sit with the Board as an observer, but will not do so if a candidate objects.
3. The requirement to complete outside police duties or normal prison duties for promotion into the rank of sergeant has been revoked. The requirement to complete outside police duties for promotion into other ranks has also been revoked. A candidate for promotion to Chief Inspector or Superintendent must now complete 2 years in the rank of Inspector.
4. The power of the Chief Constable to promote an officer of marked ability or special aptitude has also been revoked.
5. The reference to “Sergeant Warder” in regulation 10 has been revoked because this rank no longer exists.