

CHAPTER 51.

POLICE AND PRISONS.

11 of 1949. AN ORDINANCE TO PROVIDE FOR THE MAINTENANCE OF A
10 of 1950. POLICE FORCE AND PRISON.

[1st June, 1949.]

Short title. 1. This Ordinance may be cited as the Police and Prisons Ordinance.

Definitions. 2. In this Ordinance and any regulations made thereunder unless the context otherwise requires—

“Constable” means the Chief Constable and any other police officer appointed under this Ordinance.

Part 1.

POLICE.

Appoint-
ment of
Constables. 3. (1) The Governor may for any period he may think fit appoint any person to be a constable.

(2) After taking the oath next hereinafter prescribed a constable shall be given a warrant of authority in the following form:

“This is to certify that
has been appointed to act as constable in the Falkland
Islands and Dependencies.

Date. for Governor.”

(3) A constable shall on termination of his appointment return the warrant to the Colonial Secretary.

Oath. 4. On appointment a constable shall take the following oath before a justice:

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S).]

"I, _____, do swear that I will well and truly serve our Sovereign Lord the King in the office of constable for the Falkland Islands and Dependencies, without favour or affection, malice or ill-will, and that I will, to the best of my power, cause the peace to be kept and preserved, and prevent all offences against the persons and properties of His Majesty's subjects, and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge the duties thereof according to law."

5. (1) A constable shall have and exercise all the powers, authorities and immunities and be liable to all the duties and responsibilities of any constable in England so far as they are applicable in the Colony and its Dependencies. Powers and duties of a constable.

(2) A constable may stop, search or detain any vessel, motor-vehicle, cart or bicycle which he has reason to suspect is being, or has been, used in the commission of an offence and may seize any property found therein or thereon in respect whereof any person on such vessel, motor-vehicle, cart or bicycle, is unable to give a satisfactory explanation, and may arrest any such person.

(3) A constable shall, when so required by the Chief Constable, perform the duties of prison officer or warder.

6. Any constable who shall

- (a) be guilty of any neglect or violation of his duty; or
- (b) not deliver up forthwith on his ceasing to hold office all his accoutrements, clothing and other necessities of office supplied to him

Offences by constable.

shall commit an offence and shall be liable on summary conviction to a fine not exceeding £10 or to imprisonment for a term not exceeding one month and a search warrant may be granted for articles not delivered up.

7. Any person who for any unlawful purpose or without the authority of the Governor puts on the dress or accoutrements, or takes the name, designation or character of a constable shall be liable on summary conviction to a fine not exceeding £10.

Personation of constable.

*Part 2
repealed by 5/66*

Part 2.

PRISONS.

Governor
may appoint
any place to
be a prison.

8. The Governor may appoint any building to be a prison for the confinement of any prisoner sentenced by a Court in the Colony or sent to the Colony on conviction under any Act.

Visiting
Justices.

9. (1) The Governor may on the 1st day of January in each year appoint from the panel of justices resident in Stanley three such justices to constitute a Board of Visiting Justices, of whom the Magistrate shall be a permanent and senior member, for the ensuing year.

(2) Visiting Justices shall enter and inspect any prison and see and receive complaints from prisoners when they may so decide but at least four times in any year, and after each such inspection shall report thereon and as to any complaints received from prisoners and the manner in which they were dealt with to the Governor.

Visitors.

10. Any person may be permitted to visit any prisoner on the order in writing of a Visiting Justice.

Forbidden
articles.

11. (1) Any person who brings or attempts to introduce into any prison any spirituous or fermented liquor or tobacco, and every officer of a prison who suffers any spirituous or fermented liquor or tobacco to be sold or used therein contrary to Prison Regulations, shall commit an offence and shall be punishable on conviction by imprisonment for a term not exceeding six months or to a fine not exceeding £20 or to both such fine and imprisonment, and if the offender be a prison officer he shall be dismissed the service.

(2) Any person conveying or attempting to convey any letter or notice not allowed by Prison Regulations in or out of any prison shall on summary conviction be liable to a fine not exceeding £10, and if the offender be a prison officer he shall be dismissed the service.

Unlawful
absence.

12. The period during which any prisoner has been unlawfully absent from prison shall be added to his sentence.

13. A prisoner shall be removed from prison to the hospital on a certificate stating the nature of the illness and that the removal is necessary for his restoration to health, signed by the Senior Medical Officer, countersigned by the magistrate, and delivered to the Chief Constable. Illness.

14. The Chief Constable shall give immediate notice of the death of any prisoner to the Coroner. Coroner to be informed of death.

15. The body of every offender executed shall be buried in such place as the Governor, by writing under his hand, shall appoint. Burial of body of executed prisoner.

Part 3.

GENERAL.

16. The Governor in Council may make regulations as to— Regulations.

- (1) the duties and discipline of constables and the imposition of any fines for any infringement, in addition to any other punishment to which the constable may be liable;
- (2) the duties of Visiting Justices;
- (3) the duties and discipline of prison officers, the maintenance of good order in any prison and the discipline of prisoners therein, and the imposition of punishment for any infringement thereof;
- (4) the execution of the death sentence.