

LEGAL NOTICE NO. 277

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER

MADE BY THE PRESIDENT UNDER SECTION 123(2) OF THE CONSTITUTION
AND SUBJECT TO NEGATIVE RESOLUTION OF PARLIAMENT

THE COMMISSIONER OF POLICE AND DEPUTY COMMISSIONER
OF POLICE (SELECTION PROCESS) (NO. 2) ORDER, 2021

1. This Order may be cited as the Commissioner of Police and ^{Citation}
Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021.

2. In this Order, “Commission” means the Police Service ^{Interpretation}
Commission established under section 122 of the Constitution.

3. (1) The selection process for appointment to the offices of ^{Selection}
Commissioner of Police and Deputy Commissioner of Police shall be ^{process}
conducted in the following manner:

- (a) the Commission shall conduct a recruitment process, including inviting applications for the positions by advertising each vacancy—
 - (i) in at least two daily newspapers circulating in Trinidad and Tobago; and
 - (ii) on at least three days within a period of seven days;
- (b) the Commission, from the applications received, shall select the most suitable candidates for the assessment process;
- (c) the Commission shall ensure that the candidates referred to in paragraph (b) are subjected to security vetting and recent professional vetting;
- (d) the Commission shall conduct the assessment referred to in paragraph (b), and shall have regard to—
 - (i) the qualifications and experience of the candidate;
 - (ii) a medical examination report; and
 - (iii) the Security and Professional Vetting Report;

- (e) the Commission shall then take into account all information on the candidates and thereafter establish an Order of Merit List indicating the highest graded candidate, followed by the other candidates in descending order of merit; and
- (f) the Commission shall select the highest graded candidate on the Order of Merit List and submit that candidate's name to the President in accordance with the procedure set out in section 123 of the Constitution.

(2) Where, in relation to subclause (1)(f), the House of Representatives does not approve of the highest graded candidate on the Order of Merit List pursuant to section 123 of the Constitution, subsequent nominations in order of merit may be submitted to the House of Representatives from the Order of Merit List only in accordance with the procedure set out in the Constitution.

(3) Where the Order of Merit List is exhausted, the process set out in this clause shall be recommenced.

(4) With respect to the nominations submitted in accordance with the procedure set out in section 123 of the Constitution, the Commission shall also submit a dossier in respect of each candidate so nominated.

(5) The dossier referred to in subclause (4) shall contain the following:

- (a) the application of the candidate; and
- (b) the biography or résumé of the candidate.

(6) For the purposes of this clause, the Order of Merit List shall be valid for a period of one year.

(7) In this clause, "Order of Merit List" means the list established under subclause (1)(e).

Selection
process for
acting
appointments
as
Commissioner
of Police

4. (1) Notwithstanding clause 3, the selection process for acting appointments to the office of Commissioner of Police shall be as provided in this clause.

(2) For the purposes of acting appointments to the office of Commissioner of Police, the Commission shall establish and maintain an Order of Merit List which shall list, in descending order of seniority, the officers who—

- (a) are holding or acting in the office of Deputy Commissioner of Police or Assistant Commissioner of Police; and
- (b) possess the qualifications and experience required for appointment to the office of Commissioner of Police.

(3) Where—

- (a) the Commissioner of Police is or is likely to be—
 - (i) absent from Trinidad and Tobago;
 - (ii) on vacation leave; or
 - (iii) unable by reason of illness or any other reason to perform the functions of the Commissioner of Police; or
- (b) the office of the Commissioner of Police is or is likely to become vacant,

the Commission shall select the most senior officer on the Order of Merit List and submit that officer's name to the President in accordance with the procedure set out in section 123 of the Constitution.

(4) Where, in relation to subclause (3), the House of Representatives does not approve of the most senior officer on the Order of Merit List pursuant to section 123 of the Constitution, subsequent nominations in order of merit may be submitted to the House of Representatives from the Order of Merit List only in accordance with the procedure set out in the Constitution.

(5) In this clause, "Order of Merit List" means the list established and maintained under subclause (2).

5. (1) Notwithstanding clause 3, the selection process for acting appointments to the office of Deputy Commissioner of Police shall be as provided in this clause.

Selection
process for
acting
appointments
as Deputy
Commissioner
of Police

(2) For the purposes of acting appointments to the office of Deputy Commissioner of Police, the Commission shall establish and maintain an Order of Merit List which shall list, in descending order of seniority, the officers who—

- (a) are holding or acting in the office of Assistant Commissioner of Police; and
- (b) possess the qualifications and experience required for appointment to the office of Deputy Commissioner of Police.

(3) Where—

- (a) a Deputy Commissioner of Police is or is likely to be—
 - (i) absent from Trinidad and Tobago;
 - (ii) on vacation leave; or
 - (iii) unable by reason of illness or any other reason to perform the functions of Deputy Commissioner of Police; or
- (b) an office of Deputy Commissioner of Police is or is likely to become vacant,

the Commission shall select the most senior officer on the Order of Merit List and submit that officer's name to the President in accordance with the procedure set out in section 123 of the Constitution.

(4) Where, in relation to subclause (3), the House of Representatives does not approve of the most senior officer on the Order of Merit List pursuant to section 123 of the Constitution, subsequent nominations in order of merit may be submitted to the House of Representatives from the Order of Merit List only in accordance with the procedure set out in the Constitution.

(5) In this clause, "Order of Merit List" means the list established and maintained under subclause (2).

L.N. Nos. 103
of 2009 and
183 of 2021
revoked

6. The Commissioner of Police and Deputy Commissioner of Police (Acting Appointments) (Selection Process) (No. 2) Order, 2009 and the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2021 are revoked.

Dated this 25th day of November, 2021.

C. HEMLEE
Secretary to Cabinet