

LEGAL NOTICE NO. 102

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO,  
CHAP. 1:01

ORDER

MADE BY THE PRESIDENT UNDER SECTION 123(2) OF THE CONSTITUTION

THE COMMISSIONER OF POLICE AND DEPUTY  
COMMISSIONER OF POLICE (SELECTION PROCESS)  
ORDER, 2009

1. This Order may be cited as the Commissioner of Police and Deputy  
Commissioner of Police (Selection Process) Order, 2009. Citation

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

3. The selection process for appointment to the offices of Commissioner of Police and Deputy Commissioner of Police shall be conducted in the following manner: Selection  
process

- (a) the Director of Personnel Administration shall, in accordance with section 20A(1)(c) of the Central Tenders Board Act, contract a firm experienced in conducting assessments of senior police managers to conduct an assessment process and the firm so contracted (hereinafter referred to as “the Firm”) shall consult with the Commission upon the completion of each stage of the process; Chap. 71:91
- (b) the Firm shall advertise each vacancy for a period to be determined by the Commission, of not less than seven days, utilizing—
  - (i) effective information communication technology; and
  - (ii) local, regional and international print media;
- (c) an applicant shall apply in the form specified by the Firm and shall submit to the Firm his application accompanied by—
  - (i) his biography or his résumé;
  - (ii) references in the number to be determined by the Firm, with current contact information of each referee; and

- (iii) any other relevant information which the Firm thinks appropriate;
- (d) the Firm shall indicate in every advertisement where the following may be found:
  - (i) written guidelines for the assessment process;
  - (ii) a copy of the Appointment of the Commissioner of Police and Deputy Commissioner of Police (Selection Process) Order, 2009 and the Appointment of the Commissioner of Police and Deputy Commissioner of Police (Qualification and Selection Criteria) Order, 2009; and
  - (iii) a written prospectus of the Police Service, compiled by the Firm with the assistance of the Commission;
- (e) the Firm shall select, from the applications received, the most suitable candidates for the assessment process;
- (f) the Firm shall ensure that the candidates referred to in paragraph (e) are subjected to the best practice security vetting and recent professional vetting;
- (g) at least one of the persons serving on the assessment panel shall be of an equivalent or higher rank or in an equivalent or higher office than the candidate;
- (h) the Firm shall submit to the Commission—
  - (i) the results of its assessment process in the form of a short list of candidates and the Commission may consult or discuss those results with the Firm;
  - (ii) a report on its assessment of the entire selection process which shall include written recommendations for improvements, where necessary; and
  - (iii) in respect of the candidates referred to in subparagraph (i), the following documents:
    - (A) application of the candidate;
    - (B) biography or résumé of the candidate;
    - (C) assessors' scores;
    - (D) assessors' feedback;
    - (E) medical examination report; and
    - (F) security and professional vetting report;

- (i) the Commission shall conduct its own assessment of not more than the five highest graded candidates on the short list;
- (j) the Commission may gather such other information on each candidate as it considers necessary and appropriate to determine the merits of his application and suitability for the office for which he is being considered;
- (k) where enquiries by the Commission result in an adverse report of a criminal, legal, professional or ethical nature—
  - (i) the Commission shall notify the candidate concerned of the report;
  - (ii) the candidate may make representation to the Commission within a period not exceeding two weeks from the date on which he is notified of the report; and
  - (iii) the Commission may disqualify the candidate on the basis of the adverse report;
- (l) the Commission shall then take into account all information on the candidates and thereafter establish an Order of Merit List; and
- (m) 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.

4. (1) Where, in relation to clause 3(m), 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.

Use of Order of  
Merit List in  
certain  
circumstances

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

(3) 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.

(4) The dossier referred to in subclause (3) shall contain the following:

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

Validity of  
Order of Merit  
List

5. For the purposes of this Order, the Order of Merit List shall be valid for a period of one year.

Nomination of  
candidate in  
particular  
circumstances

6. Notwithstanding this Order, if, for whatever reason, the office of Commissioner of Police or Deputy Commissioner of Police becomes vacant, the Commission may nominate a candidate who was previously assessed in accordance with clause 3, if the Order of Merit List is still valid.

L.N. No. 140 of  
2007, L.N. No.  
166 of 2007 and  
L.N. No. 55 of  
2009 revoked

7. The Commissioner of Police and Deputy Commissioner of Police (Selection Process) Orders, 2007 and the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (Amendment) Order, 2009 are hereby revoked.

Dated this 14th day of May, 2009.

A. LEUNG WOO-GABRIEL  
*Secretary to Cabinet*

Laid in the House of Representatives this            day of            , 2009.

*Clerk of the House*

Laid in the Senate this            day of            , 2009.

*Clerk of the Senate*