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تصدر عن وزارة العدل

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Legislation

No. 21

Police Commissioner Training Institute Law

No. (21) of 2023

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In the Name of the People

The Presidency of the Republic

RESOLUTION NO. (19)

Based on what had approved by the Parliament, in accordance with the provisions of Item (First) of Article (61) and Item (Third) of Article (73) of the Constitution, the President of the Republic decided in August 28, 2023 to issue the following law:

**POLICE COMMISSIONER TRAINING
INSTITUTE LAW**

NO.(21) OF 2023

ARTICLE

1

An institute called the (Police Commissioner Training Institute) shall be established within the Ministry of Interior. It shall be affiliated with the Ministry of Interior and shall have legal personality and financial and administrative independence. It shall be represented by the dean of the institute or his/ her designee.

ARTICLE

2

The institute aims to prepare competent Police Commissioner for internal security forces.

ARTICLE

3

First: The institute shall be managed by an experienced and specialized officer whose rank shall not be less than brigadier general and who holds a higher diploma in internal security force sciences.

Second: The dean of the institute shall undertake the following tasks:

- a. Managing the institute's academic, administrative and financial affairs and issuing orders and directives in all related matters.
- b. Implementing the decisions of the Institute's board.

Third: The dean of the institute shall have two assistants, one for academic affairs and the other for administrative and financial affairs, both graduates of the college of police or its equivalent, with a rank not lower than colonel. They shall perform the duties assigned to them by the dean of the institute.

ARTICLE

4

The institute shall have a board called the Institute's board, composed of:

- | | |
|---|---------------------------------|
| First: The undersecretary of the ministry for administrative and financial affairs. | Chairman |
| Second: The dean of the institute. | Member and vice-chairman |
| Third: The assistant dean of the institute for scientific affairs. | Member and rapporteur |
| Fourth: the assistant dean of the institute for administrative and financial affairs. | Member |
| Fifth: The director of the scientific affairs section. | Member |
| Six: the director of the legal section. | Member |
| Seventh: The director of the military training and police operations section. | Member |
| Eighth: The director of the planning and follow-up section. | Member |

Ninth: The director of the account section.

Member

ARTICLE**5**

First: The Institute's board shall undertake the following tasks:

- a. Approving the scientific and training policy of the institute in a manner that achieves its objects.
- b. Approving the curricula, study materials and their content, determining the teaching hours allocating to each and distributing them over the two years of study in coordination with the general directorate of curricula at the ministry of education.
- c. Proposing the number of students to be admitted to the institute.
- d. Granting the certificate to the graduate of the institute.
- e. Selecting those appointed or assigned to the teaching staff for the first time.
- f. Recommending the seek the assistance of teaching staff from Iraqi universities.
- g. Determining the start and end dates of the academic year, either before or after the scheduled date, by no more than (30) thirty days.
- h. Determining the examinations and criteria for selecting students applying for admission to the institute.
- i. Dismissing students from the institute and accepting their withdrawal from studies in accordance with the provisions of this law.
- j. Matters referred to the board by the Minister of the Interior relating to the work of the institute.

Second: The board may delegate some of its duties to the chairman of the council or the dean of the institute.

Third: The board's decisions and recommendations shall be implemented after their approval by the Minister.

ARTICLE**6**

First: The Institute's board shall convene at least once a month at the invitation of its chairman. A quorum shall be two-thirds of the members, and decisions shall be taken by majority of the members. In case of a tie, the chairman's vote shall be prevailed.

Second: The vice-chairman shall be replaced the chairman in his/ her absence.

Third: The board may invite experts and specialists to attend its meetings to benefit from their opinions, without granting them the right to vote.

ARTICLE**7**

The institute shall be consisted of the following formations:

First: Legal section

Second: Administration section

Third: Academic affairs section

Fourth: Military training and police operations section

Fifth: Student affair section

Sixth: Planning and follow-up section

Seventh: Account sections

Eighth: Infrastructure section

Ninth: Internal audit and control section

Tenth: Public relation and media division

Eleventh: Quality management division

Twelfth: Communications and information technology division

Thirteenth: Security and duty division

ARTICLE

8

The teaching staff of the institute shall be consisted of:

First: Police officers and civilians holding higher degree.

Second: Lecturers holding a bachelor's degree in the specializations determined by the Institute's board.

Third: Faculty members retain their academic ranks and promotions when transferred or temporarily assigned outside the Institute, and their period of service in these positions shall be considered actual teaching service.

ARTICLE**9**

The Dean of the Institute may nominate lecturers to teach security, military, legal, technical, and sports training subjects, provided that they meet the conditions set by the Institute's board.

ARTICLE**10**

The Minister shall determine, before the start of each academic year, the number of students to be admitted to the Institute based on a proposal from the Institute's head. The method of submitting applications for admission to the Institute and the application deadlines shall be determined by regulations issued by the Dean of the Institute.

ARTICLE

11

The following conditions must be met for a student to be accepted into the institute:

First: Iraqi and born to Iraqi parents.

Second: Holds at least an intermediate school certificate.

Third: Not less than (16) sixteen years old and not more than (21) twenty-one years old.

Members of the Internal Security Forces may be accepted with an age not exceeding (23) twenty-three years.

Fourth: Successful in the medical examination and passing the required tests.

Fifth: 160 cm height or more and have a chest circumference of 70 cm or more.

Sixth: Good character and conduct and not have been convicted of a non-political felony or a misdemeanor involving moral turpitude.

ARTICLE

12

A committee shall be formed annually by a decision of the Minister, chaired by the Dean of the Institute and comprising five members, including representatives from both the Legal Department and the Directorate of Human Resources Management in the Ministry. This committee shall be responsible for interviewing applicants, conducting the scheduled tests for them, and submitting the interview results to the Minister.

ARTICLE

13

First: A student who is accepted into the Institute shall submit a written undertaking, accompanied by a notarized personal guarantee, to reimburse all expenses incurred on his/ her behalf during his/ her study at the institute, including salaries received, in the event of his/ her dismissal from the institute.

Second: The student's admission shall be cancelled if he/ she does not submit the undertaking stipulated in Item (First) of this Article within (15) fifteen days from the date of the announcement of admission, unless he/ she submits a legitimate excuse.

ARTICLE

14

The Minister may accept candidates from foreign countries into the Institute in accordance with the principle of reciprocity, at the expense of their government or at their own expense, as an exception to the conditions stipulated in Article (11) of this Law, except for Items (Second) and (Fourth) thereof.

ARTICLE

15

First: The duration of study at the institute shall be two (2) calendar years, equivalent to three (3) academic years in high schools (literary branch) under the Ministry of Education.

Second: The academic year shall begin on the fifteenth day of September and end on the fifteenth day of June of the following year, unless amended by a decision of the institute's board. Each year shall be divided into two academic semesters.

ARTICLE

16

First: The core and specialized courses and their content for curricula of the first and second years shall be determined in coordination with the Ministry of Education, taking into account the academic level of the subjects and the number of hours allocated to each.

Second: The vocational courses for the first and second years and the hours allocated to each shall be determined upon a proposal from the Institute's Academic Affairs Department and approval by the Institute's board.

ARTICLE

17

First: The academic holidays for students at the Institute shall be as follows:

- a. Mid-year break not exceeding (15) fifteen days shall commence at the end of the first semester and end at the beginning of the second semester.
- b. Summer holiday shall begin at the end of the academic year and end at the start of the next academic year.

Second: The holiday for teaching and training staff shall not exceed half the duration of the scheduled student holiday.

ARTICLE

18

First: The manager may, when necessary, grant regular leave during the academic year for a period not exceeding (10) ten days, either at one time or intermittently.

Second: The Dean of the Institute may, when necessary and with the approval of the Minister, suspend studies at the Institute for a period not exceeding (10) ten days. This period may be extended for reasons necessitated by security or health requirements, or for emergency reasons.

ARTICLE

19

The student shall be required to attend at least (75%) seventy-five percent of the total study and training hours scheduled for his/ her class. A student shall be barred from participating in the final exam and shall be considered to have failed his/ her class if he/ she does not complete the aforementioned attendance requirement. A student shall be referred to the following course and to the same class in which he/ she failed.

ARTICLE

20

First: Compulsory boarding shall be applied to students, except during academic holidays, official holidays, and regular leave days.

Second: The Dean of the Institute may permit students to spend their sick leave outside the institute, upon the recommendation of the attending physician.

ARTICLE

21

First: The semester examination system shall be applied to first-grade students and the ministerial examination system to second-grade students, according to the instructions in force in high studies at the Ministry of Education.

Second: The supplementary exam shall be held three (3) weeks after the release of the first-round exams.

Third: The Institute shall be responsible for setting the questions, invigilation and marking them and announcing the results, including the conduct of the examination process and the authentication of documents, under the supervision of the Ministry of Education.

ARTICLE

22

The General Examination System No. (18) of 1987 shall be applied to student examinations at the Institute, provided that it does not conflict with the provisions of this Law.

ARTICLE

23

A student who is unable to participate in the mid-year or final exams for a valid reason deemed acceptable by the Dean of the Institute, shall take the exam after the reason ceases to exist, on a date determined by the Institute's Board, provided that it is before the end of the academic year with regard to the mid-year exam, and along with the re-sit students with regard to the final exams.

ARTICLE

24

A students' rank in their class shall be determined according to the total final grades obtained in the subjects prescribed for their class.

ARTICLE

25

First: Two hundred (200) marks shall be allocated for the students' annual conduct, deducted from which any marks lost due to penalties imposed on them under the provisions of this law.

Second: Student shall be considered to have failed in their grade if they lose (100) one hundred marks or more in Conduct marks and shall be referred to the next course in the same grade in which they failed

ARTICLE

26

The Dean of the Institute, or his/ her designee, may impose one of the following penalties on a student for any violation of military conduct or duties imposed upon the student, or for any act that disrupts the institute's order, disobeys orders or refuses or fails to attend classes, exercises, assigned tasks or any other actions determined by the Dean of the Institute without a legitimate excuse:

First: **Additional Training:** This involves the students undertaking military training with their own training equipment for a period of no less than one hour and no more than (6) six hours, provided that the training takes place during the times usually allocated for students' rest, and this shall be followed by a deduction of (4) four marks from the Conduct marks.

Second: Depriving the students of the Friday holiday and requiring them to remain in the Institute building and sit in a specific place for lessons and studying, which shall result in a deduction of (4) four marks from their Conduct marks.

Third:

- a. Initial warning: This involves notifying the students in writing of the violation committed and guiding them to improve their behavior in the future

and to avoid repeating the violation. This is followed by a deduction of (2) two marks from their Conduct marks.

- b. Final warning: This involves notifying the students in writing of the violation committed and instructing them to improve their behavior in the future and to avoid repeating the violation. This is followed by a deduction of (2) two marks from their Conduct marks.

Fourth: **Reprimand:** This involves notifying the students in writing and publicly of the violation they committed, for which they were previously penalized with a final warning, followed by a deduction of (3) two marks from their Conduct marks.

Fifth: The students shall be placed in a private room for a period not exceeding seven days, followed by a deduction of (8) eight marks from their conduct marks for each day.

ARTICLE**27**

First: A student shall be dismissed from the institute by a decision of the institute's Board when one of the following conditions is met:

- a. Loss of Iraqi citizenship;
- b. 130- marks deduction from student Conduct marks during the academic year;
- c. Failure of the same grade twice;
- d. Unsuitability to be Police Commissioner is established due to misconduct or committing an act that diminishes social standing or harms the reputation of the position, based on

reports from administrative, teaching or training officials at the Institute, or reports from competent official bodies outside the Institute.

e. Leaving study at the Institute for a period exceeding (30) thirty days without a legitimate excuse.

Second: A student who is dismissed may appeal the dismissal decision before the Administrative Court in accordance with the law.

ARTICLE**28**

First: Graduates of the Institute shall be awarded a certificate equivalent to the high school certificate (literary branch) in the Ministry of Education.

Second: The holder of the certificate stipulated in Item (First) of this Article shall be granted the rank of Police Commissioner, grade seven, in the Internal Security Forces.

Third: The top ten graduates of the Institute who have achieved the required mark average for admission to the Police College shall be admitted through a special channel.

Fourth: The provisions of Item (Third) of this Article shall be applied retroactively to graduates of the Institute from previous intakes who meet the other admission requirements.

ARTICLE

29

First: The Ministry shall bear the expenses of students' education, training, clothing, food, housing and transportation during their studies, in accordance with the provisions of Article (14) of this Law.

Second: The students shall be granted, during their studies at the Institute, the privileges of a seventh-rank Police Commissioner.

Third: A students who withdraw or are dismissed from the Institute by a decision of the Institute's Board shall bear all expenses incurred on their behalf during their studies, including any salaries they received.

ARTICLE

30

The Institute shall have an independent budget within the Ministry's budget.

ARTICLE

31

The rules prescribed at the Police College regarding examination fees and teaching hours shall be applied at the Institute.

ARTICLE

32

First: Students who excel in their studies shall be honored at the end of each year upon the recommendation of the Dean of the Institute and the approval of the Minister.

Second: The Dean of the Institute may grant the honorary rank of non-commissioned officer to any second-year student in order to maintain discipline and order among the students.

ARTICLE

33

First: First-year students shall be assigned, during the summer holiday, to the provincial police directorates within their residential areas for training in the work and duties of the Internal Security Forces agencies for a period not exceeding (35) thirty five days, according to a program prepared by the Institute Board for this purpose.

Second: Students shall enter comprehensive training camps during their studies at the Institute for a period not exceeding (15) fifteen days.

ARTICLE

34

First: Disciplinary penalties imposed on students by powers of law and order officers during their studies at the Institute shall not be considered valid after their graduation.

Second: The provisions of the laws and regulations pertaining to the Internal Security Forces shall be applied to the students during their studies at the institute, except where otherwise stipulated in this law, and the student shall be considered a police officer for this purpose.

ARTICLE

35

First: Each of the sections stipulated in Article (7) of this Law shall be managed by an officer of at least the rank of Major, holding a bachelor's degree or higher and having experience and expertise.

Second: Each of the divisions stipulated in Article (7) of this Law shall be headed by an officer of at least the rank of Captain, holding a bachelor's degree or higher and having experience and expertise.

ARTICLE**36**

The tasks and divisions of the units stipulated in Article (7) of this Law shall be determined by instructions issued by the Minister.

ARTICLE**37**

The rights and obligations of the Police Commissioner Training Institute established under the provisions of Law No (2) of 2003 shall be vest in the Police Commissioner Training Institute established under the provisions of this Law, and its employees shall be transferred thereto.

ARTICLE**38**

Police Commissioner Training Institute Law No (2) of 2003 published in the Official Gazette, Special Issue No (3879/a) dated January 27, 2003 shall be repealed.

ARTICLE

39

The Minister may issue instructions to facilitate the implementation of the provisions of this Law.

ARTICLE

40

This Law shall enter into force as of the date of its publication in the Official Gazette.

Abdul Latif Jamal Rashid

President of the Republic