

3. Names and Addresses or telephone numbers of witness (s)
4. The defaulter's answers to the questions whether he admits or denies the charge(s)
5. Particulars of hearing  
Time of hearing;  
Date; and place of the indiscipline.
6. Decision of appropriate authority on hearing of case;
7. Notification of decision to Executive Director;
8. Whether defaulter wishes to appeal;
9. Grounds of appeal.

MADE this 4th day of May, 2013.

DR. SARAH F. BENDU,  
*Executive Director.*

## STATUTORY INSTRUMENT

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*THE ROAD TRANSPORT AUTHORITY ACT, 2006*  
*(Act No. 4 of 2006)*

THE TRAFFIC WARDEN CORPS DISCIPLINARY REGULATIONS, 2013 Short title.

IN EXERCISE of the powers conferred on it by section 27 of the Road Transport Authority Act 2006, the Authority hereby makes these Regulations.

### PART I—PRELIMINARY

1. In these Regulations unless the context otherwise requires— Interpretation

“appropriate authority” means the persons designated to hear a case under these Regulations;

“Corps” means the Traffic Warden Corps of Sierra Leone;

“disciplinary offence” means the disciplinary offence set out in the Second Schedule

### PART II—CONTROL AND ADMINISTRATION

2. (1) Subject to sub-regulation (2), the operational control and administration of the Corps is vested in the Executive Director. Control and administration.

(2) The Board may give policy guidelines to the Executive Director to assist him in the discharge of his duties.

Duties of Corps.

3. (1) Every member of the Corp shall perform duties as may be assigned to him by a superior officer subject to the direction of the Executive Director.

(2) The principal responsibility of every member of the Corps is to compliment the police in their traffic duties.

Assignment of duty.

4. Every member of the Corps shall—

- (a) carry out all lawful orders;
- (b) punctually and promptly perform all assigned duties; and
- (c) attend to all matters within the scope of the assignment relating to traffic duties.

Ranks and badges.

5. The ranks of members of the Corps and respective badges are as set out in Columns I and II respectively of the First Schedule.

Beats, sections and other divisions of Corps.

6. (1) The area to which a member of the Corp is assigned for duty either generally or for a particular hour shall be known as a beat.

(2) A number of beats grouped for supervision by a supervisor shall be known as a zone.

(3) A number of zones grouped for supervision by a supervisor shall be known as a subdivision.

(4) A number of zones or sub-divisions grouped for supervision by the Senior Supervisor shall be known as a region.

7. (1) A member of the Corps shall communicate any grievance or other matter relating to his duties in the Corps to his immediate superior. Channels of communication.

PART III-DISCIPLINE

8. Subject to these Regulations, a member of the Corps who contravenes the Disciplinary Code set out in the Second Schedule commits a disciplinary offence. Discipline Code.

9. (1) A report or complaint that a member of the Corps below a supervisor has contravened the Disciplinary Code shall be made to the Senior Supervisor who shall conduct or cause an investigation to be conducted. Investigation of charges.

(2) Where the contravention of the Disciplinary Code is by a member of the Corps above the rank of Supervisor, the complaint shall be made to the Director of Road Safety Enforcement who shall conduct or cause an investigation to be conducted into the matter.

(3) Where the contravention of the Disciplinary Code is by a member of the Corps above the rank of Deputy Chief Traffic Warden, the complaint shall be made to the Executive Director who shall conduct or cause an investigation to be conducted into the matter.

Suspension of member of Corps.

10. (1) A member of the Corps against whom a complaint has been made may be suspended from duty for the duration of the investigation.

(2) Notwithstanding sub-regulation (1), the salary of the member of the Corps shall continue to run during the period of the investigation.

Personal explanation.

11. The investigating officer shall, as soon as is practicable—

(a) inform the member of the Corps in writing of the report or complaint made against him and give him a written notice-

(i) informing him that he is not obliged to say anything concerning the matter, but that he may make a written or oral statement concerning the matter to the investigating officer; and

(ii) warning him that if he makes any statement, it may be used in any subsequent disciplinary proceedings;

(b) interview witnesses, if any; and

(c) submit a report to the appropriate authority on the matter.

(2) In these Regulations “ appropriate authority”

(a) in the case of a member of the Corps below the rank of Deputy Chief Traffic Warden, is the Director, Road Safety and Enforcement;

(b) in the case of a member of the corps above Deputy Traffic Warden is the Executive Director.

12. (1) The appropriate authority, after considering the report of the investigating officer and any statement made under regulation 11, shall decide whether the member of the Corps investigated is to be charged with an offence and if so he shall enter on a discipline form the offence with which the member is charged and any particulars as will leave the member in no doubt as to the precise nature of the alleged offence. Formulation of charges

(2) A discipline form shall be in the form set out in the Third Schedule.

13. (1) A member of the Corps charged under regulation 12 shall state on the discipline form- Answer to charges.

(a) whether or not he admits to the charge;

(b) the names and address of witnesses he wishes to attend the hearing of his case.

(2) A witness referred to in paragraph (b) of sub-regulation (1) who is a member of the Corps shall be ordered to attend the hearing of the case and the appropriate authority shall give due notice of the hearing to any other witnesses of their attendance and the time and place of the hearing.

(3) Where the member of the Corps admits to the charge, the appropriate authority may dispense with the hearing of the case and recommend the appropriate punishment as outlined in regulation 18.

Procedure at hearing.

14. (1) The member of the Corps charged shall be ordered to appear at the hearing of the case, which shall be presided over by an officer appointed by the Executive Director.

(2) If the member of the Corps does not admit the charge, the hearing shall proceed as if he denied the charge.

(3) The standard of proof at any hearing under these Regulations shall be proof on the balance of probabilities.

(4) Before the case against the member of the Corps charged is presented, the Corps may submit that the facts alleged are not such as to constitute the offence with which he is charged.

(5) If the appropriate authority upholds the submission referred to under sub-regulation (4) it shall dismiss the charge against the Corps concerned.

(6) An accurate record of the hearing shall be taken and a copy of the record shall be supplied to the member of the Corps concerned at the end of the hearing.

Adjournment of hearing.

15. A hearing may be adjourned from time to time as the circumstances may require.

16. The hearing may proceed and concluded in the absence of the Corps concerned unless he gives good reasons for his absence. Hearing in absence of accused.

17. (1) The appropriate authority shall allow a complainant to attend the hearing. Attendance of complainant at hearing.

(2) If the complainant behaves in a disorderly manner during the hearing the appropriate authority shall exclude him from the remainder of the trial.

18. After the conclusion of the hearing, the appropriate authority shall recommend to the Executive Director the following- Decision of appropriate authority.

- (a) dismissal of the case;
- (b) dismissal from the service;
- (c) resignation from the service as against dismissal;
- (d) rank reduction;
- (e) fine not exceeding two week's net salary;
- (f) restitution for any loss, damage or injury caused by the Corps concerned as a result of the offence;
- (g) reprimand; or
- (h) caution.

Decision of Executive Director. 19. In considering the recommendation of the appropriate authority under regulation 18, the Executive Director shall take into consideration the Corp's record of service in his personal record.

Appeal. 20. Where a member of the Corps is aggrieved by the decision of the Executive Director under regulation 19 the Corp may appeal within fourteen days of notification of the Executive Director's decision to the Board to review his decision.

Recovery of fines. 21. (1) Subject to sub regulation (2), a fine imposed by the Executive Director in respect of an offence shall without prejudice to any method of recovery, be recoverable by deductions from the salary of the member of Corps concerned during three months following the imposition of the punishment.

(2) Where a member of the Corps who has been fined leaves the service, the whole amount of any unpaid fine may be deducted from any payment due to the member.

Recording of convictions. 22. A member of the Corps conviction shall be recorded in his personal record.

Absence without leave. 23. (1) Subject to sub regulation (2), a member of the Corps who is absent without leave for 21 days without proper and sufficient reason shall have his name struck off the service.

(2) The Executive Director may after consultation with the Director of Road Safety and Enforcement reinstate the name of the member of the Corps when he returns to duty.

Delivery of accoutrement and other property. 24. Every member of the Corps who is dismissed or resigns from the service shall forthwith deliver all clothing, accoutrements and other Government or Road Transport Authority's property which have been supplied to him or entrusted to his care to a person designated by the Executive Director.

## FIRST SCHEDULE RANKS AND BADGES OF RANK

- |  |                          |
|--|--------------------------|
| 1. Director Road Safety and Enforcement (Chief Traffic Warden) | Two stars and 3 chevrons |
| 2. Deputy Chief Traffic Warden                                 | One star and 3 chevrons  |
| 3. Senior Supervisor   | One star and two chevron |
| 4. Supervisor  | One star and one chevron |
| 5. Assistant Supervisor  | M and 1 chevron          |

## SECOND SCHEDULE

### DISCIPLINE CODE

The following shall be disciplinary offences –

1. Insubordination;
2. Disobeying lawful orders given by a superior in rank whether orally, in writing or by signal;
3. Disrespecting a superior in rank whether in words, action or demeanour;
4. Using abusive language;
5. Assaulting or quarrelling with any member of the Corps;
6. Displaying oppressive or tyrannical conduct toward an inferior in rank;
7. Pawning, selling, giving, lending, losing by neglect, causing wilful damage to, altering without permission, exchanging or failing to report any damage to any of the articles of clothing or accoutrements issued to a member of the Corps;

8. Attending muster parade late;
9. Parading for duty dirty or untidy;
10. Drinking liquor while on duty;
11. Entering any place licensed for the sale of liquor when on duty;
12. Entering any place where narcotic drugs or other illegal substance is sold;
13. Removing any armlet or duty badge while on duty;
14. Concealing or disguising his identity;
15. Smoking while on duty;
16. Neglect of duty, that is—
  - (a) failure to work a beat properly or irregular conduct on beat;
  - (b) leaving a beat, point or other place assigned without permission or without sufficient and proper reason;
  - (c) idling, gossiping, sitting or lying down without good cause or sleeping on duty;
17. Failing to attend to any reasonable traffic request made to him by any member of the public.
18. Failing to assist an injured person involved in a car accident.
19. Omitting to make an entry in any official document, book or paper.
20. Making or causing to be made or signing any false statement in any official record or document.
21. Prevaricating before a superior in rank or inquiry.
22. Withholding or failing to report promptly any complaint or report against a member of the Corps.

23. Making or conspiring to make a frivolous or vexatious complaint.
24. Placing himself under a pecuniary obligation to any person in such a manner as might affect him properly carrying out his duties.
25. Improperly using or attempting to use his position as a member of the Corp for his private advantage.
26. Divulging any confidential matter or thing.
27. Concealing any general, contagious or infectious disease, or neglecting or failing to report that he is suffering from such disease.
28. Being absent without leave.
29. Gambling, permitting or failing to report gambling in place of work or in any other premises occupied for the purposes of the Corps.
30. Plundering or unlawfully destroying any property.
31. Failing to make or submit any report.
32. Having a criminal record;
33. Failing to comply with orders issued by a superior;
34. Any other act, conduct, disorder or neglect to the prejudice of good order and discipline.

### THIRD SCHEDULE

#### DISCIPLINARY FORM

1. Defaulter's Name;  
Number  
Rank
2. Particulars of offence  
Time  
Date and place of the indiscipline