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ACQUISITIONS

**Panorama  
concerning the  
Police in Europe**

- Germany
- Belgium
- France
- Luxemburg (without VI.)
- Monaco (only V./19.-24.)
- Netherlands
- Denmark
- Finland
- Norway
- Sweden
- Switzerland
- England/Wales/Scotland

Organization · Civil Service Law  
Payment · Special Police Law  
Trade Union  
Female CID

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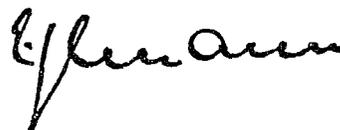
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The "UNION INTERNATIONALE DES SYNDICATS DE POLICE" publishes with this booklet "Panorama concerning the Police in Europe" a synopsis. The organization, all problems concerning civil service law, the structure of payment, problems of general law, armament and all forms of trade union organizations of the Police in Western Europe will be confronted with each other. Furthermore this booklet deals with the actual situation of the female CID. This confrontation enables the reader, to compare the different structures of the Police in Europe.

When editing this work, a correct translation has been preferred to a polishing in matters of style. A critical reader will soon find out, that distinguished problems in certain countries have been treated with different importance.

This synopsis has been organized according to the French alphabet. In order to guarantee the logical coherence it was necessary, to subsume the Scandinavian countries under one title. This means, that after the Netherlands will follow Denmark, Finland, Norway and Sweden. Switzerland, England, Wales and Scotland can be found at the end of the synopsis. By this contrast the different structures of the Police in Europe should be made evident.

We hope, that this "Panorama concerning the Police in Europe" will be able to promote the realization of the fact, that a coordination of all problems concerning the Police is necessary when we have the intention to realize a political united Western Europe. This makes necessary the draft of a professional conception of the Police, which is unitary at least in its principles.



(Kuhlmann)

President

# Contents

	Page
I. Organization	
1. Which Police Organizations exist in your country and what are their names?	9
2. Which law regulates the organization of the police in your country?	10
3. Which Ministry is responsible for the Police or for single parts of the Police respectively (if more than one Ministry is responsible)?	11
4. Please, note the parts of the Police (for example constabulary, squads, CID, etc.).	12
5. Who is responsible as to the leadership of the single police organizations?	13
6. Who raises the costs for the Police?	14
7. Please describe the numerical relation between the police force and the population (for example the relation between one police official and 300 persons)	15
8. Is it possible to say, that in your country do exist strict regulations as to the number of police officials? Are you able to describe their character?	16
9. a) Is it possible to report, in which parts the CID of your country is divided?	16
b) Is it possible to say, which institutions of the CID have to deal with capital crime?	17
c) Are there any obstacles – caused by Federalism – which will reduce the mobility of the CID in fighting any kinds of crime?	18
II. Civil Service Law	
1. Who is entitled to engage persons for the police service? Who is entitled to promote or to dismiss police officials?	21
2. Which training is necessary if a person wants to be engaged by the police force?	22
3. Is it possible to say anything concerning the necessary education of a police candidate?	
a) Which institution is responsible for the necessary expenses?	
b) Which time is necessary for this training?	
c) Will this training be carried out in a special police school in a single and uninterrupted course?	
d) Is there any obligation for the police candidate to dwell in the police school, if he receives an apartment? Is this measure combined with any reduction of his salary?	
e) Is the police official obliged to undergo additional courses before he can start the work destined for him (such as squads) and how long?	
f) Is it possible to describe which courses the police official has to attend after the end of his training?	24
4. Are there different careers?	27
5. Which regulations exist concerning the promotion into higher positions or careers?	28
6. Which presuppositions are necessary for promotion?	29
7. What names exist for the police ranks in your country?	30
8. Would you be so kind to describe the different positions and activities?	32
9. Is it possible for you to report how much police officials are members of the single careers (in % please)?	34
10. Do there exist any regulations in your country that prescribe the position of the police by law in peace and war?	36
11. Is this regulation compulsory for the whole country?	36

	Page
12. What is the exact name for this regulation?	36
13. Are there any regulations that the Trade Unions have to partake of the regulations of the conditions of work?	38
14. Is it possible to say anything as to the contents of these prescriptions?	39
15. What about these prescriptions in daily life practice?	40
16. Are there — the above named prescriptions not observed — any other institutions, which cooperate in the forming of the special police service law in the interest of the single police official?	40
17. What names have these institutions?	40
18. Are these possibilities of intervention satisfactory?	42
19. Would you please say anything about the time of labour of the police officials?	42
20. Are there any regulations concerning over-time work of police officials?	43
21. Would you please say anything about regulations concerning the vacation, a police official may claim?	44
22. Apart from the regulation of question 21. do there exist any claims as to special vacations? If yes, how long and on what occasion?	45
23. It would be useful to know, if in your country any medical provision for the police official exists.	47
24. Does the validity of this regulation exist only for the police official concerned or also for his family?	48
25. Who pays the necessary expenses for such a medical provision? Which sum may be paid for this purpose?	48
26. Are there any prescriptions as to special benefits in the case of accidents in service time?	49
 III. Payment	
1. Are there any regulations in your country, which regulate the salary of the police?	51
2. Are these prescriptions only valid for the police officials or for the whole civil service?	51
3. What are the components of the salary of the police officials in the different careers?	51
4. Can you say anything about the exact sum in the single careers?	53
5. Which special payment receives the police official, additional to his salary?	57
6. Are the other branches of the civil service also entitled to receive these special payments?	60
7. Are there any regulations to continue the payment of the salary if a police official falls ill? How long?	61
8. At what age has the police official to quit the active service in your country?	61
9. What about the composition of the salary after having quitted the service?	62
10. Is it possible to say anything about the relation between the salary and the pension of an official who has quitted his service?	62
11. Are these calculations valid for the other branches of the civil service, too?	64
12. Is the police official entitled to receive other special payments additional to his pension? If yes, give details, please!	64
13. Is it necessary that the police official during his active time of labour has to transfer a special sum for provisions of his pension? If yes, how much?	65

14. Do receive after the death of a police official his widow or his orphans pension furthermore?	Page 65
15. In which way will these payments for widows and orphans be calculated?	66
16. To which sums amount the pensions or the payments for widows and orphans in case of accident during service-time?	67
17. Which payments will be paid in case of removals?	68
18. Which payments will be paid for any official journey?	69
IV. Special Police Law	
1. Which prescription is valid in your country for the police as to crime prosecution?	71
2. Is this prescription valid in the same way for all police officials?	72
3. Is the general task of the police (preventive activities included) in your country determined by a special prescription?	73
4. Are the police officials of your country equipped with weapons, especially with fire arms, when doing normal service? If yes, please catalogue them!	74
5. Which are the prescriptions which regulate the use of these weapons?	74
6. Are there still additional weapons which are at the disposal of the police?	78
7. Are there any prescriptions which determine when the latter named weapons are to be used?	79
8. Is the police able to dispose of special weapons (for example tanks)?	79
V. Trade Unions	
1. Please, inform us about the origin and the development of your organization.	81
2. Is today your Trade Union a centrally directed organization or is it a locally determined federation?	82
3. How much members has your board?	83
4. How much of these members of the board will be paid by you and which functions do they carry out?	84
5. How much is the subscription per member and per month?	84
6. Which organ is entitled to fix the exact sum of this subscription?	86
7. Is your organization divided into departments under the board-level? If yes, describe them please!	86
8. Which parts of the subscriptions are destined for the departments for their activities?	87
9. Which aim is fixed in the statute of your Trade Union?	87
10. Which special institutions — the defence of the interest of your members not concerned — has your Trade Union established?	89
11. Would you be so kind to give exact details as to the numerical strength of the police in your country?	90
12. Please, give us the names of the Trade Unions which exist in the realm of police in your country?	91
13. Do you know what number of members the different organizations have?	91
14. Are all police officials — without discrimination — able to join the above mentioned organizations? Or are there privileges for certain groups?	92
15. Is it possible to say if technical officials and officials of the general administration are subsumed under the technical term "police official", if they do respective work?	92
16. In which parts of the administration is your organization represented in order to secure the interests of its members?	93

	Page
17. Which other Trade Unions are represented in the above named institutions, too?	93
18. Is your organization cooperating with other Trade Unions in your country?	
a) What are the names of these other Trade Unions?	
b) Can you tell us something about the causes for this co-operation?	94
19. On the basis of which constitutional provisions or laws the freedom of association to form trade unions by police officials is legally ensured in your country?	95
20. Are there legal or other restrictions with regard to the exercise of the right to form trade unions by policemen?	98
21. In what way and manner does the administration (ministries) let your trade union participate in the preparation of legal or administrative regulations which concern the living and working conditions of your members?	99
22. Will your trade union be participated by the legislative bodies (parliaments) in the discussions during the procedure of legislation?	
a) Is the right of participation fixed by law?	
b) Of what kind is the procedure of participation?	100
23. a) Is there the possibility individually, as a single person, to intervene with the administration in questions of living and working conditions?	
b) How are collective claims represented to the administration with regard to living and working conditions?	
aa) by the trade unions	
bb) by staff councils	101
24. a) In the event of conflicts between trade union and administration, what are the actions of which the trade union can dispose in order to enforce their claims?	
b) Have such actions already been carried out?	
c) When, for what reason and in what manner have such actions been carried out?	
d) What success did these actions have?	103
 VI. The Female CID	
1. How many female police officials are there within the police force of your country?	107
2. Is the number of female police officials limited in proportion to the number of male. If yes, in what proportion?	107
3. Are there any restrictions as to the fields of activity of female police officials?	
a) Which restrictions are there?	
b) Does there exist an independent form of organization within the police for female police officials?	108
4. Do the female police officials have the same conditions of engagement as the male? If no, which differences exist?	109
5. Is the training for female police officials the same as for male officials? If no, what differences do exist?	109
6. Do the female police officials have the same weapons as their male colleagues? If no, what differences do exist?	110
7. Do the female police officials obtain the same payment as their male colleagues?	110
8. If no, what differences do exist?	110

## **I. Organization**

# 1. Which Police Organizations exist in your country and what are their names?

## GERMANY

The Federal Republic of Germany is a federal state and is — consequently — divided into several single states. According to the constitution all police affairs have to be dealt with by the single states. The police of the states concerned belongs to the scope of the Ministry of Interior. (In Berlin, Bremen and Hamburg: by "Innensensoren".) Only in some exceptional cases, the Federal Republic itself may take action.:

a) The "Bundeskriminalamt" belongs to the scope of the Federal Ministry of Interior. In accordance with the special provision of the constitution, the law concerning establishment of a federal CID office (Bundeskriminalamt) was adopted. This "Bundeskriminalamt" is to be regarded as the central information office in the realm of CID activities. This "Bundeskriminalamt" makes itself use of the executive field of the police

1. in cases of internationally organized and illegal trade with arms, munition, dynamite or anaesthesia remedies and of internationally organized production and circulation of spurious banknotes which require an enlightenment abroad as well as relating punishable acts; in cases of minor importance the public prosecutor's office can entrust any other police-authorities with the investigations in accordance with the "Bundeskriminalamt";

2. in cases of punishable acts against life and freedom of the President of the Federal Republic of Germany, of the members of the federal government, the Federal Diet and the Federal Constitution Court as well as the guests of the federal constitution organs coming from abroad or of the head and the members of diplomatic representations accredited in the Federal Republic of Germany if it can be supposed that the perpetrator acted out of political reasons and the crime is in contact with federal and foreign policy interests.

Beyond that the "Bundeskriminalamt" executes itself the duties of the police on the field of fighting criminality if

1. a competent state authority requests it or
2. the Federal Ministry of Interior gives the order by severe causes or
3. the public prosecutor general or the examining magistrate requests it or gives the order in proceedings where the public prosecutor general handles the investigations.

It is possible, to delegate officials of the "Bundeskriminalamt" to support the respective criminal police of the single states.

b) The "Bundesgrenzschutz" (federal border police) belongs to the scope of the Federal Ministry of Interior. The juridical foundation of this organization is determined by the "Gesetz über den Bundesgrenzschutz und die Einrichtung der Bundesgrenzschutzbehörden". It belongs to the task of this frontier group to secure the Federal Republic against prohibited crossing the frontier; this task will be fulfilled particularly by controlling the passports. Furthermore this institution has to secure the territory of the Federal Republic against other disturbances, which might be able to disturb law and order. The authority of the "Bundesgrenzschutz" is limited to territory, ranging from the border to

a distance of 30 km. In case of catastrophe or a crisis or interior disturbance, it is possible, to engage the "Bundesgrenzschutz" in the whole Federal Republic.

Furthermore the "Bundesgrenzschutz" has been enlarged as a police reserve of the Federal Republic of Germany which, for especially important events, is at the disposal of the states upon request.

The task of examining the passports will be carried out by single officials of the "Bundesgrenzschutz". All other tasks will be fulfilled by those units, which are concentrated in barracks.

## BELGIUM

There are 2 types of police with almost similar duties: the Municipal Police and the Constabulary. Furthermore there is the CID which is subject to the authority of the public prosecutor. They have to enquire every kind of crime, then the Intelligence Service entrusted with special duties in connection with the internal security of the state, the transport police, the supreme control board (a division of the Prime Ministry). There are further officials entrusted with certain police duties such as food, prices, etc.

## FRANCE

Since January 1st, 1968, the whole police has been united in the National Police. The National Police executes its duty within the towns.

Furthermore there exists "Gendarmerie Nationale" which is subordinated to the Ministry of Defence; this unit is responsible for public law and order and has to intervene, if the respective prefects want this. In all rural municipalities, that means in municipalities with less than 10.000 inhabitants, the "Gendarmerie Nationale" is also responsible for police tasks. In some municipalities, out of the way, there are still some municipality policemen; they are subordinated to the respective municipality.

## LUXEMBURG

In Luxemburg there are 2 different police authorities, that is

- a) the Police (Police)
- b) the Constabulary (Gendarmerie Grand-Ducale)

## THE NETHERLANDS

In the Netherlands there are two types of civil police: The central police (Rijkspolitie) and the municipal police (Gemeentepolitie).

Both types of police dispose of the separate departments of CID, traffic-police, constabulary, etc.

## DENMARK

In Denmark, there exists one unitary police force, centrally organized (Reichspolizei). The Minister of Justice is — according to the constitution and the law of order — the chief of the police.

## Comment

In 1938 there was a unitary police order in Denmark introduced. In this way, the police was subordinated to the central government and got the name "Reichspolizei".

## FINLAND

General police (constabulary and CID in the towns and the police in the villages). Furthermore: a central CID, central constabulary units and motorized police. The training of police officials is carried out in a special police school. For the provision of the police there exist special police deposits. Furthermore we have a special police service, which works with dogs. An institution for the training of these police dogs exists.

## NORWAY

Norway disposes only of a central police force, called "Reichspolizei".

## SWEDEN

Sweden has a central police organization. The activity of the police is independent and consequently separated from the public prosecutor and the execution authorities (among others the levying of taxes).

## SWITZERLAND

Switzerland is — as everyman knows — a federal state. In this frame there are united the cantons of Zürich, Bern, Luzern, Uri, Schwyz, Unterwalden, Glarus, Zug, Freiburg, Solothurn, Basel (town and the surrounding region), Schaffhausen, Appenzell, St. Gallen, Graubünden, Aargau, Thurgau, Tessin, Waadt, Wallis, Neuenburg and Genf.

The cantons are sovereign under the condition, that their sovereignty is not limited by provisions of the Federal Constitution. For that reason, they exercise all rights which do not belong to the realm of the Federal Government.

In the above named cantons there exists the police of the canton, which is subordinated to the interesting Minister of Interior (Departmentsvorsteher). The organization differs from canton to canton. In addition to the police of a canton it is necessary to regard in all greater towns the municipal police. This institution is subordinated to the head of the Municipality.

## ENGLAND, WALES AND SCOTLAND

The Police in Scotland have different laws and a separate organisation all together to the police forces in England and Wales.

In the latter there are 43 forces. Each police force has different departments i.e. the uniform branch (general patrol duties), the criminal investigation department, the traffic department and other minor specialised groups.

The Police Authority in all forces with the exception of the metropolitan police is the body responsible for the police. As far as the metropolitan police is concerned the Police Authority is the Secretary of State for the Home Department.

The Police Authority is required to maintain an adequate and efficient police force for its area and to exercise the powers conferred upon it by the requirements of the Police Act 1964. The Police Authority also appoint a Chief Constable and determine the number of persons of each rank in that force which is to constitute the establishment of the law. The Police Authority provides and maintains boards, structures and premises as may be required for police

purposes for the area and provides also vehicles, apparatus, clothing and other equipment as may be required for police purposes of that area. Full details of the names of the police forces in Scotland can be obtained from J. Black Esq. Secretary, Joint Central Committee, Scottish Police Federation, 150 Holland Street, Glasgow C 2.

## 2. Which law regulates the organization of the police in your country?

### GERMANY

Structure and organization of the police are regulated by law, such as special police laws, laws concerning the police administration, laws as to the organization of the police, laws concerning public order and security. It depends on the competence, whether they are laws of the Federal Republic or laws of a single state.

### BELGIUM

Concerning the municipal police its organization is provided by the municipal law. Special laws control the competence of other authorities for special police tasks.

### FRANCE

Laws of the Republic (passed by the Parliament, the National Assembly, Senate), decrees, proclamations, regulations which have to base on the constitution of the French Republic.

### LUXEMBURG

The organization of the police is controlled by different laws however mainly by the law concerning the nationalization of the police and the military law. Furthermore a number of other statutory and regulating provisions of general nature can be applied for the administration and the members of the police.

### THE NETHERLANDS

The organization of the Central Police and of the municipal police is regulated in a special law: „De Politiewet“. This law regulates the relations between central and municipal police, the organization and the administration, tasks and competences of the police and — finally — it contains prescriptions that the police has to observe, when it carries out its duties. It contains regulations concerning the giving of assistance, too.

Generally, according to article 2 of the police law there exists a municipal police in municipalities with more than 25.000 inhabitants and a central police in municipalities with less than 10.000 inhabitants. In municipalities between 10.000 and 25.000 inhabitants there exists either the central or the municipality police.

A change of the police organization in the Netherlands is to be prepared. The development aims at the establishment of a police organization with regional character.

## DENMARK

The organization and the structure of the police is fixed by the law of order and by some other laws. The scope of the police force and the careers therein are, however, regulated by the law for officials which is valid for all officials of the state.

## FINLAND

In the police law of 1966, 28th February, and in the police prescription of 1969, 14th February.

## NORWAY

The Norwegian police is organized in accordance with the special police law of March 13th, 1936. Several prescriptions concerning engagement, dismissal and disciplinary measures are contained in a special law for civil service officials of February 15th, 1918. There are some additional prescriptions, which are to be found in other laws.

## SWEDEN

The Parliament and the Government determine the organization of the police.

## SWITZERLAND

The organization of the police is controlled by the law or by prescriptions elaborated by the municipality, the canton or the confederation.

## ENGLAND, WALES AND SCOTLAND

Each police force has a police authority and under Section 1 of the 1964 Police Act it is enacted that each area shall maintain a police force. Under Sections 2 and 3 details are given of police authorities for county boroughs and combined police areas. Section 4 of the Act sets out the general functions of police authorities. The police authority appoints a chief officer and also the permitted authorized establishment of the force. The promotion of an individual is the responsibility of the chief officer. With regard to the Metropolitan Police, the police authority is the Secretary of State for the Home Department.

### 3. Which Ministry is responsible for the Police or for single parts of the Police respectively (if more than one Ministry is responsible)?

## GERMANY

The police is subordinated to the Ministry of Interior of the single state, or to the Senator of Interior respectively. This is valid for the whole police force.

## BELGIUM

The municipality police is subordinated to the Ministry of Interior. The "Gendarmerie" is subordinated to 3 Ministries:

to the Ministry of National Defence, the Ministry of Interior and to the Ministry of Justice. The intelligence service is subordinated to the Ministry of Justice.

## FRANCE

The central police is subordinated to the Ministry of Interior. The "Gendarmerie nationale" is subordinated to the Ministry of National Defence.

The municipality police is indirectly subordinated to the Ministry of Interior, because this Ministry is entitled to supervise and control the single municipalities.

## LUXEMBURG

The police is subordinated to 3 ministries:

- a) the Ministry of Public Law (as to organization, instruction, administration and discipline)
- b) the Ministry of Interior (as to the administration police)
- c) the Ministry of Justice (as to judicial police)

The Constabulary is subordinated to the Ministry of Public Power and the Ministry of Justice.

## THE NETHERLANDS

The central police is subordinated to the Ministry of Justice; all units of municipality police are subordinated to the mayor of each municipality. The strength of both types of police will be fixed by the Ministry of Justice and the Ministry of Interior. These ministries are fixing in a unique discussion the following prescriptions:

1. The conditions to be engaged by the police.
2. The payment and the other conditions of labour.
3. The official nomination within the central and the municipality police.
4. The presuppositions for the promotion into higher positions or careers.
5. The discipline.
6. All efforts to engage new policemen.
7. The instructions and all kind of information in matters of police.
8. Uniform, armament and other kinds of provisions.
9. The prove of the intellectual and physical abilities.

## DENMARK

The police is subordinated to the Ministry of Justice.

## FINLAND

The police is subordinated to the Ministry of Interior. The administrations of the single provinces guide and supervise the work of the police in the single provinces (districts of administration).

## NORWAY

The police is subordinated to the Royal Justice and Police Ministry.

## SWEDEN

The Ministry of Justice is responsible for all police affairs.

## SWITZERLAND

In the municipality one disposes of "Police", in the canton of a general department "Justice/Police" and on the federal level there exists a department "of the Justice and of the Police".

## ENGLAND, WALES AND SCOTLAND

The Home Office is responsible for all police matters. This department is divided into certain sections, e.g. organization, pay and conditions of service, financial questions, training, pensions, computers, etc.

### 4. Please, note parts of the Police (for example constabulary, squads, CID, etc.)

## GERMANY

The police forces of the single states are divided into:

- a) Squads.
- b) Constabulary.
- c) CID.
- d) River police.
- e) Police administration department.

## BELGIUM

The municipality police and the "Gendarmerie" execute all general police duties. The "Gendarmerie" is competent for the whole state territory whereas the competence of the municipality police is limited to the area of its municipality. Due to the municipal law it is possible — under certain conditions — to extend the competence of the municipality police on other police forces of the adjoining or more distant surrounding. The duties of the municipality police are of preventive and criminal penal character. Depending on the size of each municipality and the equipment of the police forces one can form different special sections: traffic-police, CID, intervention police, administration, etc.

The CID does not engage in preventive but only in criminal penal duties, that means the prosecution of crimes and offences. The main task of the security police is the maintenance of the interior security of the country.

## FRANCE

The central police is subordinated to a General Director, who belongs to the authority of interior. The board of the above mentioned Director comprises:

- boards dealing with the main parts of police force, such as constabulary, the municipality police and special squads (Compagnies Républicaines).
- those boards of administration, which are occupied with the administration and with all problems of personell,

— the institution of the intelligence service (Renseignements Généraux), which is responsible for all kinds of counterespionage and for the supervision of the borders,

— police force with general information tasks,

— the CID, which is responsible for fighting and investigation of all kinds of crime.

The "Gendarmerie" is subordinated to the Ministry of National Defence. It is commanded by a general or by another higher officer.

## LUXEMBURG

The police mainly consists of:

- a) the Police Direction  
(11 permanent established posts)
- b) the Central Commissariat of the city of Luxemburg  
(134 permanent established posts)
- c) 16 Police Commissariats which are located in 16 different towns and residential quarters with more than 3.000 inhabitants.  
(129 permanent established posts)

The "Gendarmerie" has a similar organization and comprises besides the constabulary detachment (headquarter) 32 brigades which are located in 32 towns and municipalities with a number of personnel of 264 officials.

The Public Security — Sûreté Publique — is subordinated to the commander of the "Gendarmerie". The recruiting of the officials of the latter department is done within the civil service of the "Gendarmerie".

## THE NETHERLANDS

a) The central police

The central police has been reorganized during 1969. The general service has been divided as follows:

17 districts headed by one district officer.

The districts are divided into sections which comprise groups and rayons.

The central police disposes of special services such as the river police, the air police and the general traffic service equipped with police control cars.

Each district disposes of a special traffic group which exercises the traffic control within the main roads apart from the motor highways. Each section is authorized to regulate the traffic in its own district, and each district disposes furthermore of special CID units, officials of which aid the general police when it is necessary to search for criminals.

b) The municipality police

The municipality police disposes of specialized departments, too. Generally, there exist the following departments:

The constabulary (in most cases motorized)

The CID

Special department to protect children

Control of prostitution

The departments which watch special laws (departments which are controlling restaurants, departments which supervise the practices of trade)

The department equipped with dogs

The department responsible for traffic and accidents  
The department in charge of the duty to watch foreigners  
The department for photography and finger prints  
In the large cities there is not only one district; furthermore these districts are divided into sections with an own section chief (chief-inspector).

#### DENMARK

The police force is divided into constabulary and CID. Parts of the constabulary form the civil police, and the police serving in the villages is called "Gendarmerie".

#### FINLAND

See point I./1.

#### NORWAY

The following police units are directly subordinated to the Ministry of Justice and police:

a) There are 53 police districts. Each of these districts is independent as to administration and is headed by a police chief officer. The more important police districts are divided into sections such as constabulary, CID, traffic police etc. All of these officials are subject to the same conditions concerning engagement, salaries and status. There is a single career.

b) The central police is headed by a police chief officer. The tasks are: researches in the realm of police technology, the compilation of informations which are of interest for the police, researches in cases of murder, Interpol etc.

c) The squads are headed by a chief police official. To their tasks belongs first of all the traffic control.

d) The police school is headed by a chief police official. The complete training of the police belongs to its tasks.

e) The intelligence service is headed by a chief police official.

#### SWEDEN

The local police organization is divided into 118 police districts of course in relation to the importance and the range of the respective district and other groups which are stationed in the more remote parts of the district. Most of the police districts are divided into constabulary and CID. The constabulary department comprises departments for ordinary police work, and for traffic and social affairs. The department of investigation is divided into a criminal section, a general research section and a technical section. In each district the police is subordinated to the "länspolichef" (Provincial Police Chief) who belongs to the district state administration. In each district there are one or several traffic groups. The "länspolichef" is responsible for the police personnel for the reinforcement service in the police districts.

"Rikspolisstyrelsen" (Central Office of the Police) has the central supervision and executes an advising function and the whole police is subordinated to its administration.

"Rikspolisstyrelsen" consists of 4 departments. 1 department with 2 offices is engaged in guard duty, the traffic and the CID (incl. Interpol). 1 department with 2 offices is engaged in technical equipment as well as in engagement and training. 1 department with 3 offices and 1 computer section is engaged in economical and personnel

questions as well as in the register of police duties. The 4th department is responsible for the security police.

#### SWITZERLAND

The police is divided into 2 groups:

- the CID generally working in civil and consisting of security and federal police (security on canton level) and
- uniformed police for the supervision of the traffic.

The latter group is divided into the following sections:

- Ordinary police, constabulary, traffic police and CID.
- Assistant police with other uniforms than the aforementioned executing different and subordinate duties such as park control, traffic regulation, etc.
- female personnel, also uniformed, executing the same duties as the assistant police.

#### ENGLAND, WALES AND SCOTLAND

The police is divided into two main groups namely uniformed police and CID. There are many specialised groups e.g. regional crime squads who are CID members to cover a whole region and not only a force; mounted police, river police, etc.

## 5. Who is responsible as to the leadership of the single police organizations?

#### GERMANY

At the lower levels the leading of the police is executed mainly by police executive officials. At the top, it belongs to the duties of the Ministry of Interior to command the police. In the intermediary sphere there are presidents of the police and directors of the police as officials of the police administration, who bear the responsibility, provided the police has not been integrated into the general interior administration.

#### BELGIUM

Municipality police: The mayor as far as the administration is concerned and the inspector of police for the prosecution.

CID: The chief inspector (Commissaire en chef) of the CID departments under the supervision of the public prosecutors.

State security service: The administration director under supervision of the Ministry of Justice.

"Gendarmerie": The general commander.

#### FRANCE

At the top of every direction a director, the whole is subordinated to the general director.

#### LUXEMBURG

The chief constable has the guidance of the police corps as to organization, administration, training and discipline.

The Central Commissariat of the city of Luxemburg is subordinated to a police officer whereas all other police commissariats are subordinated to an inspector of police. All police commissariats (including the Central Commissariat of the city of Luxemburg) are subordinated to the competent mayor as to "administration police".

The commander of the "Gendarmerie" has the guidance of the "Gendarmerie". The brigades of "Gendarmerie" are guided by an adjutant or adjutant-chief.

#### THE NETHERLANDS

##### a) The central police

As already mentioned, the central police is subordinated to the Ministry of Justice. As to current affairs the central police is led by the general inspector of this police force on behalf of the Ministry of Justice.

##### b) The municipality police

In order to guarantee law and order the mayor of the respective municipality is the chief of this part of the police. The administration and the heading of the municipality police is executed by the chief of the respective force.

##### c) Competence

All officials of the central police and of the municipality police are entitled to search for criminals.

The central police does not intervene in municipalities, which dispose of municipality police, although its competence to search for criminals is valid for the whole country (Exceptions: Order, necessity and permission of the mayor). The municipality police is allowed only to search in its municipality. Beyond the borders of this municipality, it may intervene, if it seems to be necessary; such as to help in urgent situations or when the mayor of this town is ready to accept this aid.

#### DENMARK

The minister of Justice is the chief of the police; he will be represented by the chief of the central police, by the president of the police in Copenhagen, and by the local directors of police. It belongs to the competence of the chief of the central police to distribute and remove the police officials, to engage and promote policemen and to carry out disciplinary measures; furthermore he is responsible for the equipment of the police, the normal administration, and book-keeping of the police. The central police school belongs to the competence of the chief of the central police, where the theoretical training of the police takes place. To the competence of the chief of the central police belongs the penal register and several special departments, such as the traffic department, which patrols in the whole country and aids the local police with traffic problems and a department of the CID which aids the single police districts to investigate crime.

The local chief constable and the president of the police have the independent guidance of the police district and the responsibility for the execution of tasks of the police in accordance with the law of administration of justice. At the same time the president of the police and the local chief constables are organs of the public prosecutor but in penal affairs they are subordinated to the public prosecutors and the public prosecutor general concerning the prosecution authority.

#### FINLAND

The police department of the Ministry of Interior and its chief, who is called the police chief of the State are responsible for the several police organizations.

#### NORWAY

See point I./4.

#### SWEDEN

"Rikspolisstyrelsen" (central office of police) has the direct supervision of the police and it consists of "rikspolischefen" (general director) and the "överdirektör" (general director) and six members of parliament as well as two members which are selected by the organizations of personnel. The function of "rikspolisstyrelsen" is that of an advising organization as well as that of an administering organization in order to coordinate the tasks of the police. "Länsstyrelserna" (provincial directors) execute the provincial supervision of police duties and which comprise "landshövding" (general president) and ten delegates especially elected. In the "längsstyrelsen" the "länspolischef" (provincial chief of police), who is responsible for the coordination of the duties between the police districts in the province, is engaged in the orders of police.

In every police district the police force is subordinated to a police authority which consists of a "polismästare" (chief of police district) and of approx. six delegates elected by "landsting" (provincial diet) or by municipalities as well as of two delegates selected by the central organizations of personnel. However, the "polischef" is only responsible concerning the operative activities.

#### SWITZERLAND

The municipality, the canton and the Federal State.

#### ENGLAND, WALES AND SCOTLAND

The Secretary of State for the Home Department and the local Police Authority.

## 6. Who raises the costs for the Police?

#### GERMANY

The costs for the police will be paid in principle by the single state concerned. The expenses for the Federal Criminal Office (Bundeskriminalamt) and the "Bundesgrenzschutz" are to be paid by the Federal Republic. The Federal Republic is ready to grant subventions for the equipment of the squads.

#### BELGIUM

As to the municipality police, each municipality.

As to the other parts of police each Ministry, which is in charge of the special branch of the interesting police force.

#### FRANCE

The total expenses of the national police will be borne by the Republic. Each municipality pays a sum proportional to the number of its inhabitants.

## LUXEMBURG

Payment and equipment of the police and the constabulary are included in the budget. Towns and municipalities disposing of a police force pay 40 per cent of the salaries of the police officials. Furthermore the offices of the police and their maintenance are to the debit of the concerning town respectively municipality budgets.

## THE NETHERLANDS

The expenses for the whole police — for example for material or training etc. — will be paid by the central government. Those municipalities which dispose of a municipality police obtain during each year per head of the respective police force a subvention per official, which covers all costs of the municipality police.

## DENMARK

The central government.

## FINLAND

The expenses for the payment of the police officials have to be paid by the State. The towns compensate 33 $\frac{1}{3}$  per cent of the general expenses for the police in the towns. Furthermore the towns are obliged to hand over necessary rooms with heating, electricity, cleaning and equipment to the police; finally, medical treatment of all arrested persons and of the police force has to be guaranteed.

All other costs or expenses respectively are to be borne by the central State.

## NORWAY

The central State.

## SWEDEN

The central State.

## SWITZERLAND

The municipalities, the cantons and the Federal State.

## ENGLAND, WALES AND SCOTLAND

The Police (Grant) Order 1966 as amended.

## 7. Please describe the numerical relation between the police force and the population (for example the relation between one police official and 300 persons)!

### GERMANY

In the average, there is the relation of one police official to 435 persons. (1964 one police official in relation to 430 persons).

In a decree of the conference of the Ministers of Interior it was determined to aspire to a rate of 1 police official to 400 persons.

## BELGIUM

If the diversity of the single parts of the police is observed, it is rather difficult to fix such relation. Concerning the municipality police it may be correct to say, that there is a relation of one police official to 700 persons.

## FRANCE

That differs from municipality to municipality. As to the central police there is theoretically a rate of 1 official to 630 inhabitants.

## LUXEMBURG

The proportion differs from municipality to towns. Adding the officials of the police and the constabulary there is approx. a proportion of 1 : 555 at the moment (1 gendarme resp. policeman to 555 inhabitants).

## THE NETHERLANDS

The density of population where the central police is doing its service may be regarded as relatively low. In order to give a correct relation, it is possible to say, that there is one police official to 825 persons. The relation between the municipality police and the population differs according to the density of the population of the single towns, such as one member of the municipality police in relation to 350 persons in the capital towns Amsterdam, Rotterdam and Den Haag. For the purpose of explanation may follow these statistics:

Central Police	1. 1. 1969	1. 10. 1969
Police in the normal careers	6.421	6.605
Administration and technical personnel	845	904
	<u>7.266</u>	<u>7.509</u>
Municipality Police	1. 1. 1969	1. 10. 1969
Police in the normal careers	14.220	14.220
Administration and technical personnel	1.238	1.400
	<u>15.458</u>	<u>15.620</u>

## DENMARK

There exists a relation of one police official to 590 persons.

## FINLAND

There is a relation of one police official to 620 persons.

## NORWAY

A relation of one police official to 1180 persons may be assumed.

## SWEDEN

There is a relation of one police official to 545 persons.

## SWITZERLAND

The situation is different as to canton to canton. In any case there is a relation of one police official to 300—400 persons.

## ENGLAND, WALES AND SCOTLAND

This varies considerably throughout the country for example, the metropolitan 285 and Kent 586. The one exception

to the above is the City of London. This force has one police officer for every five persons, the reason being that very few people live in the City of London itself and it is totally built for business purposes. The average throughout England and Wales including the City of London is 424.

8. Is it possible to say, that in your country do exist strict regulations as to the number of police officials? Are you able to describe their character?

#### GERMANY

The conference of the Ministers of Interior has concluded to aspire to a rate of police officials of 1 : 400.

#### BELGIUM

There do not exist general norms. The strength of the municipality police will be determined by the local authorities and will be permitted by the authorities of the state control. The strength of other police forces will be determined by legal text due to parliamentary decrees.

#### FRANCE

No. The number of the police officials is fixed as to the necessity for the maintenance of public order, the supervision of the highways and of the traffic as a whole and of the fight against criminality.

#### THE NETHERLANDS

There are no norms and prescriptions.

#### DENMARK

There are no fixed prescriptions as to the number of police officials. The number of the police officials, however, is legally fixed as the number of the other officials of the civil service, too. If it is intended to change the strength of the police force, it is necessary to alter the law.

#### FINLAND

There do not exist any norms or prescriptions as to the number of police executive officials and of the police administration. New positions within the police administration will be established as to the provisions of the budget.

#### NORWAY

No.

#### SWEDEN

No.

#### SWITZERLAND

There do not exist any prescriptions because the exact fixing of the number of police officials is dependent on principles of requirements.

#### ENGLAND, WALES AND SCOTLAND

No. The responsibility is vested in each local authority which if it wants to make any changes to the authorised establishment seeks the approval of the Secretary of State. The size of the force shall be sufficient to provide for carrying out of police duties under responsible supervision in each tour of duty.

(Regulation 7, The Police Regulations, 1971)

9. a) Is it possible to report, in which parts the CID of your country is divided?

#### GERMANY

The CID is divided into the following parts:

- a) The Federal CID Office (Bundeskriminalamt). This institution may be compared with Scotland Yard or FBI.
- b) The CID office of the single State (Landeskriminalamt).
- c) The CID office which is attached to the District Government (Regierungsbezirk).
- d) Inspections (Kommissariate) of the CID, divided as to the single branches (such as murder, fraud and theft).
- e) The CID in the single districts.

#### BELGIUM

In general the duties of the CID will be executed by the offices of the CID which are subordinated to the different royal public prosecutors (judiciary districts). The "Gendarmerie" has founded a similar office "Brigade spéciale de Recherches" (B.S.R.). And the large municipality police forces (large cities) also possess CID departments.

#### FRANCE

No information.

#### LUXEMBURG

The public security — Sûreté Publique — is subordinated to the commander of the "Gendarmerie". This office is subdivided into different sections (narcotics/drugs, police for foreigners, identification service, etc.) with special duties.

Furthermore larger constabulary brigades and inspections possess CID departments (sections de recherches) which have comprehensive police duties. The "judiciary police" will be fulfilled by officials of the public prosecutor, the public security, the "Gendarmerie" and the police who are provided for by law.

#### THE NETHERLANDS

The central police and the units of the municipality police dispose of specialised CID departments.

Each district disposes of a special CID service; the officials of these districts are obliged to aid the police of the single districts in their endeavours.

#### DENMARK

The CID is divided in the same way as the constabulary. In each police district, there are to be found CID officials;

furthermore the CID is subordinated to the police director of Copenhagen or to the local police directors respectively. CID departments spread over the whole country protecting special duties (e.g. tourism section, central registry, technical section, central office for identification, intelligence service and a new section for white-collar-crime).

#### FINLAND

In the greater towns the CID is divided into the following departments:

Inspection to fight murders

Inspection to fight burglary

Inspection to fight fraud

The branch of the CID which supports other police units.

The inspection to fight the use and the selling of narcotics.

The greater towns dispose of special social police departments.

The central criminal office is responsible for the whole country and has to search for crimes of international importance.

#### NORWAY

There does not exist any central division between constabulary and the CID. The intermediate and great police districts are divided into sections, where the CID has the character of a special and independent unit. The single police officer is independent as to the organization of his duty. All officials are in the same career and it is possible to delegate them to the criminal department or to revoke this delegation.

#### SWEDEN

The central office for police administration is associated with the criminal section which is divided into inspections for the several crimes such as violence, narcotics, murder, theft, etc. Most of the police districts have a criminal section which comprises a technical and a section which is engaged in the search for criminals and a varying number of investigation sections.

#### SWITZERLAND

On the level of the larger municipalities, the cantons, and the Federal State there exist CID divisions.

#### ENGLAND, WALES AND SCOTLAND

No, each Chief Officer of Police is responsible.

9. b) Is it possible to say, which institutions of the CID have to deal with capital crime?

#### GERMANY

All cases of capital crimes are dealt with by the competent inspection (Kommissariat) such as murder, robbery, severe theft and fraud.

The CID offices of the single states are allowed to establish special inspections. The Federal CID Office has the competence to delegate experts to these special inspections; under certain conditions (see remark a) to question 1) the Federal CID Office has to take over the necessary research work centrally.

#### BELGIUM

It belongs to the tasks of the "Juges d'Instruction" (examining magistrate) to give order to all police institutions to carry out those activities, which really would belong to the exclusive tasks of the CID. As a matter of principle the CID of the public prosecutors prosecutes the most important crimes.

#### FRANCE

The questions have not been answered.

#### LUXEMBURG

In cases of capital crime the three mentioned police organs are equally responsible. It must be emphasized that in such cases always the public security service will be charged with the fundamental investigations and with the corresponding requests for legal assistance.

More often investigations will be executed at the same time by uniformed officials of the "Gendarmerie" and the police as well as by officials of the public security service. The coordination of the running investigation and the necessary cooperation will be secured.

#### THE NETHERLANDS

The specialised CID departments within the units of the central police and the municipality police and several special groups.

#### DENMARK

In those police districts which comprise the greater towns, the CID is divided normally into several departments, and the capital crimes will be tackled by a special department. Within the other police districts the single officials of the CID have to deal with all cases, that may evolve.

#### FINLAND

The central CID.

#### NORWAY

The local CID units which are attached to the police authorities. The central CID disposes of a central research group which carries out inquiries in all matters of murder and of other capital crimes, observing the orders of the chief public prosecutor of the country.

#### SWEDEN

The investigation of crime will be executed by CID sections in each district, which have the possibility, to request reinforcement of the CID sections of "rikspolisstyrelsen" and of the sections of the residence towns in the administrative districts.

#### SWITZERLAND

The whole service of the CID.

## ENGLAND, WALES AND SCOTLAND

The normal practice is for all major crimes to be dealt with by the CID and crimes with minor importance dealt with by the uniform branch and/or the CID. Further, the final decision rests solely with any orders given by the local chief officer of police.

### 9. c) Are there any obstacles — caused by Federalism — which will reduce the mobility of the CID in fighting any kinds of crime?

## GERMANY

The degree of mobility which exists to fight criminality has been fixed by treaties between the single states of the Federal Republic and by the "Gesetz über die Einrichtung eines Bundeskriminalamtes" (law concerning the establishment of a Federal CID Office). Recently a special treaty of administration between the single states guarantees that the officials of the CID may fight criminality within the frontiers of the whole Federal Republic, even beyond the borders of their own single state. The claim to allow such a central activity of the CID within the borders of the whole Federal Republic has been first put forward in a memorandum "Capitulation before crime?" published by the "Gewerkschaft der Polizei" (German Police Trade Union).

## BELGIUM

The examining magistrate erect "requests for legal assistance", which are valid in the other administrative districts. These duties will be executed by the local authorities of the CID of the public prosecutor or the B.S.R. ("Gendarmerie"). The municipality police can also be charged with for this purpose by the examining magistrate.

## FRANCE

The question has not been answered.

## LUXEMBURG

The competence of the public security service and the "Gendarmerie" extends over the whole state territory; the competence of the police officials is limited to the town resp. municipality area concerned. In case of "the very act" concerning crimes or offences their competence will be enlarged on the area of the adjacent municipalities.

## THE NETHERLANDS

The mobility of the police force is guaranteed.

## DENMARK

The Ministry of Justice has fixed prescriptions which regulate in which kind the single police districts should aid each other in order to guarantee security, law and order. It belongs to the tasks of a chief of the central police, to coordinate these actions of support. In the case of

investigating severe cases of capital crimes, such as murders, there exists the possibility both for the department of the CID or for the central police chief and for the other police districts to intervene and to help.

## FINLAND

The central CID, the constabulary and the mobile police are competent for the whole country. A special police order prescribes as to the competence and the obligations of the police:

### § 13

The police official is obliged — with the exception of cases specified below — to do service in that police station or in that police district to which he has been appointed or where he has to be on duty carrying out a special order. In order to guarantee law and order, however, he disposes of special rights within the whole country.

### § 14

The police official is obliged — if a superior police officer gives the order — to do service for a certain time outside of the scope of his police station and beyond his police district. When investigating all kinds of crimes, accidents or other cases, which belong to the competence of the police, furthermore when searching for disappeared persons, or when prosecuting criminals or escaped persons, the police official is obliged — on condition that these affairs do not allow any delay — to be on duty according to the first part of the paragraph, even in territories which do not belong to the competence of his police station or his police district. The police official is obliged to instruct both the chief of that police station where the interesting measure has been carried out and his own chief concerning his own activities.

### § 15

The police official is obliged — even in his leisure time — to initiate within his police station or his police district all necessary activities in order to maintain law and order. He has to do voluntary service in cases of extraordinary events, such as the disturbance of law and order and of fuddlings or in cases of fire, accidents, etc.

### § 16

The chief of a police station is obliged to send his police officials in the case of § 23, part 1 of the police law into the territory of another police station, if the chief of this station calls for help. The above named occasions may be specified as following: search for disappeared persons, explosions, fire, shipwrecking, traffic accidents or if the maintenance of law and order necessitates such activity. These emergency measures shall only be carried through, if the activity of the interesting police station will not be hampered unduely.

### § 17

If a police official shall be obliged to carry out tasks of police activities in other cases than those dealt with in §§ 14 and 16 without the competence of his police station, the necessary order will be given by the respective province administration, if these activities have to be carried out within this province. In all other cases the Ministry of Interior has to give the orders.

The Ministry of Interior has the competence to order police officials to a place at home and abroad with their consent for the execution of police duties.

## NORWAY

The central CID disposes of mobility without observing any borders of police districts. This state of affairs is fixed by order of the supreme public prosecutor.

The local police chief officer calls for help, if the CID of another district may carry out any activity within the own district. The local chief police officer bears the responsibility for all actions to be taken; this has been fixed by the police law of March 30th, 1936.

## SWEDEN

The officials in the CID section of the "rikspolisstyrelsen" are responsible for the whole country. A varying number of police officials of the CID sections in the residence

towns is provided for the reinforcement when investigating especially severe crimes. A police official can continue his duties also outside his district, when executing an initiated search for criminals or when arresting a criminal or in any case where it is necessary.

## SWITZERLAND

The competences are dependent from the municipal and canton borders. However, the cooperation has continued to develop and these borders are no longer be considered as an obstacle.

## ENGLAND, WALES AND SCOTLAND

Yes.

## **II. Civil Service Law**

# 1. Who is entitled to engage persons for the police service?

## Who is entitled to promote or to dismiss police officials?

### GERMANY

The engagement will be carried out by the respective police schools of the single states which are subordinated to the Ministry of Interior of the respective state. Promotions and dismissals are to be carried out by the chiefs of the police administration, such as police presidents and by the police department of the district governments (Regierungspräsident). The Ministry of Interior is entitled to carry out these privileges as to the members of the promoted and higher career and of the chief police officials. (In some European countries these chief police officials are named police officers.)

### BELGIUM

The council of the respective municipality where the police official has been engaged is competent with the permission of the state control (province or Ministry of Interior). It must be noted that the inspector will be appointed by the King on proposal of the council of the municipality, that means due to a list, where two names have to be entered and where a third name can be added by the mayor.

### FRANCE

The ministry of Interior.

### LUXEMBURG

The police officers will be appointed, promoted and dismissed by the Grand Duke, for other police officials this will be done by the Ministry of Public Power.

### THE NETHERLANDS

The police law (Politiewet) has stipulated that several institutions are entitled to engage, promote and dismiss members of the central police, namely:

a) The police officers by the Queen if the Ministry of Justice has proposed such a measure and if there exists an accordance with the Ministry of Interior.

b) The other police officials by the Ministry of Justice.

As to the municipality police, there are valid the following regulations:

1. The chief inspector and inspectors by the Queen when there exists a proposal of the Ministry of Justice and of the Ministry of Interior, after the mayor of the single municipality has been consulted.

2. The other police officials by the mayor.

### DENMARK

The chief of the central police engages the candidate for the police force; the final appointment is possible only after a service of two years with good success. The final appointment belongs to the privileges of the Ministry of Justice; in the same way the Ministry of Justice is obliged to promote the police officials, after it has obtained competent descriptions of the local chief police officials, the police president or of the chief of the central police.

The chief of the central police has the competence to appoint within the payment groups incl. 25 (certain inspectors of police and CID). The Minister of Justice is responsible for the appointment as inspector of police of CID, payment group 31 and 33 as well as vice supervisors, payment group 34, 35 and 36.

The appointment of the chief police officials both in the constabulary and the CID — the Police President of Copenhagen and the chief of the central police included — will be carried out formally by the King, according to the advice of the Ministry of Justice.

### FINLAND

The boards which are entitled to engagements and appointments are the following:

a) The President of the Republic:

Chief of the constabulary.

b) The Council of the State (Government):

Chief and attached chief of the central CID, the attached chief of the constabulary, the chief of the police school, the chief of the mobile police, the police president of Helsinki.

c) Ministry of Interior:

Chief police officials of the police directions and the constabulary and of the central CID and teachers of the police school.

d) The administration of the provinces:

Chief police officials in little towns, the chief of a police station in the province, higher officials of the police directions and other police officials — male and female — in the country.

e) Police Director in the towns:

Police officials in lower ranks (male and female).

f) Chief of the central police office of CID, chief of the constabulary and chief of the mobile police:

In most cases police officials of lower ranks; young police candidates — male or female — may be engaged without a permanent established position.

The privilege to dismiss belongs to the competence of the appointing board. The positions will be occupied by those persons who apply for their engagement. Consequently, the board entitled with the privilege of appointment has the right of promotion.

The presuppositions are as follows:

1. Minor age of life 20 years, the highest possible age of life 29 years.

2. The successful absolution of five classes of a higher school.

3. The candidate must have absolved with success the compulsory military service and must have reached at least the rank of a sergeant.

4. He must undergo a medical examination and found to be healthy and he must be equipped with normal efficiencies to see and to hear.

5. He must have a minimum height of 175 cm.

6. He must have shown a correct behaviour as yet; other abilities to be on duty within the police force must be existent.

In order to be accepted as a candidate of the police school the respective candidate must pass with success a

pre-examination of the police school, where he has to show his abilities in comparison to rival candidates.

#### NORWAY

The candidates will be engaged by the three most important police institutions and they must be accepted by the Ministry. After the accomplished training they will be attached to local police departments. The commission, responsible for the engagement consists of three persons:

The competent police director.

The elected representative of the police trade union.

The representative of the local council of municipality.

This commission is also entitled to promote and to dismiss personnel. When it is necessary to carry out promotion into the highest careers there is a commission which has to propose to the Ministry of Interior the candidates that may be fit for such a job; it is the Ministry which will carry out these promotions.

The most important positions in the career for lawyers (chief police officials) (see II./4.) will be appointed by the King.

#### SWEDEN

The recruitment of all police officials is to be carried out by the central office of the police. Generally, promotions will be carried out by way of a public advertisement of the relevant vacancy; those persons who are interested to obtain such jobs are asked to apply for them. The positions of "extraordinaire polisman", "Polisassistent" with payment group F2 and F4 will be occupied by the "länstyrelse" (the administration of the respective province).

The positions of a "polisassistent/kriminalassistent" with payment group F5 and F6, "poliskommissarie/kriminalkommissarie" and "polissekretare" will be occupied by the "rikspolisstyrelse". The positions of "polisöverintendent", "polisintendent", "polismästare", deputy-province-"polichefer" and province-"polichefer" will be occupied by the Government.

A test with special authorities for appointment which are charged with the occupying of positions, is being executed at the moment. These authorities are occupied with the same number of representatives of the authority and the trade union.

#### SWITZERLAND

Federal State, Cantons or Municipalities.

#### ENGLAND, WALES AND SCOTLAND

The chief officer of police is solely responsible for all appointments, promotions and dismissals. The chief officer of police can only be dismissed for an offence against the discipline code.

## 2. Which training is necessary if a person wants to be engaged by the police force?

#### GERMANY

He must be of German nationality.

He must be ready to defend the democratic constitution,

as this has been stipulated by the constitution (Grundgesetz).

The candidate must be at least 16 years of age, at the maximum 24 years of age (exceptions are permitted).

A body stature of at least 168 cm.

The efficiency to do police service.

A sufficient general education.

He must not be penalized.

A good reputation, economic relations which give not cause to criticism, unmarried; in cases of exceptions it is possible, to engage married candidates.

#### BELGIUM

They can differ from municipality to municipality because the personnel of the municipality of the municipal regulation is subordinated to its own municipality. In general police officials at an age of 21 years (full age majority) will be engaged. There is the tendency to lower the age to be engaged. He has to undergo a general examination for admission where average general knowledge is required. In the area of Brussels and due to language prescriptions no official to be engaged will be nominated who is not able to submit an examination in the second language to the permanent Secretariate of Engagement. Furtheron he must physically be able to do the service of a police official and must submit a certificate of good reputation.

#### FRANCE

A candidate must be a man, special exceptions may be provided by law. He must undergo with success a medical treatment; he has to be able for shift work; furthermore he must have accomplished his military duty or he must prove, that he has been dispensed from this duty in a lawful way. The agreement of the Ministry of Interior is necessary. Body stature of at least 168 cm.

A candidate must fulfill all presuppositions for the examination, before he can be engaged.

With the exception of the ordinary constabularies (gardiens) absolvents of the university of those persons that dispose of the certificates of higher schools of the university.

#### LUXEMBURG

The Minister of Public Power determines the admission of the candidature of the police official. The positive decision depends on the passing of an examination competition. The number of the candidates to be admitted to this examination will be determined in advance by the Minister of Public Power.

In order to participate in this examination competition the candidate must:

- a) Possess the nationality of Luxemburg.
- b) Have absolved with success at least 3 years of a higher school, secondary education (Sekundarunterricht), or an adequate accepted higher education.
- c) Have absolved on day of examination at least 2 years of the voluntary military service and during this time participated in the general educating courses held for the voluntaries by the army.

- d) Have reached at least the rank of a corporal of the army.
- e) Be absolutely healthy. A corresponding attest has to be issued by the Medical Officer.
- f) Have a body stature of at least 1,73 m. In case of recruiting difficulties this minimum can be reduced to 1,68 m for candidates with robust structure of the body.
- g) Be admitted by the Minister of Public Power and that after examination of the personnel file as well as an excerpt from the criminal records and this after a decision of the police director.

#### THE NETHERLANDS

- a) Dutch nationality.
- b) Good reputation.
- c) The candidate must correspond to those claims which have been fixed by the Ministries of Interior and Justice as to mental and physical regard.
- d) Body stature 175 cm (this is not valid for women). As to men there are possible special exceptions with at least 172 cm.
- e) The minor age of entry is 17 years, the highest possible age 25 years.
- f) The candidate must have absolved at least 5 years of a higher school (Diplom der Mittelschule) or he must dispose of an equivalent education. From this regulation a person may differ under the condition, that other efficiencies are able to equalize such shortcomings.

#### DENMARK

The elementary claims for the engagement of a Danish policeman are the following:

- a) body stature at least 177 cm
- b) the age: at least 21 years; the upper limit is 28 years
- c) normal ability to recognize colours
- d) normal abilities to hear and to see without using a pair of spectacles,
- e) sufficient state of health
- f) sufficient physical status and a harmonic building of the body
- g) the person must have been on duty in the army and he must have received good certificates
- h) a generally good education and the ability to write Danish in a correct way
- i) a good reputation and economic relations which cannot be criticized,
- j) he must not be penalized and he has to be of Danish nationality.

#### FINLAND

The conditions are as follows:

1. The candidate must be at least 20 years of age, the highest age is 29 years.
2. He must have attended with success 5 classes of a higher school.
3. He must have undergone his military service and he must have had an instruction for the career of a sergeant.

4. He must be in a condition of good health and he must be able to see and hear without difficulties.

5. Body stature: 175 cm.

6. A correct way of life and the other efficiencies to enter the police force.

Police candidates who want to enter the course of the police school have to pass an examination carried out by the police school which will elect the appropriate candidates.

#### NORWAY

Norwegian nationality, age between 20 and 30 years, at least the candidate must have passed an examination of an intermediate school.

Good physical condition.

Good health.

The body stature has to be at least 178 cm.

The candidate must have served in the army.

A good reputation.

#### SWEDEN

He must be of Swedish nationality.

The candidate has to be at least 19 years of age. The civic attitude of the candidate shall be of such a manner that it can be supposed that he does his service conscientiously.

He must have a good reputation, must be reliable, must have a healthy power of judgement and a cool temperament.

For the service he must have a sufficient general education.

He must have a physically suitable structure of the body and a body stature of at least 1,75 m (male candidates) and 1,65 m (female candidates). He must have absolved his military service (male candidates).

The education level of 1975 can be taken from the following schedule. Out of 2.675 candidates 731 (28%) were engaged.

School leaving examination / Grammar school/University	41,1 %
Technical School/High School Certificate	25,6 %
High School/at least 2 years of University Extension	11,9 %
Professional School of the police	7,4 %
Other kind of education	0,4 %

Every police training will be considered as "postgymnasial" (that means after having left the grammar school).

#### SWITZERLAND

He must be of Swiss nationality.

He must have absolved his duty in the military forces. (He must have finished the elementary military training).

The candidate has to be at least 20 years of age; however it has to be observed that the year of entry has been regulated as to cantons. In Basel it is ranging from 22 to 28 years. In the cantons of the French Swiss police candidates will be engaged with the age of 20 years. The body

stature differs from canton to canton, too. (For example Basel at least 173 cm). In other cantons there will be enrolled persons with a body stature of 170 cm and – very often – beneath this limit.

In case of Swiss nationality he will be engaged in the picked troop of the Swiss Army

- if at least being 20 years of age
- having an excellent reputation and moral
- having sufficient body stature
- and disposing of a sufficient general education.

For the service of the CID (in civil) the knowledge of 2 languages, but it is much better to know 3 languages, is presumed.

#### ENGLAND, WALES AND SCOTLAND

A candidate for appointment to a police force must have satisfactory references as to character and if he has served in any police force or armed forces or in the civil service or as a seaman, to produce satisfactory proof of his good conduct while so serving. The candidate must have attained the age of 18½ years and must not have attained the age of 30 years unless the candidate had previously whole time service in the armed forces or previous service as a seaman when 40 years will apply.

A special dispensation is given to the Chief Constable to appoint a candidate outside of the requirements. The candidate must also be certified as medically fit by a registered medical practitioner approved by the police authority and for the height measurements for male of 172 cms and for female 162 cms. A candidate must also take a standardised entrance test in reading, writing and simple arithmetic and required to give such information as to his previous history or employment or any other matter relevant to his employment to the police service.

### 3. Is it possible to say anything concerning the necessary education of a police candidate?

- a) Which institution is responsible for the necessary expenses?
- b) Which time is necessary for this training?
- c) Will this training be carried out in a special police school in a single and uninterrupted course?
- d) Is there any obligation for the police candidate to dwell in the police school, if he receives an apartment? Is this measure combined with any reduction of his salary?

- e) Is the police official obliged to undergo additional courses before he can start the work destined for him (such as squads) and how long?
- f) Is it possible to describe which courses the police official has to attend after the end of his training?

#### GERMANY

- a) The single state.
- b) Three years.
- c) Yes. For the duration of one year of fundamental training (Grundausbildung). Then are following two years of service time within the squads (further training).
- d) Yes, the police candidate is obliged to live in the police barracks. Generally he has to pay a rent between DM 12,- and DM 15,- per month.
- e) After a fundamental training of the duration of one year absolved at the respective police school of the single state, there follows an additional training for two years within the squads; in that way, the training as a whole will have the duration of 3 years.
- f) After the end of a training of three years the respective officials have to attend still further courses. To go into details: they have to attend for each "career" one course. The courses will be finished by an examination. The successful attendance of this examination is the presupposition for further promotion of the respective police official.

#### BELGIUM

The police cadets do not receive a previous education. Only the candidates have to undergo an education which is subordinated to the local municipality administration. There is no central police school. Some cities have a little school for the education of the candidates.

#### FRANCE

- a) The expenses will be paid by the Republic.
- b) 6 months police school and one year special training for the constabulary (gardiens).  
One year police school and one year special training for „officiers de paix“.  
Six months police school and one year special training for the "officiers de police adjoints".  
One year police school and one year special training for the chief police officials (commissaires de police).
- c) The answer is affirmative as to the attendance of the police school; during the special training there exists no obligation.
- d) There is the possibility, but there exists no obligation.
- e) No.
- f) For young police officials when re-educating or new candidates for the promoted service.

## LUXEMBURG

- a) The state.
- b) Three years
- c) Apart from the general educating courses which are participated by voluntaries of the army, the police cadet receives during his military service a special training of 1 year in the constabulary – and police school. Thus the duration of the education will run up to 3 years.
- d) The police cadet is subordinated to the army regulation. He is obliged to live in the barrack. His pay will not be reduced.
- e) No. The duration of the voluntary service in the army (3 years) will be considered as qualifying period.
- f) No. But there exist preparation courses for the promotion examination. The participation is optional.

## THE NETHERLANDS

As before the questions a) to f) will not be answered question to question, but as an entity.

Before the police candidate may start his career as a member of the central or of the municipality police, he is obliged to undergo a special education within one of the existing police schools with success. The fundamental training will have a duration of one year. Having passed this training with success, the candidate (male or female) has to pass an examination. If he (or she) passes the examination the person concerned obtains the „diploma of police“, which is a public diploma and he (or she) will be engaged as a constabulary of the central or of the municipality police. There are the following special training schools:

1. Training for the central police at Arnheim and Horn.
2. As to the municipality police it has to be observed that the large towns of Amsterdam, The Hague and Rotterdam dispose of their own police schools. The other municipalities which dispose of own municipality police forces have regional schools at Bloemendaal, Heerlen, Lochem and Leusden.

The police schools of the central police at Arnheim and Horn and the police schools of the municipality police at Amsterdam, Heerlen, Lochem and Leusden are separated institutions (boarding school). The police candidates of the other schools will be – if it is necessary – sent by the chief of the school to special private pensions.

When he has been accepted by one of the police schools, the candidate will be engaged as an „Adspirant“ of the central or of the municipality police. He has to absolve a qualifying period of two years. Beginning with the 1st of January, 1970, he receives a salary, distinguished as to the following ages:

In the age of 17 years	Gld. 1.112,-/month
In the age of 18 years	Gld. 1.164,-/month
In the age of 19 years	Gld. 1.277,-/month
In the age of 20 years	Gld. 1.389,-/month
In the age of 21 years	Gld. 1.502,-/month
In the age of 22 years	Gld. 1.522,-/month
In the age of 23 years	Gld. 1.692,-/month
In the age of 24 years and above	Gld. 1.751,-/month

These sums are changing regularly with the other changes of the salaries of the police.

The training is combined with no expenses. According to the regulation valid for the whole civil service, those persons, which live in a boarding school have to pay a reduced sum for dwelling and nutrition.

After the special training in that school and after having passed the examination and obtained the police diploma, the police candidate will be promoted to be constable of the central or of the municipality police. Then follows the practical training under the supervision of a tutor. The necessary time is depending on the age of life. If a young policeman becomes 21 years of age he is allowed to carry out his duties independently. If he may carry out his duties sufficiently he will be promoted – without other examinations – to the next higher position. After 5 years service as constable of the central or municipality police he will be promoted to the constable 1st class of the central or municipality police.

In order to be promoted into the next higher ranks of the central or of the municipality police there is necessary a further detailed training and the respective official must dispose of the police diploma B. Furthermore it is necessary that the respective person is fit to carry out the interesting position.

### The training of Chief Police Officials

In order to enter one of the higher ranks of the police, there is necessary a higher general training in comparison to the lower ranks. As example may be mentioned the final examination of a higher school („NAVO“). If a person has passed the final examination, he (she) is entitled to study at the police academy at Apeldoorn. These studies have the duration of at least three years and it is possible that they will be prolonged in the future.

This police academy, too, is a boarding school.

The students of this academy obtain certain allowances.

The relevant payment amounts to Gld. 600,- per year.

### Further training

Apart from the above named fundamental training there are existing still more courses and schools to improve knowledge of the police official. For example there is a school for special central police force at Arnheim and a special school for the municipality police at Hilversum.

Apart from these institutions there is a special school for the CID at Wolfheze near Arnheim and traffic police schools for the central and for the municipality police, where those officials who have to do service in the traffic police or CID receive a special training as to the necessary matters.

All other trainings, too, are combined with no expenses for the officials concerned and they will be carried out during the time of duty.

In order to instruct chief police officials there exists a special academy at Heelsum; here are to be discussed – other questions apart – general problems and developments of society, etc.

## DENMARK

- a) The country.
- b) Three years.
- c) Three different courses will be carried out during the first three years after the respective official has been engaged by the police force. These three courses have a duration of 11 months. In the meantime there has to be

carried out the practical training in a greater police station or within the scopes of the squads of Copenhagen.

d) No, the police candidate cannot dwell in a police school.

e) After a fundamental training of three years the police official has to do normal service within the police forces; but before his 6th year of service has ended, the training for police service will be finished by another course in a police school, which has the duration of 22 weeks.

f) After the end of his training in police matters and after having been on duty for 6 years, the official may be — on his own request — transferred to the CID or to the civil police (Zivilpolizei). After he has carried out his duty of 12–14 years, he may enter the service of the Gendarmerie (Landpolizeidienst) on his request. After he was changed to the above named career he must attend further courses which will have a duration of nearly 12 weeks in a police school.

After he has been promoted to be police or criminal inspector (Polizei- oder Kriminalinspektor) he has to attend another course in a police school, which has a duration of 11 weeks.

Police and criminal inspectors (Polizei- und Kriminalkommissare) who are the chiefs of police stations or who dispose of other responsible functions, have to attend a special course at a police school with a duration of 4½ weeks.

Apart from the mentioned courses there will be carried out special courses in the single police schools with a shorter duration. It is intended that all police officials, who cannot be promoted or who cannot be singled out for a special service, should attend such a course at least at each 8th year. Police officials with more than 55 years of age, however, are not obliged to attend these courses.

#### FINLAND

a) The country.

b) The course for candidates will be 3½ months.

c) Yes.

d) Yes. There is nothing to pay for free living.

e) No.

f) Apart from the course for candidates there will be carried out in the police school the following courses:

Course for the intermediate careers (sergeant career) 5½ months.

Course for the promoted careers (inspector career) 5½ months.

Course for chief police officials 5½ months.

Apart from this regular training of police forces, there are carried out special courses.

#### NORWAY

a) The country is responsible for all expenses.

b) The training has the duration of 2 years.

c) It is possible to divide the time of training as follows:

One month local police school.

11 months normal police service under supervision and without special privileges.

10 months police school in Oslo.

d) During the last 10 months the police candidate has to dwell in the police school. He receives his salary, Nkr. 250,— however, he has to pay per month for his lodging.

e) The official has to carry out his service immediately after he has passed his examination at the police school.

f) There do not exist any obligatory courses. Courses with the aim of promotion after nearly 15 years and several special courses on voluntary basis may be attended if this is wanted.

#### SWEDEN

a) The country.

b) The fundamental training comprises 41 weeks with 35 hours weekly. The training is changing both theoretically and practically. After having passed the fundamental training follows a practical service of 2 years under supervision in different sections within the police district.

c) The fundamental training has a duration of 41 weeks and is carried out in a police school.

d) No. The police school is contemporarily not able to lodge the police candidates.

e) No. After the fundamental training and the practical service the police official is competent to exercise his duties independently.

f) "Assistent"-course (10 weeks) can be carried out 5–7 years after having finished the fundamental training.

"Inspektörs"-course I (13 weeks) after having been promoted to the "inspektör".

"inspektör"-course II (8 weeks) after the promotion to the "inspektör" on duty.

"Kommissar"-course (15 weeks) after the promotion to the "kommissar".

A special training in form of shorter courses is also carried out by the police schools. Local and regional courses are to be carried through, too. They are destined for the purpose of recapitulation and for further instruction.

#### SWITZERLAND

The training of the candidates is regulated on the level of the municipalities, the cantons and the Federal State.

On the level of the municipalities there are organizations which have founded police schools where the theoretical training has a duration of one year as well as a practical year and which, in case of successful examination, issue a certificate. Certain cantons have traditional police schools where the duration runs up to 6 months till 1 year. However, the principle of police school with a duration of 3 years succeeds.

The possibility to join this school is offered to young people in the age of 17 years. The first year comprises general training, the second year general and administration training and the third year especially training for the police service.

On the level of the Federal State the Swiss Police Institute organizes and founds two different kinds of schools: first with a duration of 3 months, connecting theory and practice and homogeneously treating the general foundation on the basis of the Federal State and secondly the police school as described for the cantons with a duration of 3 years and about divided in the same way as described above.

- a) The cantons or the municipalities.
- b) This differs between 6 months and one year.
- c) That differs corresponding to the cantons or municipalities.
- d) The candidate does not need to live in the school.
- e) After the special police school instruction the police candidate will directly take over his job.
- f) That differs corresponding to the department.

#### ENGLAND, WALES AND SCOTLAND

The cost is borne by the local authority with a 50 % grant from Central Government. Every probationer is regarded as being in training for the whole of the term of his two years' probation.

Training within forces falls into two main categories:

a) General Training which all police officers of appropriate rank should receive at recognised stages in their career, e.g. refresher courses and courses for newly promoted officers and,

b) specialised training required by some, but not all, officers e.g. detective training and training for dog handlers,

c) Probationer Training:

- Stage 1 (10 weeks): Basic training at District Training School (residential)
- Stage 2 ( 1 week): Local Procedure Course
- Stage 3 (16 weeks): Working of town beats in company of senior constable
- Stage 4 ( 2 weeks): Attachment to Traffic Patrols
- Stage 5 ( 2 weeks): Attachment to Divisional Headquarters
- Stage 6 ( 2 weeks): Attachment to Divisional CID
- Stage 7 ( 6 weeks): Working on rural beats in company of senior constable
- Stage 8 ( 1 week): Headquarters CID
- Stage 9 ( 1 week): Headquarters administration
- Stage 10 ( 2 weeks): Continuous training at District Training School (residential)

## 4. Are there different careers?

#### GERMANY

The career of a police official is a unitary career. That means: The official is to be engaged into the lowest position of the police service and he is able according to his efficiency, to his performance and to his other qualities to be promoted into the other higher positions. Absolvents of the elementary schools, absolvents of intermediary schools and persons, who have passed the final examination have the same chances. The official positions are: the intermediate career (A 5 – A 9), the promoted career A 9 to A 13 and the higher career (A 13 and above).

Recently, several single states render possible for the CID that candidates with adequate education can directly be engaged into the promoted or higher police service. That is called „Seiteneinstieg“.

#### BELGIUM

In general, the candidate begins with the career of an „agent de police“ as every police force is autonomous. He may be admitted to different careers of the subordinate personnel according to the local regulations. He may be promoted to the „officier de police“ (this means the assistant inspector to the chief police official) in his own police unit after having received a qualification certificate for the duties of a police officer. Certain police units directly engage police officers without making use of the local subordinate staff.

#### FRANCE

If a police official is a steady official, he may be admitted to all careers of the central police. Of course under the condition that he has passed with success all necessary examinations for the several positions.

#### LUXEMBURG

There exist two careers. The career of the officers and the career of the corporals.

#### THE NETHERLANDS

In the Netherlands there exists as to the police officials no unity career.

If an official is to be engaged into lower ranks, a certificate of an intermediary school may be regarded as sufficient. If a person wants to be engaged into a higher service, there is necessary a better general education and the diploma of the police academy which has been mentioned in connection with question 3.

#### DENMARK

In the Danish police there exist two careers. There is one career for personnel without any juridical examination and another career for personnel with such an examination.

Police candidates without any juridical training will be engaged in the lowest group of salary and it is possible to promote them to a chief sergeant (Payment groups from 6 to 36).

Candidates who have absolved a juridical examination may be able to obtain positions as police directors or local police directors, who belong to the payment groups 16 to 38. They are not obliged to undergo the general training for policemen.

Only the above mentioned juridical examination gives any privilege within the Danish police.

#### FINLAND

Having absolved every necessary courses of the police school, such as courses for candidates or courses for the middle, for the intermediate and for the higher career, it is possible for every official of the Finnish police to become a police director in a middle town or a secretary of a police direction, or he may become an assistant director (in Finland, there exist at this time three directors). Furthermore such a candidate may be appointed to an instruction officer or another higher police official.

The ability to carry out the duties necessary for the positions which are listed under II./1. a)–b), is proved by a final juridical examination of a university. The same pre-

supposition is needed for the position of the chief of a police station in the province and of the assistant member of the district government.

The juridical final examination enables an official to get those positions that have been described in the first paragraph, provided that the candidate is familiar with all matters of police service. In practice this means the attendance of a course for the higher service of a police school.

#### NORWAY

It is possible to be appointed as a police director, if the respective person has passed a juridical examination. Candidates of the intermediate career have to prove that they have passed the respective examination.

The latter mentioned two careers have recently been changed from civil service to normal employment without altering the presuppositions for the training.

#### SWEDEN

As a matter of principle the "polissekretare", "polisöverintendenten", "polisintendenten", "polismästare", assistant province - "polischefer" and province - "polischefer" must have passed a juridical examination. There are special engagement, training and promotion regulations for them.

#### SWITZERLAND

Different careers.

#### ENGLAND, WALES AND SCOTLAND

A candidate is open to all careers in the police service.

### 5. Which regulations exist concerning the promotion into higher positions or careers?

#### GERMANY

The presuppositions for promotions are regulated in the prescriptions for careers (Laufbahnvorschriften). In order to be promoted from career to career (see No. 4) it is necessary that an official has passed the necessary courses. These courses have a duration of 4 months for the middle service; they amount to 6 months if a person wants to enter into the intermediate service. If an official has the intention to become an official of the higher service, he has to pass a course of 24 months.

#### BELGIUM

Always in accordance with the local regulations which can differ from municipality to municipality. In order to become police officer it is absolutely necessary to have a qualification certificate for the rank of an officer. This qualification will be issued either by a central jury of the Minister of Interior or due to courses absolved on a provincial police school for officer candidates. The candidate must have a diploma of intermediate instruction of the higher rank or police official with a 4 years' age of service in a police authority

and pass an examination, before beginning the courses with a duration of 2 years to obtain the certificate of an officer. If a candidate will be appointed to an assistant inspector in a municipality he must have run through all other hierarchical ranks in his own municipality without further examination.

As to the subordinate personnel and due to the last pecuniary status which will generally be used in every large municipality, the police official automatically obtains the payment of an "agent - brigadier" after 2 years and that of an "agent - inspecteur" after 12 years. The promotion to a police inspector and special police official (the top rank of the subordinate hierarchy) is generally carried out after a local examination.

#### FRANCE

Yes. Either by the way of examination or by the usual career.

Two possibilities:

- due to course and examination
- due to promotion

Furthermore there are extraordinary promotion possibilities as e.g. by special feats, if the official has endangered his life.

#### LUXEMBURG

The promotion to a "brigadier" and to a "brigadier-chef" will be carried out 3 resp. 6 years after the appointment to the "agent". A successful promotion examination is the condition for the promotion to the rank of an "inspecteur", an "inspecteur-chef" and a "commissaire".

In order to participate in this promotion examination the candidates must have successfully passed the engagement examination since at least 10 years.

The instant of promotion to the 3 afore-mentioned ranks depends on the legal determined permanent established posts to be occupied.

The free career has not yet been realized.

#### THE NETHERLANDS

The presuppositions to be promoted - and this includes the ranks of the officers - are regulated by a Royal resolution which is called "Besluit Bekwaamheidseien Bevoordering Politie".

#### DENMARK

For vacant positions will be inserted. Officials who have not the juridical examinations are able to reach positions up to the end of the intermediate career. Officials who have passed the juridical examination are entitled to those positions, where these examinations are necessary.

Promotions will be carried out to the higher rank. After the promotion the official has to visit a special course of a police school.

#### FINLAND

All vacant positions of the police, with the exception of the chief of the constabulary, will be open for application. The conditions of ability:

- a) a course for police candidates:  
younger policeman
- b) a course for the middle service:  
older policeman
- c) a course for the intermediate service:  
sergeants (Oberwachtmeister)
- d) a course for the higher service:  
police directors of the middle and of the less important towns.

See point II./4.

#### NORWAY

In order to obtain a position in the higher careers, it is necessary to be a lawyer (see II./4.). Generally, for the promotion there is necessary a special experience as to the exercised duties. The positions of the police inspectors and above up to the top will be occupied according to the principle of interior competition.

#### SWEDEN

There have been given orders by the central office of the police (rikspolisstyrelsen) concerning the fixing of the age of service, the testimonials and the issuing of certificates. The promotions will be carried out to the income (calculated due to a point system according to the age of service and present function) and ability (expressed by a certificate scale with 5 grades). In the "assistent" — ranks the age of service is of great importance. In the higher ranks, however, the specific abilities play an important part.

#### SWITZERLAND

The promotions will be carried out according to necessity, competence and experience.

#### ENGLAND, WALES AND SCOTLAND

A sergeant to be qualified for promotion to the rank of inspector must:

- a) have obtained a pass in the sergeants' qualifying examination and
- b) have completed two years service in the rank of sergeant.

### 6. Which presuppositions are necessary for promotion?

#### GERMANY

According to the presuppositions, which have been mentioned under No. 5 promotions will be carried out exclusively as to ability and efficiency. In special cases there are necessary certain years of service.

#### BELGIUM

The conditions are different and they are fixed in the local status of the municipalities or specially originated regulations in case of political necessity.

#### FRANCE

For the promotion into higher careers or in the "Corps supérieur", see afore-mentioned article.

#### LUXEMBURG

See point II./5.

#### THE NETHERLANDS

a) Promotions within the lower ranks both in the municipality police and in the central police will be carried out as to the respective abilities; furthermore, it is necessary to dispose of a police diploma.

b) For promotions into the middle ranks of the central and of the municipality police there are necessary at least a police diploma and 5 years of service within the lower ranks.

c) For promotions into the rank of brigadier in the municipality police or chief sergeant — major in the central police it is necessary to possess the police diploma "B" apart from the ability for the new function, and at least 10 years of service and he must have absolved the cadre school.

d) For promotions into the higher ranks of the municipality police and the central police — police officers are not regarded — it is necessary to have the police diploma B and to have been on duty for at least 14 years, the necessary ability not concerned.

In order to become a chief police official (police officer), the presuppositions to be promoted are fixed in a Royal resolution.

#### DENMARK

For officials without any juridical examination it is usual to have done police service for at least 10—14 years before they will be promoted for the first time. Furthermore, these promotions will be carried out as to efficiency and ability.

#### FINLAND

See point II./4. and II./5.

#### NORWAY

See question II./5.

#### SWEDEN

See point II./5.

#### SWITZERLAND

The presuppositions to be promoted differ from canton to canton (see point II./5.).

#### ENGLAND, WALES AND SCOTLAND

Subject to minor reservations, promotion from one rank to another rank is by special selection.

#### Additional remarks

Apart from the normal courses and promotion procedure, there exists a system of higher training. The Police College is the centre for all higher training and the courses held at the College are described below:

#### Command training part I (13 weeks)

This course is open to all recently promoted superintendents.

#### Command training part II (6 months)

This course is open to superintendents who have previously attended the Part I course of command training.

#### The inspectors' Course

This course trains newly promoted inspectors for the responsibilities of their new rank and for those of chief inspectors.

#### The special Course

The object of this course is to produce leaders of the right calibre from within the ranks of the Service, and to give students a working knowledge of the various aspects of police duty and, in addition, to provide a wider educational content with a view to stimulating a broad and liberal outlook.

Once a constable has passed the qualified examination for promotion to sergeant, he is, subject to age and length of service, eligible for a Special Course.

Officers successfully completing the course have their promotion to sergeant made substantive and subject to their outside duties of a sergeant to the satisfaction of their chief officers, are promoted to the rank of inspector. Bramshill Scholarships

A number of University places, known as "Bramshill Scholarships", are awarded annually to outstanding students on the Inspectors' and Special Courses.

#### Graduate Entry

A graduate entry scheme exists which is geared to the Special Course at the Police College. Instead of waiting until he has been in the service for two years before being considered for the Special Course, the graduate may be considered before he commits himself to joining the Police. The graduate under 30 years of age may apply to join the police service under the graduate entry scheme. The chief officer of the course which the graduate wishes to join will, after interview and medical examination, decide whether or not to offer the applicant a place. A successful applicant, after completing his two years' probationary period and passing the qualified examination for promotion to sergeant, must satisfy the Special Course Final Selection Board that he is showing the potential he was credited with on joining. He then attends the Police College.

## 7. What names exist for the police ranks in your country?

### GERMANY

See summary of question 7 and 8 under 8.

### BELGIUM

Subordinate personnel:

"Agent", "Agent brigadier", "Agent inspecteur", "Inspecteur", "Agent spécial".

Officer personnel:

"Commissaire adjoint", "Commissaire adjoint inspecteur", "Commissaire adjoint inspecteur, sous-chef de service",

"Commissaire de Police", "Commissaire de Police en Chef" (only in municipalities where there are several authorities for "Commissaire de Police").

It goes without saying that these ranks are not existing in every municipality but only in larger towns and municipalities.

### FRANCE

Rank	Tasks	Number	Index brut
"Gardiens" and "Sous-Brigadiers"	The prevention of all kinds of crime, the security of persons and their property, the securing of tranquillity, and of the public order in all towns and under all circumstances	62.000	218— 420
"Brigadiers" and "Brigadiers-chefs"	These officials have the task of a "gardien de la paix": It is possible to give them special orders.	13.000	365— 455
"Officiers de paix"	They have to give orders to the units of the "gardiens de la paix"	732	377— 536
"Officiers de paix Principaux"	They have to give orders to the units of the "gardiens de la paix"	583	551— 582
"Commandants"	They have to command and to control the personnel	179	550— 635
"Commandants principaux"	They have to command and to control the personnel	152	635— 735
"Commandants de groupement"	They are responsible for all ranks	29	735— 950
"Inspecteur de police"	He has to support the CID in cases of inquiries, investigations and control	8.300	278— 554
"Inspecteurs principaux"	There are tasks which have to be exercised by the CID in accordance with the penal law		426— 579
"Inspecteurs divisionnaires"	They have to supervise the personnel in accordance with the tasks of the CID		579— 705
"Commissaires de Police"	They have important responsibility for juridical and administration matters	1.100	445— 705
"Commissaires Principaux"		650	705— 885
"Commissaires Divisionnaires"		200	885—1000

### LUXEMBURG

Agent  
Brigadier  
Brigadier-chef  
Inspecteur  
Inspecteur-chef  
Commissaire  
Lieutenant  
Lieutenant en 1er  
Capitalne  
Major  
Directeur

### THE NETHERLANDS

Central Police	Municipality Police
1. Adspirant	Adspirant
2. Wachtmeester	Agent
3. Wachtmeester 1e klasse	Hoofdagent
4. Opperwachtmeester	Brigadier
5. Adjutant	Adjutant

6. Adspirant Officier	Surnumerair
7. Officier 2e klasse	Ambtenaar 3e klasse (Inspekteur)
8. Officier 3e klasse	Ambtenaar 2e klasse (Inspekteur)
9. Officier 1e klasse m. zelfst. commando	Ambtenaar 2e klasse (Hoofdinspekteur)
10. Dirigerend Officier 3e klasse	Ambtenaar 1e klasse (Hoofdinspekteur)
11.	Ambtenaar 1e klasse (Commissaris)
12. Dirigerend Officier	Hoofdambtenaar 3e klasse (Commissaris)
13. Dirigerend Officier 1e klasse	Hoofdambtenaar 2e klasse (Commissaris)
14.	Hoofdambtenaar 2e klasse (Hoofdcommissaris)
15. Inspecteur-Generaal	Hoofdambtenaar 1e klasse (Hoofdcommissaris)

#### DENMARK

Betjent pa prøve	Police candidate
Politibetjent	Constable
Kriminalbetjent	Criminal Sergeant
Overpolitibetjent	Super police sergeant
Kriminaloverbetjent	Criminal super sergeant
Politiassistent 2	Police Inspector 2
Kriminalassistent 2	Criminal inspector 2
Politiassistent 1	Police Chief Inspector
Kriminalassistent 1	CID Chief Inspector
Vicepolitikommissaer	Deputy of the police superintendent
Politikommissaer	Police superintendent
Kriminalkommissaer	Superintendent of the CID
Politiassessor 1	Police assistant 1
Politimester	Police director
Politidirektør i København	Police president of Copenhagen
Rigspolitichef	Chief of the central police

The constabulary is divided into two almost independent branches, into the civil police and into the gendarmerie. In these branches there are the following positions: civil constable, civil super constable, civil police commissioner, constable of the gendarmerie, super constable of the gendarmerie and commissioner of the gendarmerie.

#### FINLAND

Within the Ministry of Interior:

The Chief of the Police of the country, The Police Super Inspector, the Chief of the Bureau of the Police Administration.

Within the Administration of the province:

the Police Inspector and the adjoint Police Inspector

Within the General Police:

Police Director, Assistant Police Director, an Intermediate official competent for a district, a Secretary, a Chief of the Department within the CID, an Assistant Chief of the Department within the CID, the Chief of the Traffic Police, the Assistant Chief of the Traffic Police, an Officer for instruction, the leader of the Social Department, the Super Commissioner, the Commissioner, the Chief of the recogni-

tion service, Super Constable, older Constable, younger Constable, female Constable.

Within the Constabulary:

Chief of the Constabulary, Assistant Chief, the Chief of the bureau, Inspector, Super Research Official, Research Official.

Within the Traffic Police:

Chief, Officer of instruction, commissioner, Super Constable, older Constable, younger Constable.

In the realm of the Police School:

Police instructor (Chief and teachers of the Police School are no officials of the police service).

In the realm of the institute of police dogs:

The Leader and the trainer.

#### NORWAY

Official ranks for persons, who have not passed any juridical examination:

Politikonstabel	Constable
Politioverkonstabel	Super Constable
Politibetjent	
Politibetjent I	
Politibetjent saerklasse	Police Inspector
Politiførstebetjent	First Police Inspector
Politiførstebetjent	
Politiavdelingsjef	Chief of a Department or of a Police Station

Official ranks for persons who have passed a juridical examination:

Politifullmektig	Police Attorney
Politiadjutant	Police Adjutant
Politiinspektør	Police Inspector
Politimester	Police Director

#### SWEDEN

Extra polisman  
extra ordinarie polisman  
polisassistent/kriminalassistent  
polisinspektör/kriminalinspektör  
polis-kommissarie/kriminalkommissarie  
polis-sekreterare  
polisintendent  
polisöverintendent  
polismästare  
biträdande länspolischef  
länspolischef

#### SWITZERLAND

The ranks are conform to those of the army. Therefore there exist the following ranks:

"Agent" or "Gendarme", "Appointé" or "Sous-brigadier", "Caporal" or "Brigadier", "Sergent", "Sergent-Major", "Adjudant", "Lieutenant", "Premier-Lieutenant", "Capitaine" "Major", Lieutenant-Colonel, "Colonel" or "Déetective" or "Inspecteur", "Déetective appointé" or "Sous-Brigadier", "Déetective Caporal" or "Brigadier", "Déetective Sergent" or "Inspecteur Principal", "Déetective Commissaire" or "Commissaire", "Chef de Corps".

ENGLAND, WALES AND SCOTLAND

Chief Constables, Deputy Chief Constables, Assistant Chief Constables, Chief Superintendent, Superintendent, Chief Inspector, Inspector, Sergeant, Constable.

The metropolitan police and some other forces have additional ranks e. g. Commanders.

8. Would you be so kind to describe the different positions and activities?

GERMANY

Career	Rank	Group of payment	Rank
Mittlerer Dienst	Polizeiwachmeister (official who undergoes his training)	A 5	
Intermediate Service	Polizeioberwachmeister (leader of a group, trainer for the squads)	A 5	
	Polizeihauptwachmeister (official in a police station, regulation of traffic etc.)	A 6	
	Polizeimeister (see above)	A 7	Kriminalmeister (official for investigation)
Gehobener Dienst (Promoted service)	Polizeiobermeister (leader of a police patrol, official of a section)	A 8	Kriminalobermeister (referee of CID)
	Polizeihauptmeister (see above)	A 9	Kriminalhauptmeister (see above)
	Polizeikommissar (shift leader, Chief of little police stations)	A 9	Kriminalkommissar (see above)
	Polizeioberkommissar (see above, section leader)	A 10	Kriminaloberkommissar (see above, chief of CID stations with minor importance)
	Polizeihauptkommissar (chief of police stations which have between 30 to nearly 100 officials. Chief of a group of 100 officials within the squads)	A 11 A 12 A 13	Kriminalhauptkommissar (see above, chiefs of CID inspections)

Höherer Dienst  
(Higher service)

Polizeirat  
(chief of police stations with more than 100 officials)

A 13

Kriminalrat  
(Chief of several CID inspections)

Polizeiberrat  
(Chief of police stations with 200 and more officials)

A 14

Kriminaloberrat  
(Chief of the CID of a town)

Polizeidirektor  
(chief of the constabulary)

A 15

Kriminaldirektor  
(Chief of the CID, chief of the CID office of a state)

A 16

Inspekteur der Polizei  
(he has to supervise the whole police force of a single state)

B 3

Inspekteur der Bereitschaftspolizei der Länder beim Bund  
(the highest police official of the squads)

B 5

B 6

Vizepräsident des Bundeskriminalamtes  
(Vice-president of the Federal office of the CID)

B 9

Präsident des Bundeskriminalamtes  
(President of the Federal Office of the CID)

BELGIUM

All municipal police officials have doubled tasks: the preventive and the penal one. Concerning the prosecuting police, that means in practice the establishment by record of the different offences, the competence of the recording clerk is regulated for every case. Every police official has the legal right to record officially.

The police official with subordinate rank may record officially in certain cases, such as traffic matters.

As summary one can say that the subordinate police can be generally charged with the supervision of public ways and the establishment of offences, whereas the task of the police officers is limited to recording officially the offences, established by the subordinate personnel as well as to fulfill all these tasks which are in connection with the Royal prosecutor, the public prosecutor, the examining magistrate etc.

FRANCE

See point II./7.

LUXEMBURG

The main tasks of the police officers are of administrative character. The other members of the police forces do their service in the general police service.

## THE NETHERLANDS

1. The police candidate (aspirant) of the central police and of the municipality police is an official who has still to undergo his training.

2./3. The constable (Wachtmeester and Wachtmeester of the central police 1st class) and the constable (Agent and Hoofdagent) of the municipality police may be ordered to carry out all tasks in the matter of police. Officials in these careers have to be on duty within the police control service, within the traffic supervision, within the CID and within all other specialized branches.

4. The sergeant (Opperwachtmeester) of the central police is the commander of an independent police station. The sergeant of the municipality police (Brigadier) is a shift-leader within a police station or within the service of the CID.

5. The "adjutant" of the central police has the tasks to give orders to a special group of the central police.

The "adjutant" of the municipality police may be regarded generally as a deputy chief of the department "personnel" of the police station.

6. An aspirant of the police career within the ranks of the central police and the "Surnumerair" of the municipality police are ranks for higher officials to be trained.

7. The officer of the 2nd class is a chief of a police district. The officer of 3rd class (inspector) of the municipality police has to lead and supervise the police of one department in larger towns in a limited way. In smaller towns, it may belong to their tasks to lead independently a department or he may even have got the position of a deputy of the chief of the police.

8./13. The officer 1st class is regularly the inspector (in chief) of a whole province.

The officers of 1st, 2nd and 3rd class are able to exercise the following tasks as to the importance of the respective town: commander of a police department, chief of a police station, chief of a special police unit.

14./15. The general inspector of the central police is the chief of the whole central police. The officers of 2nd class (chief commissioner) are the police chiefs within the middle towns. The chief police officials of the municipalities are the chiefs of the respective police within a single larger town.

## DENMARK

Police candidates are carrying out ordinary police service under the supervision of more experienced police officials, if they are not undergoing a course of a police school.

Police constables and sergeants are doing their service within the ranks of the constabulary and they have to cope with all interesting affairs. Furthermore, they have to do control service and are engaged as to the regulation of the traffic.

CID sergeants and CID super sergeants have to treat all affairs of crime; however, they have to carry out control service.

In larger towns the constabulary disposes of departments of the police service which are not too great in scope. They have to tackle all matters of civil character, for example, affairs within the reach of personal and family rights, matters of health, and all matters of moral.

Apart from the larger and smaller towns, the country is divided into districts, where one respective gendarme is competent; he has to live in this district and he has to do his service there, of course, he is not competent for capital crimes.

Police inspectors (Polizeikommissare) have to do their service as chiefs of the police stations in rather little police stations and they are chiefs of departments in larger ones. In police stations of an intermediate character they are shift-leaders and in the more important police stations they are deputies of the shift-leaders. They have to partake of the training of the police candidates and they have to control the district of the respective police station.

In general "Kriminalassistenten II" normally do the general service, but they also handle more complicated matters.

"Politassistenten I" have the function of a chief in smaller police stations, the function of an assistant in smaller districts and the function of a "commander of the guard" in medium-sized or larger districts.

"Kriminalassistenten I" have the function of a chief in smaller districts, the function of an assistant in medium-sized and larger districts and the function of a chief of department in larger districts.

CID Superintendents and their deputies are chiefs of the CID in large police stations. There exist, too, several CID Superintendents who are attached to the administration of the chief of the central police or to the police of Copenhagen who are chiefs of single departments.

First Superintendents (Polizeioberräte) are doing their service as chiefs of the single departments within the administration of the central police or within the police of Copenhagen.

Chief police officials who have passed the necessary juridical examinations do their tasks mainly in the function of public prosecutors, furthermore they are collaborators of the local police directorates and the local police presidents.

Vicepolitinspektører have the function of a chief in the largest district of the Constabulary and the CID, the function of a chief of department in greater departments in Copenhagen and the function of a chief of department with the chief of central police.

Police directors will be found only within the administration of the central police and within the police of Copenhagen. Police directors are chiefs of departments, such as the director of the public police school, the chief of the Constabulary or of the CID in Copenhagen respectively.

The chief of each of one of the 55 police districts — with the exception of Copenhagen — is a local police director. The local police directors are able to lead independently a police district and they are also responsible for the carrying out of the police service in their district. As to the active prosecution of penals, these police directors have to accept the orders of the higher public prosecutor and of the chief public prosecutor.

The police president is the chief of the police of Copenhagen and he disposes of the same rights as the local police directors in the provinces.

Competence and districts of the chief of the central police are described in more details under point 1./5.

## FINLAND

See point II./7.

## NORWAY

### Positions and Activities

Police candidates: these police officials are without any special police authorities. They will be supervised by experienced police officials.

Constable and Superconstable: general activities within the constabulary force; as members of rather middle police stations, they may carry out rather independent research work.

Police inspector: leading activities in the realm of constabulary. Such an inspector may be a shift-leader. Investigations in all affairs that are important for the constabulary or for the CID.

First police inspector: This official is the chief of rather little departments and special groups.

Chief of a department, chief of a police station: both ranks are of the same importance. The chief of the department leads a larger department and one or more first inspectors subordinated to him. If the respective officer leads one department of the constabulary or an independent police station, he will be called chief of a police station.

Chief inspector of the police: generally, there is only one officer who has this rank in one police administration. If more important police administrations are concerned, there exist one official with this rank for the constabulary and another one for the CID. The chief inspector of the police is generally responsible for all practical matters of the police service.

Positions which claim a juridical training: the superintendent and the first superintendent: these persons have limited rights to intervene in all cases of police matters. They are entitled to order the searching and the arresting of persons, if an order of the lawyer cannot be obtained. It belongs to their competences to raise a bill of indictment. Furthermore, they may carry forward rather unimportant penals and they have to carry out the tasks of a public prosecutor.

The inspector of the police: he has the functions of a chief and the same juridical competences as the two other officials mentioned before. As to the important police authorities there exists one inspector who is the chief of the constabulary, and another one who is the head of the CID; this last named official will be called chief of the CID.

The police director in a district: this police official disposes of extraordinary chief functions as to all police affairs within his district.

## SWEDEN

Extra polisman: undergoes the basis training and the practical service — after approx. 3 years — the reinforcement service of the Constabulary.

Extra ordinarie polisman: reinforcement service mainly within the Constabulary and the traffic police.

Pollassistent: supervision of order and traffic as well as service in the quarters.

Kriminalassistent: criminal investigations within the general section.

Polisinspektor: he has to give order to the Constabulary and traffic police.

Kriminalinspektor: criminal investigations, criminal technical service, supervision of the section of the traffic police.

Poliskommissarie: he has to give order to the department of the Constabulary and traffic police.

Kriminalkommissarie: he has to give order to departments and sections, qualified investigations.

Polissekreterare: basis training and practical service as well as reinforcement service in the office of the "polis-chefs".

Polisintendent: assistant of the chief in the police district.

Polisöverintendent: chief of a department in the larger police districts.

Polismästare: chief of the police district.

## SWITZERLAND

It is not possible to describe the interesting positions, since they differ from canton to canton.

## ENGLAND, WALES AND SCOTLAND

Varies from force to force but certain Acts of Parliament require certain requirements to be performed by an officer rank not less than one specified.

## 9. Is it possible for you to report how much police officials are members of the single careers (in % please!)?

## GERMANY

The intermediate service of the uniformed police is divided into the following payment groups: A 6/A 7 with 30 %, A 8 with 35 %, A 9 with 35 %. In the promoted service of the uniformed police there can be found the following payment groups: A 9/A 10 with 50 %, A 11 with 30 %, A 12 with 15 % and A 13 with 5 %. In the higher service a percentage comparison of the functions has no statement worth because the organization for the police considerably differs within the single states.

In the CID the distribution within the intermediate service shows the following: A 8 30 %, A 9 70 %; in the promoted service A 9/A 10 50 %, A 11 30 %, A 12 15 %, A 13 5 %. Also in this case a percentage comparison within the higher service has no statement worth.

Although there are differences between the single states it can be said that the proportion of the intermediate to the promoted and to the higher service of the Constabulary runs up to 87 % to 13 %.

In the CID the average value for the intermediate service is 62 % in comparison with 38 % for the promoted and the higher service.

The percentage proportion of the higher service of the uniformed police does not exceed 1 % totally of the Constabulary and the percentage proportion of the higher service of the CID does not exceed 2,5 %.

## BELGIUM

There are no definite regulations. See point II./7.

In this case there does not exist any written regulation. The number of personnel will be fixed by the municipality council with the agreement of State Control and according to the requirements. At the moment there is the tendency to admit only 1 inspector per group consisting of 8 officials (agents, agents-brigadiers and agents-inspecteurs). The function of a police inspector can be established only in municipalities with at least 5.000 inhabitants.

## FRANCE

See point II./7.

## LUXEMBURG

Agent	A 2	50 %
Brigadier	A 3	
Brigadier-chef	A 4	
Inspecteur	A 5	22 %
Inspecteur-chef	A 6	17 %
Commissaire	A 7	11 %
Lieutenant	A 8	
Lieutenant en 1er	A 9	
Capitaine	A 10	1,8 %
Major	A 11	
Directeur	A 13	

## THE NETHERLANDS

Central Police		
Wachtmeester/Wachtmeester 1. Kl.	65,81 %	
Opperwachtmeester	23,91 %	
Adjutant	8,57 %	
Higher officials	1,71 %	
Municipality Police		
Agent/Hoofdagent	80 %	
Brigadier	13 %	
Adjutant	4 %	
Higher officials	3 %	

## DENMARK

Positions which do not require any juridical examination have been distributed on 1. 1. 1975 as follows:

Payment groups 6 – 11 – 13: Politibetjent, Kriminalbetjent, Overpolitibetjent and Kriminaloverbetjent: 4.615 positions or 53,91 % of all police forces. The promotion from the payment group 6 to the payment group 11 will be carried out automatically, if the fundamental training has been completed after the 6th year of service. In the payment group 11 there are 5 groups and every 2 years a promotion in a new group will be carried out. The official appointment to the rank of an "Overpolitibetjent" and of a "Kriminaloverbetjent" will be obtained automatically, when the respective person has obtained 4 degrees (Lohnstufen) within the payment group 11. If the relations of service are satisfying, there will take place a promotion from the payment group 11 into the payment group 13 if a 2 years' service with the final salary in the payment group 11 has been executed.

Payment group 15: Politiaassistent, Kriminalassistent: 2.171 positions or 25,36 % of the whole police force. This payment group has been introduced because the distribution of age within the police force is rather unsatisfying and it has been considered as aspect to be promoted (that is the so-called "Buckelproblem"). The personnel that has been engaged after May 1st, 1945, will automatically be promoted to this group of payment if the relations of service are satisfactory after a period of 28 years.

Payment group 17: Politiaassistent, Kriminalassistent: 905 positions or 10,57 % of the whole police forces. The appointment into this payment can be carried out at the earliest after a 10 years' service. The personnel that has been engaged after May 1st, 1945, can be promoted to this group of payment on request, if the relations of service after a period of 22 years are satisfactory.

Payment group 21: Politiaassistent, Kriminalassistent 1st class: 617 positions or 7,2 % of the whole police forces.

Payment group 25: Vicepolitikkommissaerer, Vicekriminalkommissaerer, Politikkommissaerer and Kriminalkommissaerer: 160 positions or 1,87 % of the whole police forces.

Payment group 31: Politikkommissaer, Kriminalkommissaer: 77 positions or 0,9 % of the whole police forces.

Payment group 33: Politikkommissaer, Kriminalkommissaer: 27 positions or 0,31 % of the whole police forces.

Payment group 34 – 35 – 36: Vicepolitinspektør: 20 positions or 0,23 % of the whole police forces.

As to positions which make necessary the juridical examination, there exist – beginning with January 1st, 1975 – 279. The positions were distributed as follows:

	Payment group	Number of persons
Divided temporary employment		11
Non-officials		82
Politiassessorer/ Politifuldmaegtige	16–29–31–34–35	78
Politiadvokater/ Politiinspektører/ Vicepolitimestre	36	42
Politimestre/ Vicepolitidirektører/ Vicerigspolitichefer	37–38	64
Politidirektør/ Rigspolitichef	39	2

## FINLAND

Members of the higher police service	8,60 %
Super Sergeants (Oberwachtmeister)	13,10 %
Sergeants (Wachtmeister)	65,30 %
Personnel of administration	13,50 %
Other personnel	0,50 %

## NORWAY

Sergeants and super sergeants	54,50 %
Police officials (Polizeibeamte)	30,50 %
Directing officials	4,70 %
Chiefs of departments	2,20 %
Chief police officials (Polizeioberbeamte)	1,70 %

Positions which require juridical examinations 6,40 %

The police candidates are not included.  
The gendarmerie has not been considered.

#### SWEDEN

	%	Number of personnel
Extra ordinarie polisman	13,11	1972
Polisassistent/ Kriminalassistent	43,11	6481
Polisinspektör	14,81	2226
Kriminalinspektör	23,60	3548
Poliskommissarie	1,78	268
Kriminalkommissarie	1,87	281
Polissekreterare, polisintendent, polisöverintendent, polismästare	1,72	267

#### SWITZERLAND

It is impossible to describe the exact rates of percent for the single ranks, because they differ from canton to canton.

#### ENGLAND, WALES AND SCOTLAND

No.

10. Do there exist any regulations in your country, that prescribe the position of the police by law in peace and war?
11. Is this regulation compulsory for the whole country?
12. What is the exact name for this regulation?

#### GERMANY

Because the single states of the Federal Republic are rather independent in police affairs, the general obligations of the police force have been regulated in the laws of the single states, concerning the police (see No. 1./2.).

The special cause for intervention of the police in the times of crises and in peace are regulated in the West German Constitution (Grundgesetz), and this constitution is valid for the whole Federal Republic.

Article 35 of the constitution is valid for the reciprocal support of the police forces of the states among each other, of the forces of the federal border police (Bundesgrenzschutz), of the "Bundeswehr" and of other administrations, if it is necessary to cope with national catastrophes and severe accidents.

Furthermore article 35 regulates the question in what special cases it is possible for the single state to ask the "Bundesgrenzschutz" for help. In that case the "Bundesgrenzschutz" would be active on behalf of and by order of the police force of the single state.

Article 87a of the constitution is destined to transfer to the armed forces competences of the police force in case of defence, to regulate the traffic and to secure civil objects. In case of an armed insurrection the government of the Federal Republic is authorized to give order to the armed forces to support the police forces in order to secure civil objects and to find organized and armed revolutionaries, if police and "Bundesgrenzschutz" are not sufficient.

Article 91 of the constitution of the Federal Republic regulates the mutual supports of the police forces of the single states in order to prevent any possible revolution with the aim to destroy the constitution of the Federal Republic and the support of the "Bundesgrenzschutz".

The "Bundesgrenzschutz" has to fight against military aggressions (for that reason the "Bundesgrenzschutz" disposes of the status of combatants). The police forces of the single states do not have this status.

#### BELGIUM

No.

#### FRANCE

The police forces are civil forces which are at the disposition of the Ministry of Interior; for that reason, police orders are valid both in times of war and peace. The tasks of the police forces are the same, too; nevertheless, it is possible to engage policemen for the task of national defence, if it seems to be necessary.

#### LUXEMBURG

The police force of the Grand Duchy of Luxemburg as well as the "Gendarmerie" and the army are subordinated to the regulations concerning the military organization. The regulations of penal legislation and the disciplinary order are also applicable to these 3 units and that both in times of peace and of war.

Nevertheless their tasks are different. The task of the army is limited to outer security in the scope of the NATO. The police and the "Gendarmerie" are responsible for law and order within the borders of the Grand Duchy (the police force in the towns and the "Gendarmerie" especially in the country).

It has to be laid stress upon the fact that due to requisition requirements all 3 units can be ordered to cooperate in case of common tasks. There is also the possibility to establish a unit supreme command for these 3 units.

Due to these reasons it is natural that there exists a very close connection between these 3 units which can be understood by the definition "Public Power". That is why there exist unit official and unit payment regulations.

#### THE NETHERLANDS

The intervention of the police in times of war and peace has been regulated by two laws: namely by the "Wet Bescherming Bevolking" and by the "Wet op de Noodwachten". On account of these two laws, policemen are able to carry out the function of a "Noodwacht". Furthermore, they may be authorized to secure the population and their property.

## DENMARK

10. Yes.
11. Yes.
12. Prescriptions concerning the duties of the police are fixed by the law or order and by the order as to the carrying out of the military defence in case of military attacks and in times of war.

## FINLAND

10. Yes.
11. Yes.
12. The special police law and the law of order, which is based on that law.

## NORWAY

10. Yes.
11. Yes.
12. There are several.

In the times of peace: a special police law. Police instructions. In the times of war: the law of war of December 15th, 1950.

## SWEDEN

10. Yes.
11. Yes.
12. The civil service law and the police instruction. In case of war the personnel of the police may be enrolled into the defence forces of the country according to special prescriptions.

## SWITZERLAND

According to the law of Switzerland there must be distinguished in times of peace between purposes of policial and military necessary.

According to article 19 of the Federal Constitution the army of Switzerland is constituted as follows:

- a) The troops of the cantons.
- b) All other citizens, who are not members of the above mentioned units, but who are obliged to serve —if necessary — within the armed forces.

As to the troops of the cantons, there is prescribed in article 13 AL. II of the constitution that no canton or part of a canton may dispose of more than 300 men of armed forces without the consent of the federal administration. It has to be observed, however, that the police (gendarmerie) has not been included.

If this fact is considered, it becomes quite obvious that the police forces of the cantons are not parts of the armed forces according to article AL I of the constitution of the Federation. According to article 13 No. 4 of the law concerning the military organization of the Swiss Federation of April 12th, 1907, which has been altered on some occasions in the meantime (BS volume 5, page 3 a XI or AS 1949, page 1595/96 respectively), all members of the police forces — of course apart from their possible recruitment by the armed forces — have not to serve within the army during their time of engagement.

It is rather interesting to acknowledge that the police of the armed forces has to respect according to the prescrip-

tions of April 29th, 1947 (BS, volume 5, page 236) the following fact: "In accordance with the competent administration it is possible to engage the police of the armed forces exclusively together with other groups of the armed forces or together with the normal police, for the purpose to supervise the border etc." The text of the prescriptions of April 29th, 1947 (AS 1952, page 823) corrected by the prescriptions of September 29th, 1952 differs from the above mentioned text; according to this it is prescribed in article 1, that the police of the armed forces will carry out "all police duties within the army, that means the general police duties and especially the maintenance of security, if it will not be maintained by another organ such as the control of prostitutes and sanitary police".

According to article 2 of the constitution, the gendarmerie is obliged to "support the other police services of the army, particularly the intelligence service of the army, the traffic police of the armed forces and the services of the polices of the cantons and of the municipalities."

This text proves that the police of the cantons and of the municipalities are independent from the armed forces of the Federation.

The juridical situation in times of danger and of war:

- a) the fact may not be neglected that by the force of the events the valid principles of law may be overthrown.

History has proved that in times of war or if there is any danger of war, parliaments are inclined to transfer their privileges to the government in order to enable this institution to fight a danger coming from abroad without any delay. Because of this, it is possible in Switzerland, that the relevant laws will be changed fundamentally in an abridged way.

- b) to cite only one example: the central parliament (Eidgenössische Räte) has transferred to the government (Bundesrat) the following tasks on account of the adoption of a law of August 30th, 1930: "The maintenance of the security, the independence and the neutrality of Switzerland, the security of the economy and of the national interest of Switzerland and finally the security of the country."

However, it has been declared, the permanent commissions of the two chambers of the parliament ought to be consulted if this would be possible.

As to those questions, which interest us, it must be pointed out, that article 19 AL III of the Constitution of the Federation enables the Federation in case of danger "to dispose exclusively and directly of all armed forces which do not belong to the army (Bundesheer) and to dispose of all military means of the cantons."

It is not intended to have any suspicions concerning the intentions of the Swiss parliament, to incorporate the police into the armed forces; however, it must be admitted, that in case of danger this institution would be able to give such an order.

- c) It has been claimed, that such police officials, who would use their fire arms against the enemy, will be regarded as partisans and consequently be shot.

In the case that we consider the international convention (apart from those resolutions which have been adopted by foreign states and foreign troops) we may regard the fact, that this opinion is not correct in all cases. Article 1 of the regulation concerning the laws and orders in a case of war (Reglement betreffend die Gesetze und Bräuche

im Kriegsfall) improved by the convention of The Hague of October 18th, 1907 (BS volume II, page 384/388) provides that all laws, that regulate the tasks and the duties in the case of war are not only valid for the armed forces but also for the militia and for the volunteers, too, if the following conditions are observed:

1. If the subordinates receives direct orders by a responsible person.
2. If they are distinguished by uniforms or other kinds of recognition.
3. If it is possible to see that arms will be used.
4. If these units adapt their conduct to the usual law in times of war.

Article 2 of the Constitution may be adapted in the same way to the population of a territory, that has not been occupied as yet, if foreign troops cross the frontier and the population concerned is raising the arms in order to fight the enemies, without having time to organize itself in the sense of article 1. This part of the population will be regarded as belligerents, if their weapons are to be seen and if the laws and customs of war are respected.

This convention of 1907 has been signed and ratified by Germany, the K.u.K. States (Austria and Hungary), France, the United States of America and Russia. Italy has joined the treaty concerning the interesting questions on July 29th, 1899.

The convention of Geneva of August 12th, 1949 (the improvement of the status of wounded and of ill persons who are members of the armed forces and the treatment of the prisoners of war) is not only limited to members of armed forces but it is also applicable to units of the militia; furthermore to volunteers and to organized resistance movements even within occupied territories, which fulfill those 4 conditions that have been mentioned above. These conditions are also applicable to the population of a territory, which has not been occupied as yet and which spontaneously raises the arms under the same conditions.

The surrounding countries and most of all civilized countries have subscribed to this convention.

It is allowed to assume, that police officials (if they will be commanded by a chief in uniform, and if their weapons are clearly to be seen, and if they operate in accordance with the above mentioned laws and customs) will be regarded as soldiers according to the contents of the Geneva Convention if they take part in military operations or if they will be wounded or if they will be imprisoned.

#### Conclusions

- a) In times of peace the police of Switzerland is not subordinated to the army.
- b) Fundamental regulations which could prohibit such measures in case of danger or in case of war do not exist; in a juridical sense such a possibility cannot be excluded.

(Expertise of the former lawyer maître Foex)

Dr. W. Baechi, chief of the juridical department of the canton of Zürich, points out in this connection:

The juridical position of the police after the occupation of the country by enemy: the provisions of the international law prescribe that those units of the police force, which are not engaged in any kind of hostilities, are allowed to continue their functions.

The occupying forces are, of course, interested, to use these police forces in order to fight any resistance movement. According to international law, the members of the police cannot be forced to fight those members of the resistance movement, who are led in a military way, who wear uniforms and whose arms are to be seen without difficulties.

On the contrary, however, the police has to fight any disguised members of a resistance movement. In this way, the police forces might be brought into the position to fight national and patriotic resistance forces of the own people. After the end of the occupation the single policeman may be accused for that reason. It is acknowledged that this problem exists, but it has not been solved as yet. In the same way, this problem is valid for the institutions of the general administration. It is not possible to overcome these difficulties on the basis of the valid international laws. An international convention only is able to give effective aid in this connection.

#### ENGLAND, WALES AND SCOTLAND

No.

13. Are there any regulations that the Trade Unions have to partake of the regulations of the conditions of work?

#### GERMANY

Yes.

#### BELGIUM

Yes, due to the law of December 19th, 1974, of which the application on different sections of the public service has already to be confirmed by the publication of royal decrees.

#### FRANCE

The French legislation entitles the Trade Unions to participate in several organs.

There exists a committee as to all questions of the public service, which has to investigate all problems of relevance for the civil service officials.

Certain branches of the public service dispose of special consulting committees and the French Police Trade Union requires the foundation of such a commission for the police.

In the realm of the police, there are commissions which are equally occupied and which are competent for technical and for administrative questions.

These commissions are competent for the examination of the statute, of the general discipline and for the promotion, the supervision of illness, payment, general reforms etc. They do not have a character of consultation; if resolutions which have been adopted by these commissions become valid is a question which has to be decided by the respective authorities.

Today, the problem will be discussed, if it may be possible, to enlarge the competence of these commissions.

## LUXEMBURG

A ministerial order determines the participation of the trade union "Public Power" in the regulation of labour conditions on the basis of the department ministry.

## THE NETHERLANDS

Yes, see questions 14 to 18.

## DENMARK

Yes. In Denmark, however, there is a division between trade unions and the members of organizations of officials of the public civil service (Beamtenverbände). The members of the trade unions are paid in most cases by wage rate per hour; the police officials are not members of the trade unions, they are organized in specific organizations of civil service members. It belongs to the tasks of these organizations to negotiate in any cases of civil service law.

## FINLAND

Yes.

## NORWAY

Yes. These problems are regulated in the law concerning the problems as to differences within the civil service (Gesetz über Dienststreitigkeiten) of June 19th, 1969.

In supplements the right for discussion about matters which, as per law, are originally not admitted for discussion, will be regulated.

## SWEDEN

Yes.

## SWITZERLAND

There do not exist any prescriptions.

## ENGLAND, WALES AND SCOTLAND

Members of the police service are not permitted to belong to a trade union except with the permission of the Chief Officer of Police. All members of the police service below the rank of superintendent are by law members of the Police Federation. The Federation deals with all matters for the ranks of constable to chief inspector inclusive and also for police cadets. The superintendents and chief superintendents have their own association and likewise ranks above chief superintendents have their own association i. e. the association of Chief Police Officers.

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## 14. Is it possible to say anything as to the contents of these prescriptions?

## GERMANY

The leading organizations of the trade unions — one of them is the Trade Union of the Police — have to join the preparations for general regulations as to the civil service law.

## BELGIUM

The text of the frame law is rather comprehensive in order to be rendered. One has to know that as a matter of principle only the trade unions with political relationship have the right to participate in negotiations and contestations.

## FRANCE

See II./13.

## LUXEMBURG

See point II./13.

## THE NETHERLANDS

There exists the regulation for an organized consultation in police affairs.

Due to this regulation the Minister of Interior and the Minister of Justice have to discuss all affairs, which are of any importance for the status of the police officials within the frame of a commission, which is competent for all police questions. This commission consists of representatives of the Trade Union of the Police. There is no important affair, touching police officials, where the Trade Union of the Police will not be consulted.

## DENMARK

On July 1st, 1969, a new law regulating the conditions within the civil service has been adopted. This law stipulates, that the conditions for salary and other circumstances of engagement as to officials have to be negotiated between the competent Ministry and the central organization of the civil service; the regulations of negotiations are fixed in a general agreement. The officials, however, are not entitled to go on strike. If it is not possible to obtain an agreement or other conditions of engagement the competent Ministry has to introduce a special law. The central organizations are entitled, to utter their opinions before a committee of the parliament which has to deal with the draft of such a law. The recognized organizations of the civil service are — furthermore — entitled, to negotiate with the respective administration according to each interesting question.

## FINLAND

Authority Condition Law (Amtsbedingungsvertragsgesetz) with regulations concerning the negotiating, the contract and the arbitration system, the payment of the officials and their labour conditions including the privilege to go on strike and the obligation for industrial peace.

## NORWAY

The single Trade Unions are united in more important organizations, which are entitled to negotiate at the level of the government in all general questions as to payment or the conditions of labour.

The general conditions of payment are also to be established at this level. The single Trade Union is entitled to negotiate in matters which are privileges of the single Ministry concerned. It may be mentioned, for instance, that the Norsk Politiforbund (Fellesorganisasjonen Norsk Politiforbund/Politietsentralorganisasjon) uses to negotiate with the Ministry of Justice.

The local departments of our organization are entitled to negotiate with the local police directors in all questions, for which the respective police sergeant is competent.

#### SWEDEN

The conditions concerning the payment and engagement conditions are regulated in accordance with the law for the right of negotiation and collective agreement. The questions concerning the conditions of working places, the kind of executing the task, the design of the rooms, the selection of personnel for courses will be discussed in special consultation and works committees.

#### SWITZERLAND

See II./13.

#### ENGLAND, WALES AND SCOTLAND

The Police Federation has consulted on all matters concerning the police service.

### 15. What about these prescriptions in daily life practice?

#### GERMANY

It is usual to inform the Trade Unions before drafts of laws will be introduced into the parliament by the government or before decrees will become valid; the Trade Unions are asked to utter their opinions and they may describe their point of view in verbal conversations.

The parliaments are now inclined to hear the Trade Unions or other organizations and special experts respectively in public hearings.

#### BELGIUM

No information.

At the moment they are not yet fixed, because the law, though ratified, has not yet been applied.

#### FRANCE

See II./13.

#### LUXEMBURG

In the practice these regulations have proved true as generally it will be accommodated to the aspirations and the conceptions of the Trade Union.

#### THE NETHERLANDS

Both the government and the representatives of the personnel are allowed to hand over to the above mentioned commission proposals in order to ameliorate the juridical status of the police officials.

Every proposal is to be discussed within the commission.

#### DENMARK

The central organizations of the officials and all other acknowledged organizations for employees of the civil

service are entitled to discuss questions which are of any interest for the respective organization. These organizations will also be invited, to utter their opinions as to all drafts of laws, which are valid for the position of the officials, before such drafts are to be handed over to the government. It is possible to negotiate in a direct way as to the conditions of labour and engagement.

#### FINLAND

Treaties as to the payment and conditions of labour will be regularly concluded for the duration of one or two years. The respective parties which are entitled to conclude these treaties are the central organization of the civil service officials on the one side, and the government on the other. A special treaty concerning the police force will be concluded after negotiations between the Ministry of Interior and the Police Confederation of Finland; the so-called main treaties between the central organization and the government have to serve as a basis for the special treaties.

The respectation of these prescriptions is to be supervised by the local organizations.

A systematical organization of persons, who are either functionaries of the Trade Unions or dispose of a special confidence of their organization does not exist officially; negotiations, however, are pending to introduce such a system.

#### NORWAY

There is a satisfactory situation in Norway, and there is a mutual recognition of the participating parties.

#### SWEDEN

See question II./14.

#### SWITZERLAND

See II./13.

#### ENGLAND, WALES AND SCOTLAND

No comment to make.

16. Are there — the above named prescriptions not observed — any other institutions, which co-operate in the forming of the special police service law in the interest of the single police official?

17. What names have these institutions?

#### GERMANY

There exist the committees for the representation of the civil service personnel on the level of the Federation and of the single state (Bundes-/Landespersonalausschuß). They are composed of representatives of the Ministries and of the Trade Unions; they are to be consulted nearly in the same way as the central organizations of the Trade

Unions. The composition of these committees, proves, however, that they do not co-operate only in the interest of the single public official. According to the law of personnel representation, the safeguarding of the interests of the civil service personnel (Personalvertretung) disposes of rights of partial or full co-determination. This is true particularly as to the decrees of execution (Ausführungsbestimmungen) of the respective laws.

**BELGIUM**

Yes, the law provides a national negotiating committee and one or several national or regional consulting committees.

**FRANCE**

See question II/13.

**LUXEMBURG**

Properly speaking no, apart from the fact that the Chamber of Profession (Berufskammer) of the Public Function has to submit its expert opinion which will be considered as the case may be.

**THE NETHERLANDS**

The commission which has to give advices in police affairs is divided in two departments; one department exists in order to regulate special problems of the central police, whereas the other one has to deal with special problems of the municipality police.

The rights and duties of the municipality police officials are centrally regulated within the Netherlands, and the single conditions are similar to each other in the separate police forces. Apart from this regulation, there exists within the central police a general committee to regulate the conditions for the practice of police service.

The juridical positions of the police officials are not only regulated in special prescriptions for the police force. There are also general regulations concerning the fixing of the status of the whole civil service.

For example a law regulating all questions of pensions, which determines details concerning the claim for pension, the sums of pensions and other details which are of interest for the civil service personnel. These and other prescriptions of the civil service law will be regularly discussed within the commission, that is entitled to tackle all questions of the civil service, before they become valid.

This commission also consists of representations of personnel (Personalvertretung) and of representatives of the Ministries (Regierungsvertretung). In order to represent the interest of the members as correct as possible it is necessary for the Trade Unions in the Netherlands to join a central organization.

Apart from the rural central consulting commission there exists a committee for every municipality police unit, which consists of representatives of the local organization departments and which confers with the unit direction concerning the labour regulations (official regulations) and the execution of all regulations which come into existence after the central consultations. For the central police unit and its offices there exist the same committees.

**DENMARK**

Yes.

Central organizations of the civil service officials, also have been mentioned under question II/14., are able to negotiate all questions, which are of importance for the public officials, for example, questions of wage and salary. The central organizations are represented, too, in such commissions for questions of civil service which have to tackle problems, which are of interest for all public officials. The Dansk Politiforbund and the Dansk Kriminalpolitiforening are represented in committees and commissions which have to tackle the conditions of the police.

**FINLAND**

The following institutions, which have to represent the interests of all civil services are:

a consulting committee for all questions of civil service law (VANRY) and a consulting committee for all questions of labour time. Finally there exist for questions of the police force are touched - the following institutions, to which the Finnish Police Federation is affiliated:

- a consulting committee for police questions
- a board of the police school and
- a committee to protect the social rights of the police officials.

The observance of the prescriptions and treaties will be controlled by the chief shop stewards and shop stewards as well as by the commissioners of labour protection who are elected for 3 years.

**NORWAY**

Yes.

a) Commissions for mutual co-operation. Such a commission is existent within each police station, its members are elected in equal numbers and are representatives of the police forces and representatives of the respective administration (3 persons of each side). Furthermore, there exists a chief commission for co-operation, where the Ministry and our Trade Union are represented in equal way.

b) A police official is member of each local commission for engagement.

c) At least a police official is member of the board of the police school.

d) A police official is - as a representative of the Trade Union - member of the CID central board.

**SWEDEN**

The right of reflection will be applied for those questions which concern the alteration of the working place. When participating in partner groups which are not formal it is possible to gain influence on the preparation work (committee work).

**SWITZERLAND**

**ENGLAND, WALES AND SCOTLAND**

No.

18. Are these possibilities of intervention satisfactory?

GERMANY

The practice is not always satisfactory.

It is aspired to strengthen the importance of all rights as to participations in the first line, of course, the right of the Trade Unions and of the representatives of the police officials to enlarge the co-determination still further.

BELGIUM

The influence of the SNPB is legally equal to nil as the law does not consider our organization as representative. In order to be representative an organization has to be open for the whole public service and not only for the police.

Furthermore, and that is paradoxical, an organization has also to be represented in the National Work's Council in order to be acknowledged as representative. The aforementioned organization is an institution which only represents the private sector and where only Trade Unions with political relationship are represented.

FRANCE

See question II./13.

LUXEMBURG

The possibilities of intervention of the Trade Unions have to be regarded as satisfactory. It can be said that the close connections, due to territory conditions, between the representations of personnel and the competent political resorts may probably promote these possibilities.

THE NETHERLANDS

The conversations carried through are regularly rather useful, although the prescriptions do not correspond in every case to the expectations of the members.

DENMARK

The possibilities of intervention of the civil service officials have to be regarded in our country as satisfactory.

FINLAND

Yes.

NORWAY

Generally speaking "yes".

SWEDEN

The co-operation is satisfactory. However the right of the co-determination is unsatisfactory as to the legal and the negotiation situation. At the moment there is very rapid development in direction to a greater co-determination in behalf of employees.

Details please find in the paragraph concerning "Trade Unions".

SWITZERLAND

We depend on our federal system, but nevertheless we have a not unimportant influence.

ENGLAND, WALES AND SCOTLAND

Not applicable.

19. Would you please say anything about the time of labour of the police officials?

GERMANY

Generally, a time of labour of 40 hours per week has been fixed.

BELGIUM

The time of labour differs from municipality to municipality. As a matter of principle the police official has to work at least 40 hours per week as all other officials of the public service.

FRANCE

By order of the Ministry of Interior, there exist the following prescriptions:

In the whole country with the exception of Paris 42 hours per week. In Paris: 41½ hours, if the service is carried out during normal work time. 36 hours per week for service during night time.

LUXEMBURG

The time of labour amounts to 40 hours per week.

THE NETHERLANDS

The time of labour amounts to 40 hours per week.

DENMARK

In principle, the Danish police official has to be on duty for 40 hours per week. Personnel which is subordinated to the efforts of shift-work has to work only for 38 hours per week.

FINLAND

The law concerning the labour time (Arbeitszeitgesetz) is valid for all police officials. The time of labour amounts to 40 hours per week or 120 hours during a period of labour of 3 weeks.

Police officials who are subordinated to the law regulating the labour time may claim two days free off labour per week; the other officials dispose of a week of labour of 5 days.

NORWAY

The usual regulation: 42,5 hours per week.

Special service of investigation: 40 hours per week.

Personnel of the police administration: 38 hours per week.

## SWEDEN

The personnel of the CID and the other personnel has to work 40 hours per week.

The personnel who has to carry out shift work is obliged to work for 36-38 hours per week.

## SWITZERLAND

The labour time differs according to municipality or canton (42-50 hours per week).

## ENGLAND, WALES AND SCOTLAND

Every member of a police force below the rank of superintendent who is not assigned to duties which the Secretary of State has specially excepted shall perform 8 hours daily with a working week of 40 hours. During each tour of duty there shall be an interval of 45 minutes for refreshments.

## 20. Are there any regulations concerning over-time work of police officials?

### GERMANY

If over-time work has been performed, additional time of vacation must be granted. In case that this additional time of vacation cannot be granted within 3 months there will be granted financial compensations for the over-time hours.

Compensation for over-time work will only be granted in case of more than 5 hours of over-time.

The financial compensation per hour for officials amounts to:

payment groups A 1 - A 4	8,50 DM
A 5 - A 8	9,50 DM
A 9 - A 12	12,50 DM
A 13 - A 16	16,50 DM

The financial compensation will only be granted up to 40 over-time hours within a (calendar) month, in exceptional cases up to 80 over-time hours.

### BELGIUM

According to the locally taken decision the over-time hours will be either paid or granted in form of time of vacation.

In case of payment the over-time will be calculated on basis of 1/2080 of the yearly salary of the official concerned.

Additional payment is provided in case that the over-time hours which had to be done do not exceed 41½ hours or in case that they have to be done in the night or on sundays.

### FRANCE

In general it is possible to say: over-time work will be compensated by corresponding vacations. The chief police

board, however, is authorized, to enlarge the compensation by vacations under certain circumstances.

### LUXEMBURG

The over-time hours which had to be done will be compensated by time of vacation. The present government aspires a regulation concerning the financial compensation of over-time hours.

### THE NETHERLANDS

There do exist identical regulations for the central and for the municipality police, which are not only valid as to the compensation of over-time work, but which also regulate the compensation of any kind of unregulated service, which has become necessary, because alterations in the time of service could not be indicated in due time.

In order to carry out a correct calculation, the service of every police official is divided into periods of 4 weeks. Concerning these periods, an agenda will be set up: it stipulates for the period of 4 weeks a total of 160 planned hours of labours. This planning has to comprise:

- per week or per shift respectively a time of duty, which has not to surpass in the average more than 40 hours or 8 hours per day respectively.
- 8 days of vacation.
- the beginning and the end of the police service on Sundays or on holidays, as for instance: on New Year, at Easter Monday, at the Ascension, at Whit-Monday and at the two days of Christmas and at the occasion of the birthday of the Queen.

These regulations have to be carried out in the way, that - if it is necessary to prescribe more than 8 hours of service - it is not allowed to order more than 11 hours of service.

- the beginning and the end of the service on Saturdays.
- to fix the numbers of the hours of service, which have to be done on the other days; it has to be also prescribed, during which parts of the day the service has to be done.

Those times of service mentioned under a) to d) have to be indicated to the respective police official one week before. Those times of duty mentioned under e) have to be indicated 4 days before. If there will be carried out changes after the respective dates, the police official may claim "compensations for changing his terms".

If a police official has to be on duty - apart from that time of duty which has been regulated by the points a) to e) - and he has not requested to perform such an activity at that time, then he will get a compensation after the end of a period of 4 weeks in the following way:

- 100 % extra duty allowance per hour for each service, that had to be done not in accordance with the order of duty at Sundays and holidays.
- 50 % extra duty allowance per hour for every hour on a day of vacation - Sundays and holidays excluded - if the police official has been asked to do duty at this day.
- 50 % extra duty allowance per hour for every irregular shift work at Saturdays.
- 40 % extra duty allowance for irregular shift work between Monday and Friday. These compensations for the changing or alteration of duty will not be given, if the changes have been reported to the interesting officials 3 shifts before.

of 140% extra duty allowance per hour for each hour which oversteps the limit of 160 hours of labour within 4 weeks.

f) apart from these financial compensations any overstepping of the limit of 160 hours of labour will be compensated moreover with times of vacations. If the time of duty has exceeded the prescribed time for less than half an hour, then this over-time work will not be considered.

At the occasion of finding out the complete number of over-time work, parts of hours will be corrected to the upper limit. In order to grant the respective times of vacation, the boards of offices may dispose of the time of 8 weeks. If it is not possible to compensate over-time work within this period by times of vacations, the respective officials may claim for every hour of over-time work apart from the already mentioned compensations an extra duty allowance per hour of 100%.

#### DENMARK

Over-time work will be compensated, if possible in any way, with additional time of vacation before the end of that month, within which the additional hours of work had to be done. If this is not possible, the over-time hours of labour will be paid.

In case that, later on, over-time hours will be compensated by time of vacation, additional 1/3 of the time will be granted per over-time hour. In cases of payment for over-time hours, an extra duty allowance of 1/3 has to be added.

#### FINLAND

If the time of labour exceeds 120 hours within a period of 3 weeks, the salary for the first 18 hours will be raised for 50% for each hour in excess of this there will be a raising of the salary of 100%.

According to law the duty to do over-time work is limited to 200 hours per year. It is possible, however, to increase this number of over-time work with the consent of the respective official.

#### NORWAY

Hours of over-time work will be paid with the normal salary and with extra duty allowance of 50%.

#### SWEDEN

Over-time work is to be compensated either by additional vacations or it will be paid. As a matter of principle the official is allowed to choose for himself the alternative forms of the compensation of over-time work. However, the employer can prescribe the form of compensation of over-time work in case of certain circumstances.

Special over-time work: From 19.00 h on Fridays as well as on normal working days, before certain holidays or the eve of holidays (e.g. evening of Christmas, Easter, Saturday, etc.) as well as before days of vacation until 7.00 h; on the Sunday thereafter and after the aforementioned holidays or after the day of vacation and on working-days between 22.00 h and 6.00 h. Each other kind of over-time work is to be regarded as simple over-time work. If the compensation for over-time work is carried out by additional vacation or by payment, the police official receives the double of each hour of over-time work of special character and for each hour of simple over-time work the 1 1/2 fold.

#### SWITZERLAND

Over-time hours will be compensated either by payment or by times of vacation.

#### ENGLAND, WALES AND SCOTLAND

Regulations exist stipulating compensation to be made for over-time.

### 21. Would you please say anything about regulations concerning the vacation, a police official may claim?

#### GERMANY

The time of vacation of a police official is regulated as to his rank and to his age. Several single states have already based their calculation basis only on the age. There exists a decree of all Ministers of Interior of the single states in connection with the Federal Minister of Interior to introduce such a principle. Even in this case the duration of vacation differs in the single states and due to this fact we can only give an approximate coefficient of the duration of vacation which, in this case, corresponds to the regulation of the vacation of North-Rhine-Westphalia (Nordrhein-Westfalen):

- before the completed 26th year of age = 21 working days
- before the completed 30th year of age = 22 working days
- before the completed 34th year of age = 25 working days
- before the completed 40th year of age = 27 working days
- before the completed 42nd year of age = 28 working days
- after the completed 42nd years of age = 30 working days

#### BELGIUM

The yearly vacation amounts to at least 21, but max. 25 days. However most of the municipalities provide for an additional vacation as compensation for legal holidays. Other municipalities have even a more better regulation of vacation.

#### FRANCE

31 days of vacation per year. If the police official partitions his vacation, he takes 27 days and has the possibility to partition these days on 3 times. In case where one part is taken before the 1st of May or after the 30th of October he receives another day for the duration of 3-5 days or another 2 days for the duration of 6 and more days.

#### LUXEMBURG

The police officials can claim per year:

- a) vacation
  - b) compensation vacation.
- |  |    |             |
|--|----|-------------|
| That means:                              | a) | b)          |
| up to an age of 29 years                 | 18 | 8 = 26 days |
| from the 30th up to the 41st year of age | 21 | 8 = 29 days |
| from the 42nd up to the 49th year of age | 24 | 8 = 32 days |
| from the 50th year of age on             | 26 | 8 = 34 days |

**THE NETHERLANDS**

The vacations are dependent within the ranks of the central and the municipality police on the salary paid including the payment of clothing and, in 1975, amount to:

- less than Gld. 3.263,— per month — 20 working days
- Gld. 3.263,— per month and above — 23 working days

**DENMARK**

The police officials are entitled — as all other public officials to claim 24 days of vacation.

During the time of vacation, the salary will continue to be paid and — furthermore — there exists a special payment for the time of vacation which amounts to 1½ % of that salary, which has been described under § III./4.

**FINLAND**

Police officials with less than 15 years of service: 26 weekdays. Police officials with more than 15 years of service: 36 weekdays.

If a police official with less than 15 years of service is obliged to go on vacation during September and April, the vacations will be prolonged for 50 %.

In case that a police official with more than 15 years of service is not in a position to take at least 30 working days of his vacation during a period between 1st of June and 30th of September, 3 additional working days will be granted to enlarge the vacation during the period. That means that the total vacation amounts to 39 working days.

During the vacation an average payment of the total salary will be paid. In July resp. after having finished the vacation an additional returning payment (Rückkehrbezahlung) which amounts to 50 % of the average payment will be paid.

**NORWAY**

Vacations: 4 weeks.

**SWEDEN**

The duration of the vacations per year depends on the respective group of payment and of the year of age. There exists a claim for vacation for each year, during which the official was on duty according to the following table; Sundays and holidays do not belong to the days of vacation.

Officials	Number of days of vacation (working days) until the completion of the		
	29th	30th	40th
	year of age		
Permanent officials, extra-budgetary officials, non-permanent officials in the special group of payment A:			
For payment group:			
T 1-4	24	27	30
T 5-11, F 1-7	27	30	33
F 8 and above	33	36	40
Non-permanent official in the special group of payment B:	24	24	24

**SWITZERLAND**

Yearly vacation: 3-4 weeks.

**ENGLAND, WALES AND SCOTLAND**

1. (1) Subject to Regulation 28 and the provisions of this Schedule, every member of a police force shall be granted in each leave year the period of annual leave set out opposite the rank he holds in the following table:

- a) where he has completed less than 10 years' relevant service, in the second column thereof;
- b) where he has completed 10 but has not completed 17 years' relevant service, in the third column thereof;
- c) where he has completed 17 or more years' relevant service, in the fourth column thereof.

Rank	Annual leave		
	Under 10 years' relevant service	10 or more years' relevant service	17 or more years' relevant service
Constable	18 days	21 days	23 days
Sergeant (other than, in the metropolitan, police force, station sergeant or first class sergeant [CID])	20 days	23 days	23 days
Station sergeant or first class sergeant (CID) in the metropolitan police force	22 days	25 days	25 days
Inspector	23 days	26 days	26 days
Chief-Inspector	26 days	29 days	29 days
Superintendent	30 days	30 days	30 days
Any rank higher than that of superintendent	Not less than 42 days	Not less than 48 days	Not less than 48 days

22. Apart from the regulation of question 21. do there exist any claims as to special vacations? If yes, how long and on what occasion?

**GERMANY**

Yes. In order to deal with personal affairs (for example marriage, cases of death, etc.). Furthermore, additional vacation is to be granted in order to be able to join sessions, such as congresses of the Trade Unions. (In the latter case up to six days, if the supreme police chief has granted the vacation, up to 12 days within a year.)

**BELGIUM**

Apart from the regulation mentioned under 21. there exists a regulation where, under special circumstances, an additional vacation is granted and that as follows:

- 1. Marriage of the police official 4 days
- 2. Birth of a child 4 days
- 3. Death of the marital partner, of one parental part or relative of the 1st degree 4 days

- |  |        |
|--|--------|
| 4. Marriage of a child   | 2 days |
| 5. Death of a parental part or relative of any degree but living with the respective official under one roof | 2 days |
| 6. Death of a parental part or relative of the 2nd degree but not living under the same roof, (uncle, aunt)  | 1 day  |
| 7. In case of catholic confirmation of a child of the official or his marital partner                        | 1 day  |

The total number of these days may not exceed 8 days.

#### FRANCE

Yes, but without exact regulation. Under special circumstances it is possible that the competent Minister grants an additional vacation. Extraordinary vacations may be granted, too, in case of marriage, death, birth, etc.

#### LUXEMBURG

- |   |        |
|---|--------|
| Marriage of the official  | 6 days |
| Birth of a child  | 2 days |
| Marriage of a child   | 2 days |
| Death of the spouse or a relative or relative by marriage of the 1st degree | 3 days |
| Death of the brother or sister, living in the household of the official     | 3 days |
| Death of a relative or a relative by marriage of the 2nd degree             | 1 day  |
| Removal   | 2 days |
| In case of adoption of a child  | 1 day  |

The duration of the additional vacation in order to join sessions of the Trade Unions differs.

#### THE NETHERLANDS

Additional vacations may be granted in the following cases:

1. In order to execute the right to vote.
2. In order to fulfill obligations, prescribed by law, if this is not possible to be done during leisure time or if it is not possible to change the time of service correspondingly.
3. In order to attend the congresses of organizations, if the respective official is a member of one and if he is a member of the chief board or a delegate of one department.
4. In order to attend a session of the council of a Trade Union, if the official is a member of this respective council.
5. For 6 sessions of the chief board of the Trade Union per year in the maximum, if the official is a member of this chief board.
6. In order to attend the sessions of the board of a Trade Union, if the respective official is a member of this board.
7. In order to attend gatherings of the board of the central organization of all police Trade Unions, existent in this country, if he is a member of this board.
8. In order to attend all gatherings of the central organizations of officials, if the police Trade Union is affiliated to them and if the respective official is a member of the executive committee of this central organization.

9. In order to attend congresses of this central organization if the official is a delegate of his own Trade Union.

10. In order to attend the gatherings of international organizations for officials, such as U.I.S.P., if the official is a member of the executive committee or of the bureau of such an organization or if he has been delegated by his own Trade Union.

11. For other Trade Union activities. The vacation for these activities may not exceed 26 working days per year.

12. Two days is the maximum time in order to look out for a dwelling, if the official has been transferred and if the transfer has been in the interest of the police force.

13. Two days of special vacation at maximum time in order to organize the removal; it is possible, however, to prolong these vacations up to 4 days.

14. If the removal is not motivated by the interest of the police force, there will be granted special vacations of 2 days per year.

15. In order to carry out an official wedding-notice: one day.

16. In order to marry all in all 4 days.

17. In case of the marriage of relatives one day, if the marriage will take place within the town or village, where the official lives, too. If this is not the case, two days.

18. In case of severe illness of his wife, of the parents, of the parents in law, of the children.

19. In the case of the death of a relative. It is dependent from the degree of relationship and varies between 2 and 4 days.

20. In case of the birth of a child of an official: max. 2 days.

21. In case of the anniversary of 25, 40 or 50 years of service time or if he has to celebrate the concluding of his marriage for 25, 40 or 50 years or if he wants to attend a respective repetition of the marriage of his parents or his parents in law: one day.

22. In case of the confirmation — both protestantic and catholic — of the children: one day.

23. In order to pass an examination, if this is in the interest of the police force.

24. If the police official will be appointed a member of the commission of examination in the realm of the police; the maximum time is 10 days per year.

In other cases, too, it is possible to obtain additional vacations, if the competent police officer is of the opinion, that there is a plausible cause.

#### DENMARK

Yes, in order to participate at gatherings and congresses which are in the interest of the profession such as the gatherings of the board of the Danish police organization. In these cases there will be granted special vacations. Furthermore, in order to care for special personal and family matters.

#### FINLAND

Additional vacation, combined with a payment of the salary, will be only granted in case of illness for one month per year with full salary, for 6 months with 75% of the salary and for one year with 50% of the salary. In all cases of

the protection of motherhood there are valid special prescriptions.

Police chief officials may grant 3 days of paid additional vacations on account of special causes.

#### NORWAY

All religious holidays, the 1st and the 17th of May (day of Constitution). Furthermore, it is possible to obtain 12 days of additional vacation per year in order to carry out any kind of Trade Union activity within an acknowledged and respected Trade Union.

#### SWEDEN

Yes. In order to carry out certain public tasks, for example to be on duty within the armed forces. Furthermore, there are the other following causes: illness, in case of pregnancy of the wife of the official, in case of personal matters (family matters, etc.), Trade Union sessions, conferences, etc. Trade Unionists have the legal right to be released in order to execute Trade Union activity at their working-place and there will not take place a deduction of the salary. The employee has the right to be released for training of himself after a service of 6 months. In case of pregnancy one of the marital partner can claim 210 additional vacation days with full salary. The marital partners have the right to distribute the vacations among them.

#### SWITZERLAND

Special vacations will only be granted in the cases of marriage or in cases of death (this differs from canton to canton).

Besides of this the necessary vacations will be granted in order to enable an official to take over a position within an organization. It has to be observed, however, that the officials are not eligible in all cantons.

#### ENGLAND, WALES AND SCOTLAND

The Chief Officer has discretion to grant.

23. It would be useful to know, if in your country any medical provision for the police official exists.

#### GERMANY

In more important police stations within the squads and within the realm of the state police schools there exists special medical treatment by those physicians, who have been engaged by the police force. Apart from this possibility the police official may consult other physicians (free choice of the physician). The cost for the medical treatment, for the medicaments etc. will be completely borne by the employer (so called "freie Heilfürsorge").

#### BELGIUM

As a matter of principle the officials including the police officials do not profit of a special medical provision. But there are certain municipalities which grant their personnel (not only police officials) alleviations concerning the medical provision in their municipal hospitals. A kind of "social security" can be applied for the whole public service.

#### FRANCE

The police officials are members of the French Social Security (Sécurité Sociale Française).

#### LUXEMBURG

The medical provision of the police official is regulated by the law of May 2nd, 1974, which refers the alteration of the code concerning the social insurances and to the altered law of August 29th, 1951, concerning the health insurance of the official.

#### THE NETHERLANDS

The medical treatment of officials of the central and of the municipality police has been regulated by a royal order. On account of this order, the official may freely choose his physician. This order fixes the regulations for the compensation of most medical treatments. Without going into further details it may be pointed out, that the following compensations and supports will be granted:

For ordinary medical treatment 80 % of the expenses; in this way the police officials of the lower ranks do not contribute for themselves more than Gld. 10,— and the officials of the higher ranks do not pay more than Gld. 15 per 3 months. If the treatment of a medical specialist is necessary, 90 % of the expenses (with the same guarantee as before) will be contributed; the same is valid for all kinds of medicaments (with the same guarantee as before). A full compensation of the cost takes place for the nutrition within a hospital or in a sanatorium.

Apart from this, there will be granted compensations for several other medical performances. For example for the treatment by a dentist and for several necessary means, as for instance, a pair of spectacles, artificial limbs, special instruments that make possible a correct hearing, special education to relearn language etc.

#### DENMARK

No. Before the establishment of the central police in 1938, several police officials of the municipality police in some municipalities had the privilege of free medical treatment; the respective officials successfully defended this privilege after they have been transferred to the central police. However, no police official, who has been engaged after 1938 will come into the privilege of free medical treatment.

#### FINLAND

Within the scope of the police directions of the towns and within the traffic police, all officials are obliged to undergo a medical examination per year, which will not be combined with any expenses. The police in the villages does not dispose of the privilege of a medical treatment without expenses. Within the police directions of the towns all provisions are given for a sufficient medical treatment; the expenses for these measures will be borne by the single towns.

See I./6.

Furthermore, there exists in our country a special law regulating the organization of health service. The police officials are subordinated to this law, too.

#### NORWAY

A medical treatment by a physician who is engaged by the police is combined with no expenses; one medical examination has to take place per year.

#### SWEDEN

The police official as well as the other employees of the public service profits of a free medical provision.

#### SWITZERLAND

No special medical treatment.

#### ENGLAND, WALES AND SCOTLAND

A member of a police force shall not be entitled to sick leave unless he produces a medical certificate except with the consent of the Chief Officer. He may be absent for a period not exceeding three days on any occasion excluding any day on which he would not have been required to perform police duty. A married female member shall be paid maternity leave for a period of three months and unpaid maternity leave in respect of the remainder of the period i. e. the period beginning six months before the estimated date of birth and ending nine months after the birth.

### 24. Does the validity of this regulation exist only for the police official concerned or also for his family?

#### GERMANY

The regulations mentioned under II./23. are valid only for the police executive officials.

#### BELGIUM

See II./23.

#### FRANCE

See II./23.

#### LUXEMBURG

The advantages of the health insurance are not only valid for the police official but also for his wife and all relatives and relatives by marriage of the 1st degree, in case that these persons normally are members of the household of the insured person in the Grand Duchy and if they are not personally insured against the same risks.

#### THE NETHERLANDS

The regulations mentioned under II./23. are not only valid for the police official but also for his family (wife and children). Police pensionaries are able to maintain the same rights.

#### DENMARK

No information.

#### FINLAND

The special advantages mentioned above are not valid for the family of the police official.

#### NORWAY

No, the interesting regulations are only valid for the officials.

#### SWEDEN

These regulations are only valid for employees.

#### SWITZERLAND

No.

#### ENGLAND, WALES AND SCOTLAND

The family receives no additional benefits whilst the member is on sick leave but he continues to receive his full pay and allowances.

### 25. Who pays the necessary expenses for such a medical provision?

Which sum may be paid for this purpose?

#### GERMANY

The police official will receive additional payments (Beihilfen) for his family according to the relevant prescriptions. The expenses of illness will be compensated by the State in a range of 50-70% according to the degree of relationship. It will be assumed, that the police official has insured his family against illness in such a degree, that all costs will be compensated.

#### BELGIUM

See II./23.

#### FRANCE

The police officials receive their complete salaries for the duration of one year.

This duration may be prolonged for the period of two years in case of a war blessure.

#### LUXEMBURG

The share for the health insurance of the police officials will be paid by the State.

#### THE NETHERLANDS

The total premium amounts - beginning with January 1st, 1976 - to 7,7% of the yearly salary. One half of this premium will be paid by the government and the other half of the premium has to be paid by the official.

#### DENMARK

Does not apply.

#### FINLAND

The relevant costs will be replaced by the single towns, for the traffic police by the central State; the means necessary to finance the general public insurance will be borne by the employers (public administration).

#### NORWAY

These costs will be borne by the Norwegian State.

## SWEDEN

The relevant costs will be borne by the Public Treasury.

## SWITZERLAND

There are 2 possibilities: either an insurance effected by the employer for all employees or an insurance contract between the insurer and the official.

## ENGLAND, WALES AND SCOTLAND

The Police Authority reimburse any expenses incurred under the National Health Acts.

## 26. Are there any prescriptions as to special benefits in the case of accidents in service time?

### GERMANY

If a police official risks his life during his time on duty, and if these duties are combined with excessive dangers, there are valid the following regulations: the official himself or his family obtain a special accident provision (Unfallversorgung) which exceeds the general accident provision, which will be granted in cases of other accidents. The payment of this provision may be carried through on the basis of the next higher rank, at least he is entitled to a pension of payment group A 9, highest service age (Endstufe des Polizeihauptmeisters).

An official who gives up these special benefits and whose ability to carry out his service has been diminished at least for 90 % is entitled to receive instead of the special accident welfare (Unfallfürsorge) a compensation of DM 40.000.--.

If a police official dies in consequence of this accident his family receives a lump-sum compensation which amounts to DM 20.000.-- for his widow apart from a special provision in case of an accident during the time of duty (Dienstunfallversorgung).

### BELGIUM

There exists a law, recently introduced for the municipal personnel (incl. the police), which is applicable for accidents during service time. In the frame of this law it is possible for the official who has been injured during service time to obtain free medical provision as well as medicaments, artificial limbs etc. which will become necessary due to the accident.

Otherwise his absence during his service will not be ascribed to the vacation due to illness (Krankheitsurlaub) which he can claim.

It is necessary to know that an ill or injured official (this need not be the consequence of an accident) can claim 30 days vacation due to illness per service year; this may not exceed 90 days per year. In case of excess of this period the official will provisionally be pensioned off with a payment of 60 % of his own salary in anticipation of his pensioning off according to the legal prescribed conditions.

In case that the official is the victim of an accident during his time of service, which leads to a partial or total disability for police executive service he is entitled to receive an annuity of a fixed salary in the amount of the percentage of his invalidity.

A lump-sum settlement can be added to this pension. In case that the degree of invalidity is not sufficient, only a lump-sum settlement will be paid. The granting of this pension or settlement does not content any final decision concerning the continuation of the execution of the service.

### FRANCE

An official who has been injured during his time of duty and whose ability to carry out his service has been diminished at least for 10 % is entitled to receive an additional payment for invalidity.

Those officials, who have to quit their service because of injuries during the time of duty, are entitled to receive a pension of invalidity, which is calculated on the basis of the last salary of the official.

This payment for invalidity has an additional character to the normal pension of the official. However, it is prescribed, that the additional sums of pension and invalidity payment must not be greater than the salary, the official has received during his active time of service.

### LUXEMBURG

Only the accidents during the service time in the consequence of which there are physical damages will be compensated by the insurance companies -- industrial section. Material damages will only be compensated in connection with physical damages.

### THE NETHERLANDS

If illness or accident has been caused by obligations within the time of duty, the respective official is entitled to medical treatment, which must not be combined with any other expenses and costs.

### DENMARK

In Denmark all police officials are insured by a special accident insurance against accidents during their time being on duty, as all other workers and employees, too. Because being officials, the respective policemen receive payments, financed by the general official insurance. That means, a police official is entitled to receive the highest pension, that may be paid for his rank, if he was the victim of an accident, when being on duty, which has caused his disability for police executive service. If a police official dies in consequence of an accident during the time of duty, his family is also entitled to receive the highest pension.

### FINLAND

Yes. The official insurance against accidents substitutes all incurred damages. Prescriptions as to the compensation for property damage are contained in the police law and in the orders, which are basing on this law.

The family of a police official, who has been murdered when being on duty, receives a pension which equalizes a pension which the official would have obtained after he had become a pensionary.

#### NORWAY

In case of death there will be paid out a certain sum of money. The regulations as to invalidity and pension are the same as for all other officials.

#### SWEDEN

For accidents during the service time and for accidents on the way to or back from the working place there exists a special personal damage insurance. The competence of this insurance is regulated by a treaty and has the following meaning:

The compensation takes place for lost salary, for caused pain, for physical damages and damages as well as for

damaged clothing etc. In case of death the husband or the wife receives SKr. 25.000,— as well as SKr. 2.500.— per year for each child and that in every year until the completion of the 20th year of age.

#### SWITZERLAND

The respective prescriptions are regulated by the statutes of the single insurance for illness and accidents.

#### ENGLAND, WALES AND SCOTLAND

No. Unless the member is killed or discharged from the service on medical grounds for which he or his widow receive a higher rate of pension.

### **III. Payment**

1. Are there any regulations in your country, which regulate the salary of the police?
2. Are these prescriptions only valid for the police officials or for the whole civil service?

#### GERMANY

The payments for the police officials are fixed by the law of payment, which is valid for all officials.

#### BELGIUM

The salary index of the police ranks is fixed by the local municipal councils and will be submitted to the State Control. Generally, this salary index is in connection with the mentioned examples in the ministerial instructions.

The pecuniary status of the subordinate personnel is identical with that of the rest of the municipal personnel of whom it is an integrated part. It has to be stressed that the pecuniary status of the officer personnel is not at all fixed. The police officer is considered to have a legal rank as the secretary or the municipality accountant. A specially pecuniary status exists for the whole of these three legal ranks.

#### FRANCE

The payment index for the public service is valid for the police officials. The calculation is identical for all officials in France.

#### LUXEMBURG

The salary of the police official will be regulated by the law concerning the settlement of the salary for the civil servants.

The regulations of the afore-mentioned law can be applied for all officials of the public function. But there exists a special payment index for the officials of the Public Power – Force Publique (Army, Constabulary and Police Force).

#### THE NETHERLANDS

Although there exists a certain coherence concerning the payment of the police officials and the officials of the other parts of the civil service, it must be mentioned that a special payment order "police" is valid both for the central and for the municipality police.

#### DENMARK

Yes. The payment of the police has been fixed – as in the case of all other officials of the civil service – by negotiations between the central organization of the public officials and by the competent Ministry (for cases of wages and pensions).

#### FINLAND

Yes. The same prescriptions are valid for all public officials.

#### NORWAY

These prescriptions will be fixed by way of collective bargaining (see II./14.). They are valid for all public officials. There exist some special additional payments for police officials.

#### SWEDEN

The principles will be regulated by a general treaty between the Swedish State and the chief organizations of the public officials. These treaties are valid for all civil servants.

#### SWITZERLAND

There are both the possibilities.

#### ENGLAND, WALES AND SCOTLAND

Yes. They are valid only for the police.

3. What are the components of the salary of the police officials in the different careers?

#### GERMANY

The official receives a basic salary and a local allowance. Furthermore there will be paid an additional payment for children and an additional payment for general duties (Allgemeine Zulage).

The basic salary will be paid as to the different positions and as to the time of service. In every case, the respective official receives even within his career – that means without any promotion – every two years a higher payment (additional payment for the greater number of years on duty). After 24 years of service he has reached the highest possible salary of his career (Endgehalt). If he will be promoted, he has not to start within the lowest rank of the new career. In the next higher career he will begin with the rank of age which is just above that rank in his old career.

The additional payment for local allowance depends on the groups of payment, on the personal status and on the number of children.

The additional payment for children is now identical for the whole population (in 1974 the "Bundeskindergeldgesetz" was ratified). According to this the officials – in case that there exists a claim – receive a monthly additional payment for children which amounts to 50,— DM for the first child, to 70,— DM for the second child and to 120,— DM for the third or any other following child. This additional payment for children will be granted without paying taxes for it.

The additional payment for general duties (Allgemeine Zulage) will be paid in the amount of: for officials in the intermediate service (payment groups A 5 – A 9) = 67,— DM, for officials in the promoted service (payment groups A 9 – A 13) = 100,— DM and for officials in the higher service (payment group A 13) = 100,— DM. This additional payment will be taken into consideration when calculating the pension.

## BELGIUM

Each rank has its own salary index which differs according to years of service in the increasing which will take place every year or every second year. Different additional aids and payments have to be added: Additional aids as to family conditions, additional local allowances, additional payment for the family, additional payment for clothing, additional payments for services during night and holidays etc. (It has to be indicated that the additional allowances as to family and domicile will no longer be paid if the official has reached a certain level in his payment group).

## FRANCE

The police official receives:

- A basic salary that is the basis for the calculation of the pension.
- Different additional payments, mainly payments for special charges and local allowances.
- Additional residential payment which differs according to the number of persons living in the same dwelling and to the size of the dwelling.
- A family allowance for the head of the family which will be calculated on basis of a fix index and on basis of an index which is proportional to the basic salary of the official.

The latter index depends on the number of children to be supported. There does not exist any proportional index for one child.

The family allowance depends on the number of the children to be supported. At the moment the calculation basis is Ffr 632,— and the percentage varies from 22 % for 2 children to 327 % for 11 children of this calculation basis.

Furthermore the police official receives an additional payment for special charges which will be fixed according to his gross income and which may not be less than the sum corresponding to the index 281.

The basis for this allowance amounts to 22 %, 21 % according to the residence for the "Gradés" and "Gardiens" 18 % up to a gross index of 550, 17 % above this index.

The local allowance is based on the basic salary of the official. There are still three stages, according to the residence, where the official is on duty:

- 1st stage = 11 % of the basic salary
- 2nd stage = 9 % of the basic salary
- 3rd stage = 7,5 % of the basic salary

It will be calculated on basis of the index 252 and may not lie beneath that index.

There are also family allowances, the amounts of which will be fixed by the Minister of Labour. These amounts will be guaranteed to all salary earners. They differ according to the number of the children to be supported and the dwelling.

## LUXEMBURG

The police official receives

- a) the basic salary
- b) the additional squad payment
- c) the family allowance for the head of the family

The additional payment for children will be paid at the same time as the salary, but it is not part of the salary and is not subject to the taxation.

a) The basic salary will be fixed by the rank and the years of service and expressed by a salary index in points. The value of the points will be determined by a special law and at present it amounts to 142 Francs (currency of Luxemburg or Belgium).

b) The additional squad payment: the amount of 17 salary points is a fix part of the salary and of the pension of the police official.

c) Each police official can claim the family allowance for the head of the family. The allowance is slightly graduated due to taxation reasons and ranges between 18 and 22 points. As a matter of principle each police official can claim at least 18 points.

It has to be indicated that the value of the salary point will periodically be adjusted as to the fluctuation of the cost of living which will be fixed according to the index number settled and published by the Statistical Office every month. At the time this adjustment takes place in case of an increase or a deduction of the index number of 2,5 %.

## THE NETHERLANDS

For each career there exists an independent order of salaries (see question 4.). Apart from those payments which have been mentioned within the relevant table, the officials receive additional payments for shift-service, special payment for clothing, additional payment for children and a special payment for vacations. The additional payment for shift-service is regulated by the "regulation for payment of the police 1958". This addition depends on the kind of the shift-service. The single values are:

- a) For the police officials with the ranks of constables and constables 1st class and the constables of the municipality police 8 % or 15 %.
- b) As to the officials in the ranks of a sergeant (Opperwachtmeester) of the central police and sergeant of the municipality police (Brigadier) 8 % or 13 %.
- c) As to the officials in the ranks of "adjudant" of the central police and of "adjudant" of the municipality police 6 % or 9 %.
- d) 3½ % for those officials who are candidates for the career of police officers of the central police, "Surnummerair" of the municipality police (including an officer of the 1st class and an inspector, furthermore officers of the 2nd class).

The rates of 15, 13 and 9 % will only be granted to those police officials who had to carry out unregulated service for more than 4 weeks, resp. do not exceed the total percentage of 2080 (for a constable/constable 1st class/chief agent), 1600 (for sergeant/sergeant of the municipality police) or 880 (for "adjudants" of the central and the municipality police).

When calculating these rates of %, each hour is of importance:

- a) the days between Monday and Friday (inclusively) between 6 and 8 h and between 18 and 22 h for 20 %.
- b) At Saturday between 6 and 22 h 30 %.
- c) Monday until Saturday (including) between midnight and 6 h and between 22 and 24 h 40 %.

d) At Sundays and on the occasion of the acknowledged christian holidays — both protestant and catholic — 45 %. This regulation means in reality, that generally the officials of the patrol service can gain the higher rates of 15, 13 and 9 % and the other officials will receive only the respective rates of 8,8 and 6 %. The above mentioned rates of % are calculated on a basis of Gld. 1.898,— per month, starting with August 1st, 1975. This sum will be enlarged for each year together with the enlargement of the salaries for each year.

The additional payment for clothing amounts to Gld. 28,94 per month for the ranks of an "adjutant" up to the "General inspector" of the central police and from the "adjutant" up to the "Chief Commissioner" (of 1st class) of the municipality police, and Gld. 22,26 per month for the officials in the ranks from the police candidate to the super constable of the central police and to the "Brigadier" of the municipality police.

The additional payment for children amounts — starting with January 1st, 1976 — to the following sums:

for the 1st child	Gld. 54,86 per month
for the 2nd and 3rd child	Gld. 96,20 per month
for the 4th and 5th child	Gld. 128,18 per month
for the 6th and 7th child	Gld. 141,96 per month
for the 8th and any other following child	Gld. 154,04 per month

The special payment for vacation amounts to 7,8 % of the salary plus additional payment for clothing — starting with June 1st, 1975. The minimum additional payment amounts to Gld. 1594,62 per year — starting with August 1st, 1975 and this is valid for all officials at an age of 22 years and older and for all married officials. For each child for whom an additional payment can be claimed the allowance amounts to Gld. 118,80 per year — starting with June 1st, 1975.

#### DENMARK

The salary of a police official is composed of three different parts: the normal salary, an additional payment for becoming older and an additional payment to compensate the increase of prices. If an official has been promoted, he has not to start in the lowest rank of the payment group, but in the next following.

#### FINLAND

The police official is attached to certain payment groups according to the character of his service and of his efficiencies. According to this regulation, the single payment groups are constructed.

See point III./4.

#### NORWAY

The basic salary will be paid according to the respective payment group.

Additional payments as to the time on duty after, 2, 4, 6 and 8 years respectively.

Special additional payments: see point III./5.

#### SWEDEN

The police officials receive a basic salary, the amount of which will be dependent on the rank and the years of service.

See point II./8.

#### SWITZERLAND

Basic salary, additional residential payment, additional payment to compensate the increase of cost of living index, compensation for shift-work.

#### ENGLAND, WALES AND SCOTLAND

The same basic salary is paid to the members of all departments.

### 4. Can you say anything about the exact sum in the single careers?

#### GERMANY

Group of Payment	Rank	Class of local allowance	Years on duty	Basic salary		Additional payment for years on duty
				at the beginning DM	the highest possible DM	
A 5*)	Polizeiwachmeister	II	1—2	860,80	—	—
A 5	Polizeioberwachmeister	II	2—4	891,05	924,80	33,75
A 6	Polizeihauptwachmeister	II	4—6	978,43	1013,42	34,99
A 7	Polizeimeister	II	6—10	1089,37	1159,35	34,99
A 8	Polizeiobermeister	II	8—26 u. mehr	1197,—	1622,71	43,12/ 43,49/ 45,27/ 47,60/ 50,24
A 9	Polizeihauptmeister	I c	10—26 u. mehr	1378,05	1792,77	51,84
A 9	Polizeikommissar	I c	5—8	1237,42	1330,48	46,35/ 46,71
A 10	Polizeioberkommissar	I c	8—16	1499,61	1757,17	64,39
A 11	Polizeihauptkommissar	I c	10—28 u. mehr	1785,94	2379,76	65,98
A 12	Polizeihauptkommissar	I c	14—28 u. mehr	2129,71	2680,40	78,67
A 13	Erster Polizeihauptkommissar	I b	20—28 u. mehr	2642,78	2982,50	84,93
A 13	Rat (im Polizeivollzugsdienst)	I b	10—14	2218,13	2387,99	84,93
A 14	Oberrat (im Polizeivollzugsdienst)	I b	14—28 u. mehr	2594,11	3365,02	110,13
A 15	Direktor (im Polizeivollzugsdienst)	I b	14—30 u. mehr	2906,43	3874,91	121,06
A 16	Leitender Direktor (im Polizeivollzugsdienst)	I b	14—30 u. mehr	3263,23	4383,23	140,—
B 5	Inspekteur der Bereitschaftspolizeien der Länder	I a	—	5494,39	—	—
B 9	Präsident des BKA	I a	—	6964,34	—	—

\*) receives the basic salary of the first stage (Dienstaltersstufe) of the years of payment group A 4

## Local allowance

Class of local allowance	Group of payment	Stage 1 single	Stage 2 married	Stage 3 1 child
I a	B 3 - B 11	592,40	686,90	767,75
I b	B 1 - B 2 A 13 - A 16	499,74	594,24	675,09
I c	A 9 - A 12	444,14	538,64	619,49
II	A 1 - A 8	418,37	508,37	589,22

If the police official has more than one child, for which he is entitled to receive additional payment for children, the amount of the local allowance will be increased for each further child:

for the 2nd child	DM 77,27
for the 3rd child	DM 35,85
for the 4th and 5th child	DM 67,95 for each child
for the 6th and each further child	DM 84,63 for each child

## BELGIUM

Agent de police - agent brigadier - agent inspecteur: pecuniary career index: 159.000 up to 297.648 (Salary at the beginning 160.272, if being on duty before August 1st, 1972).

Inspecteur (in fonction) Bfr 174.900-304.644

Special official Bfr 190.800-329.448 (197.160-335.808 after a service of 9 years)

The salary index of the police officers are fixed due to standards which are based on the population of the municipalities where the service has to be done. We confine ourselves to indicate 2 examples, one is valid for 4 large towns of the country (Brussels, Antwerpen, Lüttich and Gent - group 22) and the other is valid for towns and municipalities with a population of at least 100.000 (group 21). It has to be noted that the payment in both the cases is identical for the ranks of "Commissaire adjoint" and "Commissaire adjoint inspecteur".

Commissaire adjoint: Bfr. 273.512-448.380

Commissaire adjoint inspecteur: Bfr. 298.874-509.754

Commissaire adjoint inspecteur under executive head  
group 22: Bfr 361.142-539.116  
group 21: Bfr 352.348-525.972

Commissaire de police:  
group 22: Bfr 469.284-686.880  
group 21: Bfr 431.462-636.000

Commissaire de police en chef:  
group 22: Bfr 571.935-837.115  
group 21: Bfr 525.845-775.125

The payment will automatically be adjusted to the cost of living index every year. (The increasing coefficient as per January 1st, 1975: 140,02.)

## FRANCE

	Minimum	Maximum
Gardiens and Sous-brigadiers	1761	2654
Brigadiers	2645	2828
Brigadiers Chefs	3036	
Officiers de paix et Officiers de paix principaux	2687	3960
Commandants to Commandants de grt.	3800	6361
Inspecteurs to Inspecteurs div.	2603	6235
Enquêteurs	1769	2839
Commissaires	3008	6555

It concerns the monthly gross salary of the official from which the sums for pension and the social security are deducted. The above-mentioned rates are valid for all police officials. At the time being the area reduction comes into question only for the main payment.

## LUXEMBURG

Rank	Payment Group	Basic salary at the beginning at the highest possible	Number and value of the biennial increase
Agent de police	A 2	135 - 172	3x7 + 4x4
Brigadier de police	A 3	144 - 224	10x8
Brigadier-chef de police	A 4	154 - 235	9x9
Inspecteur	A 5	172 - 253	9x9
Inspecteur-chef	A 6	185 - 275	10x9
Commissaire	A 7	203 - 308	9x9 + 2x12
Lieutenant	A 8	230 - 278	4x12
Lieutenant en ler	A 9	242 - 338	8x12
Capitaine	A 10	266 - 362	8x12
Major	A 11	320 - 475	2x20 + 5x12 + 1x20
Directeur	A 13	380 - 515	9x15

In order to calculate the real salary the number of the points of the basic salary has to be added to those allowances mentioned in 3 b (when unmarried) resp. in 3 b and 3 c (when married). The total number which has been calculated in this way will be multiplied by the point value which amounts to 160,90 (currency of Luxemburg or Belgium) starting with February 1st, 1976.

The calculated salary represents the gross salary of the official.

THE NETHERLANDS

The most important tables of salary may be presented as follows:

Table 1

Table of salaries valid from the 1st of January, 1976 for all officials of the central and the municipality police (including the rank "adjutant")

Salary 1-8-1975	Increase 1-1-1976	Salary + Increase 1-1-1976	Police candidate	Wachtmeester/ Agent	Wachtmeester 1e Klasse/ Hoofdagent	Opperwachtmeester/ Brigadier	Adjutant
Table of salary							
1099	13	1112					
1122 <sup>1)</sup>	13	1135 <sup>1)</sup>	17 Jaar	—	—	—	—
1113	51	1164					
1136 <sup>1)</sup>	44	1180 <sup>1)</sup>	18 Jaar	—	—	—	—
1221	56	1277	19 Jaar	—	—	—	—
1328	61	1389	20 Jaar	—	—	—	—
1436	66	1502					
1456 <sup>1)</sup>	66	1522 <sup>1)</sup>	21 Jaar	—	—	—	—
1522	68	1590	22 Jaar	—	—	—	—
1619	73	1692	23 Jaar	—	—	—	—
1675	76	1751	24 Jaar en ouder	—	—	—	—
1579	31	1610	—	18 Jaar	—	—	—
1614	46	1660	—	19 Jaar	—	—	—
1673	62	1735	—	20 Jaar	—	—	—
1732	77	1809	—	0	—	—	—
1794	81	1875	—	1	—	—	—
1825	83	1908	—	2	—	—	—
1858	84	1942	—	3	—	—	—
1892	84	1976	—	4	—	—	—
1926	86	2012	—	5	0	—	—
1960	88	2048	—	6	1	—	—
2005	90	2095	—	7	2	—	—
2051	91	2142	—	8	3	—	—
2097	93	2190	—	9	4	—	—
2143	96	2239	—	10	5	—	—
2189	98	2287	—	11	6	—	—
2235	101	2336	—	12	7	—	—
2274	103	2377	—	—	8	—	—
2313	105	2418	—	—	9	0	—
2352	107	2459	—	—	10	1	—
2391	109	2500	—	—	11	2	—
2431	110	2541	—	—	12	3	—
2471	111	2582	—	—	13	4	—
2520	113	2633	—	—	—	5	—
2570	115	2685	—	—	—	6	—
2620	118	2738	—	—	—	7	—
2670	121	2791	—	—	—	8	—
2721	123	2844	—	—	—	9	0
2773	125	2898	—	—	—	10	1
2825	127	2952	—	—	—	11	2
2872	130	3002	—	—	—	—	3
2920	132	3052	—	—	—	—	4
2968	134	3102	—	—	—	—	5
3017	136	3153	—	—	—	—	6
3066	138	3204	—	—	—	—	7
3115	140	3255	—	—	—	—	8
3164	142	3306	—	—	—	—	9
3213	145	3358	—	—	—	—	10
3263	147	3410	—	—	—	—	11

Table 2

Table of salary; its validity begins with January 1st, 1976 for officials of the central police who have the titles of "Officier 2e Klasse" up to the "Inspecteur-Generaal".

Salary 1-8-1975	Increase 1-1-1976	Salary + Increase 1-1-1976	Clt. 2nd cl.	Off. 1st cl.	Off. 1st cl. with indepen command	Dir. Off. 3rd cl.	Dir. Off. 2nd cl.	Dir. Off. 1st cl.	Inspecteur-Generaal
Table of salary									
2341	106	2447	0	—	—	—	—	—	—
2432	110	2542	1	—	—	—	—	—	—
2523	114	2637	2	—	—	—	—	—	—
2614	118	2732	3	—	—	—	—	—	—
2706	122	2828	4	—	—	—	—	—	—
2798	126	2924	5	—	—	—	—	—	—
2890	130	3020	6	—	—	—	—	—	—
2983	134	3117	7	—	—	—	—	—	—
3076	138	3214	8	0	—	—	—	—	—
3169	143	3312	9	1	0	—	—	—	—
3263	147	3410	10	2	1	—	—	—	—
3346	150	3496	—	3	2	—	—	—	—
3428	154	3582	—	4	3	—	—	—	—
3510	158	3668	—	5	4	—	—	—	—
3592	162	3754	—	6	5	—	—	—	—
3674	166	3840	—	7	6	—	—	—	—
3735	168	3903	—	—	—	0	—	—	—
3757	169	3926	—	8	7	—	—	—	—
3840	172	4012	—	9	8	—	—	—	—
3848	173	4021	—	—	—	1	—	—	—
3918	176	4094	—	10	9	—	—	—	—
3964	179	4143	—	—	—	2	—	—	—
3996	180	4176	—	11	10	—	—	—	—
4074	184	4258	—	—	11	—	—	—	—
4083	182	4265	—	—	—	3	—	—	—
4190	187	4377	—	—	—	4	—	—	—
4297	193	4490	—	—	—	5 <sup>1)</sup>	—	—	—
4432	200	4632	—	—	—	6	0	—	—
4569	205	4774	—	—	—	7 <sup>2)</sup>	1	—	—
4704	212	4916	—	—	—	8	2	—	—
4842	218	5060	—	—	—	9 <sup>3)</sup>	3	—	—
4998	225	5223	—	—	—	10	4	—	—
5158	232	5390	—	—	—	—	5	—	—
5196	234	5430	—	—	—	11	—	—	—
5318	239	5557	—	—	—	—	6	0	—
5478	246	5724	—	—	—	—	7 <sup>4)</sup>	1	—
5638	254	5892	—	—	—	—	8	2	—
5798	262	6060	—	—	—	—	9	3	—
5976	269	6245	—	—	—	—	10	4	—
6154	277	6431	—	—	—	—	—	5	—
6332	285	6617	—	—	—	—	—	6 <sup>5)</sup>	—
6510	293	6803	—	—	—	—	—	7	—
6810	307	7117	—	—	—	—	—	8	—
7110	321	7431	—	—	—	—	—	9	—
7410	335	7745	—	—	—	—	—	10 <sup>6)</sup>	—
7597	342	7939	—	—	—	—	—	—	0
7710	349	8059	—	—	—	—	—	—	11 <sup>6)</sup>
7922	357	8279	—	—	—	—	—	—	1
8247	372	8619	—	—	—	—	—	—	2
8574	385	8959	—	—	—	—	—	—	3
8901	399	9300	—	—	—	—	—	—	4
9228	415	9643	—	—	—	—	—	—	5

Remarks to Table 2:

- 1) The officers engaged in this rank after March 31st, 1975, charged with juvenile matters will not obtain a higher payment group than 5 years.
- 2) 25 % of the officials of the respective rank will not obtain a higher payment group than 7 years.
- 3) 25 % of the officials in the respective rank will not obtain a higher payment group than 9 years.
- 4) 33 1/3 % of the officials, being in this rank will not obtain a higher payment group than 7 years.
- 5) 50 % of the officials being in this rank will not obtain a higher payment group than 6 years.
- 6) The group of payment 10 and 11 years can only be reached by those officials being in the rank of "Deputy-Inspector-Generaal" and by those officials in the rank of a chief of the river police — starting with January 1st, 1972.

Table 3

Table of salary starting with January 1st, 1976 for officials of the municipality police for the ranks "Surnumerair" up to "chief police official 2nd class"

Salary 1-1-1976	Increase 1-1-1976	Salary + Increase 1-1-1976	Sum.	Official 3rd cl.	Official 2nd cl. (Insp.)	Official 2nd cl. (H.-Insp.)	Official 1st cl.	Chief Official 3rd cl.	Chief Official 2nd cl.
1960	88	2048	0	—	—	—	—	—	—
2065	93	2158	1	—	—	—	—	—	—
2170	98	2268	2	—	—	—	—	—	—
2341	106	2447	—	0	—	—	—	—	—
2432	110	2542	—	1	—	—	—	—	—
2523	114	2637	—	2	—	—	—	—	—
2614	118	2732	—	3	—	—	—	—	—
2706	122	2828	—	4	—	—	—	—	—
2798	126	2924	—	5	—	—	—	—	—
2890	130	3020	—	6	—	—	—	—	—
2983	134	3117	—	7	—	—	—	—	—
3076	138	3214	—	8	0	—	—	—	—
3169	143	3312	—	9	1	—	—	—	—
3263	147	3410	—	10	2	—	—	—	—
3346	150	3496	—	—	3	—	—	—	—
3428	154	3582	—	—	4	—	—	—	—
3510	158	3668	—	—	5	—	—	—	—
3592	162	3754	—	—	6	0	—	—	—
3674	166	3840	—	—	7	1	—	—	—
3735	168	3903	—	—	—	—	0	—	—
3757	169	3926	—	—	8	2	—	—	—
3840	172	4012	—	—	9	3	—	—	—
3848	173	4021	—	—	—	—	1	—	—
3918	176	4094	—	—	10	4	—	—	—
3964	179	4143	—	—	—	—	2	—	—
3996	180	4176	—	—	11	5	—	—	—
4074	184	4258	—	—	—	—	6	—	—
4033	182	4265	—	—	—	—	3	—	—
4182	188	4370	—	—	—	—	7	—	—
4190	187	4377	—	—	—	—	4	—	—
4290	193	4483	—	—	—	—	8	—	—
4297	193	4490	—	—	—	—	5	—	—
4432	200	4632	—	—	—	—	6	—	—
4569	205	4774	—	—	—	—	7	0	—
4704	212	4916	—	—	—	—	8 <sup>1)</sup>	1	—
4842	218	5060	—	—	—	—	9 <sup>1)</sup>	2	—
4998	225	5223	—	—	—	—	—	3	—
5158	232	5390	—	—	—	—	—	4	—
5318	239	5557	—	—	—	—	—	5	0
5478	246	5724	—	—	—	—	—	6	1
5638	254	5892	—	—	—	—	—	—	2
5798	262	6060	—	—	—	—	—	—	3
5976	269	6245	—	—	—	—	—	—	4
6154	277	6431	—	—	—	—	—	—	5
6332	285	6617	—	—	—	—	—	—	6
6510	293	6803	—	—	—	—	—	—	7 <sup>2)</sup>
6810	307	7117	—	—	—	—	—	—	8 <sup>2)</sup>
7110	321	7431	—	—	—	—	—	—	9 <sup>2)</sup>
7410	335	7745	—	—	—	—	—	—	10 <sup>2)</sup>
7710	349	8059	—	—	—	—	—	—	11 <sup>2)</sup>

<sup>1)</sup> The payment groups of 8 and 9 years are only obtainable if article 6 of the payment order of 1958 is applicable.

<sup>2)</sup> The payment groups of 7, 8, 9, 10 and 11 years are only obtainable for those officials in the rank of a deputy chief inspector in the towns of Amsterdam, The Hague and Rotterdam.

## DENMARK

The following salaries are valid as per January 1st, 1976 including local allowance for metropolitan area, but excl. additional payment for the police and the CID.

Payment group	Rank	Salary of the beginning salary	Highest possible salary
		Kr.	Kr.
6	Politibetjent	5.299	5.572
11	Politibetjent/kriminalbetjent/overpolitibetjent/kriminaloverbetjent	6.009	6.570
13	Overpolitibetjent/kriminaloverbetjent	6.698	6.828
15	Politiassistent/kriminalassistent	6.961	7.097
17	Politiassistent/kriminalassistent	7.234	7.375
21	Politiassistent af 1. grad/kriminalassistent af 1. grad	7.375	8.272
25	Vicepolitikkommissaer/vicekriminaalkommissaer/politikkommissaer/kriminalkommissaer	8.115	9.095
29	Politifuldmaegtig	9.268	9.723
31	Politikommissaer/kriminalkommissaer/politiassessor	9.624	10.679
33	Politikommissaer/kriminalkommissaer	11.252	11.252
34	Politiassessor/vicepolitiinspektør		
35	Vicepolitiinspektør/politiassessor I	12.494	12.494
36	Vicepolitiinspektør/politiinspektør/politiadvokat/vicepolitimester	13.518	13.518
37	Politimester/vicepolitidirektør		
38	Politimester/vicepolitidirektør/vice rigspolitichef	16.695	16.695
39	Politidirektør/Rigspolitichef	18.075	18.075

The groups of payment 35 and 36 receive an additional payment of Kr. 291,— per month. The group of payment 37 receives a general additional payment of Kr. 437,—, the group of payment 38 receives an additional payment of Kr. 802,— and the group of payment 39, finally, receives an additional payment of Kr. 1.167,— per month.

## FINLAND

The salary at the beginning and the highest possible salaries incl. special reward for being on duty (Dienstalterszulage) and local allowance (without special allowance) are for several police ranks as follows:

Rank	Salary in Fmk
Younger constable	1.552 — 2.083
Older constable	1.657 — 2.232
Sergeant	1.781 — 2.397
Inspector	2.308 — 3.154

The payment will be revised during the running period of the treaty on April 1st, 1975, and in autumn 1975 so that the mentioned salaries are no longer valid after this date.

The special reward for being on duty will be paid after the 2nd, 2nd, 2nd, 3rd and 3rd year of service in that way that the total amount of the special rewards for being on duty after 12 years of service runs up to 30 per cent of an official's payment.

The first and second special reward for being on duty amounts to 7 per cent, the third to 6 per cent and the fourth and fifth to 5 per cent of the salary.

#### NORWAY

Highest possible salary per year:

Candidate	NKr. 41.480,—
Wachtmeister	NKr. 43.220,—
Oberwachtmeister	NKr. 45.220,—
Polizeibeamter	NKr. 55.050,—
Erster Beamter	NKr. 60.970,—
Abt./Stationschef	NKr. 68.880,—
Oberbeamter (Oslo)	NKr. 77.850,—

Positions, which require a juridical examination:

Polizeirat	NKr. 68.880,—
Polizeioberrat	NKr. 73.220,—
Polizeiinspektor (Oslo)	NK. 105.230,—

#### SWEDEN

Rank — career	Stage of salary	Minimum salary Highest possible salary (SKr. per month)
Extra polisman (fundamental training and practical service)	T 6—F 2	3.215— 4.007
Extra ordinaire polisman	F 2	3.676— 4.007
Polisassistent/ kriminalassistent	F 2—F 6	3.676— 4.585
Polisinspektör	F 6—F 10	4.137— 5.326
Kriminalinspektör	F 6—F 10	4.137— 5.326
Poliskommissarie	F 10—F 18	4.755— 7.678
Kriminalkommissarie	F 10—F 18	4.755— 7.678
Polissekreterare (fundamental training and reinforcement service)	F 5—F 12	4.007— 5.798
Polissekreterare	F 15	5.798— 6.676
Polisintendent	F 14—F 21/22	5.539— 8.872
Polisöverintendent	F 23/24—F 25	8.080— 9.750
Polismästare	F 15—F 28	5.798—11.745

#### SWITZERLAND

There exist such differences that it is quite impossible to elaborate a comparison table.

#### ENGLAND, WALES AND SCOTLAND

The figures referred to are in the London forces, provincial forces are slightly less.

Chief Superintendent	£ 7.337 to £ 7.934
Superintendent	£ 6.734 to £ 7.097

Chief Inspector	£ 4.625 to £ 5.261
Inspector	£ 3.953 to £ 4.568
Sergeant	£ 3.212 to £ 3.725
Constable	£ 2.276 to £ 3.194

#### 5. Which special payment receives the police official, additional to his salary?

#### GERMANY

a) Special police additional payments (additional payment in comparison to other officials).

The police executive officials receive after a 1 year's service a special payment (Polizeizulage) of DM 60,— and after a 2 years' service a special payment of DM 120,—.

b) Local allowances will be generally paid (See No. III./4.).

c) Payment on the occasion of Christmas or of vacation. Such an additional payment will not be paid.

d) Additional salary

Every year there will be paid an additional allowance which consists of a basic amount for every person entitled and a special amount for children.

The basic amount will be paid in the amount of the payment for December which is regulated by the payment regulations.

Apart from this basic amount every person entitled will receive for each child, for whom he can claim additional payment for children in December as to the "Bundeskindergeldgesetz", a special amount of DM 50,—.

The yearly additional payment will be paid in December together with the salary.

e) Additional payment for clothing

Police officials, who belong to the constabulary, receive the uniform without costs (including underclothing). From the police commissioner (police inspector) upward there will be paid a clothing compensation of a different amount. CID officials receive in the single states a sum for clothing compensation between DM 20,— and DM 35,— per month.

f) Compensation for the expenses, when carrying out investigations

CID officials receive within the single state a compensation between DM 21,— and DM 60,— per month. If it can be proved the whole expenses will be paid.

g) Additional payment for being on duty at night or at legally acknowledged holydays or for shift-work

The respective police official obtains an additional payment for service at Sundays and at holidays and for being on duty at Saturdays starting with 13 h. The height of these extra payments amounts per month to DM 0,75 for each hour of service.

#### BELGIUM

Apart from the payment mentioned in the salary tables certain police officials can claim different additional payments that means local, residential and family allowances as well

as additional payment for clothing and for being on duty at night or a Sundays, additional payment for vacations — compensation for certificates — additional payment at the end of the year.

#### FRANCE

An additional payment for being on duty at night: FF 0,60 per hour.

An additional payment for intensive being on duty at night: FF 1,80 per hour.

Additional payment for clothing:

- a) FF 554,60 for Sous-brigadiers and Gardiens
- b) FF 578,20 for Brigadiers and Brigadiers-chefs
- c) FF 755,20 for Officiers and Commandants

Additional payment for the police service, called "paid service" differs to rank and number of hours.

In some towns certain contracts which have been concluded with the respective traffic companies, allow a transportation without any cost for the police official.

#### LUXEMBURG

a) Special police additional payments (additional payment in comparison to other officials):

Compensation for irregular service ("Prime d'astreinte"; 17 points, see point 3.)

b) Local allowance

Nothing

c) Additional payment on the occasion of Christmas or vacation

No

d) Additional salary per months

e) Compensation for expenses when using the public means of traffic.

When being on duty the expenses for the public means of traffic will completely be paid.

f) Additional payment for clothing resp. uniforms free of expense

Since 1976 F 6.600,— per year will be paid for clothing. The amount will be paid in two partial amounts every 6 months.

g) Compensation payments for investigation duties

1.000,— F per month — only for officials of the CID.

h) Additional payment for being on duty at night or at legally acknowledged holidays resp. for shift-work

17 points compensation — see point 3 and point 5 under a.

#### THE NETHERLANDS

The police official does not obtain a higher payment as it has been already mentioned. Of course, there exist regulations for additional payments on the occasion of official journeys, for special payment for the use of own bicycles and for special payments in the case of using the own typewriter etc.

The police official obtains — when carrying out work of investigation — a compensation of his relevant expenses.

#### DENMARK

The additional payments mentioned below are calculated as per 1-1-1976:

a) Additional payment for police officials (additional payment in comparison to other public officials)

Police officials, who will be paid according to the payment group 6 varies between Kr. 726,— and Kr. 749,— per month. Within the payment group 11 the amount is Kr. 793,— per month, within the payment group 13 the amount is Kr. 637,— per month, within the payment group 15 the amount is Kr. 594,— per month. Within the payment group 17 the amount varies between Kr. 460,— and Kr. 623,— per month and within the payment group 21 the amount is Kr. 445,— per month.

Politi- and Kriminalkommissaerer in the payment group 25 receive a special allowance in the amount of Kr. 438,— per month.

"Politiasstenter 1' grades" who are chiefs of police stations — "Landpolitiasstenter" who execute their service in the single districts and driving test experts receive Kr. 172,— per month apart from their special additional payment for being police officials.

b) Additional local allowances

Police officials receive — in the same way as other public officials — additional local allowances. This payment will be accomplished according to the single payment groups; this additional payment ends with the payment group 30. The local allowances furthermore are divided into 7 different classes in relation to the payment groups. For example, a police official, who belongs to the payment group 18 and who is on duty in a rural area (lowest allowance area) receives local allowances of Kr. 68,92 per month; a police official of the group of payment 13, who is on duty in Copenhagen, receives — on the contrary — local allowances of Kr. 763,— per month.

c) Payment on the occasion of Christmas or vacation

Police officials receive their salary — as all other public officials — also for time of vacations; furthermore they receive a special vacation payment of 1½ % of the yearly salary.

d) Additional salary per month

Nothing.

e) Compensation for expenses when using the public means of traffic

There will no compensation be paid.

f) Additional payment for clothing

Police officials, who belong to the payment groups 6 to 21 inclusively and who are obliged to wear uniforms receive their uniforms free of expense.

Police officials of the payment groups 6 to 21, who have to be on duty in normal civil clothing, receive an additional payment of clothing of Kr. 37,50 per month.

g) Compensation payments for investigation duties

Police officials of the CID — payment groups 6 to 21 inclusively — receive an additional payment for investigations (CID — allowance) in the height of Kr. 172,— per month; apart from this, it is possible, that special payments during investigation work will be compensated by the administration.

h) Additional payment for being on duty at night or work on legally fixed holidays and for shift-work

If the duty is carried out between 17 and 22 h there will be paid an additional sum of Kr. 4,65 per hour;

if the duty is carried out between 22 and 6 h the additional payment will amount to Kr. 7,47 per hour.

If the police official has to be on duty on Saturday after 14 h or on Sundays or holidays he obtains a compensation of Kr. 9,77 per hour.

#### FINLAND

a) Additional payment for police officials (additional payment in comparison to other public officials)

All police officials receive an allowance due to the policial function, which comprises two (2) payment groups. The police official will also receive a special reward for being on duty after 15 years of service (this one shall already be paid after 10 years of service as per April 1st, 1975).

b) Local allowances

According to the cost of living a local allowance and an allowance for remoted municipalities will be paid.

The allowance for remoted municipalities amounts to 4 % of the payment for each point. The municipalities will be evaluated in a table with points ranging from 1 to 7. The maximum allowance for remoted municipalities is paid in Lapland.

The local allowance within the first local group amounts to 9 % within the second 6 % and within the third 3 % of the payment.

c) Additional payment on occasion of Christmas or vacations

During the vacation an average payment of the total salary will be paid. The difference between the basic salary and the total salary will be named with additional payment for vacation. In July resp. after having finished the vacation an additional payment for the returning will be paid which amounts to 50 % of the average payment.

d) Additional payment for time of service

Due to regulations as to the time of service several allowances and indemnifications will be paid.

e) Compensations for the using of public means of traffic  
Police officials in uniform usually need not pay for using the public means of traffic.

f) Additional payment for clothing or uniforms free of cost

90 % of the relevant costs in the case of buying the first uniform; in all other cases: there will be paid an additional sum of 60 % of the price for the uniform. The constabulary receives uniforms free of expense.

g) Compensations for expenses on occasions of CID investigations

The officials of the CID and the constabulary receive an additional payment of Fmk 50,- per month when they are on duty for the purpose of investigation.

h) Additional payments for duty at night or duty at holidays or for shift-work

Additional payment for being on duty from 18.00 h till 21.00 h will be paid per hour with 15 % of the hourly wage. Additional payment for being on duty from 21.00 h till 6.00 h will be paid per hour with 30 % of the hourly wage and beyond that till a relaxation period of at least 2 hours will be granted.

Additional payment for being on duty at Saturdays 18.00 h till Sundays 24.00 h will be paid per hour with 100 % of the hourly wage.

Additional payment for being on duty at Saturdays from 16.00 h till 18.00 h will be paid with 25 % of the hourly wage.

Additional payment for being on duty at the eve of a legal holiday from 0.00 till 18.00 h will be paid per hour with 100 % of the hourly wage.

Additional payment for stand-by service within the leisure time will be paid per hour with 50 % of the hourly wage, additional payment for stand-by service (availability at the office from outside office) with 10 % of the hourly wage, and compensation for alarm in the amount of Fmk 10,- per alarm.

#### NORWAY

a) Additional payment for police officials (additional payment in comparison with other officials)

Additional payment for police officials Nkr. 3.735,- per year.

b) Additional local allowances

There do not exist such additional payments.

c) Additional payments on occasion of Christmas or vacation

There will be paid an additional payment for being on duty at holidays of 150 % per hour of over-time work.

d) Additional salary

It will not be paid.

e) Compensation for the use of the public means of traffic

Nkr. 98,- per month in large towns.

f) Additional payment for clothing

Nkr. 970,- per year.

g) Compensations for expenses, which have to be done on occasion of investigation

Nkr. 31,50 per month for officials who are especially engaged with the purposes of investigation. Greater sums may be paid on receipt.

h) Additional payments for being on duty at night or for being on duty on holidays

Additional payment for patrol service: Nkr. 2.335,- per year. Additional payment for night-work: Nkr. 1,50 per hour between 20 and 6 h. Additional payment for being on duty at Sunday Nkr. 5,50 per hour ranging from Saturday 0.00 to Sunday 24.00 h. Additional payment for over-time work in the realm of investigations Nkr. 7.180,- per year.

#### SWEDEN

a) Additional payments for police officials (additional payments in comparison to other officials)

Special additional payments are granted for police officials in the 16 largest police districts and for police officials in 5 other police districts. The special allowance is dependent on the district area and the kind of duty within the district and ranges between SKr 90,- and SKr 742,- per month.

Special payments to patrol service members are to be paid to those officials, who have to do ordinary patrol

service or service in a radio car or on motor cycles or within the mounted police. The additional payment runs up to such an amount which corresponds to the allowance for 1 hour qualified over-time work (with patrols on foot 1½ hours).

Additional payment for interpreters — the Danish and the Norwegian language excluded — will be paid with SKr 18,70 per day if at least the activity as interpreter has been carried out for one hour of if a respective investigation has been carried out for the same time in a foreign language.

Additional payments for those persons who are teaching at a course of instruction as instructor and which amounts to SKr 27,70 per day.

b) Local allowances

In certain towns or villages in the north of Sweden there will be granted an additional payment to compensate for extreme low temperatures. According to the payment group and the location where the service has to be carried out this additional payment ranges between SKr 40,— and SKr 1.232,— per month.

c) Additional payments for Christmas or vacation

An additional payment for Christmas or vacation will not be paid. However an additional payment will be paid for qualified inconvenient time of duty between 19.00 h on Fridays till 7.00 h on Mondays, from 16.00 h at the days before certain holidays till 7.00 h of the following day as well as from 16.00 h at the days before the eve of certain holidays till 7.00 h of the following working day as well as any time of a working-day which will precede or follow the holiday resp. the Sunday.

This additional payment will also be granted for simple inconvenient time of duty between 19.00 h and 6.00 h at the other days than the afore-mentioned. Qualified inconvenient time of duty will be paid with SKr 8,— per hour. Simple inconvenient time of duty will be paid with SKr 4,— per hour.

d) Additional salary

No.

e) Compensation for the using of public means of traffic

No.

f) Additional payment for clothing or uniforms free of cost  
The police candidate disposes of uniforms free of cost during the fundamental training. If he is engaged as an extra ordinary police official he obtains an additional payment for clothing or a respective payment of support of SKr 1.200,—. After that time, those police officials, who are obliged to wear uniforms will obtain an additional payment for clothing of SKr 750,— yearly. In other cases, there will be paid SKr 375,— per year.

g) Compensations for special expenses on occasion of investigations

Police officials of the CID department are entitled to obtain SKr 35,— per month at the maximum for those expenses, which have been spent when being on duty. It is not necessary to prove, that expenses up to this sum have been paid. Higher amounts are to be proved.

h) Additional payments for duty at night or duty at holidays or for shift-work

See point c).

## SWITZERLAND

a) Compensation for being on duty during inconvenient times.

b) Lodging allowance.

c) Additional 13th salary.

d) Compensation for the using of public means of traffic.

e) Compensation when using private vehicles.

f) Additional payment for clothing for the police officials in civil.

g) Compensation when being transferred.

h) Additional payment for being on duty for a longer period.

## ENGLAND, WALES AND SCOTLAND

No special payments paid but there are certain allowances i.e. if a house is not supplied by the Police Authority then he receives a rent allowance applicable for the area and the house in which he resides.

### 6. Are the other branches of the civil service also entitled to receive these special payments?

#### GERMANY

The civil service obtains only additional payments that have been mentioned under point III./5. b), d) and h). The other additional payments will not be granted. However, there exist other additional payments which will be granted by the administration.

#### BELGIUM

Yes.

#### FRANCE

No, the above mentioned additional payments will only be granted to police officials.

#### LUXEMBURG

To some extent.

#### THE NETHERLANDS

In some cases, there will be granted such additional payments for all members of the civil service.

#### DENMARK

The above mentioned additional payments under III./5. b), c) and h) will be granted to all officials of the civil service.

#### FINLAND

Yes, apart from the additional payments mentioned under point 5. a) and g).

#### NORWAY

The additional payment for police officials (III./5. a)) and the additional payment for being on patrol service (III./5. h)) will only be granted to police officials.

#### SWEDEN

The additional payments mentioned under point 5 b) and c) are also valid for the other public officials.

#### SWITZERLAND

Yes.

#### ENGLAND, WALES AND SCOTLAND

Not known.

### 7. Are there any regulations to continue the payment of the salary if a police official falls ill? How long?

#### GERMANY

Yes. If the respective official is not able to be on duty within the police forces, he will obtain his pension. Up to this point he gets his full salary.

#### BELGIUM

Yes. According to the valid prescription the respective official may obtain a vacation on account of illness up to 30 weekdays per year and up to 45 week days in case of being disabled soldier. If the end of the respective period has been reached, the official will be suspended from service and he obtains 60 % of his salary. The suspension can last for 4 years, thereafter he will be pensioned.

#### FRANCE

See II./25.

#### LUXEMBURG

Yes. If an official has been absent for 6 months (succeeding or not) within a period of 12 months, the competent Minister has to request the president of the pension commission to determine a physician in order to examine the ill official. If the physician considers that the legally fixed regulations are fulfilled the Minister has to summon the ill official before the pension commission. This will also be applied in case that the official refuses to be examined by the physician.

#### THE NETHERLANDS

In case of illness or of accident the police official will obtain for 18 months his complete salary and thereafter 80 %. In case that the official is hindered over 55 % in the execution of his service he will also obtain the complete salary after the period of 18 months.

#### DENMARK

Yes. The respective official obtains his complete salary and those additional payments which have been mentioned under point III./5.

If a police official after the completion of his 30th year of age has been engaged — without any reservation — for 5 years, he is entitled to obtain a pension; consequently, he must not be dismissed because of illness without obtaining a pension.

#### FINLAND

Yes. See II./22.

#### NORWAY

The respective official obtains his complete salary for 12 months, after that time he gets pension.

#### SWEDEN

Yes. The official obtains 92 % of his salary for the first 30 days and thereafter 94 % of the salary until he will be pensioned.

#### SWITZERLAND

Yes. Differences according to the labour contracts.

#### ENGLAND, WALES AND SCOTLAND

Yes, for as long as incapacitated. This period is flexible and up to three years or so if injured on duty and there is good hope of complete recovery. In any event he cannot be medically rejected without completing three months of full pay (inclusive of sickness or injury benefit). The average would be 6 to 9 months.

### 8. At what age has the police official to quit the active service in your country?

#### GERMANY

The police official has to quit his service after having reached 60 years of age, because this is the age of pension for all German police officials.

#### BELGIUM

The normal time of pension is 60 years of age. It is possible however, for police officials to be on duty up to 65 years of age.

#### FRANCE

55 years. On account of the law of April 8th, 1957, he may quit his service with 50 years, if he has been on duty at least for 25 years.

#### LUXEMBURG

For the police officials the normal time of pension is 55 years of age.

However, it is possible for police officials to be on duty up to the completed 60th year of age on account of simple request.

#### THE NETHERLANDS

The police official has to quit his service after the completion of the 60th year of age, because he has reached the time of pension. Then he gets a compensational payment up to the 65th year of age because the other officials of the civil service are allowed to quit their service in no cases before the completion of the 65th year of age. This compensational payment amounts during the first 60 months to 80 % of the last salary and it will be reduced

to 70 % thereafter. The payment of 80 % of the salary, which has been paid after the official has quitted his service, will be enlarged for 1/2 % per year on duty, if the official has been on duty for more than 30 years. That means, that the police official, who has been on duty for 40 years, will get a pension of 85 % of his last salary.

If the police official has quitted his service after having reached the 65th year of age, 50 % of the pension, which had to be paid to him for the time between his 60th and his 65th year of age, must be considered, when his final pension will be calculated.

On principle, additional income, which the police official is able to obtain after he has been pensioned (60th year of age) has to be considered, if it — together with the pension — exceeds the last salary of the interesting official. There have to be carried out the necessary reductions as follows:

- a) after an age of beneath 50 years: the amount of excess.
- b) for an age of 50—55 years: 50 % of the amount of excess, but never more than the difference between the payment and the amount of the pension in the moment of excess.

#### DENMARK

Police officials, who have reached the group of payment 25 may quit their service with 60 years and they retire after having reached the age of 63 years. The other police officials may retire with 67 years and they must retire with 70 years of age.

All police officials, who quit the service between the 67th and 70th year of age are entitled to obtain their pensions after the 63rd year of age; of course, this pension will be reduced regarding those years, which are lacking up to the 67th year of age.

#### FINLAND

The lower ranks of police officials have to quit their duty with 58 years; they are obliged to leave the police forces with 60 years of age.

The higher police officials may quit their service with 63 years of age; they are obliged to leave the police force with 67 years.

#### NORWAY

Not-juridical officials have to quit their duty with 60 years. Juridical officials have to quit their duty with 70 years.

#### SWEDEN

There are existing different ages for quitting the police service; these are dependent on the position and on the group of payment.

Class of pension II = 63—65 years of age

(Polisassistent/Kriminalassistent, Polisinspektör/Kriminalinspektör up to the payment group F 7).

Class of pension III = 65—66 years of age

(Polisinspektör/Kriminalinspektör with the payment group F 8 and above as well as Polis-/Kriminalkommissarie and higher ranks).

Every police official is obliged to quit his service, if he has reached the upper limit of age. The respective official

is entitled to quit his service if he is within the lower period of pension; a period to give notice of 6 months has to be observed.

#### SWITZERLAND

There are differences according to the fact if it is an official of the municipality, the canton or the Federal State.

#### ENGLAND, WALES AND SCOTLAND

Compulsory retirement is at 55 years of age for constables, sergeants and Metropolitan inspectors; 60 years of age for provincial inspectors and superintendents.

9. What about the composition of the salary after having quitted the service?

10. Is it possible to say anything about the relation between the salary and the pension of an official who has quitted his service?

#### GERMANY

The official obtains a pension which consists of the basic salary, the local allowance and the additional payments taken into consideration for the calculation of the pension (see also point 4. and 5.).

The pension amounts to 35 per cent when having completed 10 years of service which will be taken into consideration when calculating the pension and this amount increases by 2 per cent every year until the completion of the 25th year of service and thereafter by 1 per cent up to a maximum rate of 75 per cent.

#### BELGIUM

The legal pension statute grants a pension in the amount of 1/60 of the average salary of the last 5 years of service per year of service. Beyond that this amount will be increased by 20 per cent for police officials, however, it must not exceed 75 per cent of the salary. However, this excess is possible in case that the pensioned official can prove that he has executed duties for the nation (e.g. Resistance during war times etc.).

The local statute of certain municipalities is more favourable than the legal statute for those who were engaged before January 1st, 1956. Locally it is also foreseen that the basis of the pension calculation can amount to 1/50 of years of service instead of 1/60.

It has to be noted that the pension increases will be adjusted to the increased cost of living index according to the activity salary figures.

#### FRANCE

The police official obtains a pension depending on his years of service which entitle to a pension (One year which entitles to a pension = 2 %). The highest possible rate amounts to 75 %; this rate may be passed over in order to reach a rate of 80 % for those persons who are entitled

to receive the "campagnes militaires doubles ou simples". When calculating the rates of percent, the following facts have to be considered:

- the police service
- those services which have been done in other administrations, beginning with the 18th year of age
- the time, when the respective official had to be on duty in the armed forces, which have been carried out since the 16th year of age
- special rewards for being on duty within the police forces.

The exact pension will be calculated as follows: the gross salary of the official — without any additional payments — will be multiplied with a valid rate of percent.

In the case, that the official must quit his duty before having reached his age of pension because of illness or accident, he obtains immediately a pension without regard to his years of service.

The principle of calculation is valid for the whole civil service with the exception of the special rewards for being on duty within the police force.

#### LUXEMBURG

The official who is 55 years of age or above obtains  $\frac{5}{6}$  of the last salary under the condition that the years of age and of service totally amount to at least 85 years.

The compensation of 17 points ("Prime d'astreinte") mentioned under 3 and 5 a is also entitled to a pension.

#### THE NETHERLANDS

The general age of retirement for all officials of the civil service is 65 years of age. After that time each official will receive his pension. The exact sum of his pension is orientated as to the time, where he was on duty in the civil service and to the basis on which his pension has been calculated. The foundation for the calculation is the average sum of the salary of the last two years. The rate of percent per acknowledged year is generally  $1\frac{3}{4}$  % per year on duty. Generally, the calculation has to be accomplished as follows: years on duty x  $1\frac{3}{4}$  % of the average salary of the last two years on duty.

The maximum pension will amount to 70 %.

Apart from the pension, which will be paid to persons who have retired from service on occasion of age, there will be paid other kinds of pension, such as: pensions for disabled persons, pensions for widows and orphans.

A pension for disabled persons will obtain such an official who cannot be on duty because of permanent illness. The exact calculation of this pension depends on the degree of his invalidity.

For example:

- 80 % invalidity: 80 % of the average basis of calculation
- 65—80 % invalidity: 65 % of the average basis of calculation
- 55—65 % invalidity: 50 % of the average basis of calculation
- 45—55 % invalidity: 40 % of the average basis of calculation
- 35—45 % invalidity: 30 % of the average basis of calculation
- 25—35 % invalidity: 20 % of the average basis of calculation
- 15—25 % invalidity: 10 % of the average basis of calculation

After the respective official has become 65 years of age, the pension for disabled persons will be transformed into

the normal pension. As to the calculation of this pension, there will be concerned the lacking time of service because of invalidity.

The former official who receives a pension for disabled persons will also obtain an additional payment of  $12\frac{1}{2}$  % of the pension for disabled persons in case that it is an invalidity mainly caused by reasons during the execution of the service. This additional payment will expire when reaching the 65th year of age.

#### DENMARK

If an official of the civil service retires, before he has completed his 67th year of age, he gets only an ordinary pension for officials. After the completion of his 67th year of age, he obtains, furthermore, the pension of the all comprising social insurance, to which all citizens are entitled. Finally, the respective official will get an additional pension which will be paid by a special institution; originally, this institution has been established by the employers and by the Trade Unions. Later on a law has enabled the public officials to become members of this institution.

The age of pension of an official depends on the number of years, he has been on duty after his completed 25th year of age. If the respective official has reached an age of pension of 37 years, he will obtain the highest possible pension. The pension for an official consists of a basic sum, a sum which is depending on his former salary, that means, 1,5 % per year of pension of a salary that has been received in former times and on special payments in order to equalize the higher cost of living. The highest pension for public officials amounts to 67 % of that salary which has been mentioned in III./4.

After the completion of the 67th year of age the pensionaries obtain the payments of the all comprising social insurance. At the same time, there will take place a reduction of the ordinary pension of the official. This means, that the raising of a pension for a couple after having reached the age of 67 will amount only to Kr. 3.000,—. After the 67th year of age has been completed, the pensionary gets an additional pension, which will be paid out by the special institution, which has been originally founded by the employers and by the Trade Unions. The exact sum of this pension varies between Kr. 600,— and 2.400,— per year and it depends on the fact, how long the pensionary has been affiliated with the above mentioned institution.

#### FINLAND

The complete pension amounts to 66 % of the salary.

The exact sum of the pension will be calculated in the following way: As basis have to serve those two years from 4 years, where the respective official has got the highest salary. For these two years there will be calculated the average salary per month. 66 % of the above mentioned salary will constitute the pension.

If the last salary of an official does not reach the normal level because of illness or of any other cause, then there will be a deviation from the above mentioned basis of calculation in favour of the pensionary.

#### NORWAY

$66\frac{2}{3}$  % of the salary at the time of retirement.

As described above; furthermore, the pensionary is entitled to obtain — beginning with 70 years — the payments of the all comprising social insurance.

SWEDEN

Normally, 65 % of the highest salary within the group of payment (salary in accordance with the tariff without additional payment), which is the basis of the pension calculation, will be paid. However, it is assumed, that the respective official was 30 years on duty and has been paid the last 5 years according to his group of payment.

When being pensioned in case of illness there will be paid a special allowance in the amount of 25 % of the pension until reaching the 64th year of age.

SWITZERLAND

The pension consists of a percentage of the last salary (generally 60 to 90 %) where a so-called "AVS-Brücke" has to be added, until the person who is entitled to obtain a pension has reached the 65th year of age, that means he will be a beneficiary of the AVS-pension.

ENGLAND, WALES AND SCOTLAND

A pension is paid.

One sixtieth of pensionable pay for each year of service up to twenty years and for each half year thereafter. This gives maximum pension of 40/60ths at 30 years service. Voluntary retirement on pension may take place at 25 years service (half pay pension) or at any time thereafter. An enhanced rate is granted after 5 years service (a gratuity is paid with less).

An officer who is disabled as a result of an injury on duty is entitled to an injury pension and in addition a gratuity. The gratuity is dependent upon average pensionable pay and the degree of disablement, whilst the injury pension is assessed on the basis of a minimum income gratuity to bring the total of police and state pension up to a proportion of average pensionable pay dependent upon service and the degree of disablement, with a maximum of 85 % of average pensionable pay for a disability in excess of 75 % at 25 or more years service.

11. Are these calculations valid for the other branches of the civil service, too?

GERMANY

Yes.

BELGIUM

See III./9./10.

FRANCE

See III./9./10.

LUXEMBURG

Yes, more or less.

THE NETHERLANDS

Yes.

DENMARK

Yes.

FINLAND

Yes.

NORWAY

These regulations are also valid for all officials of the civil service.

SWEDEN

Yes.

SWITZERLAND

Yes.

ENGLAND, WALES AND SCOTLAND

Not known.

12. Is the police official entitled to receive other special payments additional to his pension? If yes, give details, please!

GERMANY

The police official is entitled to retire with 60 years of age from his duties, whereas the other officials of the civil service may retire only with 65 years of age. For that reason the respective police official obtains an equalizing sum of 7½ salaries per month; the above limit of the compensation payment is today DM 8.000,-.

BELGIUM

Every police official can claim a civic pension in case he has furnished proof of his civic service, before joining the administration. The amount of this pension will be calculated due to the number of years on duty provided in the private sector.

FRANCE

The pension for disabled persons, the temporary additions for invalidity, additional payment for children, that means 10 % for three children, 5 % in addition for each other child. The total sum of pension and additional payments may not exceed the normal salary of the respective official during his time of service, the additional payment for invalidity excepted.

LUXEMBURG

No.

THE NETHERLANDS

No.

DENMARK

Police officials who have to retire from being on duty with 63 years of age obtain a compensation payment for 7 years in relation to their age of service. In this way they

dispose of the same rights — as to the pension — as those officials, who have retired from service when they have become 70 years of age.

#### FINLAND

There will not be paid any additional payment by the official authorities. However, each police official is a member of the insurance company for the police officials and consequently he obtains, if he has to retire from being on duty, an additional payment of nearly Fmk 3.500,—.

#### NORWAY

No; see, however, point III./10.

#### SWEDEN

No.

#### SWITZERLAND

Yes. From 65 years of age on he will obtain "AVS".

#### ENGLAND, WALES AND SCOTLAND

No, but there are facilities for voluntary conversion of up to one quarter of pension into a lump sum; and to allocate in favour of a dependant up to one third. A combination of allocation and conversion must not involve the surrender of more than one third of pension. Conversion is restricted to voluntary retirement at 25 years' service or compulsory retirement on ill-health or age limit.

13. Is it necessary that the police official during his active time of labour has to transfer a special sum for provisions of his pension?

If yes, how much?

#### GERMANY

No.

#### BELGIUM

There does not exist any obligation as to his own person; however, for his widow and for the respective orphans, 6,5 % will be deducted.

#### FRANCE

Yes, 7 % of the gross salary as an equalization for the special regulation of the pension; 6 % for the other officials of the civil service.

#### LUXEMBURG

Yes. 3 % of the gross salary per month.

#### THE NETHERLANDS

The salary of the respective official will be deducted of 7,9 %. The total sums, which will be transferred to the fund of pension by the Dutch government, amount to 24 %

of the total sum of the respective salaries. Starting with January 1st, 1967, the sum that has been paid for the minimum of the basis of fixing the relevant premiums has been enlarged of 10 % and reaches the height of Gld. 4.000,—.

#### DENMARK

In order to guarantee the pensions for all officials, there do not exist any deductions from the salary of an official. The all comprising social insurance will be subventioned by taxes, and the special institution, which originally has been founded by the employers and the Trade Unions has to be supported by those officials, who are still on duty with a sum of Kr. 12,— per month.

#### FINLAND

No.

#### NORWAY

2 % of the basic salary will be transferred to the national social insurance.

4 % of the gross income will be transferred to the all comprising social insurance.

#### SWEDEN

No.

#### SWITZERLAND

Yes, that differs from 8,5 to 11 %.

#### ENGLAND, WALES AND SCOTLAND

Yes, 7 % of the salary for males and 5 % of the salary for females.

14. Do receive after the death of a police official his widow or his orphans pension furthermore?

#### GERMANY

Yes.

#### BELGIUM

Yes.

#### FRANCE

Yes, the widow receives 50 % of the pension of her husband; for each child of minor age there will be paid 10 % of the pension of the father.

Those children who produce difficulties in the education and bodily disabled children who are not able to care for themselves are entitled to obtain a pension after the death of the mother.

If the police official dies in execution of his service, the widow obtains a special payment, which is equal to the basic salary of a year, Frs. 750,— per year for each child additional.

## LUXEMBURG

Yes.

## THE NETHERLANDS

Yes.

## DENMARK

Yes.

## FINLAND

After the death of the respective official there will be paid pension to his widow or to his children in the following way: The respective widow is entitled to receive the pension provided that she has married the official before he has completed his 65th year of age. Concerning the height of the pension it is of importance whether the deceased official has had — together with his wife — a child, which is entitled to receive parts of the general family pension. Furthermore, it has to be considered whether the widow has completed her 40th year of age, when the official has died and whether they have been married for at least 3 years.

The respective child is entitled to receive a part of the pension, if it has not completed the 21st year of age at that day, when the official has died; furthermore, if the child of the official is not able to work because of illness or other disabilities or the disability to work has begun before the completion of the 18th year of age.

The exact sums of the family pensions:

Number of those persons who are entitled to get the pension	The rate of % of the family pension
1	30 %
2	40 %
3	45 %
4	50 %
5	55 %
6	60 %
7	65 %
8	66 %

## NORWAY

Yes.

## SWEDEN

Family pensions will be paid to the respective widow and to children, if they have not completed their 19th year of age as follows:

- 1 person entitled to receive pension  
32,5 % of the final salary
- 2 persons entitled to receive pension  
45,5 % of the final salary
- 3 persons entitled to receive pension  
52,0 % of the final salary
- 4 persons entitled to receive pension  
58,5 % of the final salary

If the police official dies when being on duty the respective marital partner is entitled to receive a sum which will be paid out by a life insurance; the relevant sum is Kr. 51.000,—. For each child which has not completed the 20th year of age there will be paid an additional sum.

The respective life insurance has to be regarded as a collective life insurance concluded by the employer who also pays the premium. A decreasing scale as to the payments of this insurance is valid after the official has completed his 55th year of age.

## SWITZERLAND

Yes, pension for widow and additional payment for children.

## ENGLAND, WALES AND SCOTLAND

Yes.

## 15. In which way will these payments for widows and orphans be calculated?

### GERMANY

The widow is entitled to receive 60 % (= 45 % of the salary of the official) of the pension of the official (see III./9.). For each child having lost one part of the parents there will be paid 12 % and for each child having lost the two parts of the parents there will be paid 20 % of the pension. In the maximum there will be paid the complete pension of the husband.

### BELGIUM

The widow is entitled to receive a pension of at least 30 % and max. 50 % of the last salary of the official which was the basis for the calculation of the pension. The pension of the widow will be increased by 5 % of the sum for the calculation of the pension for the first child who has not yet reached the 18th year of age, that means 3 % for the second child, and 2 % for each other following.

The payment of the orphans amounts to  $\frac{6}{10}$  of the pension for the widow, for 2 orphans it amounts to  $\frac{9}{10}$  of the same pension. 3 orphans receive the complete pension and beyond that an increase of 5 % of the basic salary is foreseen for the 4th orphan as well as 3 % for the 5th and 2 % for each other orphan following.

The payment for widows and orphans of the members of the police and the fire-brigade is increased by  $\frac{1}{5}$  without exceeding the maximum rate of 50 % for the widow.

### FRANCE

See III./14.

### LUXEMBURG

The **widow** of a police official is entitled to receive a pension which consists of:

- a)  $\frac{2}{3}$  of 16,5 % of the salary of her deceased husband which was the basis for the calculation of the pension.
- b) 60 % of the rest of the pension which the husband would have been entitled to receive or which he would have received.

For special cases the law provides for partly more advantageous but also partly more disadvantageous rates for the calculation.

The orphans are normally entitled to receive a pension until the completion of the 18th year of age. In special

cases such as studies at the university etc. this pension can be prolonged until the completion of the 25th year of age. The payment for orphans has been fixed as follows:

a) if there is a widow who is entitled to receive a pension for

1 child 20 %

2 children 30 %

3 children 40 %

4 children and each other child following 50 %

of the normal pension of their father.

b) if there is no widow who is entitled to receive a pension or in other cases determined by the law there can be applied higher rates for calculation.

The pension for the widow and the orphans may not exceed in any case the normal pension of the father.

#### THE NETHERLANDS

Pension for the widow amounts regularly to  $\frac{5}{7}$  of the pension to which the respective official would have been entitled after having completed his 65th year of age.

The pension for orphans amounts to  $\frac{1}{7}$  of the pension of the respective official to which he would have been entitled if he had completed his 65th year of age. If the orphan has neither father nor mother, the respective person is entitled to receive  $\frac{2}{7}$  of the pension.

Widows and orphans are entitled, however, to receive the normal pension of the official and no higher sums.

#### DENMARK

The pension for the widow or for the widower will be calculated on the foundation of a special basic sum; there will be added  $\frac{2}{3}$  of the own pension of the deceased official and an additional payment to compensate for raising prices. The highest pension for a widow or for a widower will amount to 50 % of that salary, which has been mentioned under III./4. In addition to this pension, there will be paid sums of the all comprising social insurance and of that special institution which has been originally founded by the Trade Unions and the employers.

The pension for orphans amounts to Kr. 5.607,- per year, the additional payment for compensating raising prices included.

The pension for those orphans, who have neither father nor mother amounts to Kr. 11.215,- additional payment for compensating raising prices included.

#### FINLAND

The exact sum of the pension will be calculated on the basis which has been described under point III./10. Especially, it has to be mentioned, that the basis for the calculation are not only those years, where the respective official has been really on duty, but also those years, which are lacking as to the reaching of his real age of pension.

#### NORWAY

The widow receives 60 % of the normal pension.

Additional payment of children: 1 child = 20 %, 2 children = 30 %, further children 40 %, 50 % and 60 % respectively.

#### SWEDEN

See III./14.

#### SWITZERLAND

The respective pensions are fixed by the law concerning the social insurance.

#### ENGLAND, WALES AND SCOTLAND

Ordinary. The widow receives one half of the husband's pension of accrued pension rights plus National Insurance benefits in full subject to flat rate minimum plus children's allowances equal to one eighth of the husband's pension or accrued pension rights subject to the total of widow's pensions and children's allowances not exceeding the husband's pension.

Special. For death due to injury or illness caused by duty, the widow receives 45 % of the husband's pay; for death from attack or injury in effecting an arrest, etc. the rate is one half of the husband's pay. In each case inclusive of National Insurance and Industrial Injury benefits. Enhanced children's allowances are payable in addition.

The ordinary and special children's allowances are payable on the same terms as family allowances (i.e. up to the age of 19).

### 16. To which sums amount the pensions or the payments for widows and orphans in case of accident during service-time?

#### GERMANY

The pension, the official is entitled to receive in case of accident when he has been on duty is higher than the general pension. The widow gets 60 % of the above mentioned sum, each orphan 20 % (see II./26.).

#### BELGIUM

33 % of the last salary plus 1 % for every year beyond 20 years of service.

Pension for the orphans: the same percentage will be added on the pension for the widow as mentioned under question 15.

#### FRANCE

See II./14.

#### LUXEMBURG

In case that disability is ascertained caused by an accident during service-time the police official is entitled to get credited 10 resp. 15 further years of service. In severe cases the law provides further advantages.

The police official can, in addition to his pension, receive an accident pension which will be granted by the General Accident Insurance. This accident pension can amount up to 125 % of the salary which the official obtained in the amount of the accident according to the seriousness of the invalidity ascertained by a physician.

The payment for the widow and the orphans will be calculated according to the pension of the husband resp. of the father.

#### THE NETHERLANDS

In all interesting cases, too, the relevant pensions amount to the same sum as has been described under point III./15.

#### DENMARK

Police officials who have to quit the service because of an accident when being on duty receive the highest possible pension.

If an official dies because of an accident when being on duty, his widow receives for the period of one year after the accident his complete salary. Later on, the pension for the widow will be calculated on the basis of the highest age of service.

Pensions for orphans will be granted as it has been mentioned under III./15.

#### FINLAND

See II./26.

#### NORWAY

There will be granted the whole pension; that means the pension will be paid as if the official had been on duty up to the time where he had to quit his service because of age.

#### SWEDEN

See III./14. (also point II./26).

#### SWITZERLAND

The payment is fixed according to the law for the social insurance.

#### ENGLAND, WALES AND SCOTLAND

See III./15.

### 17. Which payments will be paid in case of removals?

#### GERMANY

If removals have to be carried out in the interest of the police service, the respective costs will be totally compensated, including the curtains.

#### BELGIUM

Any compensation payments are not provided.

#### FRANCE

If the official will be transferred to another town or village in the interest of the police service, the expenses for this removal will be compensated. This compensation takes place according to a table, which considers the personal status, the group of payment, the volume for furniture and

the number of kilometres. The travelling costs for the respective official and for his family will be also compensated.

#### LUXEMBURG

If removals have to be carried out in the interest of the police service, the respective costs will be totally compensated as well as a compensation for extra charges.

This compensation amounts to:

F 4.375 for officials within the classes A and B

F 3.750 for officials within the class C plus

F 625 for households with 1 or 2 children and

F 1.250 for households with 3 or more children.

These rates will be periodically adjusted to the rising costs of living.

#### THE NETHERLANDS

If removals become necessary in the interest of the service, the costs of these removals will be fully compensated to the official. In order to equip the new dwelling, the respective official gets furthermore a sum which amounts to 12 % of his salary per year. If removals become necessary in the interest of the service within three years he obtains a sum which amounts to 14 % of his salary per year.

#### DENMARK

If an official will be transferred in the interest of the service, all expenses caused by the removal will be completely compensated. Furthermore he gets an additional payment in order to equip his new dwelling. It is possible to grant a further compensation, if the payment of the rent for the old dwelling has to be continued for some time, too. If the official has asked to be transferred and if there is no promotion, the respective official is obliged to pay 1/5 of the costs for the removal.

#### FINLAND

Police officials of the mobile police, who have been transferred to another town or village and are consequently obliged to remove, obtain a compensation for all expenses which will be caused by the removal. This compensation will be fixed according to the judgement of the Ministry of Interior.

If a removal will be carried out voluntarily, they are not entitled to get any compensation.

#### NORWAY

On principle, the respective expenses will be compensated by the government.

#### SWEDEN

There will be paid compensations for removals in such cases that the official will be transferred; furthermore, the respective costs will be borne by the State if the official obtains a higher rank. The money spent for the removal has to cover the costs which are involved with the removal of the respective official and his family.

## SWITZERLAND

The prescriptions differ from canton to canton.

## ENGLAND, WALES AND SCOTLAND

Where a member is required to move his home and the removal is due to the exigencies of police duty, the cost shall be borne by the Police Authority and allowances paid to the member.

## 18. Which payments will be paid for any official journey?

### GERMANY

In case of official journeys there will be paid travel allowances. Officials who belong to the group of payment A 8 or above will obtain compensations for the first, other officials for the second class of the "Deutsche Bundesbahn". Furthermore the official is entitled to get day travelling allowances and night lodging allowances as follows:

Group of payment	Day travelling allowances		Night lodging allowances
	for several days	for one day	
A 1-A 10	DM 23,-	DM 23,-	DM 20,-
A 11-A 15, B 1	DM 28,-	DM 28,-	DM 25,-
A 16, B 2-B 11	DM 34,-	DM 34,-	DM 30,-

The day travelling allowances amount to  $\frac{3}{10}$  in case that the duration of an official journey does not exceed 6 to 8 hours. This can also be applied for an official journey of several days for the day when the journey begins and for the day when it ends. In case of more than 8 to 12 hours  $\frac{5}{10}$  of the full sum will be paid. If the journey is longer than 12 hours, then there will be paid the full sum.

### BELGIUM

There do not exist any regulations of this kind, because the police has the character of a municipality police.

### FRANCE

If a police official has to travel for reasons of service, he obtains a ticket free of charge according to his group of payment.

He is also entitled to receive day travelling allowances which are different as to the duration of the task to be carried out and to the relevant group of payment.

### LUXEMBURG

Official journeys within Luxemburg:

Class	Day travelling allowances	Night lodging allowances
A	Fr 390,-	Fr 390,-
B	Fr 370,-	Fr 370,-
C	Fr 354,-	Fr 354,-

Official journeys outside Luxemburg:

There are special day travelling allowances and night lodging allowances for each country which are fixed by regulations of the Grand Duchy.

Example:

	A	B	C
France	Fr 840,-	Fr 790,-	Fr 700,-
The Netherlands	Fr 730,-	Fr 680,-	Fr 590,-
U.S.A.	Fr 990,-	Fr 910,-	Fr 800,-
Fed. Rep. of Germany	Fr 750,-	Fr 690,-	Fr 610,-
Switzerland	Fr 680,-	Fr 630,-	Fr 570,-

The compensation for night lodging at hotels is, in the average between 70,- and 100,- Fr higher than the day travelling compensation.

### THE NETHERLANDS

In case of official journeys, the expenses for buying a ticket or for using a car will be compensated. Furthermore, the official is entitled to receive day travelling allowances and night lodging allowances because of stipulations which belong to a special regulation.

### DENMARK

In case of official journeys the costs for the tickets or the costs for using a car respectively will be compensated. If they intend to use the railway, officials who belong to the groups of payment 23 to 40, may use the first class of the railway; the other officials have to use the second class.

In case of official journeys the officials are furthermore entitled to get day travelling allowances and night lodging allowances. Police officials are divided into the two groups A and B. Officials who are members of the group of payment 23 to 40 belong to the group A, the other officials belong to the group B.

	Compensation per hour	Day travelling allowances	Copenhagen	Rest of Denmark
Group A	DKr 3,80	DKr 75,70	DKr 148,-	DKr 101,-
Group B	DKr 3,25	DKr 64,40	DKr 127,-	DKr 87,-

### FINLAND

The public officials receive a compensation according to contract for official journeys.

1. For official journey compensation as to travelling costs, day travelling allowances, compensation for meals, compensation for lodging, as well as night travelling allowances.

2. Travelling allowances for car and train service, day travelling allowances, compensation for lodging and night travelling allowances; as well as

3. Compensation for journeys in case of courses, day travelling allowances, course day allowances, compensation for lodging, night travelling allowances.

Day travelling allowances are granted if the distance from the office is more than 15 kms or if the official journey goes 5 km beyond the border of an other municipality.

The amount of the compensations and day travelling allowances is based on the respective level of the costs.

At the moment they are as follows:

- Compensation for meals for a journey of 6 hours with a distance of 10 kms from the office: Fmk 8,-.
- Partial day travelling allowances for a journey which lasts for more than 8 hours: Fmk 19,-.
- Day travelling allowances for a journey which lasts for more than 12 hours: Fmk 37,-.
- Airport fees for 2 days.
- For using an own car:

for the first 5.000 kms per year 42 Penni/km  
for the following kms per year 39 Penni/km  
for more than 50.000 kms per year 36 Penni/km.

- For using an own car in the police service throughout the country: 23 Penni/km.

- Lodging compensation (hotel): Fmk 57,- to 65,-.

- Day travelling allowances during a course: Fmk 18,-.

In case of free lodging 25 % of the day travelling allowances will be kept back.

In case of free boarding there will be paid 50 % of the day travelling allowances.

In case of free lodging and boarding 75 % of the day travelling allowances will be kept back.

#### NORWAY

Day travelling allowances (more than 12 hours)	Nkr. 96,-
Night lodging allowances	Nkr. 190,-
Together	Nkr. 286,-

#### SWEDEN

For official journeys which will take place within the leisure time of the official an additional payment for official journeys in the amount of 14,20 Skr per hour for the first 10 hours per week and 28,40 Skr for the other hours will be paid.

For official journeys which take place between 19.00 h at the eve of the day off duty and 7.00 h at the day following the day off duty a compensation of 21,35 Skr instead of 14,20 Skr per hour will be paid. For all official journeys day travelling allowances are normally paid as follows:

For 1 night there will be paid Skr 55,- or the price of the hotel room.

For 1 day there will be paid Skr 67,-.

But there is a number of regulations in order to cut down expenses which will lead to a reduction of the payment with regard to the duration of the official instruction.

#### SWITZERLAND

Travelling costs and costs for living will be compensated.

#### ENGLAND, WALES AND SCOTLAND

All "necessarily incurred" expenses for travel etc. on duty are reimbursed in full; e.g. fares or motor vehicle allowances.

## **IV. Special Police Law**

# 1. Which prescription is valid in your country for the police as to crime prosecution?

## GERMANY

§ 163 of the Code of criminal procedure:

1. The police officials are obliged to investigate all kinds of actions against the law and they have to carry out all measures which do not allow any delay in order to prevent the obscuring of a certain fact.
2. The police administration and the police officials report the results of their interrogation to the public prosecutor without delay. If it seems to be necessary that certain measures will be carried out by the examining magistrate, the necessary documents have to be immediately sent to the competent judge (Amtsrichter).

## BELGIUM

The Code of criminal procedure, the penal code and special laws.

## FRANCE

The code of criminal procedure.

## LUXEMBURG

The competence of the police in case of prosecution will mainly be regulated by the code of criminal procedure (code d'instruction criminelle).

## THE NETHERLANDS

The task and the competence of the police lies within the field of the code of criminal procedure and the police has to guarantee public law and order.

Article 141 of the code of criminal procedure stipulates that the officials of the central police and of the municipality police are entitled to search for criminals. In article 152 of this law, there is stipulated that the respective police officials have to write as soon as possible a record concerning their activities. As to the contents of the record the official has to swear an oath. Furthermore the competence of the police is regulated by laws and royal decrees.

## DENMARK

The competence and the duties of the police officials are regulated by the law of order and by special other laws concerning the police.

The most important prescriptions contains § 108, point 1, of the above mentioned law of order. It has the following contents: " It belongs to the tasks of the police to maintain law, order and security; this institution has to guarantee that all laws and orders will be respected. The police officials have to do all necessary things in order to prevent crimes, or to carry out the necessary investigations and to forward them to the public prosecutor."

## FINLAND

The prescriptions as to the confining of persons are regulated in §§ 13, 19, 20 and 21 of the special police law and in §§ 23, 23 a and 41 a of the introduction to the

Finnish criminal law. These paragraphs — it is not intended to reproduce the full text of them — provide the following measures and competences:

### § 13

Every person is obliged to prove his identity, if a police official asks for it. The police official is obliged to confine a person, who is unacquainted to him and if it refuses to give the necessary informations. The same privileges are valid, if the respective person gives information which is obviously wrong. Such a person has to be interrogated.

### § 19

The police officials are authorized to remove or to confine respectively those persons who are able to endanger the common law and order. The police officials are also entitled to arrest persons in order to secure them from being endangered by themselves.

### § 20

Everyone who appears in a drunken condition in a public assembly may be confined by the police officials, if this appears to be necessary.

If a drunken person disturbs the tranquillity in a private dwelling, the police officials are authorized to remove this person, if this is requested.

The police officials are authorized, too, to intervene against a lodger of a dwelling or — without being asked — against other persons who are drunken and who disturb the tranquillity of the respective house. The above mentioned measures are even legal if the disturbance of the general order has been stopped, but if it may be expected, that the above mentioned persons will continue their disturbing actions.

The measures cited above are valid for private dwelling and for those rooms of which single persons are disposing; furthermore, they are valid for all other rooms or territories respectively, including hospitals, schools, offices and similar institutions.

Single private persons, too, are authorized to remove or even to capture drunken persons, if they disturb the public law and order.

In any case the police has to be informed and the confined person has to be handed over to the police. It is up to the responsible police official to decide, if the confined person may be dismissed or whether it has to be arrested furthermore.

### § 21

Any person who commits an act of disturbing the domestic peace and who is not willing to retire as soon as possible, may be confined by the police officials, if this is required. If it may be assumed that the respective person will continue to disturb the public order, the person may be confined and the person may remain arrested up to that point of time, when such a danger has disappeared.

In those cases, where the proprietor of a room or of a certain territory is guilty of having disturbed the public order, the police officials may intervene without request, if it is to be assumed, that the respective person is able to threaten law and order.

According to § 23 of the introduction to the criminal law, every citizen is authorized to confine a person, who has committed a crime which will be regularly an object of apprehension; every citizen is authorized to capture a person who is searched on account of a warrant of arrest.

§ 23, point 3 (no repetition word for word)

If a person has been arrested by the police and if it has not been possible as yet to obtain a warrant of arrest, the respective person must be dismissed after 72 hours or it has to be regularly confined. The time which is necessary to transport the interesting person has to be deducted from the above mentioned time. In any case the respective time may not exceed 96 hours.

If there does not exist any urgent reason for the confinement, but if further research work seems to be necessary, it is possible that the competent police administration gives the order to arrest the suspecting person for more than 72 hours; the confinement, however, must not exceed the period of 14 days.

§ 23 a

The chief of the constabulary, his deputy and the other chief police officials are authorized to order to their subordinated officials, to confine everybody for the purpose of interrogation who has probably offended against the normal order of the state or of the society and who has probably committed a dangerous crime.

The confined person has to be delivered up to the central CID within 24 hours exclusively the time needed for transport not more than 48 hours.

NORWAY

The law of order from July 1st, 1887, No. 5.

SWEDEN

The Swedish legislation differentiates between the definitions of capture, taking charge of persons, detaining, stopping and arresting.

Law as to the incidental taking charge of persons (LTO):

§ 2: If one meets a person who is supposed to be 15 years of age and who lives under conditions which can be considered as an evidently threatening and serious risk for the health or the development of that person, the police official has the right to take charge of the person in order to immediately deliver up the person to the parents, another guardian or the youth welfare office.

§ 3

That person who disturbs or directly endangers the common law and order due to his behaviour, shall – if necessary – be taken charge of by the police in order to guarantee the law and order. Such a taking charge of persons is to be executed also in cases where this measure can prevent an offence.

A legal taking charge of persons may not exceed 6 hours. Code of procedure

Article 24, § 5: If there is a reason for the stopping of a person and in case that there exist any danger when waiting for the decision of the public prosecutor the police official is entitled to arrest the person without such a decision.

If one meets that person, who has committed a crime which will be punished with imprisonment, at the place of action or on the escape each person may arrest that resp. person. The arrested person should immediately be delivered up to police official nearest by.

The capture is followed by the stopping which will be decided by the public prosecutor and by the arresting which will be decided by the court of Justice.

SWITZERLAND

The Swiss penal code and the procedure codes which are as numerous as the cantons.

ENGLAND, WALES AND SCOTLAND

The Chief Office of Police unless the law stipulates that it shall be the Director of Public Prosecution.

## 2. Is this prescription valid in the same way for all police officials?

GERMANY

Yes.

BELGIUM

In general the police officers who legally assist the royal public prosecutor are entitled to execute the statement of offences. That means that only these police officials are entitled to write records concerning the offences against the law. Within the municipality police all police officers are police officers who legally assist the royal public prosecutor. In practice every police official, in the subordinated ranks, too, is entitled to ascertain offences against the law, but for writing the statement record he has to appear before the police officer. But there exist certain laws (e. g. on the field of forwarding) which provide that the police official of a subordinated rank is entitled to personally write a record concerning his statements.

FRANCE

Yes.

LUXEMBURG

Apart from the regulations which can generally be applied for all police officials one furthermore differs the prescriptions which can be applied for those officials of the police who will be charged with the function of an official of the judicial police. (These officials are: Officers of the police, commissaire, inspecteur-chef, inspecteur, brigadier-chef)

THE NETHERLANDS

Yes.

DENMARK

Yes.

FINLAND

Yes.

NORWAY

Yes.

SWEDEN

Yes.

SWITZERLAND

Yes.

ENGLAND, WALES AND SCOTLAND

The Chief Officer authorises the arrangements for all prosecutions.

### 3. Is the general task of the police (preventive activities included) in your country determined by a special prescription?

#### GERMANY

The Permanent Conference of the Ministers and Senators of Interior of the Federal Republic and of the single states have passed the sample draft of a uniform police law in 1976. This sample draft has still to be passed by the Parliament of the Federal Republic and by the Parliaments of the single states and it may be possible that it will be altered.

§ 1 is as follows:

#### Duties of the Police

(1) It is the duty of the Police to prevent danger against public law and order.

(2) As to this law the protection of private rights is only within the competence of the police if judicial protection cannot be obtained in time and in case that without the aid of the police the realization of the right will be frustrated or substantially aggravated.

(3) The police assists other authorities in case of execution (§§ 25-27).

(4) Furthermore the police has to fulfill the duties which will be in its competence due to other legal regulations. The police has especially to prosecute offences and illegal acts.

#### BELGIUM

There does not exist a general police law as in other countries.

#### FRANCE

The duties of the police are always within the frame of the laws. The police can only intervene within the frame of fixed limits. That is why the police has to watch over the observance of the regulations in the limits of which the police has to intervene.

#### LUXEMBURG

The general task of the police will not be determined by a special prescription. It will be fixed by several laws and execution regulations. The preventive police will not be regulated by a prescription.

#### THE NETHERLANDS

Article 28 of the special police law prescribes the general tasks of the police as follows:

"The police — as a special organ of the competent administration — is authorized to guarantee law and order and to give assistance to those persons who are in need of them. It goes without saying that the above mentioned activities must not violate any stipulations of the valid law".

Special prescriptions for the police explain the stipulations of the above text in detail.

#### DENMARK

Yes. See question IV./1.

#### FINLAND

The special tasks of the police officials are defined in chapter 1, § 2, of the special police law as follows:

It belongs to the tasks of the police force to protect constitution, State and society and to maintain public law and order.

Chapter 1, § 4 of the special police law stipulates:

It belongs to the tasks of the general police force to maintain law and order, to fight all criminals, to carry out research work as to crimes and to take all measures which are necessary for an effective prosecution of any criminal acts. Furthermore, they are competent to fulfil those tasks which have been transferred to the police on account of special orders or which may be regarded to be a part of its competence.

The central CID has to aid the general police in all cases; its institutions are competent, too, to fight any kinds of crime and to search for the causes of penals.

The constabulary has to observe and to find out all projects, which are destined to endanger the independence of Finland or to undermine its constitutional order. Furthermore, it has to fight all measures which may be able to endanger the public law and order.

It belongs to the tasks of the mobile police to aid the other branches of the police if it becomes necessary to maintain public law and order, to fight the criminals and to supervise the traffic. Finally, the mobile police will be regarded as a police reserve of the country.

The police forces are obliged to carry out all other police service, if the Ministry of Interior has given corresponding orders.

#### NORWAY

The order concerning the police of February 6th, 1920.

#### SWEDEN

The general tasks of the police will be described in article 2 of the police instructions which read as follows:

The police has to guarantee public law and order. The special tasks of the police may be described as follows: to prevent any kind of crimes and to make it impossible that public law and order may be disturbed by crimes or in any other way. The police has to investigate the causes of any kinds of crime, if a bill of indictment is to be raised. Finally, all necessary measures have to be taken, if public law and order have been disturbed in another way than by crimes.

Otherwise, the population has to receive any kind of protection and assistance.

Generally, the police is obliged to carry out such activities which have been fixed in those special orders which are applying to the police force and to assist the public with information.

#### SWITZERLAND

Besides there exist internal regulations.

#### ENGLAND, WALES AND SCOTLAND

No, but they are required to carry out all duties prescribed in the several Acts.

4. Are the police officials of your country equipped with weapons, especially with fire arms, when doing normal service?

If yes, please catalogue them!

GERMANY

Yes. A truncheon and a pistol of 7,65 mm and 9 mm.

BELGIUM

Yes, a pistol of 7,65 mm and the truncheon.

FRANCE

The pistol of 7,65 mm and a truncheon.

LUXEMBURG

The members of the police have automatic pistols (agent, brigadier and brigadier-chef = FN 9 mm; inspecteur and inspecteur-chef = FN 7,65 mm; commissaire and officers of the police = FN 6,35 mm). In special cases or if the superior gives the order the police officials receive truncheons.

THE NETHERLANDS

Yes, the truncheon and the pistol.

DENMARK

Yes, the truncheon and the pistol. Every police official is entitled to wear a pistol within the normal hours of duty.

FINLAND

Yes. A pistol which has to be put into the pocket.

NORWAY

There are no fire arms; the only weapons are truncheons, which have to be carried in the pocket.

SWEDEN

Truncheon and pistol of 7,65 mm.

SWITZERLAND

Yes, the police officials in Switzerland are armed with pistols. In case of special duties other weapons can be used: carbine, automatic rifle, tommy gun, truncheon etc.

ENGLAND, WALES AND SCOTLAND

It is normal for uniformed police officers to carry truncheons and handcuffs. Fire arms are not carried.

5. Which are the prescriptions which regulate the use of these weapons?

GERMANY

The Permanent Conference of the Ministers and Senators of Interior of the Federal Republic and of the single states have passed the sample draft of a uniform police law in

1976. This sample draft has still to be passed by the Parliament of the Federal Republic and by the Parliaments of the single states and it may be possible that it will be altered.

The corresponding paragraphs are as follows:

§ 35

Legal Principles

(1) In case that the police is entitled to execute a direct force according to this law or other legal regulations the paragraphs 36-44 are valid as to the manner in which this force will be applied and if there is no deviation which results from these paragraphs, the other regulations of the law are valid.

(2) The penal and the results by civil law according to the regulations concerning the self-defence and the state of distress remain untouched.

§ 36

Definition

(1) Direct force is the influence on persons or matters by means of physical force, its auxiliary means and of weapons.

(2) Physical force is every direct physical influence on persons or on matters.

(3) Auxiliary means of the physical force are especially handcuffs, cars which are able to spray water (Wasserwerfer), technical hindrances, special police dogs, special police horses, cars of the police force, irritant substances and narcotics as well as certain explosive materials (blasting agents).

(4) The following weapons are allowed: truncheon, pistol, revolver, rifle, submachine gun and hand grenades.

§ 37

Action on instruction

(1) The police officials are obliged to apply direct force which is ordered by a person who is entitled to give orders. This is not valid for cases where the dignity of man will be prejudiced or in cases where the order was not given for service purposes.

(2) An order may not be followed if there could be committed a crime by doing so. If the police official follows the order notwithstanding, he may only be guilty if he recognizes or if it is evident for him according to the circumstances known to him that, by doing so, he would commit a crime.

(3) Scruples against the validity of the order have to be put forward to the person who gives the order, as far as it is possible as to the circumstances.

(4) § (statement of the regulation as to the right of objections in the corresponding civil service law) cannot be applied.

§ 38

Assistance for injured persons

In case that direct force will be applied the injured persons have to be helped if it is necessary and the situation allows to do so.

§ 39

Menace of direct force

(1) Direct force has to be menaced before the application. It can be refrained from the menace if the circum-

stances do not allow to do so especially if the immediate application of direct force is necessary for the defence of a danger. In order to menace the use of arms it is possible to give a warning shot.

(2) Fire arms and hand grenades may only be used without menace if this is necessary for the defence of a present danger for the life.

(3) In case that direct force has to be applied against a crowd this has to be menaced in time that non-participating persons can retire. The use of fire arms against persons within a crowd has always to be menaced; the menace has to be repeated before the application. It can be refrained from the menace in case of the use of technical hindrances and special police horses.

#### § 40

##### Shackling of persons

A person who will be kept back according to this law or other legal regulations may be shackled if the facts justify the supposition that the person will

1. attack police officials or third persons, offer resistance or damage things
2. run away or shall be released or
3. suicide or injure itself.

#### § 41

##### General regulations as to the use of fire arms

(1) Fire arms may only be used if other measures of direct force are applied without success or evidently lead not to any success. The use of fire arms against persons is only allowed in case that the purpose (result) cannot be obtained when using fire arms against things.

(2) It is only allowed to use fire arms against persons in order to make them unable to attack or to run away. A shot, which will lead to death with the highest possible probability, is only allowed if it will be the only mean for defence of a present danger for the life and of a present danger of a severe violation against the physical being uninjured.

(3) Fire arms may not be used against persons who are not 14 years of age as to the seeming impression. This is not valid if the use of fire arms is the only mean for defence of a present danger for the life.

(4) The use of fire arms is not allowed if the police official recognizes that non-participating persons will be endangered with a high probability. This is not valid if the use of fire arms is the only mean for defence of a present danger for the life.

#### § 42

##### Use of fire arms against persons

(1) Fire arms may only be used against persons

1. to keep off a present danger for the life.
2. to prevent an immediately imminent commitment or continuation of a crime or an offence by application or the carrying along fire arms or explosive means.
3. to stop a person who tries to evade by escape in case of arresting or identification if
  - a) there is a strong suspicion for a crime or
  - b) there is a strong suspicion for an offence and the facts justify the supposition that the respective persons carries along fire arms or explosive means.

4. to prevent the escape or to capture a person who has to be held in custody or to be taken into custody

- a) due to judicial decision on account of a crime or on account of the strong suspicion of a crime or
- b) due to judicial decision on account of an offence or on account of the strong suspicion of an offence as far as the facts justify the supposition that the respective person carries along fire arms or explosive means.

5. to prevent the rescue by force of a person out of custody.

(2) It is not allowed to use fire arms as to chapter 1, No. 4, in case of the execution of juvenile detention or of detention or if the escape out of an open house of detention should be prevented.

#### § 43

##### Use of fire arms against persons within a crowd

(1) It is not allowed to use fire arms against persons within a crowd if the police officials recognizes that non-participating persons will be endangered with a high probability. This is not valid if the use of the fire arms is the only mean for defence of a present danger for the life.

(2) Non-participating persons are not persons within a crowd who commit crimes or evidently allow or support by action that these persons do not retire from the crowd apart from repeated menace as to § 39, chapter 3.

#### § 44

##### Special weapons, explosive means

(1) Submachine guns and hand grenades may only be used against persons in cases of § 42, chapter 1, No. 1, 2 and 5 and only in consent with the Minister (Senator) of Interior or with a mandatory by the Minister (Senator) for the respective case if

1. the persons have used fire arms or hand grenades or similar explosive means.
2. the use of other fire arms a short time before was not successful.

(2) Submachine guns and hand grenades may only be used in order to make disable to attack. Hand grenades must not be used against persons within a crowd.

(3) Otherwise the regulations concerning the use of fire arms remain untouched.

(4) Explosive means must not be used against persons.

#### BELGIUM

The penal law in the frame of the legal defence.

#### FRANCE

The interesting weapons may be used in case of self-defence or of the defence of another person.

#### LUXEMBURG

The members of the police and of the constabulary are entitled, when being on duty and in case of absolute necessity, to make use of the side-arms or of fire arms in the following cases:

- A) Due to requisition of the competent chief authority.
- B) In case of legal self-defence and in comparable cases, and that:
  - in case that violences and assaults are executed against them;

- if they are attacked, even without weapons;
- if they are threatened by armed individuals;
- if they are to assist attacked persons, whose life, physical being intact or property is set out to a considerable and present danger;
- if the plot of land occupied by them or offices, buildings and installation under their supervision or persons who are convicted to them and who are to be escorted (convoyed) cannot be defended in another way.

C) In other cases:

- If the persons ordered to stop by two loud shouts "Stop, Gendarmerie" or "Stop, police" try to escape in case of investigation or arrest and they cannot be obliged to stop in another way it is allowed to use weapons; however, the use of weapons is only justified in this case if there are serious suppositions:

- a) that the individuals concerned, if being identified or not, have committed a crime and especially if they are pursued by the public shout,
- b) or that these individuals are searched due to a crime or that their arresting has been judicially ordered,
- c) or that these individuals are escaped prisoners, arrested persons or convicted persons who are searched, accused or sentenced due to a committed crime.

- against the persons who take the flight without observance of the order to stop after they have threatened the officials with arms as well as against drivers of vehicles who will take the flight after having manoeuvred in order to endanger the life of the officials,

- in order to avert those, who, in spite of the order to abstain from their plan or to retire, try to tear from them their prisoners, their weapons or the things which are requisitioned for confiscation or pieces of evidence;

- if it is not possible otherwise to stop cars, boats, airplanes or other means which will be used for the transportation of the supposed originator of a crime and of which the drivers do not obey the order or the signal to stop;

- Fire can be opened without shout if a hindrance constructed in the frame of a search for criminals who have committed an infringement of the law, has been broken through by a vehicle and it results from the circumstances that this has been done in complete knowledge of the factual situation;

- in order to prevent the immediately imminent commitment of an infringement or the continuation of an infringement if, according to the circumstances, it is a question of a crime by means of weapons or explosive means;

- if in case of a rebellion or of a trial to take the flight on the part of the prisoners it is not possible otherwise to keep back or to conquer the rebels or the escapees, the chief of the convoy orders them to re-establish the order with the words "Stop or I shout". In case that this order will not be obeyed it is allowed to use weapons.

It is allowed to use the weapons immediately without previous shout if the prisoners try to usurp the weapons of the members of the convoy or will take flight after having wounded one of these members;

- as soon as in case of a transport of money or a transport of public or private values an attack upon the convoy by outer actions makes itself conspicuous, which will from

the beginning of an execution, the members of the public power, who from the escort in execution of the orders obtained, can open the fire even if they are personally not in the situation of the legal self-defence. If the attacking persons take the flight after having usurped the whole or parts of the values of the convoy it is possible to open fire without shout upon them and their vehicles.

When, during execution of his duties, a member of the public power receives the order from his superior to use weapons or any means of force, he has to execute this order except it does not concern the execution of the duties.

It is not allowed to execute an order if its execution would constitute a crime or an offence. If the order in this case is executed notwithstanding, the executive agent is only responsible if he has known or has to know according to the circumstances that it evidently is a question of a crime or an offence.

The executive agent has to assert his objections concerning the legality of the obtained order against the originator of the order if the circumstances allow to do so.

#### THE NETHERLANDS

The use of weapons, especially that of fire arms, is regulated by special prescriptions that are valid for the central police and for the municipality police. These prescriptions stipulate that the official, if he is not able to realize his aim by other means, is entitled to use violence against the respective persons. However, this has to be done only on condition that the importance of the aim and the detriment that may occur for third persons, have been calculated in a correct way.

Force is defined as the use of weapons and of special police dogs. Furthermore, it has been stipulated, that the use of force must not injure the most fundamental rules of law. Before an official is allowed to use force of any kind, he has to utter an unequivocal warning.

The use of fire arms against persons and cars with persons is only allowed in the following cases:

a) in order to dissolve a crowd of persons which may be regarded as a sincere threat for law and order. The use of fire arms is allowed, too, in order to prevent any batteries and personal fights.

b) in order to arrest a person who intends to escape from a confinement which is justified by law. Furthermore, if a special person has been condemned because it has committed a sincere crime.

c) in order to arrest a person who has to be arrested because of a special order, and who has been transported into a special jail, but who has escaped from it or who tries to escape from it.

d) in order to arrest a person who is armed with a fire arm and if he or she is willing to use this fire arm against other persons.

The relevant actions have always to consider the fact that severe injuries are to be prevented. The respective police official is obliged to warn in a drastical way before he uses a fire arm; if necessary, he has to fire an alarm shot.

#### DENMARK

The use of the truncheon or weapons of any kind has been regulated by a prescription of the Ministry of Justice. The respective prescription is the following:

Because of the important and responsible work of the police in order to maintain law and order and to secure the citizens against criminals it may be possible that the police official is forced to use the truncheon. Such an activity has to be done with intelligence in order to prevent that no greater damages than necessary will be caused. It has to be the aim of the police official to hurt only breast, arms and back.

The truncheon may be used only in the following cases:

1. If it is necessary to prevent any violations of the police official or of other persons and to prevent any important damages.
2. In case of the confinement of dangerous criminals, if the police official may believe that the respective person cannot be arrested in another way.
3. It may be necessary to use the truncheon, if a person tries to prevent an action of the police officials, for example, the arrestment of a person or if persons try to liberate an arrested person.
4. In order to enforce special orders, if this is necessary, because there exists active or passive resistance which cannot be overwhelmed in another way. In order to define this prescription: police officials are not allowed to use the truncheon in order to enforce the carrying out of an order or because of a pure insultation.

Police officials who operate in groups or units are only allowed to use a truncheon, after a special order has been given, unless the relations mentioned under 1 do exist.

The police official is obliged to give a written record as to the use of the truncheon in every case; in the same way there will take place a report into the diary of the respective police station.

The prescriptions for the use of fire arms by police officials are as follows:

Fire arms may be used only under the following conditions and only, if other means in order to carry out the purpose of the activities of the police cannot be realized under the existing circumstances.

#### I.

- a) In order to prevent an urgent danger or dangerous physical force.
- b) In order to prevent dangerous attacks on necessary and vital institutions or enterprises.
- c) In order to dissipate meetings or demonstrations, if it is to be believed that these meetings or demonstrations intend to carry out attacks of the above mentioned character or if they are fit to endanger public law and order in another way. If the police officials will not be attacked, fire arms may be used only on condition that the crowd has been asked for three times in the name of the King and of the law, to dissipate itself.
- d) In order to carry out a confinement or in order to prevent that persons are escaping if there exists the assumption that they have committed crimes which have been mentioned under a) and b) or if they have the intention to commit them. Furthermore, the respective police officials are entitled to use fire arms against persons who intend to violate severely independence and security of the State, the constitution and the highest institution of the country.

#### II.

Police officials, who are subordinated to a commander, are entitled — the cases mentioned under I a) not considered — to use their fire arms only in those cases when the commander gives the respective order.

#### III.

- a) Fire arms may be used only in extreme cases, if there exists the danger that unconcerned persons may be violated.
- b) Before a police official uses his fire arm, he has to warn the respective person by a call or by giving an alarm shot. Alarm shots are to be given into the air and they may be used only in such cases when there exist the conditions for the use of fire arms.
- c) In case of a use of fire arms it has to be intended to disable or to hurt the respective person only; for example by shots against the arms or legs, so that the use of weapons or an escape is impossible.
- d) The chief of the central police has immediately to get a written record as to every use of fire arms or even of the threat to use fire arms.

#### FINLAND

The prescriptions as to the use of fire arms are fixed rather exactly; for that reason the fire arms will be used only in urgent situations.

#### NORWAY

Police instruction § 49:

The use of weapons is allowed only in case of self-defence or if a police official shall be hindered by force to carry out his duty. It is not allowed to use arms only in order to enforce the special intentions of the police officials.

#### SWEDEN

The use of violence is generally regulated by the police instructions which, among other things, regulate the competence of the police official. The corresponding chapter contains the following regulations:

"The police official is not entitled to apply more severe means than the conditions require in order to execute an official act. First, he should try to obtain an adjustment by collecting informations and admonition (warning).

It is allowed to apply violence only if there exists no other solution for the official order. When using violence the most lenient kind of violence which can lead to the intended result should be applied. Violence should be used not longer than absolutely necessary."

The use of fire arms has been regulated by the Royal Circular of March 21st, 1969.

The following extracts are out of this circular:

Article 1: If the right of self-defence exists as to the criminal law, the respective police official may use fire arms in order to prevent acts of severe violence against the official himself or against other persons.

Article 2: In case of normal intervention, the police official is entitled to use fire arms according to the criminal law in the following cases:

1. In order to confine a person who has been suspected to have committed the following crimes or penalties: murder, manslaughter, severe maltreatment or kidnapping, rape, robbery or grave robbery, fire-raising, grave fire-raising, general acts of violence against public welfare, sabotage, grave sabotage, or the distribution of poison or to cause epidemic disease, rebellion or the armed threat against the legal order, high treason, the causation of war, espionage, grave espionage or treason or the trial or punishable preparation for such crimes.

2. In order to prevent anyone to escape or to confine every escapee who has been arrested, stopped or captured because of reasons which have been enumerated under 1., or if he has been sentenced to prison or sentenced to prison for younger persons or if he has been isolated within a special prison.

3. To take charge of persons who due to mental derangements or possession of weapons of which the false application has to be feared or due to other reasons evidently endanger the life and the health of other persons.

Article 3: In all other cases than mentioned in § 2 of the penal law the chief of the police is authorized to give the allowance to the police officials to use fire arms, if it is necessary in the interest of carrying out their duty. The chief of the police disposes of the privilege to authorize an official of the police direction or an executive official to give such an allowance, if the police chief himself is not on duty.

Article 4: Other fire arms with the exception of the pistols may be used only with the consent of the chief of the police or — if such an allowance is not awaited — of another chief police official. The next chapter does not prevent to use fire arms in order to kill animals.

Article 6: Police officials who are doing their service in groups under the responsibility of a chief police official, are only entitled to use fire arms if the chief police official has given a respective order, if the respective group or a single police official is endangered by direct attacks or by severe threats that it is necessary to use fire arms.

Article 7: The respective police official is obliged, before he uses his fire arm, to observe the risk of those persons who are not concerned. He is obliged to avoid the use of fire arms within a territory where several persons are living or will be met as long as possible.

The police official is obliged to give clear warnings before he starts shooting, if such a warning is possible. If fire arms must be used, the police official has — if the conditions do not make necessary other measures — at first to fire an alarm shot. If it is necessary to fire against a certain person it shall be tried that the respective person is to be only wounded, but not shot.

Article 8: If the respective police official has used fire arms, he is obliged to write without any delay a record concerning the incident and he has to send it to the "länstyrelsen" (Provinzialvorstand) accompanied by a commentary of the chief of the police. This record has to be forwarded to the "rikspolisstyrelsen" (Chief of the central police), too.

Article 9: In this circular fire arms do not mean weapons which are provided for the distribution of tear gas and similar.

Article 10: Special prescriptions regulate the use of fire arms of police officials, when they partake of the defence of the country during times of war.

## SWITZERLAND

The regulations promulgated by the Federal Authority concerning the use of fire arms by the police.

Internal Regulations.

The principle of the legal defence and the relativity have to be respected. In our state you can observe a political influence in that direction, to restrict such cases where it is allowed to use fire arms.

At the moment the Federal Authority.

## ENGLAND, WALES AND SCOTLAND

The Officer himself has discretion as to when and how he uses the weapons. If in the event of an emergency fire arms are issued to certain officers then their use is under the direct supervision of a senior officer.

## 6. Are there still additional weapons which are at the disposal of the police?

### GERMANY

Submachine guns, automatic guns, machine guns, hand grenades, explosive means, irritant substances (tear gas/chemical mace).

### BELGIUM

Different police forces are equipped with rifles of the type "Winchester point 30" which will be used in cases of robbery or attacks. It has to be indicated, that the forces of the national Gendarmerie possess a weapon equipment above that such as armored vehicles, submachine guns, tear gas and cars which are able to spray water, due to the double-tracked duties (police and military).

### FRANCE

For special, very dangerous tasks — for example to secure transports of money or to confine armed gangsters — the police forces may be equipped with submachine guns.

### LUXEMBURG

In case that it is necessary and with the permission of the police director (general regulations) the officials of the police can be equipped with revolver, submachine guns (UZI 9 mm) as well as tear gas arms (pistols and hand grenades). In case of actions of the police the police officials can be armed with special rifles. Generally the use of rifles is limited to extraordinary cases and is reserved to those police officials who were resp. are subordinated to a special training and to special exercises.

### THE NETHERLANDS

Sabres and rifles.

### DENMARK

Submachine guns, rifles and tear gas.

### FINLAND

Submachine guns.

## NORWAY

Pistols, rifles, submachine guns and gas pistols.

## SWEDEN

In every police district there will be tear gas arms, hunting outfits and submachine guns.

## SWITZERLAND

See IV./4.

## ENGLAND, WALES AND SCOTLAND

Certain police stations have a supply of fire arms and ammunition. These are kept under lock and key and are issued only by authority of a senior officer, normally not lower than chief superintendent. The use of these fire arms is limited strictly to certain cases, e. g. where a man is known to be armed and will not hesitate to use the fire arm.

## 7. Are there any prescriptions which determine when the latter named weapons are to be used?

### GERMANY

See IV./5.

### BELGIUM

The municipality police never. As to the gendarmerie the latter named weapons may be used only after the chief of the police has given the respective order.

### FRANCE

The principle is rather clear. A police official who is authorized to wear fire arms disposes, in general, only of the same privileges as the normal citizen when using them. These privileges are explained in § 328 of the criminal code which is as old as the code itself that is to say of the year 1810 and the text reads as follows:

"In all cases, where persons have been killed, wounded or where shots have been become necessary, this fact must not be considered as a criminal act, if the respective measure has been carried out in case of self-defence or defence of another person.

### LUXEMBURG

Due to requisition in case of unlawful assembly and severe disturbance of public law and order. For different tasks such as protection of persons or objects (e. g. protection of embassies, of public buildings and of transports of money etc.) as well as for dangerous criminals.

Furthermore see question 5.

### THE NETHERLANDS

Only on condition that there have preceded severe fightings.

## DENMARK

According to the regulations as to the prescription of the use of fire arms by the police officials which have been mentioned under IV./5.

## FINLAND

In order to overwhelm any armed resistance or if a crowd intends to disturb severely law and order. Before fire arms are allowed to be used, the respective crowd has to be asked three times to dissipate.

## NORWAY

According to the prescriptions of the special instructions to use arms or weapons respectively.

## SWEDEN

See point IV./5.

## SWITZERLAND

See question IV./4. and 5.

## ENGLAND, WALES AND SCOTLAND

No, but each Chief Officer will have his own code of instructions.

## 8. Is the police able to dispose of special weapons (for example tanks)?

### GERMANY

The squads dispose of cars which are able to spray water. Furthermore they partly dispose of special cars without armaments (with pneumatic tyres, no track vehicles).

### BELGIUM

Generally speaking, no, though several police forces are equipped with truncheons and gas-risks in the frame of their uniform.

### FRANCE

If the respective police forces have, in case of a collective action, to re-establish law and order, they may dispose of truncheons, shields and tear gas hand grenades.

The police forces may be equipped with a special security clothing against fire and with special helmets with a transparent visor in order to secure the face and the eyes. These police officials have to wear special boots "Type Rangers" in order to secure legs and ankles.

The use of this equipment takes place only on account of special orders; the individual use is prohibited.

### LUXEMBURG

The members of the police may be equipped with a special security clothing made out of water proof cloth, consisting of jacket, trousers and inner security vest as well as with

special helmets with a transparent visor in order to secure the eyes and the face. The use of this equipment takes place only on account of special orders; the individual use is prohibited. Furthermore it is provided to procure "Hersen" (an installation for building street barricades).

#### THE NETHERLANDS

In case of severe disturbances of law and order the police disposes — apart from the truncheon and the pistol — of some other arms, for example of sabres, rifles, tear gas and several cars which are able to spray water.

Tanks, machine guns etc. do not exist for the police in our country, as these weapons have an evidently predominant military character and the police is a civil service. Even the relatively "grave means" for the police such as rifles and tear gas hand grenades will be used rather seldom. In fact it is then a question of severe riots. Even in this case it has to be observed that the relation between the use of these arms and the purpose must not become unproportional.

#### DENMARK

No.

#### FINLAND

No.

#### NORWAY

No.

#### SWEDEN

No.

#### SWITZERLAND

The police may make use of e. g. military vehicles (armored).

#### ENGLAND, WALES AND SCOTLAND

No.

## **V. Trade Unions**

# 1. Please, inform us about the origin and the development of your organization!

## GERMANY

Police organizations have only been founded in the beginning of the 20th century. In 1924 existing regional police official organizations united within the "Bund der Polizeibeamten", 1931 the "Reichsgewerkschaft Deutscher Polizeibeamter" was founded which was liquidated in 1933.

After 1945 in the single states of the Federal Republic of Germany police organizations have been founded which united within the "Gewerkschaft der Polizei" in 1950.

## BELGIUM

In 1922 several local police organizations decided to found a national union in order to represent their special interests in the policial field in a global way. In 1939 the organization was reorganized on account of a resolution by the congress into an organization which does not intend to obtain any profits (Vereinigung ohne lukrative Zielsetzung) which represents a legal form of certain civil organizations which will profit from the "civil personality".

## FRANCE

### Paris

Up to the end of the 19th century the police officials were not organized. Starting with 1905 the necessary basis to establish an organization to represent the interests of the respective police officials was founded by a movement.

This organization was named the "Comité d'Etudes Mutualistes" which has been changed into the "Union des Réformistes" which was finally renamed on June 24th, 1912, into the "Association Générale des Policiers" (A. G. P.).

After the initiatives of 1923 and 1924, the A. G. P. was transformed into the "Syndicat Général des Policiers" — S. G. P.; this is the name of our organization today. During the second world war the S. G. P. suspended its activities and it resumed the relevant activities after the liberation of France. It was renamed and received the name "Fédération des Syndicats de la Préfecture de Police", and in 1951 finally it got the name "Fédération Syndicale des Personnels de la Préfecture de Police".

### The other parts of France

Before the second world war the police officials were not entitled to be members of a Trade Union.

In order to represent the interests of the personnel there have been founded in the realm of the central police — especially within the great towns — organizations which had to represent the interests of the officials; the members of the municipality police which have been more important as to the members of the officials, have founded organizations of a similar kind.

These different organizations united in order to obtain a more representative character and apart from their beginning activities (the social ones) their taking steps now were of requiring character.

After the second world war — exactly since 1945 — the Trade Unions had been re-established on all levels.

The Trade Union of the police officials, which have resigned to carry out any activities during the war, have been

re-established; to their members belong now the officials of the Metropolitan police (corps urbains) which is now subordinated to the government of the country and also those units which are called "C. R. S." (Corps Républicain de Sécurité), mobile units which have been created by the "Sûreté Nationale" a short time before that.

In these times the Trade Union of the police officials became associated with the C. G. T. (Confédération générale du travail). In 1948 he C. G. T. was split because of severe social differences, which lead to a favourable trend to the unionist independence and with the exception of an unimportant minority the majority of personnel of the "Sûreté Nationale" orientated to the independent trade unions.

In 1962, there were carried through talks of contacts between the "Syndicat National" and the "Syndicat Parisien". In 1964, there was set up a coordinating committee; in 1966 there took place the union between these two organizations and finally in June 19th and 20th, 1969, the foundation of the "Fédération Autonome des Syndicats de Police".

## LUXEMBURG

Already before the second world war, the police officials united in an organization of which the purpose was to represent the common interests. In 1948 this organization was reorganized into an organization which did not intend to obtain any profits; this organization was named "Association des Policiers du Grand — Duché de Luxembourg (A. P. L.)".

At this time similar organizations were founded by the corporals of the Gendarmerie (Association Professionnelle des Gendarmes) and by the army (Association Professionnelle des sous-officiers Luxembourgeois).

In 1952 the three administrations of the army, the gendarmerie and the police were subordinated to the Ministry of Public Power due to the military law. Due to this reason the three mentioned organizations united in a union, the "Entente des Associations Professionnelles de la Force Publique" in 1954. In 1964 a second important step took place. The three mentioned organizations were united in the "Syndicat Professionnel de la Force Publique". In 1967 the last-mentioned trade union joined the top organization of the civil servants "Confédération Générale de la Fonction Publique (CGFP)" in which the majority of the unions of the civil servants with more than 10 000 members is represented.

Apart from different affiliations the "Association des Policiers du Grand-Duché de Luxembourg" has protected the autonomy as to the specific problems of the police.

## THE NETHERLANDS

The first Trade Unions of the police officials in the Netherlands have been founded in 1887. In the same way as for the other employees and workers bad social conditions have caused the foundation of this organization by the police officials.

During this time, the Trade Union movement of the police officials has a federalistic character. In the following years, there could be observed a tendence to a greater centralization. After the end of the second world war, the respective Trade Unions of the police were reorganized as central organizations.

## DENMARK

The first organizations of Danish police officials were founded at the end of the last century. At the beginning of this movement, police organizations were founded in all larger towns; at the beginning of this century such organizations existed in all parts of the country. The above-mentioned police organizations united on July 3rd, 1902; the new organization got the name "Organization of Danish Police Officials" (Dänischer Polizeiverband). Starting with the foundation the single members were entitled to become members of the "Organization of Danish Police Officials". In 1916 the following change took place: the single police officials have to join a local organization of the above-mentioned institution. Apart from this there have not been carried out any fundamental changes since 1902 as to the structure of the organization of Danish police officials.

By the "retsplejeloven" (the law for the administration of Justice) of 1919 it has been decided that every service within the CID in Denmark should be executed by a state-employed corps. It was a logical consequence that the CID wanted to stand together which resulted in the fact that the "Dansk Kriminalpolitiforening" was founded on March 14th, 1920.

Every official of the CID can — apart from his position — become a member of the organization.

## FINLAND

The Finnish organization of police officials (Suomen Poliisien Litto r. y.) has been founded on March 1st, 1921. During the years the above-mentioned organization obtained the character of the greatest and most important organization of the Finnish police.

## NORWAY

The first local police trade unions were already founded in 1895. The „Norsk Politiforbund“ was founded in 1905 and the "Politiets Sentralorganisasjon" in 1959.

The fusion of the police trade unions, named "Fellesorganisasjonen Norsk Politiforbund/ Politiets Sentralorganisasjon" took place on January 1st, 1975.

## SWEDEN

"Svenska polisförbundet" (Organization of Swedish Police Officials) was founded in 1903.

At the beginning of this century in many regions of the country trade unions were founded. As "Polisförbundet" all trade unions aimed at aspiring to improved conditions as to payment and engagement.

The union was formed with representatives for 1500 police officials and comprises now the whole Swedish police, that means about 16 000 police officials.

## SWITZERLAND

The fusion of several regional organizations in order to represent better their interests, which resulted in the foundation of the "Fédération Suisse des Fonctionnaires de Police" in 1967, which, at the moment, comprises about 13 000 members in 77 sections.

## ENGLAND, WALES AND SCOTLAND

The Police Federation was formed in 1919, following Parliament passing the Police Act 1919. This Act remained

unchanged until 1964, when it was brought up to date. The federation continues under Section 44 of the last named Act. The powers are given under the Police Act 1964 for Regulations to be made by Parliament which provides for the constitution and proceedings of the Police Federation and makes provision for the membership of the Federation, the raising of funds by the Federation by way of voluntary subscription, and the use and management of these funds; the manner in which representations should be made by committee or bodies of the Federation to police authorities, chief officers of police and the Secretary of State; and for the payment of expenses incurred in connection with Federation matters.

## 2. Is today your Trade Union a centrally directed organization or is it a locally determined federation?

## GERMANY

The Trade Union of the German Police (Gewerkschaft der Polizei) is a centrally led organization. However, certain tasks are independently protected by the organizations on the level of the single states.

## BELGIUM

Due to its statutes the national organization comprises local, regional and provincial sections with an independent and autonomous administration which, however, complies with the national statutes.

The members are members first of their local organization and secondly of the national organization.

## FRANCE

The character of the new organization may be compared with a Federation. It has been established by the single Trade Unions which are divided into regional organizations and into local units.

## LUXEMBURG

The A. P. L. is a centrally led organization. There does not exist a subdivision.

## THE NETHERLANDS

The "Nederlandse Politiebond" is a centrally led organization, although it is divided into single departments

## DENMARK

The Danish organization of police officials consists of 45 local organizations and has to be regarded as a Federation. "Dansk Kriminalpolitiforening" is divided into constituency organizations and the organization has to be considered as a "federation".

## FINLAND

The Finnish organization of police officials consists of 76 local units; for that reason it is possible to describe this organization as a Trade Union which is centrally led.

## NORWAY

The single member enters our organization by becoming a member of the local organization. It is possible to say that our organization is nearly a Federation.

## SWEDEN

"Svenska polisförbundet" is a centrally led organization with 97 local departments. The members are directly affiliated with the trade unions and they belong to the corresponding local departments with regard to their police district. The activities of the local departments are coordinated — in a certain extension — by the committee of the respective province or by the central committees.

## SWITZERLAND

Our organization has to be considered as a federation.

## ENGLAND, WALES AND SCOTLAND

The Police Federation has a Central Committee which will comprise of 30 members, namely 9 constables, 9 sergeants and 9 inspectors and chief inspectors, and each of the three ranks has in addition a woman representative. Each force has a branch board, the members being elected yearly. Branch boards deal with local matters and submit matters for national consideration to the central committee. However, a branch board may, on a local matter, refer a subject to its chief officer of police and its police authority, and forward copies to the Secretary of State for the Home Department. The central committee can submit matters directly to the Secretary of State for the Home Department. There are three separate central committees, namely, the constables' central committee, the sergeants' central committee and the inspectors' central committee. Further, these committees sit together as a joint central committee. Branch boards meet in a similar manner.

### 3. How much members has your board?

## GERMANY

The board of the Trade Union exists of 51 members at the moment. It consists of the chairman, the three deputy chairmen, the writing chairman and his deputy, the treasurer and his deputy, the chairmen of the organizations of the single states, the members competent for all questions as to juveniles, workers, employees, police administration officials, the female police officials, the persons entitled to receive a pension and further members.

## BELGIUM

The board of the Trade Union has 12 members:

- 1 Chairman
- 3 Deputy Chairmen
- 1 General Secretary
- 3 Deputy General Secretaries
- 2 Commissioners
- 1 Chairman of the committee for questions of control and discipline and
- 1 delegate for pensionaries.

## FRANCE

The advisory board of the FASP consists of 31 members at the moment; the office comprises 13 members.

- 1 General Secretary
- 2 Deputy General Secretaries
- 1 Administrative Secretary
- 1 Deputy Administrative Secretary
- 1 Treasurer
- 1 Press Referee
- 1 Deputy Press Referee
- 1 Secretary for social matters
- 3 Judicial members

## LUXEMBURG

The board of the A. P. L. consists of:

- 1 President
- 1 Vice-President
- 1 Secretary
- 1 Treasurer
- and 10 other members of the board.

The representation of the A. P. L. in the organizations mentioned under question 1 are executed by the members of the office.

## THE NETHERLANDS

The board of the Trade Union consists of 4 paid functionaries and 14 unpaid functionaries. The chairman, the secretary and the treasurer will always be elected out of the paid functionaries.

## DENMARK

The managing board of "Dansk Politiforbund" consists of the chairman and 20 other managing members of the board. The deputy chairman and the treasurer are managing members of the board. The negotiation committee consists of: the chairman, the deputy chairman, the treasurer and a further managing member of the board.

The managing board in the "Dansk Kriminalpolitiforening" consists of the chairman and 13 managing members. Out of the managing board there are to be elected the deputy chairman, the secretary and the treasurer. The negotiation committee consists of the chairman, the deputy chairman and the secretary.

The two organizations have both a police official as special secretary and an editor who, in connection with the chairman, forms the editing committee for a common magazine "Dansk Politi".

## FINLAND

The board consists of the chairman, of 2 deputy chairman and of 11 other members; all persons will be elected for the time of 3 years.

## NORWAY

The board of the common union consists of: 1 President, 1 Vice-President and 8 further members of the board.

## SWEDEN

Nine members of the board. During the discussion concerning among other questions as to the personnel, a representative for the employees within the trade union will assist the board.

## SWITZERLAND

Our executive committee is called "direction committee". It consists of 3 members, that means:

- 1 Central President,
  - 1 Central Secretary,
  - 1 Central Treasurer,
- who will be supported by a juridicial counselor.

Beyond that there exists the central committee which consists of about 20 members and which represents the single sections or regions.

## ENGLAND, WALES AND SCOTLAND

The central committee is referred to in question 2 above and the local branches vary according to the number of divisions within a force.

## 4. How much of these members of the board will be paid by you and which functions do they carry out?

### GERMANY

The members of the board of the Trade Union are non-salaried honorary. In the office there are 1 secretary, 7 trade union secretaries, 2 press referees and 14 further paid employees.

### BELGIUM

No mandate will be paid. It has to be noted that the 4 members of the general secretariate obtain a certain compensation of which they have to pay occasional expenses, which rise from their activity.

### FRANCE

The members of the executive committee obtain their salary as determined by the law. Their unionist activities are voluntary. However, they obtain a monthly compensation on account of a resolution of the advisory board. They also obtain a compensation for travelling expenses.

### LUXEMBURG

The unionist activities are non-salaried honorary. There does not exist any payment. However the travelling expenses will be compensated.

### THE NETHERLANDS

4 of the mentioned members will be paid. The Trade Union also employs 4 collaborators.

### DENMARK

The members of the board of the Trade Union will not be paid. The organization, however, pays compensations, to

which there are entitled the first chairman, the deputy chairman, the treasurer, the editor and the general secretary.

The chairman, the deputy chairman and the general secretary are partly not obliged to carry out their duty. However, they obtain their complete salary and the organization is obliged to pay to the Danish State a compensatory sum.

3 employees have been engaged for the central office; they will be paid by the organization.

## FINLAND

The deputy chairman and the other members of the board are carrying out their activities without being paid, since they remain active police officials.

The following employees will be paid by the Trade Union: the chairman, the secretary, who is editor in chief of the newspaper of the organization, and the book-keeper (Ökonom), who are not members of the board.

## NORWAY

The president, that means the general chairman and two referees are occupied with the unionist duties in the office. They are released of the duties within the police service and are paid by the Trade Union.

## SWEDEN

The general chairman works the whole day for the Trade Union and will be paid by it. The other functionaries in the board execute their duties in connection with the police service. They obtain a special payment for their duties and eventually lost income will be compensated by the Trade Union.

The general board has an office with 20 employees, of them 8 deputies and 1 editor obtain their salary from the Trade Union.

## SWITZERLAND

The members of the direction committee obtain a function compensation. All other functions are voluntary.

## ENGLAND, WALES AND SCOTLAND

All members of the committee are serving police officers and they receive a rate of pay commensurate with their ranks, except in the case of the Secretary of the joint central committee who receives, irrespective of his rank, the salary of a chief inspector of the City of London Police.

## 5. How much is the subscription per member and per month?

### GERMANY

The subscription amounts to 0.8% of the basic salary of the 1st stage of years of service of the respective payment or tariff group.

The pensionaries have to pay the sum of the group of payment which is lower for one degree than the group which is competent for their pensions.

Widows have to pay a sum which is lower than two groups of payment, as to which they obtain the pension.

## BELGIUM

The national subscription amounts to F 65,- per month and per member as per January 1st, 1975. Beyond that the local and regional sections receive an additional subscription of their members in order to preserve the ability of action for their section. There are no differences for the payment of the subscriptions with regard to the ranks.

## FRANCE

The FASP obtains from its affiliated organizations a subscription according to the number of members. At the moment this subscription has been fixed by the last congress of the FASP as per January 1st to 0,20 % on the index 100 for the calculation of the salaries of the officials, that means F 20,- in 1976 as well as the subscription which is due to it. Every member pays between F 60,- and 100,- according to the rank and the district where the service has to be carried out.

## LUXEMBURG

The subscription per year amounts at the moment to F 250,- (that means ± 20,- F per month in the currency of Luxemburg or Belgium). The subscriptions owed to the two general unions mentioned under question 1 will be paid by the cash office of the A. P. L.

## THE NETHERLANDS

As per January 1st, 1976 the amounts of the subscription are as follows:

Adspirant (central or municipality police) up to incl. 21 years	Gld. 7,75 per month
Adspirant (central or municipality police) 22 years and older and Constable/Agent from 18 up to incl. 21 years and with 0 years of group of payment	Gld. 8,75 per month
Constable/Agent 1 up to incl. 8 years of group of payment and Constable 1st class/Hoofdagent up to incl. 3 years of group of payment	Gld. 9,75 per month
Constable/Agent from 9 years of group of payment on and Constable 1st class/Hoofdagent, 4 up to incl. 9 years of group of payment and Superconstable/Brigadier with 0 years of group of payment	Gld. 11,25 per month
Constable 1st class/Hoofdagent from 10 years of group of payment on and Superconstable/Brigadier, 1 up to incl. 7 years of group of payment	Gld. 12,75 per month
Superconstable/Brigadier from 8 years of group of payment on and Adjutant and above	Gld. 14,25 per month

For members in administrative and technical ranks the subscriptions are as follows:

Salary up to incl. Gld. 1550,- per month	Gld. 7,75 p. m.
Salary of Gld. 1551,- to Gld. 1850,- p. m.	Gld. 8,75 p. m.
Salary of Gld. 1851,- to Gld. 2150,- p. m.	Gld. 9,75 p. m.
Salary of Gld. 2151,- to Gld. 2450,- p. m.	Gld. 11,25 p. m.
Salary of Gld. 2451,- to Gld. 2750,- p. m.	Gld. 12,75 p. m.
Salary of Gld. 2751,- p. m. and above	Gld. 14,25 p. m.

For pensionaries the subscriptions are as follows:

If the pensionary hold at least 6 months before his pensioning off the rank of:

Constable/Agent	Gld. 4,75 per month
Constable 1st class/Hoofdagent	Gld. 5,25 per month
Superconstable/Brigadier	Gld. 5,75 per month
Adjutant	Gld. 6,25 per month
Adjutant F-level/Inspector and above	Gld. 6,75 per month

For pensionaries out of the administrative and technical ranks there are valid corresponding amounts of subscription.

## DENMARK

The subscription of the single members of the Danish police federation and of the single districts amounts to Kr. 33,40 per month. If the relevant salaries will be increased because of raising of the price index, the respective subscriptions will be enlarged automatically. A sum of Kr. 10,- of the total subscription is to be granted to a fund of guarantee. This measure has the aim to ameliorate the economic situation of the organization and to better the general position of the Trade Union. When the member becomes a pensionary, he obtains those subscriptions that have been paid to the fund, however, without any interests.

The subscriptions of the "Dansk Kriminalpolitiforening" amounts to DKr. 41,50 per month from which 5,- DKr. have to be granted to a fund of guarantee.

## FINLAND

1 % of the payment of the respective member.

## NORWAY

The members of the payment groups:

0-7	NKr. 18,- per month
8-9	NKr. 26,- per month
10 and above	NKr. 33,- per month

## SWEDEN

About 15 200 members pay SKr. 26,- per month, about 700 members pay SKr. 21,- per month and about 100 members pay SKr. 12,- per month. Furthermore the local departments raise subscriptions which will amount to about SKr. 8,- per month in the average.

## SWITZERLAND

The members pay Fr. 7,- per year to the treasury of the Trade Union plus Fr. 1,- to the insurance company of the Trade Union.

## ENGLAND, WALES AND SCOTLAND

Subscriptions are 18 p per week.

6. Which organ is entitled to fix the exact sum of these subscription?

GERMANY

The Trade Union Congress of the GdP.

BELGIUM

The congress of the national Trade Union.

FRANCE

The Trade Union congress of the Federation, if the responsible council has given its approval and after the commitment of the single member organizations.

LUXEMBURG

The amount of the yearly subscription will be fixed by the meeting of all members taking place every year.

THE NETHERLANDS

The Trade Union congress or the Nederlandse Politiebond.

DENMARK

The congress of the Danish police organization; it also stipulates which sum has to be obtained by the single local departments.

The Danish organization of police officials obtains at first the whole sum of the subscriptions which will be deducted from the salary of the single member. The treasury of the organization will transfer thereafter those sums to which the single local departments are entitled.

Corresponding regulations are also valid for the "Dansk Kriminalpolitiforening".

FINLAND

The congress of the delegates which takes place every three years.

NORWAY

The congress of the Trade Union of the Norsk Politiforbund.

SWEDEN

The congress of the "Svenska Polisförbundet" is competent for the central subscription and the meeting of the organization is competent for the local subscriptions.

SWITZERLAND

The congress of the delegates on proposal of the direction committee and central committee.

ENGLAND, WALES AND SCOTLAND

The joint central committee of the Police Federation.

7. Is your organization divided into departments under the board-level? If yes, describe them please!

GERMANY

Organizations within the single states, groups of districts and groups within the districts.

BELGIUM

No.

FRANCE

No, only the member organizations dispose of local or regional subdivisions.

LUXEMBURG

No.

THE NETHERLANDS

The Dutch Trade Union of the police is divided into several departments. These departments are local or district departments. Within the larger and the middle towns, there exist in most cases local divisions; in the villages there exist divisions of the relevant districts. A separation between the central and the municipality police has not been carried through.

DENMARK

The Danish organization of police officials has been divided into 45 single local divisions. The "Dansk Kriminalpolitiforening" is divided into 10 local departments.

FINLAND

See point V./2.

The following affiliated unions are organizations of the single states: the Finnish union of the CID officials (Suomen Rikospoliisien Liitto) with 20 subdivisions, the organization of the mobile police (Liikuvan Polisin Poliisiyhdistys), the personnel of the constabulary (Suojilupoliisin henkilökunta) and the officials of the police administrations (Nimismiespiirien Virkailijat). The other member unions are local organizations of the constabulary, the CID and the police of the country.

NORWAY

No subdivisions within the board; however there do exist 63 local organizations.

SWEDEN

The Swedish Trade Union disposes of 97 departments.

SWITZERLAND

The relevant organization disposes of 77 sections.

ENGLAND, WALES AND SCOTLAND

No but all departments are represented at branch board level.

8. Which parts of the subscriptions are destined for the departments for their activities?

GERMANY

The board of the Trade Union obtains per month and per member a subscription of DM 3,30; the rest of the subscription remains within the organizations of the single states which will cover the expenses of the district and the groups within the district.

BELGIUM

Does not apply.

FRANCE

Every suborganization is entitled to levy an additional subscription in order to secure its own ability to carry out its activities.

LUXEMBURG

Does not apply.

THE NETHERLANDS

Up to 25 members Gld. 1,70 per month. If there are more than 25 members: Gld. 1,05 per month. Pensionaries: Gld. 0,65 per month.

DENMARK

The local organizations obtain Kr. 17,10 of the subscription of Kr. 53,40 per month, which has been listed under point V./5.

The Dansk Kriminalpolitiforening pays DKr. 20,— per year to its local departments as well as special expenses of the local departments.

FINLAND

The board has recommended 0,20 %. The relevant local organizations are fixing the subscriptions of their members independently.

NORWAY

The relevant subscription will be fixed by the local organization; this sum has to be added to that subscription which has been mentioned under V./5.

SWEDEN

The organizations (departments) raise a subscription for their local activities. This subscription is changing; in the average it amounts per member and per month to Kr. 8,—.

SWITZERLAND

That differs within the different sections.

ENGLAND, WALES AND SCOTLAND

Not applicable.

9. Which aim is fixed in the statute of your Trade Union?

GERMANY

§ 2

(1) It belongs to the tasks of the GdP to promote the professional, economic and cultural interest of all police officials. Especially, the organization strives for the improvement of the general conditions of living and work and for an improvement of the general civil service law and for the betterment of the law that regulates the general labour conditions for police officials.

(2) The aims of the GdP should be reached by the influence upon the legislation, the settlement of tariff agreements, negotiations with authorities and, if necessary, by application of unionist official actions. The GdP participates in elections for representatives of the personnel and supports the representatives of the personnel for the execution of their duties.

BELGIUM

The most important aim of the organization is to promote both the moral and the economic position of the police officials by carrying out the following Trade Union acts:

- a) By intensifying the solidarity among the members;
- b) By maintaining the general and professional interest of the police officials;
- c) The further training of the members by establishing new libraries and police schools;
- d) To secure the interest of its members at the financial or moral level; especially to give financial support, to grant legal help, to make possible medical treatment; these means of support have to be fixed within the statute.
- e) The "Syndicat National de la Police Belge" defends the interest of the widows of its members, too; of course, this defence takes place within the frame of the general activities of the Trade Union. Special subscriptions are not to be raised.

This enumeration has not to be regarded as complete.

FRANCE

The "Fédération Autonome des Syndicats de Police" intends to improve the effectiveness of the actions of the Trade Union. Particularly, the organization aims at the improvement of the material and social position of the police officials.

Furthermore, it belongs to the tasks of the Trade Union to organize effective and coherent actions, to foster the effective solidarity among the single police officials, without regard of the respective career or rank; it goes without saying, that the Trade Union has to defend the relevant privileges of its members.

Finally, the Trade Union wants to realize the nearly perfect organization of the central police in all police stations and in the police administration.

It goes without saying, that the Trade Union has to care for the execution of all resolutions of the Trade Union congress.

The central organization has to give all material and moral support to the affiliated organizations in order to realize the aspired aims, if the respective problems cannot be solved by the single affiliated section.

## LUXEMBURG

The A. P. L. has the following aims according to its statutes :

- a) to group the police officials on duty and those who have already been pensioned off as well as their widows;
- b) to defend the financial and moral affairs of its members;
- c) to perform in the interest of the police service;
- d) to co-operate with other national or international trade unions if they aspire to similar aims.

The activities of the A. P. L. will be executed outside every political or ideological considerations.

## THE NETHERLANDS

1. In order to defend the interest of all members and their families, especially as to the privileges of the members in the realm of their conditions of labour and of the relevant prescriptions of service.
2. To improve the knowledge of the members both as to the interest of the service and in a general way.
3. To promote the solidarity among the members.
4. To promote the solidarity between the members of the Trade Union and the other employees and workers.
5. To foster the knowledge of responsibility concerning the existence of the society.
6. To promote a correct estimation of the profession of the police official by the population.

When trying to obtain the realization of these aims, the Trade Union considers the following norms and conditions: Fellowship, fairness, truth, responsibility, the acknowledgement of the personality of the single man, and the respect as to each religious conviction or faith.

## DENMARK

„Dansk Politiforbund“ and „Dansk Kriminalpolitiforening“ are organizations of police officials which are not affiliated to any political party and which aim to promote the unity of the single local organizations and to foster the economic and professional interest of the members and to lead the necessary negotiations for the members.

„Dansk Politiforbund“ and „Dansk Kriminalpolitiforening“ try furthermore to co-operate with other police organizations in Denmark, in Scandinavia and in other countries. Finally, it may be mentioned that there will be published a newspaper for all members of the Federation.

## FINLAND

It belongs to the tasks of the organization to function as the top organization of all other organizations of police officials who are members of our Federation. The Finnish organization has to represent the ideal and general Trade Union activity, too. It has to consolidate the feeling of coherence among the police officials and the general public to promote the general education and the physical training of the members of the police forces. Furthermore, our organization has to represent the social, economic and all other interests in the realm of Trade Unions; it has to support the respective police officials and their relations by paying out special sums in case of illness or of funerals without raising any special subscription for that pur-

pose. The Finnish Trade Union has to contact organizations of the country and of the exterior and it has to be a member of respective top organizations. Finally, our organization has to promote all economic and ideal enterprises in order to support the interest of the single police official.

In order to realize the above mentioned aims, the organization takes care of proposals in all cases which are of interest for the police officials; the organization initiates the writing of expertises and carries out its activity of publishing. Furthermore, it organizes and controls an enterprise which is engaged with the producing of police uniforms and with the entertainment of canteens, buys real estates and organizes special insurance funds for the officials and their families and tries to improve the general education of the members of the police force. Informing the public the Trade Union is especially engaged with the task to inform the public as to the activity of the police and to improve the relations between the public and the police forces; finally; it supports all kinds of sports, particularly the art to shoot, and promotes all activities in the realm of music, check and all other activities.

## NORWAY

Because of the fusion of the two unions the statutes will be revised (1975).

## SWEDEN

The aim of the Trade Union is fixed within the 1st article of the statutes.

It reads as follows:

The „Svenska Polisförbundet“ is the central Trade Union organization for employees and officials; it is not affiliated to any political party.

It is authorized to represent the economic, social and cultural interests of the respective members.

SPF should advertise for new members.

SPF must try to obtain suitable salaries for its members according to the professional competence and the difficulties and with regard to the responsibility and risks connected with the labour requirements.

SPF should aspire to good and safe labour and engagement conditions and should support each member as to these questions.

SPF should aspire to an engagement and training corresponding to the requirements of the respective profession as well as to fair principles of promotion.

SPF should grant legal protection to each member who will be held responsible on account of his trade union activities or official measures or omission of the official duty.

SPF should support members who are undeserved in a financial distress and should aspire to keep ready for the members possibly secure living conditions in case of illness, unemployment and other conflict situations.

SPF should support the education of its members and should grant financial support especially for studies as to the trade unions.

SPF should take care for a good fellowship among the members and for good relations between the police and the citizens.

**CONTINUED**

**1 OF 2**

SPF should aspire to a co-operation with the organized unions of the public servants as well as with the police organizations abroad, especially with Scandinavian in order to reach its aims.

#### SWITZERLAND

Article 2 of the statute reads as follows:

The organization aims to promote the intellectual, social and professional interest of the police officials. It is not affiliated to any political party and it has no connection with any church or confession.

Article 3:

The organization carries out its tasks in the following way:

- a) by promoting the solidarity among its members.
- b) by promoting the professional training of its members.
- c) by establishing a life insurance and other insurances of support.
- d) to secure the legal rights of the members.
- e) to publish a newspaper.
- f) to entertain the relevant relations to respective organizations within Switzerland or abroad.

#### ENGLAND, WALES AND SCOTLAND

Section 44 (1) of the Police Act 1964 states that there shall continue to be a Police Federation for England, Wales and Scotland for the purpose of representing members of the police force in England, in Wales and in Scotland respectively, in all matters affecting their welfare and efficiency, other than questions of discipline and promotion affecting individuals.

### 10. Which special institutions – the defence of the interest of your members not concerned – has your Trade Union established?

#### GERMANY

A trust company, which acts as trustee for the buildings which belong to the Trade Union, which procures advantageous insurances and which maintains data processing.

A publishing house which publishes the magazines "Deutsche Polizei" and "Contact" which brings out brochures on the occasion of special reasons and which sells special means and books concerning the police. It maintains an own advertising agency and printing-house.

#### BELGIUM

A legal endowment fund, a welfare fund.

#### FRANCE

The "Fédération" has accepted the politics of its member organizations as to the participation of the delegates in certain welfare institutions of the police (orphanage, mutual associations, the so-called society for the organization of leisure times).

The active Trade Union functionaries partake of the life of the social institutions of the police administration (Fondation Louis Lépine, Fondation Jean Moulin, Maison de Santé de Gardien de la Paix etc.).

#### LUXEMBURG

The A. P. L. has settled two different insurance contracts with an insurance company:

- a) a liability insurance for private and official affairs,
- b) an insurance for the legal protection in connection with the liability insurance.

#### THE NETHERLANDS

The members dispose of the following privileges:

- a) To dispose of the special rights of security, guaranteed by a lawyer.
- b) The members get assistance in all cases of securing their legal rights and complete or partial compensation in connection with the liability insurance if the board approves. Furthermore, the respective member will receive all necessary assistance in those cases where it is involved in legal interventions of cause of any Trade Union activities.
- c) In case of the allowance of the board of the Trade Union legal assistances which might become necessary in all cases caused by the special law of the civil service or by the special law of the pensions.
- d) A gratification which will reach Gld. 50,- on account of an age of service of 25, 40 or 50 years.
- e) Assistance in the following cases:
  1. Care in the case of the illness of the police official's wife.
  2. The cost for the nutrition in a hospital if the respective expenses will not be covered by another institution.
  3. Nutrition and care in a sanatorium.
  4. Nutrition in a lunatic asylum.
  5. Nutrition for being in a health resort.
  6. The acquisition of special medicaments.
  7. General assistance in all occasions, if the respective member is endangered by financial difficulties.
- f) In case of death of members or the wife the paying out of the insurance sums.
- g) The possibility to spend his vacations within one of the health departments of the Dutch Trade Union which has direct connections with the "Nederlandse Politiebond".

#### DENMARK

There do not exist such special institutions.

#### FINLAND

The following special tasks have to be mentioned:

The organization of leisure time

The financial support

The publication of the newspaper of the organization (Magazine Poliisimies)

Special journeys for information

Courses for general information

**NORWAY**

There do not exist special institutions. However, there has been established a voluntary life insurance corporation and a company for cases of accidents for members.

**SWEDEN**

The Trade Union grants security in all legal matters to the member who is accused because of his activities within the Trade Union or because of measures or activities within the police forces.

The Trade Union has concluded for its members a collective unemployment insurance which pays to each unemployed member an amount of SKr. 130,- per day.

The Trade Union has concluded an accident insurance which comprises the members and their families.

Furthermore the Trade Union has concluded with an insurance company collective life insurances and illness insurances which the members can join.

The Trade Union grants its members a special payment for the purpose of scholarship.

**SWITZERLAND**

Burial-fund, endowment fund.

**ENGLAND, WALES AND SCOTLAND**

You will note by referring to question 9 above, that the Federation deals with all matters given under the two headings of welfare and efficiency. There is, however, the provision that the Federation cannot make representations on questions of discipline or promotion where it affects an individual. Promotion and discipline on policy matters can be dealt with, and it is possible, under this general heading, for individual cases to be quoted.

**11. Would you be so kind to give exact details as to the numerical strength of the police in your country?**

**GERMANY**

157 000 police executive officials  
20 000 police officials in the "Bundesgrenzschutz"  
22 000 employees and workers

**BELGIUM**

10 000 to 12 000.

**FRANCE**

Gardiens, Gradés, Officiers, Commandants, Inspecteurs, Commissaires:	105 000
Corps de direction	94
Commissaires	1 820
Inspecteurs	11 955
Enquêteurs	5 279
Commandants and Officiers	2 035
Gradés and Gardiens	79 598

Agents contractuels	800
Administrative personnel	4 987
Workers	1 337

**LUXEMBURG**

The maximum number of legally permanent established posts of the police amounts to 263, those of the "Gendarmerie" 402.

**THE NETHERLANDS**

**Central police (1-1-1974)**

Wachtmeester/Wachtmeester 1st class	4 706
Opperwachtmeester	1 710
Adjutant	613
Officier	122

**Municipality police (1975)**

Agent/Hoofdagent and technical and administrative personnel	15 478
Brigadier	2 590
Adjutant	845
Higher Officials	710
Special group severe crime and district functionaries	221

**DENMARK**

The Dansk police forces now dispose of nearly 8 500 police officials.

**FINLAND**

Nearly 9 000 police officials and nearly 1 600 employees.

**NORWAY**

a) Juridical service	235
b) Police officials	3 350
c) "Schulzen" (village mayors)	388
d) Officials assisting the "Schulzen"	991
e) Employees in the offices	642
	<hr/>
	5 606

The categories a and b are called "city police", the categories c and d are called "provincial district police."

**SWEDEN**

There are existing nearly 15 000 police officials (including the candidates) and nearly 5 000 administrative and other personnel.

**SWITZERLAND**

Nearly 14 000.

**ENGLAND, WALES AND SCOTLAND**

116 007.

12. Please, give us the names of the Trade Unions which exist in the realm of police in your country!

13. Do you know what number of members the different organizations have?

#### GERMANY

	Members
Gewerkschaft der Polizei (Trade Union of the German Police)	135 000
German Confederation of Trade Unions (DGB) — Gewerkschaft Öffentliche Dienste, Transport und Verkehr — section III: Police	20.000
Police Trade Union within the Federation of the German officials (Polizeigewerkschaft im Deutschen Beamtenbund)	22 000
Federation of the CID officials (Bund der Kriminalbeamten)	8 000

#### BELGIUM

The number of members include the pensionaries.

Our organization represents the majority of the police officials of all ranks. There are existing another professional association, in which the police officers are united and another, which represents the "gardes champêtres".

Otherwise a number of their members are in our organization, too. Furthermore, there are existing three political trade unions (social, christian and liberal) for the officials of the public service with municipal sections, including a subdivision for police.

#### FRANCE

There are many organizations which are acknowledged in France. At a certain point of time of the history of the police, the administration has counted 23.

The "FASP" represents the majority, that means 75 000 members; 48 000 members are active (only uniformed police officials) and 1 700 are administrative and technical officials of the national police. Some trade unions with governmental tendency represents 10 per cent of the police officials. The officials remain in the confederations or are not organized.

#### LUXEMBURG

The A. P. L. is the only trade union which represents police officials (excluding the police officers). Number of members: 272. Because of reasons which are of internal organizational nature the majority of the pensionaries and the widows of police officials are directly affiliated to the "Syndicat Professionnel de la Force Publique".

The "Association Professionnelle des Gendarmes" organizes the officials of the gendarmerie (excluding the officers of the gendarmerie). Number of members: ± 350. The officers of the police and of the gendarmerie have not been successful to keep the unionist unity. Although their number is not important, they belong to two different communities of interests, that are: the "Association Professionnelle des Officiers Luxembourgeois" and the "Fédération des Officiers Luxembourgeois".

#### THE NETHERLANDS

	Members	
	Active officials	Pensionaries
Nederlandse Politiebond	11 589	1 742
Bond van Christelijke Politieambtenaren in Nederland	6 846	1 220
Katholieke Politiebond "St. Michael"	5 747	1 221
Vereniging van Hogere Politieambtenaren:	786	64
Rijkspolitie Vereniging	nearly 800	?

#### DENMARK

The Danish police organization comprises 7 170 members. The organization of the Danish CID officials has nearly 1 650 members.

The organization of police officials with juridical training has nearly 200 members.

The organization of the local police directors of Denmark has 72 members.

It is possible for all Danish police officials to join the Danish police organizations.

All other organizations accept as members only those persons who belong to the respective career or to the respective group of payment.

The Danish police organization co-operates with the organization of the Danish CID officials. In 1969, there has been concluded a treaty of co-operation between these two organizations; because of this treaty these two organizations are obliged to discuss all questions which are of interest for the members of these Trade Unions, before the respective matter will be discussed with the Minister of Interior or with the chief of the central police or the central organization. That means: all negotiations will be carried out commonly as far as possible. The above mentioned conclusion stipulates, too, that both organizations will be represented on international level by the Scandinavian police organization and by the U. I. S. P. The Danish police organization has transferred its mandate within the Scandinavian secretariate of police organizations to the organizations of Danish CID officials. The treaty of co-operation also stipulates that the two organizations will publish, beginning with January 1st, 1970, a common newspaper with the title "Dansk Politi" (Danish Police).

#### FINLAND

Suomen Poliisien Liitto r. y. (Finnish police organization)  
 Poliisikunnan Keskusliitto r. y. (Central Federation of the Finnish police forces)

The above mentioned organizations comprise about 7 500 members.

The chief police officials and the officials of the police administration show the weakest degree of organization. These officials are not affiliated to the Finnish Police Organization, but they are represented by the Central Federation of the Finnish police forces.

#### NORWAY

a) Politiets Fellesorganisasjon, that means: "Common Association of the police officials":

4 300 members

b) Politieambtsmennenes Landsforening, that means higher police officials (officers) with juridical career: "Reichsverband of higher police officials" 200 members

#### SWEDEN

"Svenska polisförbundet" (SPF) has the right to organize all police officials including the chiefs of police. The majority of police chiefs is still member in the association of lawyers and sociologists. The other personnel is member of the trade union of public officials.

The Swedish trade union of police has nearly 16 000 members. The Association of lawyers and sociologists has nearly 200 members.

The trade union of public officials has nearly 5 000 members.

#### SWITZERLAND

Fédération Suisse des Fonctionnaires de Police: More than 12 000 members. The balance comes off as follows:

- a) unorganized: 20 %
- b) organized: 80 %

#### ENGLAND, WALES AND SCOTLAND

Non, but there is the Police Federation, the Superintendents' Association and the Association of Chief Officers of which all members belong according to their rank.

14. Are all police officials – without discrimination – able to join the above named organizations?  
Or are there privileges for certain groups?

#### GERMANY

It is up to each member of the police forces to join one of the trade unions or federations.

The "Federation of the CID officials" organizes only officials of the CID.

#### BELGIUM

Yes.

#### FRANCE

Today the "Fédération" organizes the uniformed personnel, the personnel of the police administration and the technical personnel. Its aim, however, is to become the representative of all police officials; the first discussions have already been initiated.

#### LUXEMBURG

With exception of the civic personnel every police official without any difference as to the rank has the possibility to join our community of interests.

#### THE NETHERLANDS

It is possible for all police officials to join the Dutch Trade Union, the Christian Trade Union (Bond van Christelijke Politieambtenaren in Nederland) and the Catholic Trade Union (Katholieke Politiebond "St. Michael"). The organization of chief police officials is ready to accept only police officers as members.

The organization of the central police is a Federation of minor importance; only members of the central police may join it.

#### DENMARK

See question V./ 13.

#### FINLAND

All police officials

#### NORWAY

See V./11 b, c, d and e.

#### SWEDEN

Only police officials and certain administrative personnel of "Rikspolisstyrelsen".

#### SWITZERLAND

Article 4 of the statutes purports:

"Every police official of the State, canton or municipality is allowed to become a member of the trade union.

That who quits the service or reaches his age of retirement continues to be a member of the "Fédération"; at least the statutes of his section do not consider anything other."

#### ENGLAND, WALES AND SCOTLAND

No discrimination as they belong to the appropriate Association referred to in 12 above.

15. Is it possible to say if technical officials and officials of the general administration are subsumed under the technical term "police official", if they do respective work?

#### GERMANY

Yes.

#### BELGIUM

No.

#### FRANCE

Yes, on condition that the respective persons are members of the central police.

#### LUXEMBURG

Yes.

## THE NETHERLANDS

Yes.

## DENMARK

See question V./13.

## FINLAND

Only a part of them.

## NORWAY

Yes.

## SWEDEN

Only under the condition that the service is also obliged to carry through functions of the police.

## SWITZERLAND

If the respective person has been a police official in former times.

## ENGLAND, WALES AND SCOTLAND

No.

## 16. In which parts of the administration is your organization represented in order to secure the interests of its members?

### GERMANY

The GdP will be participated by the Minister of Interior in the preparation of general regulations of the legal public official conditions as an organization equalized to the top organizations.

Furthermore, the "Deutsche Gewerkschaftsbund" (German Confederation of Trade Unions), "Deutsche Beamtenschaftsbund" (German Federation of Officials), "Christliche Gewerkschaftsbund" (Christian Trade Union), "Deutsche Richterbund" (German Association of judges) and the "Bund Deutscher Verwaltungsrichter" (German Association of administration judges) will be participated.

In the single states there are analogous regulations.

The majority of the personnel councils of the police officials who dispose of the legal right of co-operation and co-determination as to the chiefs of the authorities belong to the GdP.

The organizations mentioned under V./12. are represented according to the result of the elections of the representatives for the personnel.

### BELGIUM

Up to now we are officially not represented. The statute of the Trade Union recently passed will not yet be applied and therefore there do not exist any proportional commissions for the personnel of the municipalities.

### FRANCE

There exist representations in proportional commissions of administration and a proportional committee.

## LUXEMBURG

In the commission competent for the statute and the administration of the personnel of the Public Power the A. P. L. is represented by one member. This commission has a consulting character.

## THE NETHERLANDS

Since the Nederlandse Politiebond has joined the Dutch Trade Union, it is — if even indirectly — a part of the economic council of the country which plays an advertising role. In the same way, our organization partakes of the activity of the commission for organized consulting as to all affairs of the personnel. Our commission disposes of seats (representations) within the commission for organized consulting in all police affairs and in the two departments of the central and the municipality police. The above mentioned departments take place in the activities of the local commissions for organized consulting.

## DENMARK

Both the "Dansk Politiforbund" and the "Dansk Kriminalpolitiforening" are represented in several committees and working groups directly under the Ministry of Justice and with the chief of the central police.

For example: The structure committee, the engagement committee who examines the candidates before the engagement, the central co-operation committees in the Ministry of Justice and with the chief of the central police and the promotion committee who will give advising remarks in case of promotion within the police force.

## FINLAND

See II./17, point 2.

## NORWAY

See point II./17.

## SWEDEN

The Trade Union has representatives in the central, regional and local committees of the police as well as in the central working organs and committees. The representatives of the Trade Union belong to "rikspolisstyrelsen" and to every local police board.

## SWITZERLAND

As the case may be or by election for a public function.

## ENGLAND, WALES AND SCOTLAND

S. 44 Police Act 1964 refers.

## 17. Which other Trade Unions are represented in the above named institutions, too?

### GERMANY

See V./16.

### BELGIUM

See V./16.

## FRANCE

Within the categories which we represent and within the proportional commissions of administration, regional or national, the majority of the posts belong to the FASP (2 representatives per rank for each commission).

In the proportional technical committee there are 2 representatives of each of the majority organizations of the police that means:

- 2 Fédération
- 2 Syndicats des Inspecteurs
- 2 Syndicats des Commissaires
- 2 Syndicats des Commandants et Officiers (not to be confused with the "Syndicat National des Officiers et Commandant; member of the FASP)

excepted the "Syndicat des Commandants et Officiers" with governmental tendency, the other trade unions are joined and from the "inter-unionist" of the national police.

## LUXEMBURG

There are still represented:

- a) the "Syndicat Professionnel de la Force Publique",
- b) the "Association Professionnelle des Sous-officiers Luxembourgeoise",
- c) The "Association Professionnelle des Gendarmes".

The mandate of the members of this commission has only reference to those affairs which concern the personnel to be represented by them.

## THE NETHERLANDS

In the relevant commissions for policial affairs there are represented - apart from our Trade Union - all other organizations which have been listed under V./13.

## DENMARK

See point V./16.

## FINLAND

On account of a law which is to be adopted in the near future, only three central organizations will be authorized to represent the officials, namely:

Virkamiesten ja Työntekijäin Yhteisjärjestö VTY r. y. (The central organization of the officials and other employees)

Virkamiesliitto - Tjänstemannaförbundet (VL) r. y. (Federation of officials)

AKAVA r. y. (Consultative committee of the organization that comprises those members who have been educated by the university).

## NORWAY

a) Politiembetsmenneses Landsforening. See question 12 b.

b) Lensmannsbetjentenes Landslag, that means the trade union of the officials assisting the "Schulzen" (village mayors).

## SWEDEN

It is usual that also the rest of the concerned personnel organizations have representatives within the different organs exactly as the "Svenska polisförbundet".

## SWITZERLAND

The unions of the municipality, cantonal and federalistic personnel.

## ENGLAND, WALES AND SCOTLAND

Not applicable.

## 18. Is your organization co-operating with other Trade Unions in your country?

- a) What are the names of these other Trade Unions?
- b) Can you tell us something about the causes for this co-operation?

## GERMANY

We co-operate with the German Trade Union for Employees (DAG) in order to represent the interests of our employees and workers in a more effective way.

## BELGIUM

No.

## FRANCE

As stated in V./17. the central trade union organizations of the national police have formed the inter-unionist. Here you can find, apart from the FASP, the S.N.A.P.C. (Syndicat national autonome des policiers en civil), the "Syndicat des Commissaires et hauts Fonctionnaires de la Police nationale".

In very special fields, e. g. the social, there will be a great concentration of the organizations within a common committee.

## LUXEMBURG

The A. P. L. is affiliated to the "Syndicat Professionnel de la Force Publique". This affiliation is mainly caused by the fact, that the police of Luxemburg is subordinated to the same Ministry (Ministère de la Force Publique) as the army and the gendarmerie. The same statute of personnel, the same payment and the same recruiting and promotion conditions and consequently the same personnel problems in the 3 different administrations of the "Force Publique" lead to a very close co-operation of the 3 professional organizations in the frame of the "Syndicat Professionnel de la Force Publique (SYPROFA)". The "Syndicat Professionnel de la Force Publique" is, for its part, affiliated to the "Confédération Générale de la Fonction Publique" (that is the most important trade union of the civil servants of Luxemburg) and participates in all decisions concerning

the claims of the whole civil service in the frame of this organization.

#### THE NETHERLANDS

a) With the Dutch Trade Union Federation (N. V. V.).

With the General Committee in order to secure the interests of the civil service officials (A. C. O. P.).

With the Confederation of Christian Police Officials and with the Confederation of Catholic Police Officials; together with the two last mentioned organizations, we form a central police organization, called C. P. O.

b) We believe that the police forces must not remain in isolation. The possibility to improve the economic position of the single police officials depends on the general economic situation. These interests will be considered and discussed within the social economic council (S. E. R.). In order to represent the interests of the police officials as effective as possible, we are affiliated to the N. V. V. which is represented within the S. E. R.

The same is true with regard to the A. C. O. P. There exist familiar relations between the interests of the police officials and the interests of all other members of the civil service.

The basis for elaborating the conditions of labour for all civil service personnel is fixed by a central commission which is competent for this part of society.

Since our Trade Union is rather interested to participate in these activities, we are affiliated with the A. C. O. P.; the central board of this organization is represented in the above mentioned commission.

In order to represent the important interests of the police forces we co-operate with those christian Trade Union organizations, too, which have been mentioned under point 13. Together with us they represent 90 % of the police forces.

#### DENMARK

a) The Danish Police Federation co-operates with all other organizations within the civil service and it is a member of the central organization of the civil service officials. The Danish Police Federation has delegated 2 members to the central board of the above mentioned central organization.

b) In order to represent the interests that are common for all civil service members and in order to carry out the right of negotiation. In Denmark the right of negotiation of the civil service is reserved for the central organization of the civil service officials. In order to execute this privilege of negotiations, it is necessary, that Danish police officials belong to the above mentioned central organization.

#### FINLAND

a) Yes, the Finnish police organization co-operates with the central Federation of the Finnish Police Forces in order to form the consulting commission of the police organizations.

The Finnish police organization belongs to the central organizations of the civil service officials and employees (VTY). This is the most important organization of all officials in Finland and it belongs — at the same time — to the central organizations of the Finnish Trade Union (SAK). The chairman of this federation is, at the same time, the

chairman of the VTY delegates and a member of the SAK delegates.

The organization is represented by a member who belongs to the board of the VTY and by two members among the VTY delegates.

b) See II./15 and V./17.

#### NORWAY

The combined union (Fellesorganisasjonen) co-operates with the central trade union in Norway (Landesorganisasjon, L. O.), with the Syndicate of the civil servants (Statstjenestemennskartellet) and with the central organization of the trade unions (Yrkesorganisasjonenes Hovedsammenslutning).

#### SWEDEN

The Trade Union is affiliated to the central organization of the civil service officials (TCO). Within the frame of the civil service section of the TCO (TCO - S) which has to negotiate in all questions relevant for the civil service officials, we dispose of a well developed co-operation with all other Trade Unions in the realm of the civil service.

#### SWITZERLAND

See V./17.

#### ENGLAND, WALES AND SCOTLAND

No. By virtue of Section 44 (2) of the Police Act 1964, the Police Federation shall act through local and central representative bodies; and the Police Federation and every branch thereof shall be entirely independent of, and unassociated with, anybody or person outside the police service, but may employ persons outside the police service in an administrative or advisory capacity.

19. On the basis of which constitutional provisions or laws the freedom of association to form trade unions by police officials is legally ensured in your country?

#### GERMANY

In the Federal Republic of Germany the freedom of association of the public officials is regulated in the constitution, namely in Article 9 of the Fundamental Law (Grundgesetz) of May 23rd, 1949. Article 9, paragraph 3 says:

"The right to found associations for protection and promotion of the conditions of work and of economy is guaranteed for everybody and for all professions. Agreements which restrict and hinder this right are invalid. Measures which intend this are illegal. Measures according to the Articles 12 a; 32, paragraph 2 and 3; Article 87 a, paragraph 4 and Article 91 must not guide against strikes which are carried out by associations within the meaning of sentence 1 in order to protect and promote the conditions of work and of economy."

(The cited articles deal with special regulations in respect to military service and in regard to special competences of

the Federal Government and the governments of the single states in the cases of nature catastrophes and internal states of distress. By that it is explicitly fixed that strikes are not to be submitted to the term "Internal state of distress".)

#### BELGIUM

The Constitution of Belgium guarantees the freedom of association. The police officials in their capacity as citizens are not excluded from this right.

#### FRANCE

It is guaranteed by the Constitution of the Republic of October 27th, 1946. The preamble of the Constitution says, that "every human being may defend its interests and rights unionist and may be a member of a trade union of its own choice". This regulation is also a part of the French Constitution of September 1958.

By the law No. 46.2294 of October 19th, 1946, referring to the general status of the official, Article 6; furthermore by the instruction No. 59.244 of February 4th, 1956, dealing with the same matter, where is written in article 4:

"The officials are entitled to the unionist right. Their trade unions, mentioned in volume III, may attend on every jurisdiction. Especially they may in front of administrative courts turn towards administrative instruments, which concern the status of personnel and against the individual decisions which hurt the joint interests of the officials."

The law No. 48.1504 of September 28th, 1948, referring to the special status of the personnel of the police, amended by regulation No. 60.885 of August 18th, 1960, says in

##### Article 2:

"The execution of the unionist right is awarded to the personnel of the police under the determined conditions, which are designated by the Constitution and Article 6 of the law of October 19th, 1946."

A decree of September 1970 has explained these regulations:

"Every agreed stoppage of work, every joint undisciplined action can be pursued beyond the disciplinary guarantees."

#### LUXEMBURG

As to the unionist liberties the police officials have all rights, guaranteed by the constitution to the people of Luxemburg, namely:

Article 11: The law . . . guarantees the unionist liberties.

Article 26: The people of Luxemburg have the right of association. This right may not be submitted to a preceding authorization.

See also question 24.

#### MONACO

The statutes of our organization, originally called "Le Syndicat du Personnel de la Sûreté Publique", are passed and accepted by the Princely Government and the directorate for social services (ministerial decree No. 4562 of March 13th, 1945; published in the Official Journal of Monaco of March 22nd, 1945):

"We, minister of state of the principality,

— see decree act No. 399 of October 6th, 1944, which ratifies the foundation of trade unions;

— see Princely Decree No. 2942 of December 4th, 1944, which regulates the foundation and activities of the trade unions;

— see application for licence for the statutes laid down by the "Syndicat du Personnel de la Sûreté Publique";

— see comment of the directorate for social services;

— see decision of the Council of Government of March 13th, 1943;

decree:

##### Article 1

The "Syndicat du Personnel de la Sûreté Publique" is admitted.

##### Article 2

The statutes of the above mentioned trade union as they were submitted to the direction for the public service, are accepted.

##### Article 3

Every alternation of the above mentioned statutes have to be submitted to the government in order to be accepted.

##### Article 4

The government counselor for the field of public work is authorized with the performance of the decree in hand.

Issued in Monaco, House of the Government, on March 13th, 1945.

The re-designation into "Association Professionnelle des Fonctionnaires de la Police d'Etat de Monaco" took place according to the Ministerial Decree No. 50.123 of August 14th, 1950, removed and substituted by the Ministerial Decree No. 60.182 of June 28th, 1960 (without alteration of the statutes).

#### THE NETHERLANDS

The freedom of association of all citizens (including the police officials) is regulated by the constitution and elaborated in the "law of association and assembly" of April 22nd, 1855.

##### Article 9 of the Constitution says:

"1. The right of association and assembly of the inhabitants is accepted.

2. The law regulates and limits the execution of this law in the interest of public order."

##### Article 1 of the "law of association and assembly" says:

"For the foundation of an association no authorization is demanded.

##### Article 2 says:

"The association in conflict with the public order is forbidden."

##### Article 3 says:

"As in conflict with the public order there is regarded every association which is for the purpose of or their real activities are leading to:

1. A disobedience or transgression of a law or transgression of a legal decree;
2. An attack or endangering of the good habits;
3. A disturbance of the execution of the rights of others;

4. The commitment, maintenance and promotion of the discrimination of human beings on account of their race.

Only the civil judge can decide, upon application of the public prosecutor's office, that an association is regarded to be in conflict with the public order and is therefore forbidden.

#### DENMARK

Constitution and Laws of the Officials.

#### FINLAND

The Government's frame of July 17th, 1919.

§ 10, point 1:

"A Finnish fellow-citizen has the freedom of speech and the right for publication and illustration in the press, without hindering by anyone; just as the right to assemble without preceding approval in order to talk over public matters or to found associations for any other accepted aim in order to realize aims, which are not in opposition with the law and the good habits."

Law with regard to associations of January 1st, 1919.

§ 1, point 1:

"For the joint realization of such an aim, which is not in opposition to the law and the good habits, associations may be founded in fact of consideration of the regulations of this law.

§ 3:

An individual as well as a company or a charitable foundation are allowed to be a member of the association.

§ 4, point 2:

The aim of the association shall not include such rights, which belong only to a public authority.

#### NORWAY

The Law about Public Differences of Service of July 18th, 1958, with alteration of June 19th, 1969, regulates the special right of negotiation for the personnel of the State.

§ 1, point 1:

"This law refers to every employee, who is permanent or timely working within the organized public service."

§ 2:

"The State and the organizations of officials, entitled to negotiate, have the mutual duty, to enter into negotiations about the conclusion of tariff treaty, when the other party requires that."

According to this law the police official is equalized to the other state officials in every respect.

#### SWEDEN

Law of the right of association and negotiations:

"§ 3:

In this law freedom of association means the right for employers and employees to be member of an association ..., to use the membership in order to stand up for the association or to found one."

#### SWITZERLAND

In our country professional organizations and trade unions nearly always have the legal form of an association. Article 56 of the Federal Constitution reads as follows:

"The citizens have the right to found associations, as far as these are not illegal or dangerous to the state in respect to their aims or to the fixed aims for that. About the misuse of this law the legislation of the cantons fixes the necessary regulations."

#### ENGLAND, WALES AND SCOTLAND

There is no constitutional provision in the United Kingdom for policemen to form trade unions. The Police Federation is a representative organization for the purpose of representing members of police forces holding the rank of constable, sergeant, inspector and chief inspector. The Police Federation is governed by the Police Act 1964, section 44 of which states:

(1) There shall continue to be a Police Federation for England and Wales and a Police Federation for Scotland for the purpose of representing members of the police forces in England and Wales and in Scotland respectively in all matters affecting their welfare and efficiency, other than questions of discipline and promotion affecting individuals.

(2) The Police Federation shall act through local and central representative bodies; and the Police Federations and every branch thereof shall be entirely independent of, and unassociated with, anybody or person outside the police service but may employ persons outside the police service in an administrative or advisory capacity.

(3) The Secretary of State may by regulations prescribe the constitution and proceedings of the Police Federations and, without prejudice to the generality of that power, regulations under this subsection may make provision

a) with respect to the membership of the Federations;

b) with respect to the raising of funds by the Federations by voluntary subscription and the use and management of funds derived from such subscriptions;

c) with respect to the manner in which representations may be made by committees or bodies of the Federations to police authorities, chief officer of police and the Secretary of State;

d) for the payment by the Secretary of State of expenses incurred in connection with the Federations and for the use by the Federations of premises provided by police authorities for police purposes and;

e) for modifying any regulations under the Police Pension Act 1948, under section 33 of this act or under section 11 of the Police (Scotland) Act 1956 in relations to any member of a police force who is the secretary or an officer of a Police Federation and for requiring the appropriate Federation to make contributions in respect of the pay, pension or allowances payable to or in respect of any such person.

(4) Regulations under this section may contain such supplementary and transitional provisions as the Secretary of State thinks fit, including provisions adapting references in any enactment (including this Act) to committees or other bodies of the Federations.

(5) Before making any regulations under this section the Secretary of State shall consult the three Central Committees of the Police Federation to which the regulations will relate, sitting together as a Joint Committee; and any statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) This section applies to police cadets as it applies to members of police forces, and references to the police service will be construed accordingly.

20. Are there legal or other restrictions with regard to the exercise of the right to form trade unions by policemen?

GERMANY

Special restrictions with regard to the exercise of the unionist rights of coalition by police officials are not existing. On the basis of the common law of officials, which is also valid for police officials, there are existing restrictions with regard to the right of strike. The dominant jurisdiction and jurisprudence, which is in recent times called in question by groups becoming steadily larger, take the point of view that a strike of officials is inadmissible, because it is not consistent with the traditional principles of the official-dom. By that reason Article 33, paragraph 5 has at time still to be seen as a restriction of the freedom of strike for officials and consequently for the police officials, too.

Article 33, paragraph 5 of the Fundamental Law says:

"The right of the public service has to be regulated in consideration of the traditional principles of the official-dom."

BELGIUM

Not in this form, but in principle.

See answer to 19.

FRANCE

Yes, the right of strike is not entitled to the police officials according to the regulations of Article 2 of the law of September 28th, 1946; as mentioned to 19.

LUXEMBURG

On this matter there are existing no restrictions.

MONACO

No special restrictions with regard to the exercise of unionist rights, however, the police officials have no right to strike, just as in France.

THE NETHERLANDS

Special restrictions with regard to the unionist freedom of association by police officials are not existing. But in the Netherlands the strike is forbidden for all officials of the public service, including the police officials.

Till now the penal code ("Wetboek van Strafrecht") includes regulations, which punish the strike of officials with prison or fine. In the last years the views about the strike have changed so far as the government has agreed to delete the penal clauses out of the penal code and instead of this the strike of officials in the regulations for officials may only be menaced with disciplinary measures. At the moment this matter is not carried through and is in the phase of parliamentary discussion.

DENMARK

No.

FINLAND

No.

NORWAY

There are no general restrictions for police officials with regard to the right to organize and to negotiate.

With regard to the right to strike there is, however, existing a special prohibition of strike for police officials. A new § 20 has been inserted in the police law of March 13th, 1936, on June 19th, 1959, with the following text:

For police officials and officials with police sovereignty it is forbidden to go partly or complete on strike by agreement. It is also forbidden to look for positions which are characterized as closed for workers.

If an adjustment takes place, according to the Law of Public Differences of Service, chapter 4, in a controversy between the State and an organization of officials within the meaning of paragraph 1, which is entitled to negotiate and will there no result of adjustment be accomplished, the mediator, who presides over the adjustment, has to present a record to the president of the office of salaries of the kingdom within 3 days. The office settles the controversy and makes it compulsory for both parties. The regulations according to § 27, point 2 and 3 of the Law of Public Differences will be used equivalent.

SWEDEN

No.

SWITZERLAND

There are not existing such regulations, however, the activities of service have priority. The law of officials of the Federation includes a prohibition in Article 13 to belong to an association which provides the strike of officials.

Article 23 of the same law includes a general prohibition of strike. These regulations, however, are directly valid only for officials of the Federation, not for those of the cantons, where the main importance of the police service is to be found (including the police of the larger municipalities).

The Federation maintains a numerical small police, which is on duty only in civil and which has a restricted scope of duties. The cantons provide for their personnel in the most cases no explicit prohibition of strike, such a prohibition is, however, in accordance with traditional habit.

ENGLAND, WALES AND SCOTLAND

There are legal restrictions with regard to the exercise of the right to form trade unions by policemen. The restrictions are contained in the Police Regulations 1968, Regulation 7, sub paragraph (f), which states "shall be given a notice in terms approved by the Secretary of State drawing attention to the conditions of service contained therein." The conditions of service referred to state that no member of the police service shall be a member of a trade union unless he received the consent of his chief constable to remain a member of a trade union to which he belonged before joining the police service.

21. In what way and manner does the administration (ministries) let your trade union participate in the preparation of legal or administrative regulations which concern the living and working conditions of your members?

GERMANY

Legally the participation is regulated as follows:  
§ 94 of the Law of Officials

"The top organizations of the competent trade unions have to be participated in the preparation of common regulations of the conditions in respect of the law of officials."

Top organizations are such trade unions, which organize members in the whole region of the Federal Republic and which are of a certain importance. Additionally there is necessary a special acknowledgement as "Top Organizations" by the competent Minister of Interior.

The participation of the trade unions ordinarily takes place by transmission of an expert's draft with the possibility to comment on the draft by letter and a following discussion: proposals for alteration can be made.

That means, the trade unions have already commented the draft of a law before this draft passes the cabinet of the government and will be introduced in the parliament.

Besides these legal fixed regulations the ministry invites, when special questions have to be discussed, representatives of the trade unions for conferences or follows the request of the trade unions to negotiate or to discuss certain problems.

For the Federal Republic of Germany it has to be established that altogether the procedure of participation is still unsatisfactory, as the demands cannot absolutely be carried through and it cannot always be guaranteed that the proposals of the trade unions will be transmitted to the cabinet or will arrive at the Parliament (Bundestag).

BELGIUM

It has to be pointed out that the police is assigned to the authorities of the municipalities. However, the municipal authorities apply in general the regulations issued by the Ministry of Interior. Till today these regulations are submitted to the political trade unions to comment. Consequently it will only be the political trade unions which participate in negotiations about different regulations as soon as the passed statute for trade unions will be applied. The part which the SNPB played up to now was that to try to alter the regulations, which were passed by the Ministry of Interior, in an advantageous way before they were locally applied.

FRANCE

a) By adjustment of discussions, in those progress the trade unions will bring forward the complaints of the personnel and will support solutions.

b) The superior council for the public service, founded by the decree No. 59.306 of February 14th, 1959, of which article 1 says:

"The superior council for the public service can be claimed by the Prime Minister or by one of its members in all questions, which are of public interest for officials or for the public service. He submits the result of his work or gives proposals to the Prime Minister."

This council takes also the part of a superior organ in cases of negotiations about promotions and payment and in cases which are limited and fixed in the regulations of the public administration. The council submits opinions and recommendations in the field of his admitted competence.

c) Joint committees of administration (decree No. 59.307 of February 14th, 1959) founded for all public administrations as well as for all authorities and institutions, which employ officials.

They are competent for engagements, appointments, promotions and discipline and can be claimed in all matters of personnel.

With regard to the police their competences are sometimes clipped, especially with regard to the engagement.

d) Joint technical committees (decree No. 59.307 of February 14th, 1959, paragraph III). With regard to the police the joint technical committees are only authorized to make elaborations or alterations of personnel statutes.

LUXEMBURG

The problems of the personnel of the "Force Publique" (army, gendarmerie, police) will regularly be investigated and treated by the commission competent for the statute and the administration of the personnel. This commission has advisory character for the competent minister.

MONACO

The office of the association prepares every draft of reforms and submits it for ratification to the Minister of Interior, which understands to the director for public security. The same is also valid for demands which concern the whole personnel of public security.

Consequently the general secretary of the association can be requested together with one or several members of the office to discuss drafts for reforms or demands with the representatives of the Princely Government in order to find a satisfactory solution.

THE NETHERLANDS

Article 125 of the law of officials says:

"As far as these themes are not regulated on the basis of this law, regulations will be issued for the officials employed by the state on the basis of a general administration prescription with regard to the manner in which consultations about matters of general interest about the situation of law of the officials will be carried out with the respective organizations of officials."

In the second paragraph of this article it is fixed that the competent authorities of the provinces, municipalities etc. may issue similar regulations for the officials employed by them.

The questions which are important for the officials are regular topics of a conversation between the Minister of Interior and the central federations of the organizations of officials. Therefore it is necessary to come into a con-

nection with one of these central federations in order to exert an influence in these questions.

The manner in which the Ministry of Interior and the Ministry of Justice participate with the Dutch Trade Unions of Police in the preparations of the most important regulations as to police officials, are fixed in the "Regulation of organized consultation of Police".

Due to this regulation all affairs of general interest for the special situation of law of the police officials will be submitted to the Commission "Organized consultation of police" before the ministers will take a decision.

#### DENMARK

By representation of the association — directly or by central or general organization — in the commissions or committees, instituted by the administration, which are part of the preparing work of legislation,

Or

by negotiation with the mentioned organizations or central organizations — which are entitled to negotiate according to the law concerning public officials (law No. 291 of June 18th, 1969, § 49). This is detailed in the principle agreement concerning the procedure of concluding agreements and concerning the regulations for the execution of the right of negotiation between the Ministry for Public Payment and Pensions and the central organizations.

#### FINLAND

The conditions of the term of employment are agreed in treaties for the conditions of functions between the organizations of officials and the public employee's association. Other affairs are verbal negotiated before the issue of a new prescription. The Finnish Association of Police Officials has a right to negotiate due to the law.

#### NORWAY

The "Politiets Fellesorganisasjon" has complete right to negotiate with the Ministry of Justice in all affairs which concern the conditions of payment and working of the members. We have also a right to negotiate with the Ministry for Wages and Prices by the principle organization "Public Officials' Syndicate".

In affairs, which are of low interest for us we give comments to proposals of committees, reports of Parliament and drafts of laws.

#### SWEDEN

Within the section of public officials (TCO — S) "Svenska polisförbundet" takes part in all preparations as well as in all alterations of agreements, which regulate the conditions of payment and engagement of the members.

Concerning the conditions, which cannot be fixed by an agreement — activity of the authority — the trade union takes part in the work of legislation by the fact that it participates in the preparations or expresses its opinions by comments.

#### SWITZERLAND

In the majority of the cases the cantons, the municipalities or the Federation negotiate with the representatives of the administrative personnel who generally comprises police officials, too.

#### ENGLAND, WALES AND SCOTLAND

The police service in the United Kingdom are not members of a trade union but have a representative organization called the Police Federation, the activities of which are governed by the Police Regulations 1968, and negotiating machinery called the Police Council for the United Kingdom.

22. Will your trade union be participated by the legislative bodies (parliaments) in the discussions during the procedure of legislation?

- a) Is the right of participation fixed by law?
- b) Of what kind is the procedure of participation?

#### GERMANY

In the last years the parliaments of the single states, the Federal Diet (Parliament of the Federal Republic of Germany) and the Federal Council (Länderkammer) have turned over to hear the trade unions and the communities of interest before the parliamentary committees in cases of special important laws (Hearing). The GdP have been heard among others to the reform of the penal code, to the extension of the law of offences against the order as well as to the standardization of the pay regulations.

- a) No.
- b) The trade unions are asked to give their opinion to certain subjects by the invitation for the hearing. There do not take place discussions before the concerned parliamentary committees. The members of parliament can ask questions to the representatives of the trade unions in order to get complete information. The hearings are open and partly not open.

#### BELGIUM

No.

- a) Yes, former regulations provided that only the political trade unions could give comments as to certain affairs. Since end of December 1974 the parliament has passed a law that provides unionist negotiations and adjustments. This law has to be declared as applicable by Royal execution decrees.
- b) See answer to a): Execution decrees have to make applicable the law concerning the "unionist statute".

#### FRANCE

No. There does not exist a legal regulation. But the trade unions get a hearing with all parliamentary groups of the National Assembly and of the Senate as well as with all elected municipalities and departments.

#### LUXEMBURG

- a) Yes.
- b) Due to their representation by a member within the Chamber of Profession of the public officials and em-

ployees the Trade Union of the Police takes part in the discussions during the legislation procedure. The Chamber of Profession was initiated by the law of February 12th, 1964. It consists of 27 members and 27 supplementary members. The members will be elected within legally fixed electoral colleges.

It belongs to the tasks of the Chamber of Profession:

1. To protect and to defend the financial and moral interests of the public officials and employees as well as to observe the obedience of the laws and regulations applicable on the public function;
2. to give its expertise as to the laws and decisions, mainly concerning the public function before the final vote of the Chamber of Deputies;
3. to submit proposals to the government concerning the organization of the civil services as well as the improvement of labour conditions within the public utilities;
4. to take measures for the promotion of the professional training of the public officials and employees as well as for the creation of suitable conditions which allow them to fulfill their professional duties in the best way.

#### MONACO

No.

#### THE NETHERLANDS

In the Netherlands the trade unions of the police will not be participated in the discussions during the general legislation procedure. Only during the preparations of the law of police the trade unions of the police had the opportunity to make known their opinions.

#### DENMARK

Yes. By negotiations, eventually discussions within joint working groups.

#### FINLAND

Yes.

- a) Not explicite.
- b) The association will be asked for an expertise to the concerning drafts of laws and regulations.

The association will be heard as expert in the committee during parliamentary discussions, if necessary.

#### NORWAY

In concrete affairs the "Politiets Fellesorganisasjon" have had the opportunity to discuss the proposals of law with the competent parliamentary committee or with parliamentary groups.

- a) No.
- b) The form of meetings is not regulated. The meetings are for information, not open and there will not be kept the minutes. Our association can ask for a meeting in certain affairs but it is rather seldom that our association takes the initiative to such meetings.

#### SWEDEN

Yes.

- a) No.
- b) See answer V./21.

#### SWITZERLAND

At the moment there is a tendency to alter the governmental practice of working out laws. Indeed the civil services begin with projects and submit them to the so-called process of consultation. This is valid within a certain frame.

- a) The right of participation is not fixed by law. In any case the people of Switzerland have to vote for it on the roundabout way of a plebiscite in March 1976.
- b) None.

#### ENGLAND, WALES AND SCOTLAND

a) The pay and conditions of service of members of the police service are regulated by the Police Regulations 1968. Before making any alterations to these regulations, the Secretary of State for Home Affairs must consult with the Police Federation, and the Police Federation may make representations to the Minister, for example - when seeking an increase in pay through the negotiating machinery of the Police Council. Thus, the Police Federation is in full participation with the Parliament of this country over matters affecting their welfare and efficiency. However, the Police Federation is not always consulted over normal legislative procedures, such as alterations to the Criminal Law etc.

b) The right of participation in matters affecting welfare and efficiency which include pay, if fixed by law with the Police Act 1964, but there is no law giving the right of participation on other matters.

c) If the Police Federation has a particular point of view to expound to Parliament on any special law then the Police Federation must take the initiative and ask the particular body debating the subject to grant them a hearing.

23. a) Is there the possibility individually, as a single person, to intervene with the administration in questions of living and working conditions?

b) How are collective claims represented to the administration with regard to living and working conditions?

- aa) by the trade unions
- bb) by staff councils

#### GERMANY

Essentially the official has three possibilities to intervene individually, as a single person, or to effect proposals for improvement.

1. He can advance petitions and complaints to the administration, in the course of which he has to follow the official channels. He may not be officially disciplined or discriminated by reason of such petitions and complaints.

2. The official can file petitions to a so-called staff board (committee). This staff board exists of seven regular and seven vicarious members, in each case three belong to unionist top organizations. This board is independent and free of any directions. This board has among others to co-operate in the homogenous execution of the valid regulations for officials. It is authorized to submit opinions, it has the right to participate and to submit proposals.

3. The most important method for the official to defend against his employer is the appeal of an independent administrative court. Whereas at the first two demonstrated possibilities it is not necessary that the official feels attacked in his legitimate position, he has at the third type, the appeal of the administrative court, only a chance to success if it can be ascertained that the employer has violated the rights entitled to the official.

Against judgements of the administrative court there exist possibilities of appeal and rehearing.

b) The individual as well as the collective claims concerning the conditions of living and working against the administration can be protected by the trade unions as well as by the staff councils elected by the officials.

aa) Besides the legally fixed participation of the trade unions at the elaboration of regulations valid for the officials these will become active on its own account in form of applications, petitions, measures of protest, assemblies, public relation work etc.

bb) Besides the general possibility of the staff councils, to submit one's comments on all questions concerning the conditions of living and working, there exists a duty of the employer to hear the staff councils to certain affairs, that means to participate.

In some other fields the employer may not enact other regulations in contrary to the decisions of the staff council. For example, the staff council has to be participated in granting of benefits and corresponding social allowances, in appointment of company doctors and company physicians, in measures for prevention of accidents in service and industrial accidents, in questions of further — training of the employees and so on. Without participation of the staff council for example no decision about beginning and end of the daily working time, in the survey of the chart of vacation, in the foundation and administration of welfare institutions etc. can be taken.

#### BELGIUM

a) No, the law of the unionist statute concedes the right of negotiation and adjustment only to the representative unionist organizations.

b) The new unionist statute provides, that the committees of negotiation are competent in respect of the principle rules as:

1. administrative statute including the regulation of vacation,
2. financial statute,
3. the regulations of pension,
4. relations to other unionist organizations,
5. organization of the social services.

Furthermore, these committees of negotiation are also competent for orderly instructions, measures of general character for the inner public order and instructions of the same character, which refer to the further fixing of the personnel and their working time and organization.

Otherwise the committees of consultation will be asked for comment referring to fixing the classification of the number of personnel of the different areas of responsibility of the competent committees of consultation.

They also can be asked to give a comment to proposals which deal with the improvement of human relations or with an increase of productivity. As with regard to the facts itself, negotiation as well as adjustment, it has still to be regulated by a royal decree.

One must know, that the committees of negotiation will decide proportional. If there will be no agreement, the negotiations will be interrupted, a strike can follow. The committees of adjustment can only submit comments to affairs, which they have to deal with.

#### FRANCE

a) Yes, by introducing a proposal and through official channels. In certain cases the administrative court or the Privy Council can be appealed, especially in cases of disciplinary affairs.

b) By unionist adjustment, that means the council of the trade union will deal with (local, regional, within the "Department" or on the national level).

#### LUXEMBURG

a) Yes.

b) By the trade unions.

#### MONACO

a) In principle, no, but nothing argues against. Indeed, every official can submit by bringing in the office of the association every idea or objection which seems to him worth mentioning.

b) Every police official can submit a written inquiry to the functionaries of the "Association Professionnelle" which is authorized to make submissions, that may be a request, an objection or a special inquiry for the defence of own interests or of the whole personnel.

First of all his inquiry will be studied in an assembly of the office of the association and if it will be regarded as interesting and valuable it will be transferred to the director of public security who will transfer it, after examination and comment, to the competent authorities which will effect the necessary decisions.

If it will be regarded as necessary the General Secretary of the "Association Professionnelle" together with the members of the office can be asked to discuss about it and if necessary to defend the rights of the officials.

In that case, where the official is cited before council for discipline, of course, he has the right and the possibility to file an appeal or to bring the affair into court and to be defended by a lawyer of his own choice.

#### THE NETHERLANDS

a) Every single person has the possibility to state its opinion in questions of the conditions of living and working.

aa) Although it is not forbidden that every single person will submit its opinion in such questions directly to the administration of the corps, however, it is usual that this will happen by the trade unions.

b) At the police corps there are existing committees of consultation which discuss regularly about the execution of the general regulations of the working conditions.

These committees of consultation composes of representatives of the administration of the corps and the trade unions.

In this meeting the minutes are kept. The personnel will be given notice of the results of the discussions.

Also when it is an affair of personal interest of the members they will in most cases be represented by the trade unions.

In conflicts between administration and single persons about for example the execution of a regulation or disciplinary measure there exist the possibility to bring the affair into the official court. The respective official can plead his own cause before court. In nearly all cases he will be represented by a trade-unionist as an advocate.

#### DENMARK

- a) No.
- b) By the organizations.

#### NORWAY

a) Single persons (among these officials which are not member of a professional association) have no influence on the elaboration of a new tariff agreement. Tariff agreements will exclusively be concluded between the State and the organizations which are entitled to negotiate (See answer to 19).

The law of differences in service says, that the conditions of salary and working of an official who is not organized will be fixed by an one-sided decree by the State.

Every official has the free right of complaint in respect to lawsuits, that means, differences about the interpretation and application of valid tariff agreements. He also can bring the affair into regular civil court in last resort.

b) Only by the professional association. "Staff council" is an unknown term in this connection.

The treatment of the affairs will be executed in a traditional way: from the local group to the professional association and finally to the central organization. On this highest level all general questions of tariff will be decided after negotiations with the state. All members of the central organization can vote about a proposal that means if it will be accepted or not and if it will be included in an tariff agreement or not.

On basis of the main agreement on tariff and the law of differences in service the "Norsk Politiforbund" has the full right of negotiation against the Ministry of Justice in connection with all special agreements on tariff, which concern the budget of the police.

#### FINLAND

- a) No.
- b) See information to question 21. Beyond that in the administration of the police are existing:

Systems of spokesmen, organization for industrial safety and labour democracy.

#### SWEDEN

- a) No, principally not.
- b) By the trade unions with regard to the economical situation and by the "plant committees" as concerning the conditions of work.

#### SWITZERLAND

- a) The police officials in their nature as a single person are entitled to have the possibility to intervene individually namely in the way of personal talks and official calls. However, the guarantee of being successful is not absolute.
- b) The requests of the municipalities will be submitted by the committees of the different associations of personnel, which generally enclose police officials, too. Sometimes it happens that the police officials intervene directly in cases of individual and other problems concerning the service.

#### ENGLAND, WALES AND SCOTLAND

- a) Individuals cannot intervene with the administration on questions of living and working conditions. The normal channel of representation is through the branch of the Police Federation in the force to which the individual belongs.
- b) Collective claims are represented to the administration by the Police Federation.

24. a) In the event of conflicts between trade union and administration, what are the actions of which the trade union can dispose in order to enforce their claims?
- b) Have such actions already been carried out?
  - c) When, for what reason and in what manner have such actions been carried out?
  - d) What success did these actions have?

#### GERMANY

- a) In conflicts it will normally first tried to find a solution in discussion concerning the subject. After that, besides public relation work, letters of protest and petitions to the competent parliamentarians will be worked out. As the next step normally indignation meetings and manifestations as well as demonstrations are provided. The last means and measures are, as a real strike is forbidden as mentioned above, measures similar to strike, which have almost to be considered as the disguise of a strike.
- b) Yes.
- c) All actions have been carried out by the Gewerkschaft der Polizei at different occasions, differentiated to the seriousness. Occasion for execution of measures was be-

sides others the attempt to develop the police to a combatant troop; the attempt to freeze the chart of positions in an unacceptable way, but as a matter of course also in occasion which serves the purpose of payment and the social security. The most actions level at the worse valuation of the police within the general social system of the State.

d) The success of the single actions was different. From a full success to a partial success all intermediate phases had already to be noted. As the actions up to now had been applied only for the support of very aggravating specified and defendable requests and with few exceptions no absolute failures had to be noted. The activity of the "Gewerkschaft der Polizei" leaded in 1970 to constant contacts between the representatives of the Conference of the Ministers of Interior (in the Federal Republic of Germany this are the Ministers responsible for the police) and trade unions of police, beyond concrete occasions.

#### BELGIUM

For us it is impossible to give an answer for the total number of these questions because the unionist statute is still not applied.

In fact the old unionist statute, which was valid for all public servants of the state (not for those of the municipalities) provided the strike in the case of a social conflict.

This unionist statute provides neither negotiations nor adjustment, at least however an information procedure with the trade unionist organizations.

#### FRANCE

Several solutions are possible:

- a) high authorities, minister or Prime Minister,
- b) administration courts or Privy Council,
- c) National Assembly or Senate

The best-known example in France: The action carried out against the suspension of François Rouve, formerly general secretary of the SGP. The Privy Council has annulated the decree of the police director.

At the time this Privy Council has to deal with several appeals against restrictions as to the statutes of the national police in the general regulations of the public service in our country.

Finally in the case of a conflict in connection with requests unionist actions can be carried out by all members on decision of the direction of the trade union.

Without coming to a strike till today, this actions will have different forms: petitions, proposals, assemblies, demonstrations, public assemblies etc. There will always be a success of these actions, even if the results sometimes mean a withdrawal of the original requests.

Our actions in 1970 have led to a steady execution of a policy of direct negotiations with the Minister, which have been proceeded relatively satisfactorily till today.

#### LUXEMBURG

The Constitution of the Grand Duchy of Luxemburg does not allow the right of strike explicitly. Although article 26 of the constitution provides the right of association without preceding permission, article 11 exclusively guarantees the "unionist liberties".

Concerning this the Chamber of Deputies as a constituent assembly passed in 1956 the following interpreting proposal: "The Constitution says that the guarantee of unionist liberties as provided by the Constitution of Luxemburg also includes the right of strike for the execution of legal and social claims of the workers".

In spite of this clear statement the right of strike of the public officials within the Grand Duchy of Luxemburg is controversial and this especially for the officials of the public power. In any case there is no doubt that it is impossible for these officials (army, gendarmerie and police) to strike due to the military statute but especially by the military penal code. A project of law, being in elaboration, concerning the regimentation of the right of strike for the officials of the public function, excludes the members of the public power of this right.

b) No.

c) —

d) —

#### MONACO

This situation has not happend till today, but in case of conflict with the administration the measures which can be taken correspond to the character and importance of the affair.

With exception of strike — forbidden for police officials — no other special measure has been taken into consideration. If the circumstances should make it necessary it goes without saying that we could take into consideration a "service according to regulations", as this is done in many countries.

Till today the problems between our association and the Princely Government have been always regulated under conditions which can be mostly considered as advantageous, in the course of which the government generally relies on the stipulated agreements between the French Government and the National Police of this country and that since 1954.

#### THE NETHERLANDS

a) In conflicts it will first be tried to solve them by talks. If no agreement can be reached and the affair is very important it is possible to make an appeal to the public opinion besides letters of protest addressed to the government, talks with the competent ministers and petitions to the members of parliament. Moreover assemblies of protest can be carried through.

b) Yes.

c) In 1960 actions have been carried through by the Trade Union of Police if it was a question of payment. Before 1960 the Minister of Interior and the trade unions of police agreed that a commission should effect a comparative examination between a number of police functions and other official functions in order to revise if the payment of the police is according to the function.

The report of this commission was available in May 1960. At the end of 1960 the government still had objections to draw the conclusions resulting of this report and the corresponding discussions were at a deadlock, the three trade unions of police co-operating in the Netherlands called a public congress of payment.

This congress attracted attention in the parliament, in the press, broadcasting, television and even in the cinema.

This led to the fact that the discussions between the representatives of the government and of the trade unions of police were re-opened and the police officials obtained advanced money on the following increase of salary at the end of 1960. The final evaluation of the report and the increase of salaries which was based on it were effected in 1962. By the measures resulting of this action the salaries of the police officials in the ranks beneath officers were increased by about more than 20 % in the average.

At the end of 1970 the trade unions of police have again carried through an action for a better valuation of the police which corresponds to the increased responsibilities. This action led to the fact that at the moment this question concerning the improved valuation of the police will be revised.

#### DENMARK

- a) Open, as far as the officials have the right of strike.
- b) Not since 1920.
- c) Not applicable.
- d) Not applicable.

#### FINLAND

a) The police has the right of strike, however, this is only formal according to the present legislation, because a strike of police officials can be prohibited due to its consequences on the social life.

b) Yes.

c) Mass notice in 1963 and threat of strike in 1973.

The main claim was the improvement of the payment and in 1963 in addition to this the claim of application of the law of labour for the police in the country, the CID and several other groups of police officials.

Both the actions were not executed after the negotiations.

d) In both the cases a committee was formed to clarify the question of payment of the police officials and furthermore in 1973 a committee was formed to examine the question of working time.

On the basis of the proposals of those committees several payment groups of the police officials were increased and the police in the country as well as the CID today fall within the scope of the law of working time.

#### NORWAY

a) As mentioned under question 20 the police does not have the right of strike. In all fields of working life there is existing the obligation of peace during the period of tariff. That is a reason why the professional association can only exclaim a "legal" strike at the conclusion of new tariff agreements.

A conclusion of main tariff is valid for all professional associations within the central association. That is why complete spheres of organization or certain groups within

an organization can go on strike after a certain procedure. The last negotiations of tariff all took place under threat of strike of the organizations. The principle was that those, who did not strike, should pay for those who were on strike. The co-operation of the "Norsk Politiforbund" can only be effected in the way that we make a statement to the central organization concerning the complete economical support for the strikers.

b) As to the above mentioned threats of strike and preparations of strike: Yes.

c) Not applicable.

d) Not applicable.

#### SWEDEN

a) Strike

b) No, there has not been a strike at any time but a threat of strike has been announced.

c) 1971 in connection with the negotiations of wage.

d) The negotiations could be finished with an acceptable result.

#### SWITZERLAND

a) There are two possibilities of defence:

— to apply to a politician

— the formation of a court of arbitration

b) Yes. The second possibility has been already used, but only for single, uncomplicated cases.

c) The right of retirement.

d) Partial success. The police organizations in our country are dependent of the State in which they are located. According to Article 3 of the Federal Constitution the cantons are naturally sovereign and therefore exercise the rights which are not delegated to the Federation.

As the municipality is also an independent structure there are existing a police of the towns, of the cantons and a small central police.

#### ENGLAND, WALES AND SCOTLAND

a) In the event of disagreement between the Police Federation and the officials of the Police Council attempts are made to solve the problem by discussions and meetings. Failure of the two sides to reach agreement may result in the disagreement being registered, and the two sides giving evidence before an arbitration tribunal whose decision then becomes binding on the two parties.

b) A hearing before the arbitration tribunal has been conducted on several occasions.

c) The reason for the hearing before the arbitration tribunal has always been concerned with pay.

d) On three occasions the decision of the tribunal went against the Police Federation.

## **VI. The Female CID**

# 1. How many female police officials are there within the police force of your country?

## GERMANY

It is difficult to determine how many female police officials are engaged in the police forces as they are not separately shown in the statistics of the single states. But there can be determined 3 different status of employment with regard to the duties of the police executed by the women:

### 1. the so-called "Politessen"

These "Politessen" are not employed with the single states and regularly do not have the status of officials. They will be engaged by the larger towns for the security police force in order to supervise the static traffic (parking vehicles). The "Politessen" have little common with the police and not at all the training of a police official. The knowledge to supervise the static traffic will be mainly procured to this personnel by an instruction which lasts about 6 weeks.

2. Uniformed female constabulary will only be existent in the 3 states of Berlin, Hamburg and Bremen. In all 3 states together their number lies beneath 100. This already indicates, that, with regard to the whole task of the police, they are not at all important. In Bremen and Berlin they will be totally discharged and in Hamburg it is also intended to limit them. After the war the female constabulary has been introduced analogous to the English traffic warden. They were mainly occupied in the field of traffic and in the internal service. In Hamburg they were additionally charged with the task of the protection of the young and sections of the control of prostitutes.

## BELGIUM

Due to the local character of the police forces every municipality is entitled to provide female personnel (or not). We are not in possession of any information as to the number of the female personnel within the various municipalities of the country.

## FRANCE

In France there are two very different directions within the national police concerning the female police:

- a) the active service: very limited
- b) the female auxiliary police service.  
Active service

There are several women who belong to the corps of the Inspecteurs. For the first time the career of Commissaires was opened for women in 1975; but only for a very low percentage, because the offered positions were not more than 4 for the years mentioned above. 1976 10 positions have been offered.

At the same time careers in the Corps of Inspecteurs will be offered however the number will be very limited as only 47 of 350 offered positions will be determined for the female police.

### Female Auxiliary Police

At the moment they are no officials but employees according to contract.

We find three kinds of female auxiliary police on this field:

- a) They execute their duties in front of schools or at "blue points", in Paris with a number of 1276 women.
- b) Charged with the supervision of paid parking places, number of women: 1069. The latter named are affiliated to Paris, local collectivity, but they are subordinated to the police director concerning their function.
- c) At the airports for the air and frontier police — number of women: 110.

## THE NETHERLANDS

About 412.

## DENMARK

20; but there are endeavours to increase the number.

## FINLAND

Up to 1st of February, 1975, there were all in all 58 female constables in the whole country. At the mentioned point of time all positions were discharged. For that 58 positions for younger constables were created. With this new organization several women were employed as deputies in police offices so that there are about 120 female police officials.

## NORWAY

There are about 90 female police officials.

## SWEDEN

550.

## SWITZERLAND

About 100. One has to differ between the female police assistant who will execute a juridical and social function and the auxiliary police (regulation of the traffic, parking control and the administrative personnel).

## ENGLAND, WALES AND SCOTLAND

There is no such thing as a specific police women's CID. The police women are integrated fully into the service and all members whether male or female are called police officers and their duties are defined by the local Chief Officer of Police.

# 2. Is the number of female police officials limited in proportion to the number of male. If yes, in what proportion?

## GERMANY

See VI./1.

## BELGIUM

No. See VI./1.

FRANCE

There does not exist any limitation, though the positions within the active career offered to women are not very numerous.

THE NETHERLANDS

No answer.

DENMARK

No.

FINLAND

No.

NORWAY

No.

SWEDEN

No.

SWITZERLAND

Yes, according to the legislation if it is a question of a municipality or canton.

ENGLAND, WALES AND SCOTLAND

No answer.

3. Are there any restrictions as to the fields of activity of female police officials?
- a) Which restrictions are there?
  - b) Does there exist an independent form of organization within the police for female police officials?

GERMANY

See VI./i.

BELGIUM

No, there, where there is female personnel, it will be engaged for general police duties. But there are certain centres of female personnel (e.g. Brussels) who are charged with the supervision of parking-meters on the basis of a labour contract.

FRANCE

In the active service -- Inspecteurs, Commissaires -- they have the same duties as their male colleagues. There exists a limitation of activities of the female auxiliary police:

- a) On the employment

A.F. in front of schools: mainly to supervise the entrances and exits according to the curriculums.

A. F. Parking-meters (paid parking)

main task: to guarantee the supervision of the parking-meters, to control infringements.

A. F. Police air/frontiers:

Control of baggage, airport and frontiers (safety precautions) and eventually to control female passengers at the airport.

- b) In fact there is a difference of engagement between the three limited departments

- on the level of the performed task
- on the level of the splitting according to hours.

THE NETHERLAND

No answer.

DENMARK

Yes.

a) They do not wear uniforms. This question is however discussed at the moment.

- b) No.

FINLAND

Mainly in the field of welfare police, harbour police and police for juveniles, beyond that for the traffic.

a) For example women will not be charged with patrol orders of the security police force.

b) There does not exist an independent form of organizations.

NORWAY

a) There do not exist any limitations.

- b) No.

SWEDEN

No.

SWITZERLAND

Yes, in general form

a) limitation in the sphere of female and juvenile criminals.

b) There is a union which organizes all female police assistants throughout Switzerland.

On the administrative level the organization of female police officials differs from one canton to the other. In the cantons with numerous officials there are female brigades. In certain other cantons, the female police assistants are affiliated, for example, to the office of the chief of the security police.

ENGLAND, WALES AND SCOTLAND

No answer.

4. Do the female police officials have the same conditions of engagement as the male?

If no, which differences exist?

GERMANY

It is difficult to answer the questions as to the female CID at the moment as, actually, in this sphere there are re-organizations and creations of a new structure. The number of the female CID is also not indicated separately, but it can be supposed that, for example in North-Rhine Westphalia, about 10% of 5.000 positions of the CID fall to the female CID.

The classical task of the female CID consisted of charging with juvenile affairs, of interrogating juveniles and of charging with moral affairs in a certain frame and — if necessary — to examine apprehended female persons. There was the opinion that the police should dispose of persons with certain social-pedagogical abilities for certain delicts and delinquents. For that reason only candidates with a corresponding social-pedagogical education could apply for the female CID.

Today this form of the female CID is about to be dissolved. Neither the condition of social-pedagogical education has nowadays been maintained nor the concentration within a special commissariat of the female CID (WRP-Kommissariat). Today the young female officials will be distributed on all commissariats of the CID. This is the reason why the female officials of the CID have to execute all existing tasks. The condition is the same training as for the male officials including the musketry-training. Natural limits (biological) with regard to certain action spheres will be only accepted in exceptional cases. This is also the wish of the female officials of the CID. The transfer of the classical form of the female CID to the form of action which is nowadays considered as the right one has not yet been finished.

Up to now there are no limitations as to the engagement of women for the CID. But this can be caused by the fact that the interest of women for this profession has not been very great up to this moment.

BELGIUM

The local authorities have the exclusive competence as to this question.

FRANCE

The conditions of engagement for the female officials who belong to the active service within the National Police are the same.

They cannot be the same for the female auxiliary police because they are employees according to contract.

The differences are of fundamental nature; they do not profit from the advantages as they are granted to the titular officials (guarantee of engagement, promotion, payment, pension, etc.).

THE NETHERLANDS

No answer.

DENMARK

Yes, apart from the service in the military.

FINLAND

The conditions are equal, but the women are not subject to the service in the military, the prescriptions as to the body size will not seriously be attended.

NORWAY

The conditions of engagement are the same.

SWEDEN

Yes.

SWITZERLAND

No, not in all cantons. There are differences e.g. in the salary.

ENGLAND, WALES AND SCOTLAND

No answer.

5. Is the training for female police officials the same as for male officials?

If no, what differences do exist?

GERMANY

Up to now, as mentioned above, the condition for engagement of women was a social-pedagogical profession or a corresponding preceding occupation. This will not be valid for the future. Female candidates with a corresponding graduation will be engaged under the same conditions as male candidates. There is a certain difference to that extent that the majority of the male candidates for the CID come out of the field of the constabulary and have there enjoyed a certain training and who have there collected practical experience. This takes not place for the female candidates.

In the future there will be the same training for the female police officials as it already exists for the male police officials. As already mentioned above biological differences will only be accepted in exceptional cases.

BELGIUM

The local authorities are competent for the training. As for the male personnel there does not exist any important regulation on national level.

FRANCE

Yes, for the active female personnel (Inspecteur, Commissaire).

No, for the female auxiliary police.

THE NETHERLANDS

No answer.

DENMARK

Yes.

FINLAND

Yes.

NORWAY

Yes.

SWEDEN

Yes.

SWITZERLAND

Yes.

ENGLAND, WALES AND SCOTLAND

No answer.

6. Do the female police officials have the same weapons as their male colleagues?

If no, what differences do exist?

GERMANY

In the future it is up to each female police official to wear the same weapons as her male colleagues. Originally, there was the idea to give the women a lighter weapon (6,35 mm) but one has been convinced by weapon experts that women have to obtain at least a pistol of the caliber 7,65 for their protection. At the moment the only difference to the male colleagues is that women are allowed to abstain from wearing a pistol. But this may be the effect of the phase of transfer.

BELGIUM

This also lies in the competence of the local authorities.

FRANCE

Yes, for the active female personnel (Inspecteur, Commissaire).

No, for the female auxiliary police.

THE NETHERLANDS

No answer.

DENMARK

Yes.

FINLAND

Yes.

NORWAY

Yes.

SWEDEN

Yes.

SWITZERLAND

Yes.

ENGLAND, WALES AND SCOTLAND

No answer.

7. Do the female police officials obtain the same payment as their male colleagues?

GERMANY

Yes.

BELGIUM

Generally speaking: yes.

FRANCE

Yes, for the female personnel within an active unit of the National Police (Inspecteur, Commissaire).

No, for the female auxiliary police who, engaged on account of a unique table with the index 196, earns F 1.743,- per month as per 1. 1. 1976.

THE NETHERLANDS

No answer.

DENMARK

Yes.

FINLAND

Yes.

NORWAY

Yes.

SWEDEN

Yes.

SWITZERLAND

The male and female personnel do not obtain the same salary in all cantons. At the moment the female assistants are satisfactory with the granted conditions.

ENGLAND, WALES AND SCOTLAND

No answer.

8. If no, what differences do exist?

GERMANY

None.

BELGIUM

Generally speaking: none.

FRANCE

For the female auxiliary police the differences are enormous because they have no career as the active officials of the National Police (see table III, § 4).

The FASP, who also represents the interests of this personnel, has submitted different proposals to the administration as to an improved development of the career according to administration.

THE NETHERLANDS

No answers.

DENMARK

None.

FINLAND

None.

NORWAY

None.

SWEDEN

None.

SWITZERLAND

In certain cantons there exists the same salary on date of engagement but the promotion afterwards is not the same.

ENGLAND, WALES AND SCOTLAND

No answer.

**END**