

SUBSIDIARY LEGISLATION 389.02**COMMUNITY OFFICERS REGULATIONS**

27th August, 1996

LEGAL NOTICE 161 of 1996, as amended by Legal Notices 216 of 1999, 79 of 2001, 402 of 2003, 425 of 2007, 402 of 2011 and 261 of 2012.

1. The title of these regulations is the Community Officers Regulations. Citation.

PART I**Preliminary**

2. In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Private Guards and Community Officers Act; Cap. 389.

"Commissioner" means the Commissioner of Police;

"continuing training course" means any training course as is referred to in regulation 4(2) intended to continue to train and update community officers in the performance of their duties;

"Minister" means the Minister responsible for the Police.

PART II**Qualifications and Training Courses**

3. No person shall be qualified to be licensed as a community officer in accordance with the provisions of the Act unless such person has attained the age of eighteen years and satisfies the Commissioner that he has obtained a standard of education equivalent to a school leaving certificate of either a secondary school or a trade school: Qualifications for community officers.
Amended by:
L.N. 216 of 1999;
L.N. 79 of 2001;
L.N. 261 of 2012.

Provided that this provision shall not apply to persons who have completed a period of service of at least twenty-five years with the Police or armed forces or the prison services:

Provided further that the equivalence to a school leaving certificate as aforesaid shall not be required in the case of any person who satisfies the Commissioner that he has successfully completed an approved training course as specified in regulation 4, which training course was commenced prior to the 1st December, 1999:

Provided further that in the case of a person who is thirty years and over, a standard of education equivalent to a school leaving certificate of either a secondary school or a trade school shall not be required of him if he has successfully completed an approved training course conducted by the Employment Training Agency or an authorised person or agency as provided for in regulation 5.

Training courses
certification.
Amended by:
L.N. 402 of 2003;
L.N. 402 of 2011.

4. Any person applying for a licence to act as a community officer shall submit to the Commissioner a certificate showing that he has successfully completed such training courses as may be approved in accordance with the provisions of these regulations:

Provided that this provision shall not apply to persons who have completed a period of service with the police or armed forces or the prison services, in Malta or abroad.

Approved training
courses.
Amended by:
L.N. 425 of 2007.

5. (1) Any person desiring to provide training courses for the purposes of article 23 of the Act shall make an application therefore to the Minister.

(2) Such application shall contain the following information:

- (a) the individual or individuals who will be effectively running the courses;
- (b) the duration of the course;
- (c) a detailed breakdown of the syllabus content;
- (d) assessment criteria;
- (e) the premises where training will be provided; and
- (f) such other information as the Minister may require.

(3) Having considered an application under subregulation (2) the Minister may approve the provision of such training courses.

(4) Such approval shall be valid for a period of one year and may be subject to such terms and conditions as the Minister may deem fit to impose and may be withdrawn at any time where:

- (a) any of such terms and conditions or any of the provisions of these regulations has not been complied with; or
- (b) circumstances arise which could have justified a refusal of the application; or
- (c) for any other reason which he may deem appropriate.

(5) Unless withdrawn in accordance with the provisions of subregulation (4) such approval may be renewable from year to year.

(6) Courses approved under this regulation shall as a minimum provide adequate instruction and training in the topics shown in the First Schedule.

(7) For the purposes of subregulation (3) such courses shall be subject to inspection as the Minister may direct.

(8) Any person whose application to provide training courses is approved in accordance with this regulation, shall be authorised to issue any certificate required under regulation 4.

(9) The authorisation under this regulation to a person to provide training courses shall include the authorisation to provide continuing training courses.

(10) Any person authorised to provide training courses under this regulation may not refuse to provide such training to any

person seeking to be licensed as a community officer or to attend a continuing training course.

(11) A fee of two hundred and thirty-two euro and ninety-four cents (232.94) shall be payable on application under subregulation (1) and on renewal under subregulation (5).

PART III

Miscellaneous

6. (1) An application for a licence of a community officers agency shall be made to the Commissioner in the form set out in the Second Schedule.

Licence of
community
officers agency.
Amended by:
L.N. 425 of 2007.

(2) There shall be payable to the Commissioner for the issue of a licence of a community officers agency the following application fees:

- (a) an application fee of fifty-eight euro and twenty-three cents (58.23) for the issue of a licence to a person applying to offer his own services as an individual; and
- (b) an application fee of two hundred and thirty-two euro and ninety-four cents (232.94) in any other case.

(3) On the renewal of such licence there shall also be paid to the Commissioner the following fees:

- (a) fifty-eight euro and twenty-three cents (58.23) per annum in the case of a person offering his own services as an individual; and
- (b) in any other case a fee of eleven euro and sixty-five cents (11.65) per annum for every community officer employed, subject to a minimum fee of two hundred and thirty-two euro and ninety-four cents (232.94) and a maximum fee of one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69) per annum.

7. (1) An application for a licence of a community officer shall be made to the Commissioner in the form set out in the Third Schedule.

Licence of
community officer.
Amended by:
L.N. 425 of 2007;
L.N. 402 of 2011.

(2) There shall be payable to the Commissioner in relation to a licence of a community officer an application fee of twenty-three euro and twenty-nine cents (23.29) on application.

8. (1) Every person who, not being a person who is employed with a community officers agency for the purpose of such employment, is required to be covered by an indemnity insurance in terms of article 21 of the Act, and shall be so covered throughout the currency of the insurance policy as shown hereunder:

Indemnity
insurance.
Amended by:
L.N. 425 of 2007.

- (a) for loss or damage caused by the negligence of such person or any of his employees, to an amount of not less than one hundred and sixteen thousand and four hundred and sixty-eight euro and sixty-seven cents (116,468.67); such amount shall be net of any excess

under the said insurance policy;

- (b) for any loss or damage caused by theft or any attempts thereof committed by such person or any of his employees, to an amount which is equivalent to the replacement value of the actual theft;
- (c) for death or bodily injury resulting from the negligence of such person or his employee, to an amount of not less than two hundred and thirty-two thousand and nine hundred and thirty-seven euro and thirty-four cents (232,937.34).

(2) The provisions of subregulation (1) shall be without prejudice to any other cover for indemnity insurance which such person may be required to provide in the provision of community officer services.

(3) Unless special circumstances exist, an insurance company shall, for the purposes of the said article 21 of the Act, be deemed to be a company licensed under the provisions of the Insurance Business Act.

Cap. 403.

Identity cards.

9. (1) The Commissioner shall issue an identity card to every person licensed as a community officer. The identity card shall remain the property of the Commissioner.

(2) Such card shall bear a photograph of the licensee and shall be valid for a period of five years from the date of its issue. If the licence of the community officer in relation to whom the card was issued is suspended, withdrawn or not renewed the identity card shall be deemed to have expired on the happening of such an event.

(3) The identity card shall be returned to the Commissioner on the expiry of its validity as specified in subregulation (2).

(4) Every person licensed as a community officer shall, while on duty, wear the identity card in a conspicuous place.

FIRST SCHEDULE

(Regulation 5(6))

Training Course

Course Objectives	Successful completion of the course will enable a participant to: (a) become a motivated and proficient private guard; (b) recognise the functions and inherent duties and be able to perform such duties in a reliable, effective and well-organised manner.
Methodology	Following closely the provisions contained in the Private Guards and Community Officers Act, and other relevant legislation, a series of interconnected modules introduce the keynote subject-matter, skills required, threats and vulnerabilities. Tuition will include presentations, demonstrations, discussions and participation in project exercises. Quality of direction, tuition and presentation is to be assured through the participation of qualified specialists or acknowledged experts in all the fields of the keynote subjects.
Syllabus	Introduction Purpose, Objectives and Outline of the Course Introduction all round Briefings covering Course procedures
The Operating Environment	Introduction to the Private Guards and Community Officers Act Duties and obligations Introduction to the Local Government Act with special reference to obligations of Local Council administration Introduction to other relevant legislation
The Community Officer	Personal and interpersonal skills Appearance and Image Communication - Dealing with People - Dealing with the Police - Dealing with other authorities and bodies
The Role of the Community Officer	Street Patrolling Observation Issuing of tickets Investigation Report writing Court procedures Parking Offences

Litter Offences

Other offences

Other duties

SECOND SCHEDULE

(Regulation 6(1))

Private Guards and Community Officers Act

Application for a licence of a Community Officers Agency in terms of article 6

1. Details of Applicant

1.1 Name and Surname

Business Address / Registered Office

ID / Registration Number

Name of proposed Community Officers Agency

2. Details where Applicant is a body of persons

Where the Applicant is a Body of Persons, the following information is to be given regarding the shareholders, directors and partners (and, in the case of Partnerships, their registration number, the registered office of the Partnership and the number of persons employed):

2.1 Name

2.1 Name

Shareholder / Director / Partner

ID / Registration Number

Number of employees

Address / Registered Office

2.2 Name

Shareholder / Director / Partner

ID / Registration Number

Number of employees

Address / Registered Office

2.3 Name

Shareholder / Director / Partner
ID / Registration Number
Number of employees

Address / Registered Office

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2.4 Name

Shareholder / Director / Partner
ID / Registration Number
Number of employees

Address / Registered Office

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2.5 Name

Shareholder / Director / Partner
ID / Registration Number
Number of employees

Address / Registered Office

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2.6 Name

Shareholder / Director / Partner
ID / Registration Number
Number of employees

Address / Registered Office

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If the Applicant is a body of persons, the Memorandum and Articles of Association, or the deed creating the body, as the case may be, is to be attached to this application.

3. Details of Secretary and other officers

3.1 Secretary

Name

Address

ID Number

3.2 Other officers

Name

Address

Designation

ID Number

3.2.1 Name

Address

Designation

ID Number

3.2.2 Name

Address

Designation

ID Number

3.2.3 Name

Address

Designation

ID Number

4. Relevant Working Experience of Applicant and other persons mentioned above.

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5. Details of Employment

5.1 Applicant's present employment
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5.2 Has Applicant ever been employed with the Police, armed forces or the prison services?
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5.3 The cause of the termination of such employment (if applicable).
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6. Financial Status

6.1 If Applicant was previously carrying on any business activity, the financial statements, or if so required under any other law, the audited financial statements for the last three years are to be attached. (If applicable state year/s which are being attached).
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6.2 The Applicant is to produce with this application a sworn / solemn declaration that he has not been declared bankrupt and that no such bankruptcy proceedings have been commenced.

7. Indemnity Insurance

This application is subject to the condition that an insurance policy in accordance with the provisions of article 21 of the Act is produced to the Commissioner of Police. Any person who does not comply with any of the provisions contained in the said article 21 shall be deemed to be operating without the licence required under the Act.

8. Authorisation for the purpose of article 10(a)(ii) of the Act.

8.1 This authorisation is to be signed by the Applicant, all officers of the Applicant and by any other person having an effective control of the services to be provided by the Applicant.

I hereby authorise the Commissioner of Inland Revenue, the Commissioner of V.A.T. and any Bank Manager to disclose any information that may be required by the Commissioner of Police to ascertain my financial position for the purposes of the Private Guards and Community Officers Act.

8.2 Applicant

Name

Designation

Signature

8.3 Officers of the Applicant

8.3.1 Name

Designation

Signature

8.3.2 Name

Designation

Signature

8.3.3 Name

Designation

Signature

8.3.4 Name

Designation

Signature

8.3.5 Name

Designation

Signature

8.4 Other persons having an effective control

8.4.1 Name

Designation

Signature

8.4.2 Name

Designation

Signature

9. Declaration of Financial Interest

I hereby declare that I have no financial or other interest, (including any other business or economic activity, services provided or employment held) which could in any way conflict with the services to be provided by this Community Officers Agency.

9.1 Applicant's name

Designation

Signature

10. Fee

A fee of is being enclosed.

11. List of Documents

Applicants are to list the documents attached to this application.

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12. Applicant's declaration

I hereby declare that the information contained in this application is, to the best of my knowledge and belief, true and correct, and I undertake that in accordance with the provisions of article 12(1)(c) of the Act, I shall immediately inform the Commissioner of any change in the information herein contained.

12.1 Applicant's name

Designation

Signature

THIRD SCHEDULE

(Regulation 7(1))

Private Guards and Community Officers Act

Application for a licence of a Community Officer in terms of articles 6 and 17

1. Details of Applicant

1.1 Applicant's Name and Surname

Address

ID Number

Date and Place of Birth

2. Full Details of Working Experience:

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3. Details of Employment

3.1 Applicant's present employment

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3.2 Has Applicant ever been employed with the Police, armed forces or the prison services?

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3.3 The cause of the termination of such employment (if applicable).

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4. Academic, training and other qualifications:

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The Applicant is to produce the relevant academic and training certificates.

5. Financial Status

The Applicant is to produce with this application a sworn/solemn declaration that he has not been declared bankrupt and that no such bankruptcy

proceedings have been commenced.

6. Authorisation for the purpose of article 10(a)(ii) of the Act.

I hereby authorise the Commissioner of Inland Revenue, the Commissioner of V.A.T. and any Bank Manager to disclose any information that may be required by the Commissioner of Police to ascertain my financial position for the purpose of the Private Guards and Community Officers Act.

- 6.1 Applicant's name

Signature

7. Declaration of Financial Interest

I hereby declare that I have no financial or other interest (including any other business or economic activity, services provided or employment held) which could in any way conflict with my services.

- 7.1 Applicant's name

Signature

8. Fee

A fee of is being enclosed.

9. List of Documents

Applicants are to list the documents attached to this application.

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10. Applicant's declaration

I hereby declare that the information contained in this application is, to the best of my knowledge and belief, true and correct, and I undertake that in accordance with the provisions of article 12(1)(c) of the Act, I shall immediately inform the Commissioner of any change in the information herein contained.

- 10.1 Applicant's name

Signature
