ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER L90

LOCAL CONSTABLES ACT

Showing the Law as at 31 December 2022

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates Act 7/2010, in force 1 November 2010

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LOCAL CONSTABLES ACT

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SCHEDULE: Precept to Constable

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LOCAL CONSTABLES ACT

Interpretation

1. In this Act—

"Commissioner of Police" means the Commissioner of Police appointed under section 7(1) of the Anguilla Police Act and includes any assistant superintendent, inspector, subordinate police officer and constable acting under the general or specific instructions of the Commissioner of Police;

"local constable" means a constable appointed and acting under this Act.

Qualifications for appointment

2. Every male person who is—

(a) over 18 and under 55 years of age;

(b) able-bodied; and

(c) of good character;

shall be deemed to be qualified for appointment as a local constable.

Appointment of local constables

3. (1) Subject to the provisions of this Act, the Governor may appoint any qualified person residing in Anguilla at the time of such appointment to be a local constable.

(2) Any local constable in Anguilla who on the 1st January, 1973 was duly appointed a local constable shall continue to hold such appointment and be deemed to have been appointed a local constable in accordance with the provisions of subsection (1).

Precept and oath of local constables

4. On appointing any person to be a local constable, the Governor shall—

(a) deliver to him a precept in the form contained in the Schedule authorising him to act as a local constable; and

(b) administer to him the following oath of office—

"I, A. B., do swear that I will well and truly serve our Sovereign Lady the Queen in the office of local constable for Anguilla, without favour or affection, malice or ill-will and that I will, to the best of my ability, cause peace to be preserved and prevent all offences against persons and property of Her Majesty's Subjects".

Precept and oath constitute appointment

5. On receiving the precept and taking the oath, the person so appointed shall be a local constable and shall and may act as constable generally throughout Anguilla.

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Equipment

6. Every local constable shall be provided by the Commissioner of Police with a staff, a whistle, a note book, an instruction book and an armlet bearing the letters "A.L.C." and such armlet shall be evidence of the office of every such local constable. The cost of these articles of equipment shall be defrayed at the public expense.

Powers and immunities of local constables

7. Every local constable shall have all the power and shall be entitled to all the immunities conferred upon any police constable by any law or Act for the time being in force.

Local constables subject to orders of Commissioner of Police

8. Every local constable shall be subject to orders issued by the Commissioner of Police in relation to police duty.

Local constable may be ordered on public service

9. The Commissioner of Police may, in those circumstances where the regular Police Force is inadequate for the proper enforcement of the law, order on the public service for a period not exceeding at any one time 24 hours, any number of local constables, but nothing in this section shall give the Commissioner of Police any power to so act where the Governor has power to make an order under section 11.

Remuneration of local constables

10. (1) The Commissioner of Police may from time to time grant to a local constable a certificate for payment out of the Consolidated Fund of such sum as may be authorized in accordance with a rate fixed in Anguilla for the performance of duty under the provisions of this Act.

(Act 7/2010, s. 26)

(2) Every such payment shall be made from such money as may be provided for the purpose by the Government of Anguilla.

Riot or disturbance

11. The Governor may in case of riot, disturbance or disaster order on the public service any number of local constables for such period as he shall deem expedient.

Penalty for assaulting or resisting local constables

12. Any person who shall assault or resist any local constable in the execution of his duty or who shall aid or incite any person so to assault, or resist, is liable on summary conviction to a fine of $2,500 or to a term of imprisonment of 6 months or to both.

Resignation of local constables

13. A local constable shall be at liberty to resign his appointment on giving one month's notice in writing of his intention so to resign to the Commissioner of Police.

Residence of local constables

14. (1) Every local constable shall in the months of January and July in every year appear personally before the Commissioner of Police and state his occupation and place of residence; and no

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local constable shall change his residence as stated unless he has given notice of his intention so to do to the Commissioner of Police.

(2) Any local constable who is about to leave Anguilla shall report his intended departure and the probable length of his absence from Anguilla to the Commissioner of Police.

(3) A local constable who ceases to reside in Anguilla shall be deemed to have resigned his appointment.

Dismissal of local constables

15. The Governor may at any time dismiss any local constable from his office, but such dismissal shall not preclude any remedy at law which the party aggrieved by the offence of such constable might have had if such dismissal had not taken place.

Cessation of powers and extension of age limit of local constables

16. (1) When any local constable attains the age of 60 years or resigns or is dismissed from his office, all powers and authority vested in him and all immunities to which he is entitled as such local constable shall immediately cease and determine and he shall on demand deliver over to the Commissioner of Police his precept of appointment and any equipment which may have been supplied to him for the execution of his office.

(2) Notwithstanding the attainment by a local constable of the age mentioned in subsection (1), the Governor may in his discretion permit such constable to retain his office for such period beyond that age, as the Governor may deem expedient.

Offences of local constables

17. If any local constable—

(a) refuses or neglects to obey any lawful order given to him; or

(b) is guilty of any violation or neglect of duty;

he is guilty of an offence and is liable on summary conviction to a fine of $2,500 or to a term of imprisonment of 6 months or to both.

Application of section 80 of the Anguilla Police Act[1]

18. The provisions of section 80 of the Anguilla Police Act[2] apply to a local constable appointed under this Act as they apply to police officers.

Regulations

19. The Governor may make regulations, including regulations for the levying of fees and penalties, which in his opinion are required for the better direction, control and carrying out of the objects, purposes and provisions of this Act.

[1] This section has been corrected to reflect the renumbering of the Anguilla Police Act, R.S.A. c. A70 *(31/12/2022)*.
[2] This section has been corrected to reflect the renumbering of the Anguilla Police Act, R.S.A. c. A70 *(31/12/2022)*.

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Citation

20. This Act may be cited as the Local Constables Act, Revised Statutes of Anguilla, Chapter L90.

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SCHEDULE

(Section 4)

Anguilla

LOCAL CONSTABLES ACT

PRECEPT TO CONSTABLE

To …… of ……..……...

I, ……., Governor of Anguilla, do under and by virtue of the power and authority in that behalf, vested in me by the Local Constables Act, hereby appoint you to be a Local Constable and I do issue to you this precept authorising you to act as a local constable throughout Anguilla.

GIVEN under my hand this ……...…… day of ……, 20…… .

…….
GOVERNOR

———————

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