

# POLICE GENERAL ORDERS

## CHAPTER 63

01/14

### TRAFFIC WARDENS

#### 63-01 Introduction

21/15  
05/18

For administrative purposes, Traffic Wardens are under the command of the CSP Traffic, but operationally they are under the command of the District Commander (DC) of the District to which they are posted.

2. The OC District Traffic Team (OC DTT), assisted by SGT DTT, is responsible to the District Operations Officer (DOO) (or equivalent) for the day to day management and operational deployment of Traffic Wardens in that District. OC DTTs are also responsible for all aspects of their welfare and duty performance in the same manner as for those police officers under their command.

3. Senior Traffic Wardens shall be responsible for the supervision and efficient duty performance of Traffic Wardens and the maintenance of a high degree of discipline throughout the Corps.

4. Traffic Wardens or Senior Traffic Wardens shall obey all lawful orders given to them by a police officer of or above the rank of SGT. Traffic Wardens shall obey all lawful orders given to them by a Senior Traffic Warden.

#### 63-04 Hours of Duty

21/15

The conditioned hours of work for a Traffic Warden are 48 hours gross (including meal breaks) per week. The tour of duty for Traffic Wardens shall be nine hours and thirty-six minutes under the Five-Day-Week Pattern. The fortnightly working cycle shall be ninety-six (96) hours and shall comprise ten working days, two Rostered Off Days (ROD) or two Off Days (OFF) and two Leave Days.

05/06

2. Traffic Wardens shall be permitted to take a meal break of one hour during each full tour of duty. Such meal break is calculated from the time Traffic Wardens leave their place of duty until the time of return.

3. The normal tour of duty may be extended at any time by a Formation Commander (FC) to meet the exigencies of the service.

21/15  
05/18 **63-05 Obtaining Refreshment on Duty**

Traffic Wardens shall not obtain refreshments whilst on duty in uniform except with the prior permission of OC DTT. During a normal tour of duty, a Traffic Warden may be permitted to take two short breaks for light refreshment of not more than 15 minutes duration, or subject to operational and manpower exigencies and approval by the commanding DOO (or equivalent), one combined break of thirty minutes duration. These breaks may be taken other than in a police station or building, but in such a case may be taken only within a Traffic Warden's beat or patrol area, and in such premises which have been designated by the relevant Divisional Commander (DVC) or equivalent as suitable for refreshment breaks. If such premises do not exist on a Traffic Warden's beat or patrol area, the commanding SP or equivalent may authorise the use of other suitable premises as close to that beat or patrol area as possible. Any refreshments consumed shall be personally paid for by the Traffic Warden.

2. It should be noted that the taking of refreshment breaks is a privilege granted to Traffic Wardens. Any Traffic Warden who abuses the scheme may have the privilege withdrawn for such period as the authorising OC DTT deems necessary.

3. Traffic Wardens shall be informed by the commanding Senior Traffic Warden during the briefing period at the commencement of duty of the times and places for refreshment breaks. Traffic Wardens shall record the time that the refreshment break commences and finishes and the location where it was taken in their police notebooks.

21/15 **63-09 Conduct and Discipline**

Traffic Wardens shall be subject to the provisions of the Traffic Wardens (Discipline) Regulations, Cap. 374J, and the Regulations of the Hong Kong Special Administrative Region where applicable.

2. Traffic Wardens shall report any information regarding any corrupt practice to their DC, whether the information is supported by evidence or not.

- 15/09 3. (a) Other than in the course of duty, a Traffic Warden shall not associate with:-
- (i) known criminals or triad personalities; or
  - (ii) any person about whom the officer has been notified by the Commissioner (ACP SQ) that association with the person is likely to bring disrepute to the Traffic Warden and/or the Police Force.
- (b) Traffic Wardens are also advised that they should not associate with persons of doubtful or undesirable reputation.

TRAFFIC WARDENS

4. Traffic Wardens shall not send anonymous correspondence.
5. Traffic Wardens shall not take part in or be present at any game of chance or skill in police buildings involving stakes, wagers or bets of money or money's worth.
6. Senior Traffic Wardens shall not permit a Traffic Warden to act as their guarantor for a loan or hire purchase agreement.
7. Traffic Wardens shall not accept offers of entertainment from any person whom they suspect, or should suspect, is offering such entertainment in order to place the Traffic Warden in a position of obligation.
8. When off duty Traffic Wardens shall not drive a motor vehicle carrying passengers or goods for hire or reward unless authorised to do so, in writing, by the Commissioner of Police.
9. Traffic Wardens, whether in plainclothes or in uniform, shall not smoke while performing any duty in the public view, when dealing directly with members of the public or in any police vehicle at any time. Traffic Wardens in police buildings (including leased buildings) shall smoke only in locations specifically designated by the FC as a smoking area. 07/12
10. Traffic Wardens in uniform shall not:-
  - (a) place their hands in their pockets except for the purpose of removing or replacing items; or
  - (b) place bulky items in a pocket so as to detract from their appearance.
11. Traffic Wardens in uniform shall not enter or place bets in a Hong Kong Jockey Club Off-Course Betting Centre or On-Course Betting Area other than in connection with a duty commitment.
12. Traffic Wardens shall not carry money in excess of HK\$1,000 when on duty in uniform without permission from the OC DTT or in the OC DTT's absence an officer not below the rank of SGT. Where such permission is granted an appropriate entry shall be made in the Traffic Warden's police notebook by the officer granting such permission. 15/02  
08/06  
07/12
13. A function for which payment is made collectively by two or more Traffic Wardens shall not be held without the prior authority of DC at local level or Regional Commander at regional level, except when it is of a strictly private nature amongst personal friends. If the function is organised by the Hong Kong Traffic Wardens' Union or HKSAR Government Traffic Wardens General Union, prior authority of CP (CEO E&C) shall be sought.
14. The efficiency of the Traffic Warden Corps depends to a very great extent upon the confidence and co-operation of the public it serves. Such confidence and co-operation in turn depend upon the professional ability, conduct, and integrity of every member of the Corps. For this reason the highest standard of conduct, courtesy and discipline is expected from all members of the Corps at all times.

## TRAFFIC WARDENS

- 12/05 15. Traffic Wardens on duty may carry private communications equipment, such as pagers, mobile phones and devices with electronic data storage capability, provided that:-
- (a) when not in use, private communications equipment is concealed and does not distract from the overall appearance of the Traffic Warden;
  - (b) the manner or purpose of such use does not tarnish the Force image;
  - (c) use of private communications equipment does not interfere with the discharge of the Traffic Warden's duties; and
  - (d) private communications equipment is kept on silent mode at all times.
- 12/05 16. Notwithstanding the above, FCs may withdraw this privilege due to operational reasons.

21/15 **63-10 Criminal and Civil Proceedings involving a Traffic Warden**

When a Traffic Warden commits a criminal offence it is normally referred to a criminal court for trial. Subsequent to the trial, disciplinary action may be taken against the Traffic Warden under the Regulations of the Government of the HKSAR, or the Traffic Wardens (Discipline) Regulations, Cap. 374J where appropriate. When a Traffic Warden commits an offence against the discipline code it may be dealt with by default proceedings or by a rebuke and an appropriate entry in the Traffic Warden's Personal File. Other offences not covered by the discipline code may be dealt with in accordance with the Regulations of the Government of the HKSAR.

2. In a case where the evidence suggests, prima facie, both a criminal and a disciplinary offence, then the criminal aspects of the case are normally pursued in the first instance.
3. If during an investigation the name of a Traffic Warden comes to notice as being involved in or connected with the crime or complaint under investigation, or should it be decided during the investigation to take out a criminal prosecution against a Traffic Warden, the commanding DC is to be immediately notified. If during the course of an investigation, it is necessary to effect the immediate arrest of a Traffic Warden, the commanding DC is to be notified as soon as practicable.
4. When any court proceedings are instituted against a Traffic Warden (except in the case of a traffic prosecution) a report is to be made to the commanding DC without delay by the officer authorising the prosecution. The DC shall in turn make a report to the CSP Traffic, and PCS (Attn.: EO Personnel 2).

## TRAFFIC WARDENS

5. Where a summons application is made or a charge is laid against a Traffic Warden under the provisions of the Road Traffic Ordinance, Cap. 374, or S. 5 of the Fixed Penalty (Criminal Proceedings) Ordinance, Cap. 240 a report is to be made without delay by the authorising officer to the CSP Traffic and the commanding DC.

6. Traffic Wardens involved in any legal action or on whom is served a notice of prosecution shall report the fact to their commanding DC. This does not apply to fixed penalties demanded and paid under Section 3 of the Fixed Penalty (Criminal Proceedings) Ordinance, Cap. 240, or the Fixed Penalty (Traffic Contraventions) Ordinance, Cap. 237.

7. In such cases, if the proceedings arose from the Traffic Warden's official duties, the question of representation by the Department of Justice arises.

8. Notwithstanding whether the case is of a criminal or civil nature, a Traffic Warden shall report the matter immediately so that if the Government of the HKSAR is to represent him/her, sufficient time is allowed to brief counsel. CSR 477 is relevant to the consideration of provision of legal assistance to officers.

9. In cases in which DCs propose to recommend legal representation by Government Counsel they are to notify PCS (Attn.: EO Personnel 2) and CSP Traffic (Attn.: SSP ADM T) by telephone in the first instance and forward the relevant papers to Police Headquarters (Attn.: SP D) as soon as possible thereafter.

07/12

10. When court proceedings against a Traffic Warden are concluded, the OC case shall immediately inform the commanding DC who in turn shall inform the CSP Traffic and PCS (Attn.: EO Personnel 2). In the event of an appeal a further report is to be made at the conclusion thereof.

07/12

11. In the event of a Traffic Warden being convicted of a criminal offence, the Traffic Warden may request another officer attend at Court to give evidence of career and character, as contained in staff reports, in accordance with CSR 473(5). When such a request is received, the DC shall forward it to PCS (Attn.: EO Personnel 2) with the recommendation of which officer is to attend court and what details of the service record, including commendations and other matters for consideration.

12. If a Traffic Warden is convicted, the result shall be reported to PCS (Attn.: EO Personnel 2) via District and Regional HQs and recorded in both the Headquarters and District copies of the Personal File.

07/12

13. Disciplinary proceedings in respect of an offence arising from the same set of facts are not to be instituted against any Traffic Warden who has been convicted in a court of law until the expiry of the period within which the Traffic Warden may appeal against the finding of the court.

## TRAFFIC WARDENS

21/15 **63-11 Absence from Duty without Leave**

07/12  
06/23 When a Traffic Warden is absent from duty for a period of four hours or more the commanding DC shall cause an appropriate CMIS entry to be made in the relevant District where the Traffic Warden is stationed. The supervisor of the Traffic Warden should make immediate efforts to locate the Traffic Warden, e.g. by telephoning the Traffic Warden's home, visits to the home or place of residence, and contacting relatives and friends during and after office hours.

2. The DO receiving the report shall circulate a PEN message giving the Traffic Warden's particulars. Any police officer of or above the rank of Sergeant who sees the absentee, shall order the absentee to return to their District immediately.

07/12 3. If after a period of 24 hours, the Traffic Warden is still absent from duty the commanding DC shall inform PCS (Attn.: EO Personnel 2) by telephone in the first instance followed up by memorandum.

4. After 72 hours absence the commanding DC shall circulate a second PEN message emphasising the period of absence.

5. The commanding DC shall then cause the absentee's equipment and effects to be collected and despatched to Police Stores and comply with CSR 312(1) through PCS (Attn.: EO Personnel 2). The commanding DC shall continue to make efforts to locate the officer.

21/15 **63-12 Interdiction**

Interdiction from duty means that a Traffic Warden is no longer permitted to discharge duties under the Road Traffic Ordinance, Cap. 374. The Traffic Warden is still subject to the Traffic Wardens (Discipline) Regulations, Cap. 374J. A recommendation for the interdiction of a Traffic Warden will be made under the provisions of S. 13 of the Public Service (Administration) Order 1997 in the case of a Traffic Warden who is confirmed to the permanent and pensionable establishment, or is a member of the Civil Service Provident Fund Scheme, i.e. 'Category A Officer' and under the same provision as read with S. 15 of the Public Service (Disciplinary) Regulation in the case of a Traffic Warden who holds an office on probationary or agreement terms, i.e. 'Category B Officer'. Such recommendation shall be made by the commanding DC, and submitted to PCS (Attn.: EO Personnel 2) through CSP Traffic, who will specify the amount of salary to be received in accordance with relevant provisions of the Public Service (Administration) Order 1997.

## TRAFFIC WARDENS

2. Traffic Wardens under interdiction but not under detention shall report daily except Sundays and General Holidays to the Formation they are posted, or at the nearest police station to their places of residence. An entry will be made in the Formation or Station Occurrence Book whenever such a Traffic Warden reports. This will be subject to any special conditions imposed by either a court, or the commanding DC. If the Traffic Warden is on bail by a court or any law enforcement agency, and the terms of bail require daily reporting to a centre other than a police station, the Traffic Warden will not be required to report additionally to a police station.
3. In any case where a Traffic Warden is interdicted from duty, the investigating officer will ensure that no undue delays occur in police investigations into the alleged offence.
4. Traffic Wardens interdicted from or reinstated to duty shall be informed as early as possible by an officer not below the rank of Inspector.
5. The officer who informs an interdicted Traffic Warden of interdiction from duty shall:-
  - (a) explain the meaning of interdiction;
  - (b) explain the nature and cause of the charge or investigation against the Traffic Warden;
  - (c) explain to the Traffic Warden that should he/she later be acquitted of the criminal charge at court or if at the conclusion of the investigation no criminal charges are preferred, the Traffic Warden would be re-interviewed and apprised of what further actions, if any, would be taken against him/her;
  - (d) explain to the Traffic Warden that should he/she later be subject to a discipline review, the Traffic Warden would be interviewed at the conclusion of such review and apprised of the outcome;
  - (e) enquire whether the Traffic Warden has any personal or financial problems and if so institute the necessary action to provide assistance;
  - (f) assure the Traffic Warden that while he/she remains under interdiction, the parent unit continues to be responsible for his/her welfare and that the Traffic Warden may at any time seek an interview with their DC;
  - (g) take possession of his/her Hong Kong Police Force Civilian Staff Identity Card and arrange for it to be forwarded to CSP Traffic (Attn.: SP ADM T); and
  - (h) arrange for the collection and return of the Traffic Warden's kit to Police Stores.
6. Whilst under interdiction, Traffic Wardens will be interviewed by their DC at least once a month and an appropriate entry made in their Personal Files.

TRAFFIC WARDENS

7. A Traffic Warden who is interdicted is posted to the Reserve. However the commanding DC continues to be responsible for forwarding all requests and correspondence from the Traffic Warden to the Commissioner of Police through CSP Traffic.

07/12 8. A Traffic Warden under interdiction who wishes to leave Hong Kong shall make prior application to PCS (Attn.: EO Personnel 2) through the CSP Traffic and commanding DC who shall state whether the application is supported.

21/15 **63-13 Breaches of Discipline - General**

Senior Traffic Wardens shall report any breach or alleged breach of discipline on the part of any Traffic Warden to their immediate commanding officer, either verbally or in writing, and in any case, at the earliest opportunity.

2. A frivolous or groundless complaint by one member of the Corps against another may be regarded as conduct to the prejudice of good order and discipline.

3. A disciplinary charge will be framed under R3(2) of the Traffic Wardens (Discipline) Regulations, Cap. 374J or the relevant Regulations of the Government of HKSAR and will contain sufficient details to make clear to the defaulter the offence with which is charged.

4. Disciplinary inquiries will be conducted in accordance with the Traffic Wardens (Discipline) Regulations, Cap. 374J or the relevant Regulations of the Government of HKSAR.

5. Any breach of discipline committed whilst on leave will be investigated in the normal manner.

21/15 **63-17 Uniform**  
06/23

Traffic Wardens when on duty are to be correctly and smartly turned out in uniform. They will wear uniform when attending court except when they are appearing as defendants or as a party to any civil litigation

2. Uniform, equipment and accoutrements are issued in accordance with the scales contained in the Personal Kit List under the STORESMAN II System. No other items of uniform other than those issued by the Force shall be worn when on duty in uniform. Traffic Wardens shall carry their Hong Kong Police Force Civilian Staff Identity Card with them at all times when on duty. No jewellery other than a wrist-watch and two finger rings shall be worn by a Traffic Warden when on duty.