

R. v. TEMBE WILLIAM.

A CRIMINAL REVIEW CASE OF 1934.

Native Registration Ordinance (Cap. 59) section 10 (5)—failure to produce identity certificate to a police officer—meaning of the term “Police Officer”.

The term “Police Officer” in the Native Registration Ordinance (Cap. 59) section 10 (5) includes a Native Constable in the Northern Rhodesia Regiment.

The Native Registration Ordinance is now Cap. 169 of the Laws and there is now a Northern Rhodesia Police Ordinance (Cap. 44 of the Laws).

Fitzgerald, A.J.: In the absence of any express definition of “Police Officer” in the Ordinance the term must be interpreted in the ordinary sense.

In everyday use the expression “Police Officer” is employed to cover any member of the Police Force. For instance, in the Police Forces in England, on which local forces are modelled, police constables are referred to as police officers in all prosecutions. Moreover, the only local ordinance in which I can find the term “Police Officer” defined is the Criminal Procedure Code and there a police officer includes any member of the police force.

I am of opinion, therefore, that for the purposes of Cap. 59 section 10 (5) a native constable is a police officer.