



PARTE PRIMA
ATTI LEGISLATIVI ED AMMINISTRATIVI
FIRST PART
LEGISLATIVE AND ADMINISTRATIVE ACTS

LAW n. 2 of 23 December, 1972.

Organisation of the Police Force.

THE PRESIDENT
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING HEARD the Council of the Secretaries of State;
TAKING NOTE of the approval of the Supreme Revolutionary
Council;

HEREBY PROMULGATES

the following Law:

Chapter 1.
PRELIMINARY

Article 1
Definitions

1. For the purpose of this law, unless the context indicates otherwise;

«*Force*»: means the Somali Police Force.

«*Secretary of State*»: means the Secretary of State for Interior.

«*Member*»: means any member of the Police Force.

«*Commandant*»: means the Commandant of the Police Force.

«*Officer*»: for the purpose of this law and without prejudice to any other law, means the member of the Police Force holding the rank of 2nd lieutenant and above;

«*Inspector*»: means the member of the Police Force holding the rank from Sub-Inspector to Chief-Inspector;

«*Non-Commissioned Officer*»: means the member of the Police Force from the rank of Police Sergeant to 1st Sergeant;

«*Askari*»: means the member of the Police Force from the rank of Police recruit to 1st Askari.

Article 2

Status and dependence of the Police Force

1. The Police Force is an integral part of the Armed Forces of the Somali Democratic Republic and hierarchically and organically shall come under the Head of the State, in his capacity as the Commander-in-Chief of the Armed Force.

2. In regard to deployment, the Police Force shall come under the Secretary of State who may issue directives relating to the general policy of the operational activities of the Police Force, and coordinate the relationship with the other Ministries concerned.

3. The Organisation of the Police Force shall be inspired by the principles of democracy and of Scientific Socialism proclaimed in the First and Second Charter of the Revolution.

Chapter. 2.

APPOINTMENTS, ENLISTMENTS AND FUNCTIONS

Article 3

Commandant and Vice-Commandants

1. The Commandant of the Police Force may be selected from among the generals and colonels on effective permanent service in the Police Force or from the other Armed Forces, and shall be appointed by a decree of the Head of State, with the prior deliberation of the Supreme Revolutionary Council, having heard the Secretary of State.

2. The Vice-Commandants may be selected from the superior officers on effective permanent service in the Police Force and shall be appointed by decree of the Head of State, on the proposal of the Commandant of Police, having heard the Secretary of State and the Supreme Revolutionary Council.

Article 4

Status of a member

1. The status of a member shall be determined by the duties and rights relating to his rank. It commences with the lawful conferring of the rank and ends with the loss of such rank.

2. The members of the Police Force are divided into members in effective permanent service and retired members in reserve.

- g) perform frontier Police duties and fiscal and currency exchange duties on the borders of the land, air space as well as in the territorial waters of the Republic;
- h) carry out any other guard and security duties for which the law requires Police action.

2. The Police Force shall provide assistance and relief in case of public and private disaster.

Article 10

Judicial duties

As laid down by Article 8 of the Law on the organisation of the Judiciary, investigation and suppression of offence and representation of the Attorney General in prosecutions shall be carried out by the Police Force under the direction of the Attorney General.

Article 11

Economical and Financial duties

In the performance of the duties regarding protection of economical and financial interests of the State, the Police Force shall comply with directives issued by the competent Secretaries of State in so far as they are not inconsistent with the directives issued by the Secretary of State.

Article 12

Exceptional duties

1. Upon the occurrence or the apprehended occurrence of hostilities, war or other grave emergency of any kind, the Head of State may at his own initiative or on the proposal of the Secretary of State order that the Police Force be employed on duties other than those provided in the preceding Articles.

2. In such cases, the Head of State, may order the temporary increase of the establishment of the Police Force.

3. In case of war, the Police shall take part in military operations and in such case may come under the Secretary of State for Defence.

Article 13.

Relationship with the local public security authorities

1. The territorial units of the Police Force shall perform all

compliance with the directives issued by the competent district or regional public order authorities.

2. Commanders of the territorial units of the Police Force shall confer regularly with such authorities and shall liaison with the military and judicial authorities whenever the need arises. Such authorities shall keep the Commanders informed of all matters which may have a bearing on Police duties.

Chapter 3.

OBLIGATIONS AND RIGHTS OF MEMBERS OF THE POLICE FORCE

Article 14

Obligations of the members of the Police Force

1. All members of the Police Force shall have the obligation to perform the duties assigned to them by the law and execute the directives and lawful orders issued by their superiors and the competent authorities.

2. The members of the Police Force shall be considered permanently on duty, and may be destined anywhere at any time to carry out the duty entrusted to them.

3. The members of the Police Force, in their capacity as members of the Armed Forces, shall be subject to the Military penal laws in force and to the provisions established by the Police regulations.

4. During the state of an emergency, the retirement of a member of the Police Force from the service, shall, notwithstanding any provisions in any law or regulation, be subject to the Commandant's approval.

Article 15

Prohibition to exercise activities other than the institutional ones

1. Members of the Police Force shall not engage in activities other than those assigned to them by law.

2. It shall be prohibited for the members of the Police Force to assume any other employment, on remuneration or otherwise, which may be incompatible with their duties, without the approval of the competent authorities.

Article 16

Prohibition to disclose office secrets

1. It shall be prohibited for the members of the Police Force to disclose in anyway or bring to the notice of unauthorised persons informations of confidential nature received in the course of their duties, or otherwise conveyed in confidence.

2. Any member of the Police Force who contravenes the above prohibition shall if the act does not constitute a more serious offence be punished with imprisonment from six months to two years.

Article 17

Salaries and allowances

Salaries and allowances for the members of the Police Force shall be same as for the members of other Armed Forces, except for any special allowance for specified types of duties.

Chapter 4.

ORGANISATION OF THE POLICE

Article 18

Organisational structure of the Police Force

1. Subject to Article 20 of this law, the Police Force shall consist of:

- a) Police Headquarters;
- b) an organisation of the territorial Police, which may comprise of:
 - i) Group Commands;
 - ii) Divisional (Regional) Commands;
 - iii) Sub-Divisional Commands;
 - iv) Station Commands;
 - v) Police Posts.
- c) A mobile Police which may comprise of:
 - i) Mobile Group (Darawishta Poliska);
 - ii) Riot unit (Birmadka Poliska).
- d) Technical and specialised units, including:

- i) Tributary Division;
 - ii) Criminal Investigation Division;
 - iii) Traffic Division;
 - iv) A Communication Unit.
 - v) Training unit.
- e) Services: Gadidka Poliska, Central Stores and Health Service.

2. The establishment of the Police Force shall be prescribed by decree of the President of the Supreme Revolutionary Council, on the proposal of the Secretary of State.

Article 19

Competence of the Secretary of State

1. The Secretary of State may issue general directives for the performance of Police duties.

2. The creation of new commands, units and Services as well as the abolition or transformation of the existing ones shall fall within the competence of the Commandant who shall, however, keep the Secretary of State informed of any such changes.

Article 20

Power of the Commandant

1. The internal organisation, displacement and chain of command of the various commands, units and services shall fall within the competence of the Commandant.

2. The Commandant shall have the command and the effective responsibility of the operational activity of the Police Force. He shall be responsible to the Supreme Revolutionary Council through the Secretary of State for the efficient administration of the Police Force.

3. The Commandant shall inform the Secretary of State matters of major importance or matters, which may in anyway be of interest in regard to the general or particular situation of the country. The Secretary of State may relay such information to other Ministries as and when necessary.

4. The Commandant shall promote all the activities relating to the proper organisation, equipment and welfare of the Police Force. For such purpose, he shall:

- a) organise the general performance of the institutional activities of the Police Force in the whole territory of the

State, in accordance with directives if any issued by the Secretary of State or by the Supreme Revolutionary Council;

- b) provide for the enlistment and the distribution of personnel and materials among the various units considering the permanent and temporary needs of deployment;
 - c) nominate the Commandants of various units, offices and services from the qualified members of the Force;
 - d) supervise the yearly or periodical training programmes;
 - e) promote the recruitment, promotion and discharge of the members of the Police Force, subject to availability of budgetary provisions and of vacancies in the establishment;
 - f) exercise the powers given to him by law and regulations on matters concerning granting rewards and discipline.
5. The Commandant may delegate any power conferred upon him in the preceding paragraph to other Police Officers.

Article 21

Powers and functions of Vice-Commandants

1. Vice-Commandants of the Police Force shall assist the Commandant in the discharge of his functions and shall perform such other duties as may be assigned to them.

2. The First Vice-Commandant shall replace the Commandant in case of absence or impediment, assuming all the powers and responsibilities and shall ensure the continuity of the directives issued by the Commandant and organisational functions of the Police Force. In case of contemporary absence or impediment of the Commandant and the First Vice-Commandant, such functions shall be performed by the Second Vice-Commandant, or in the absence of both, the next most senior Police Officer available.

Chapter 5.

MISCELLANEOUS

Article 22

Personal File

For each member of the Police Force, a personal file containing all the documents and matters pertaining to his status service and career, shall be opened and kept upto date.

Article 23

Order of Precedence

1. The ranks of the Police Force shall come in the following order of precedence:

- a) General Officers;
- b) Senior officers:
 - i) Colonel
 - ii) Lt. Colonel
 - iii) Major.
- c) Junior Officers:
 - i) Captain
 - ii) Lieutenant
 - iii) Second Lieutenant.
- d) Inspectors:
 - i) Chief Inspector
 - ii) Inspector
 - iii) Sub-Inspector.
- c) Non-Commissioned Officers::
 - i) 1st Sergeant
 - ii) Sergeant
 - iii) Cadet Officers.
- f) Askaris:
 - i) 1st Askari
 - ii) Askari
 - iii) Recruit.

2. Except in cases of special circumstances, the member of the Police Force most senior in rank shall be the Commandant of the Unit to which he is posted.

3. In the case of absence or impediment of the officer in charge of the unit, the member of the Police Force immediately next in rank shall assume charge of the Command of the unit as acting i/c. If there are more members of the same rank in the unit, the acting Commandant shall be the most senior among them unless otherwise ordered by the Commandant

Article 24

Badges of Rank

1. The badges of the rank of the officers of the Police Force shall be determined by a decree issued for such purpose. by the Head of State, on the proposal of the Commandant, having heard the Secretary of State.

2. All other badges of the ranks shall be determined by the Commandant of Police.

Article 25

Uniform and equipment in use

Except as otherwise provided, the members of the Police shall wear when on duty, the prescribed uniforms and may for the performance of their duties, carry arms and ammunitions as and when authorised, by the Commandant.

Article 26

Police Regulations

The President of Supreme Revolutionary Council shall by decree on the proposal of Secretary of State, make regulations with provisions dealing with entitlements, career and disciplinary sanctions, leave, promotion, granting of rewards, appointments, enlistment, decoration, commendations and any other provision for the better and general governance of the Force as well as Police welfare fund, in line with the other Armed Forces in so far as applicable.

Article 27

Repeals

Any law, ordinance, regulations made thereunder, in so far as applicable to the Force or any other provisions contrary or inconsistent with this law are hereby repealed.

Article 28

Retrospective effect of actions taken by the Commandant

Any action taken by the Commandant prior to coming into operation of this law, concerning, discipline, gratuity, leave, discharge or dismissal from the Force, shall be deemed to have been done by him under this law or the regulations made under it.

Article 29

Entry into Force

This law shall come into force as from the date of its publication in the Official Bulletin of the Somali Democratic Republic.

It shall be included in the Official Compilation of laws and published in the Official Bulletin.

All persons shall be required to observe it and cause others to observe it as a law of the Republic.

Mogadiscio, 23 December, 1972.

Major Gen. Mohamed Siad Barre
PRESIDENT
of the Supreme Revolutionary Council
