

REPUBLIC OF VANUATU

THE POLICE REGULATION (AMENDMENT) ACT No. 18 OF 1985

Arrangement of Sections

1. Amendment of the Police Regulation No. 7 of 1980.
2. Commencement.

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THE POLICE REGULATION (AMENDMENT) ACT No. 18 OF 1985

Assent: 28.6.85.

Commencement: 22.7.85.

To amend the Police Regulation and provide for compulsory early retirement of police officers and other matters associated with the more effective deployment of the Police Force.

BE IT ENACTED by the President and Parliament as follows:-

AMENDMENT OF THE POLICE REGULATION No. 7 OF 1980

1. The Police Regulation No. 7 of 1980 (as amended) is further amended as follows:-

(a) in Section 1 by adding the following definition in the appropriate alphabetical order:-

"Commissioner" means the Commissioner of Police appointed under section 10;

(b) by substituting "schedule 1" for "schedula 2" in section 18;

(c) by adding the following new sections after section 27:

"COMPULSORY RETIREMENT OF POLICE OFFICERS

27A. (1) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, for the purposes of ensuring the renewal of holders of public offices within the Force, the Commissioner in the case of a subordinate officer or the Police Service Commission acting on the recommendation of the Commissioner, in the case of a senior officer, may compulsorily retire any member from the Force.

(2) Notice of compulsory retirement shall be given by or on behalf of the Commissioner or Commission in writing to a member to whom subsection (1) applies.

(3) The notice referred to in subsection (2) shall state the day on which the member to whom it is given shall be retired and shall be not less than three months after the day on which the notice is given to the member.

SEVERANCE PAYMENT

27B. A member retired in accordance with section 27A shall be entitled to receive from the Government a severance payment calculated at the rate of one month of the annual salary payable to the member immediately before the day of retirement for each year served with the Vanuatu Government since the 30th day of July, 1980 and pro-rata for each uncompleted year."

(d) by adding the following new section after section 37:

"NON-LIABILITY FOR ACT DONE IN GOOD FAITH

37A. No suit or other legal proceedings for damages shall be instituted in any court of law against the Minister or the Commissioner or any other member of the Force or any other person for or on account of or in respect of any act, matter or thing done or purported to be done or omitted to be done, in good faith, in the performance or exercise of any duty or power imposed or conferred by or under this Regulation; and the provisions of this section shall extend to the protection from liability as aforesaid of any person deputed by delegation under this Act or under any other law for the time being in force to perform or exercise any such duty or power aforesaid."

(e) by adding the following new section after section 69:

"SUMMARY ADMONISHMENT AND REPRIMAND

69A. Notwithstanding anything to the contrary contained in this Act, the Commissioner may summarily administer an admonishment or reprimand to any member in the case of minor misconduct."

(f) by repealing paragraph (d) of section 77 and substituting the following therefor:

"(d) the duties to be performed by members, and where necessary, the fees to be charged for special duties performed and for their guidance in the discharge of such duties,"

COMMENCEMENT

2. This Act shall come into force on the day of publication in the Gazette.