



TURKS AND CAICOS ISLANDS

CHAPTER 21.15

**TURKS AND CAICOS ISLANDS CADET CORPS
ORDINANCE**

Revised Edition

showing the law as at 31 March 2018

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Ordinance.

This edition contains a consolidation of the following laws—

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Ordinance 9 of 2015 .. in force 15 June 2015 (L.N. 40/2015)	

No Subsidiary Legislation has been made under this Ordinance



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CHAPTER 21.15
TURKS AND CAICOS ISLANDS CADET CORPS ORDINANCE

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CHAPTER 21.15

TURKS AND CAICOS ISLANDS CADET CORPS ORDINANCE

(Ordinance 9 of 2015)

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT, ORGANISATION AND MANAGEMENT OF THE TURKS AND CAICOS ISLANDS CADET CORPS; AND FOR CONNECTED PURPOSES.

Commencement

[15 June 2015]

PART I

PRELIMINARY

Short title

1. This Ordinance may be cited as the Turks and Caicos Islands Cadet Corps Ordinance.

Interpretation

2. In this Ordinance—

“adult instructor” means a person who enrolls in the Cadet Corps as an adult, from the rank of sergeant to warrant officer;

“cadet” means a student enrolled in the Cadet Corps under section 6;

“Cadet Corps” means the Turks and Caicos Islands Cadet Corps established under section 3;

“Commandant” means the person appointed as Commandant under section 3(2);

“commissioned officer” means a person granted a commission by the Governor under section 7, and carrying rank and precedence within the Cadet Corps in a rank specified in Part A of Schedule 2;

“Committee” means the Turks and Caicos Islands Cadet Corps Advisory Committee established under section 23;

“member of the Cadet Corps” means a person appointed to or enrolled in the Cadet Corps;

“Minister” means the Minister with responsibility for youth affairs;

“non-commissioned officer” means a person appointed by the Commandant under section 8, and carrying the rank and precedence within the Cadet Corps in a rank specified in Part B of Schedule 2;

“Police Force” means the Royal Turks and Caicos Islands Police Force;

“police officer” means a member of the Police Force;

“quartermaster” means the member of the Cadet Corps responsible for stores, transportation, instruments, accoutrement, arms, uniform and other public property of the Cadet Corps;

“staff officer” means the personal assistant to the Commandant;

“Unit” includes any headquarters, company or other body of the Cadet Corps established under section 3.

PART II

CONSTITUTION AND ADMINISTRATION OF THE TURKS AND CAICOS ISLANDS CADET CORPS

Establishment of Turks and Caicos Islands Cadet Corps

3. (1) There is established the Turks and Caicos Islands Cadet Corps.

(2) The Cadet Corps shall be under the command of a Commandant appointed by the Governor, on the recommendation of the Committee.

(3) The Cadet Corps shall—

(a) consist of the Commandant, commissioned officers, non-commissioned officers and cadets, appointed to or enrolled in the Cadet Corps; and

(b) comprise of such Units as the Minister may, in his discretion, think fit to be formed.

(4) The Cadet Corps shall, in relation to training, the provision of arms, accoutrements and such other military stores and equipment as may be necessary, be advised and assisted by the Police Force.

Functions of the Cadet Corps

4. The functions of the Cadet Corps are—

(a) to train cadets in land, marine, aeronautical, navigation and military skills, citizenship and police duties;

(b) to instil in cadets, spiritual, moral, national and humane values of honesty, integrity, justice, discipline and social responsibility;

(c) to foster in cadets, self-respect, self-discipline, self-confidence, self-reliance and loyalty; and

(d) to encourage in cadets, qualities of leadership, patriotism and the ability to work as team members.

Expenses

5. The expenses of the Cadet Corps shall be defrayed out of—
- (a) moneys appropriated for the Cadet Corps by the House of Assembly; and
 - (b) moneys or gifts in kind given or bequeathed for the purposes of the Cadet Corps.

PART III

ENROLMENT, APPOINTMENTS, SERVICE AND DISCHARGE

Enrolment in Cadet Corps

6. (1) A student attending a secondary school shall be eligible to be enrolled as a cadet in the Cadet Corps if—
- (a) a Unit has been established for the school which he is attending or on the island on which he is living;
 - (b) he is over the age of eleven years and is under the age of eighteen years;
 - (c) he has the consent in writing of his parent or guardian to become a cadet; and
 - (d) he has the approval in writing of the principal or headmaster of the school which he is attending.
- (2) Every cadet shall upon enrolment, make before the Commandant, the cadet's promise in Form 1 set out in Schedule 1.

Grant of commissions in Cadet Corps

7. (1) The Governor may, acting on the advice of the Commandant, by commission under his hand, appoint fit and proper persons to be commissioned officers of the Cadet Corps (one of whom shall be a Chaplin) on such terms and conditions as may be agreed in each case.
- (2) A commissioned officer shall hold a rank specified in Part A of Schedule 2.
- (3) A person is eligible for appointment as a commissioned officer if he is over the age of eighteen years.
- (4) A cadet who has attained the age of eighteen years and has successfully completed the required level of training may, on the advice of the Commandant, be appointed as a commissioned officer by the Governor.
- (5) An appointment made under subsection (1) shall be in Form 2 set out in Schedule 1.
- (6) Every appointment made under subsection (1) shall be published in the *Gazette*.

(7) References in this section to an appointment shall be deemed to include references to an appointment on promotion.

Appointment of non-commissioned officers

8. (1) The Commandant may appoint fit and proper persons as non-commissioned officers of the Cadet Corps subject to such terms and conditions as are provided by this Ordinance and standing orders made under section 30.

(2) A non-commissioned officer shall hold a rank specified in Part B of Schedule 2.

(3) References in this section to an appointment shall be deemed to include references to an appointment on promotion.

(4) Every person who enrolls in the Cadet Corps as an adult instructor shall, upon enrolment, make before the Commandant, the promise in Form 3 set out in Schedule 1.

(5) An adult instructor shall be enrolled in the Cadet Corps for a period of six months on probation and shall, on the conclusion of such probationary period to the satisfaction of the Commandant, be confirmed by the Commandant in the appointment.

Assignment of police officer to the Cadet Corps

9. A police officer may be ordered to the Cadet Corps, but a police officer so ordered shall remain under the authority of the Commissioner of Police for disciplinary purposes.

Volunteers

10. There shall be such number of Cadet Corps volunteers, including commissioned officers and non-commissioned officers, as the Governor, acting in his discretion, may from time to time approve.

Identity card

11. An identity card signed by the Commandant shall be issued to every commissioned officer and non-commissioned officer, and shall be evidence of such officer's appointment.

Training

12. (1) Every person who has been selected for appointment or enrolment in the Cadet Corps shall, prior to taking office, undergo preliminary training as follows—

- (a) for appointment as a commissioned officer, for two weeks;
- (b) for appointment as a non-commissioned officer, for two months, which training must be completed within six months of entering the Cadet Corps; and
- (c) for enrolment as a cadet, for three months.

(2) Every person who has been selected for appointment as a commissioned officer in the Cadet Corps shall, in addition to the training required under subsection (1)(a), prior to taking office, undergo a potential cadet officer's course for a period of two weeks under the direction of the Commandant.

(3) A person who fails to demonstrate his suitability for appointment as a commissioned officer within three months of completion of the course or training, shall be called upon to resign from the Cadet Corps and if he fails to do so, his services shall be terminated.

Resignation

13. (1) A commissioned officer or a non-commissioned officer may resign from the Cadet Corps at any time by giving to the Commandant in writing, not less than three months' notice of his intention to resign.

(2) The Commandant may, in any particular case, waive or curtail the period of notice.

Discharge and dismissal

14. (1) The Governor may, in his discretion, discharge any commissioned officer from the Cadet Corps if the Governor is advised by the Commandant that such officer is unlikely to become efficient in the discharge of his duties.

(2) The Commandant may, in his discretion, discharge any non-commissioned officer from the Cadet Corps if he is of the opinion that such officer is unlikely to become efficient in the discharge of his duties.

(3) A commissioned officer or a non-commissioned officer shall not be discharged under this section, unless the Governor or the Commandant, as the case may be, has given him one month's notice of the intention to discharge him.

(4) A commissioned officer or a non-commissioned officer may—

(a) be discharged, when he has—

(i) been pronounced by a medical doctor to be physically or mentally unfit for further service; or

(ii) in the opinion of the Commandant, ceased to be efficient in the discharge of his duties;

(b) be dismissed by order of the Commandant or the Governor, in his discretion, if in the opinion of the Commandant or the Governor, as the case may be, the retention of his service would be contrary to public interest;

(c) be dismissed if he is convicted of an offence, except where the offence is a minor offence; or

(d) be dismissed for misconduct.

Persons ceasing to be member of Cadet Corps to return uniform

15. (1) A person who ceases to be a member of the Cadet Corps by reason of discharge, dismissal or resignation shall deliver his uniform and accoutrements which have been supplied to him (which are the property of the Cadet Corps) to a person appointed by the Commandant for that purpose or to the officer in charge of the Unit.

(2) Where uniforms and accoutrements are not returned within the period directed by the Commandant, the Commandant shall recover all outstanding uniforms and accoutrements and where such a recovery is met by resistance or may seem impossible, the Commandant may seek the assistance of a police officer or may initiate civil proceedings to recover all uniforms and accoutrements.

(3) Where a member of the Cadet Corps wilfully destroys any accoutrements or uniform to prevent it from being recovered or fails to deliver up the accoutrements or uniform, he shall pay the value of the property not delivered up, the value of which may be ascertained by reference to the sum for which it was initially purchased, and may be recovered as a fine or deducted in whole or in part from any stipend, if any, due to the member.

Retirement

16. A commissioned officer or a non-commissioned officer shall retire when he attains the age of sixty-five years, but this shall not prejudice him being accepted for any further period of service.

PART IV

POWERS, DUTIES AND PRIVILEGES OF MEMBERS OF CADET CORPS

Duties and powers of Commandant

17. (1) The Commandant, shall be responsible for the day to day administration of the Cadet Corps and subject to this Ordinance shall have command, superintendence, discipline and control of the Cadet Corps and may—

- (a) make such appointments and promotions in respect of non-commissioned officers as he sees fit;
- (b) from time to time make standing orders pursuant to section 30; and
- (c) issue a handbook, a code of practice or such guidelines as he may see fit, for the guidance, government and regulation of members of the Cadet Corps.

(2) The Commandant may delegate his powers to any commissioned officer, but the Commandant shall not delegate his power to hear any appeal relating to an offence against discipline or to impose upon a member of the Cadet Corps any punishment which includes reduction in rank or dismissal.

Command of officers

18. A commissioned officer and a non-commissioned officer shall—

- (a) carry out and conform to the lawful commands of the Commandant;
- (b) perform the sundry duties assigned to them under this Ordinance; and
- (c) do other lawful things as may be necessary for the enforcement of this Ordinance.

Duties of officer second in command, etc.

19. (1) The officer second in command shall, in addition to deputising in the absence of the Commandant, have the following responsibilities—

- (a) maintenance of records to reflect the strength of the Cadet Corps and casualty returns; and
- (b) co-ordination and facilitation of all administrative matters, camps, and training courses and exercises.

(2) The quarter master shall, in addition to other duties, have the following responsibilities—

- (a) the custody, maintenance and proper account of all equipment, band instruments, uniforms, and stores including every description of public property; and
- (b) the care, maintenance and proper account of all arms.

Firearm

20. It shall be lawful for a member of the Cadet Corps to have in his possession, as may be required by the Cadet Corps from time to time for the purpose of participating in activities of the Cadet Corps, a firearm and in such cases it shall not be necessary for the member to obtain or have any licence or permission to possess, use or carry a firearm under the Firearms Ordinance for such activities within the Islands.

PART V

DISCIPLINE

Disciplinary matters

21. A member of the Cadet Corps shall be guilty of misconduct if he—

- (a) is slovenly in conduct or dress;
- (b) is neglectful of duty or parade;
- (c) wilfully disobeys a lawful order or command given by his superior;

- (d) is insubordinate;
- (e) fails to give proper account for items of kit, uniform or accoutrements issued to him;
- (f) conducts himself in a manner likely to bring disrepute or discredit to the Cadet Corps, by way of words to his superior, members of the public or fellow cadets;
- (g) fails to pay compliments to his superior;
- (h) causes or incites any disaffection among any member of the Cadet Corps;
- (i) is idle in parade;
- (j) misappropriates any public funds under his control in the course of his office; or
- (k) is irregular in attendance on duty or parade.

Sanctions

22. (1) Subject to subsections (3), (4) and (5), the Commandant may impose one or more of the following sanctions on any member of the Cadet Corps who is found guilty of misconduct under section 21—

- (a) extra drills;
- (b) reprimand;
- (c) dismissal;
- (d) reduction in rank;
- (e) fatigue; or
- (f) a fine.

(2) A member of the Cadet Corps who is senior in rank may require a subordinate cadet to perform reasonable physical exercises for any misconduct.

(3) A member of the Cadet Corps of the rank of warrant officer and above shall not be given the sanctions prescribed in subsection (1)(a) and (e).

(4) A cadet shall not be given the sanction prescribed under subsection (1)(f).

(5) Breaches of discipline committed by commissioned officers shall be dealt with by the Commandant who shall inform the Committee of his findings.

PART VI

TURKS AND CAICOS ISLANDS CADET CORPS ADVISORY COMMITTEE

Establishment of Turks and Caicos Islands Cadet Corps Advisory Committee

23. (1) There is established a committee called the Turks and Caicos Islands Cadet Corps Advisory Committee, which shall—

- (a) exercise general control over the Cadet Corps in matters affecting policy, finance and training facilities;
- (b) advise the Minister on matters relating to the Cadet Corps; and
- (c) advise the Commandant on matters that are referred to the Committee by the Minister or the Commandant.

(2) The Committee shall consist of the following members—

- (a) the Commandant, who shall be the Chairman;
- (b) a senior police officer not below the rank of Assistant Commissioner of Police;
- (c) the Permanent Secretary with responsibility for youth affairs, who shall be the Deputy Chairman;
- (d) the officer second in command;
- (e) the Director of Youth;
- (f) the education officer with responsibility for secondary schools; and
- (g) such other persons, not exceeding three, as the Minister may appoint, for a period not exceeding one year.

Meetings and quorum

24. (1) The Committee shall hold quarterly meetings in each year at a venue specified by the Chairman, but the Committee may hold more frequent meetings at such times as it thinks fit for the purpose of dealing with any of the matters referred to it.

(2) Five members shall form a quorum at any meeting of the Committee, and in the absence of the Chairman, the Deputy Chairman shall act as chairman of the meeting.

Secretary to Committee

25. The staff officer shall be the Secretary to the Committee and shall under the supervision of the Chairman, prepare agenda, record minutes and deal with any other matters of a secretarial nature, and shall have no right to vote.

PART VII

MISCELLANEOUS

Times of emergency

26. In times of national emergencies, natural disasters or where necessary, the Commissioner of Police may, acting after consultation with the Governor and the Commandant, deputise members of the Cadet Corps of the age of eighteen years and above as special constables to assist in providing policing functions for the maintenance of law and order in the Islands.

Service outside the Islands

27. A member of the Cadet Corp shall not be required to serve outside the Islands—

- (a) without his consent in writing; or
- (b) in the case of a member who is under the age of eighteen years, without the consent of his parent or guardian.

Cadet Corps uniform not to be worn without authority

28. (1) Any person who not being a member of the Cadet Corps puts on the uniform or accoutrements of a member of the Cadet Corps or any part of such uniform or accoutrements, or any dress intended to emulate that of a member of the Cadet Corps commits an offence and is liable on summary conviction to a fine of \$1,000 or to imprisonment for a term of six months, or to both.

(2) The quartermaster or his assistant shall take possession of any property belonging to the Cadet Corps found in the possession of anyone who is not a member of the Cadet Corps.

Immunity

29. Neither the Cadet Corps, the Committee, the Commandant, nor any other member of the Cadet Corps shall be liable in damages for anything done or omitted to be done in the discharge of their respective functions or duties under this Ordinance, unless it is shown that the act or omission was in bad faith or constituted wilful misconduct or neglect.

Standing orders

30. Subject to the provisions of this Ordinance, the Commandant may make standing orders for the general control, direction, discipline, welfare and information of the Cadet Corps and, in particular, relating to any of the following matters—

- (a) the promotion of cadets;
- (b) the wearing of uniforms, badges, insignias and medals;
- (c) the conditions for awards, commendations and citations;
- (d) the institution of disciplinary proceedings, punishments and fines;

- (e) the times for the opening and closing of the cadet officers' mess;
and
- (f) the operation of the canteen.

Saving of appointments made prior to commencement of Ordinance

31. (1) On the coming into operation of this Ordinance, any promotion or appointment made to the former Cadet Corps shall be deemed to be effective as if made under this Ordinance to the new Cadet Corps.

(2) In this section—

“former Cadet Corps” means the body, immediately before the coming into force of this Ordinance, which acted as the Cadet Corps of the Islands;

“new Cadet Corps” means the Cadet Corps established under section 3.

SCHEDULE 1

FORMS

FORM 1

(Section 6)

CADET'S PROMISE

I, *Cadet (full name)* promise to honour my God, Her Majesty Queen Elizabeth the Second, Her Heirs and Successors and the Turks and Caicos Islands, and to do my best to serve them loyally and honourably at all times as a member of the Turks and Caicos Islands Cadet Corps, to which I now belong and that I will faithfully obey all lawful commands I may receive as a member of the Cadet Corps.

Signature of Cadet

Promised before me this day of

Commandant

FORM 2

(Section 7)

COMMISSION CONFERRING RANK UPON AN OFFICER OF THE CADET CORPS

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Turks and Caicos Islands and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To.....Greetings

Reposing especial trust and confidence in your loyalty, courage and good conduct, I do by these presents constitute and appoint you to be an officer in the Turks and Caicos Islands Cadet Corps from the.....day of.....

You are therefore to carefully and diligently discharge your duty as such in the rank of.....or in such higher rank as you may from time to time hereafter be promoted or appointed, of which a notification will be made in the *Gazette*, and you are at all times to exercise and well discipline in arms such officers and members of the Turks and Caicos Islands Cadet Corps serving under you and use our best endeavour to keep in good order and discipline.

And I do hereby command them to obey you as their Superior Officer, and you to observe and follow such orders and directions as from time to time you shall receive from me, or any other of your superior, in pursuance of the trust hereby reposed in you.

Given at Grand Turk, Turks and Caicos Islands, this.....day of....., and the year.....

Governor

FORM 3

(Section 8)

ADULT INSTRUCTOR'S PROMISE

I, *Rank (Full Name)* fully understand that as an Adult Instructor I have a special responsibility of care for other people's children. I promise to respect and observe the special duty of this responsibility and I promise to serve those in my care loyally and honourably to the best of my ability at all times through the Turks and Caicos Islands Cadet Corps, to which I now belong. I will also ensure that I will keep up to date with changing regulations and initiatives regarding the development of the cadets. I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, and the Turks and Caicos Islands, with honour according to law, and I will obey all lawful commands I may receive as a member of the Turks and Caicos Islands Cadet Corps.

Signature of Instructor

Promised before me this day of

Commandant

SCHEDULE 2

(Sections 7 and 8)

RANK OF OFFICERS OF THE CADET CORPS

PART A

Commissioned officers

Colonel

Lieutenant Colonel

Major

Captain

Lieutenant

Second Lieutenant

Lieutenant Commander

Lieutenant

Sub Lieutenant

Midshipman

Sea Unit

PART B

Non-commissioned officers

Warrant Officer, Class 1

Warrant Officer, Class 2

Staff Sergeant/Company Quarter Master Sergeant

Sergeant

Corporal

Lance Corporal

Warrant Officer, Class 1

Warrant Officer, Class 2

Chief Petty Officer

Petty Officer

Petty Officer Cadet

Leading Cadet

Able Cadet

Sea Unit