

and examination papers of each applicant for promotional appointment shall be open to his inspection.

(A) THE EXAMINING AUTHORITY SHALL ASCERTAIN THE RELATIVE QUALIFICATIONS FOR ALL CANDIDATES FOR APPOINTMENT AT THE ENTRANCE LEVEL TO THE DEPARTMENT AND FOR PROMOTIONAL APPOINTMENT WITHIN THE DEPARTMENT BY COMPETITIVE EXAMINATIONS AND SUCH OTHER TESTS AS IN ITS JUDGMENT MAY BE NECESSARY. THE EXAMINATIONS SHALL BE PUBLIC AND OF SUCH CHARACTER AS TO TEST FAIRLY THE RELATIVE CAPACITY AND FITNESS OF THE CANDIDATES TO DISCHARGE THE DUTIES OF THE POSITION FOR WHICH THEY ARE SEEKING TO QUALIFY. IN PREPARING SAID EXAMINATIONS THE EXAMINING AUTHORITY SHALL CONSULT WITH AND MAY BE GUIDED BY A NATIONALLY RECOGNIZED POLICE AGENCY OR ~~STUDY~~ TESTING GROUP AS DESIGNATED BY THE POLICE COMMISSIONER. THE EXAMINING AUTHORITY SHALL PREPARE GRADED LISTS OF QUALIFIED CANDIDATES DETERMINED FROM THE WRITTEN EXAMINATIONS AND OTHER TESTS ESTABLISHED BY THE EXAMINING AUTHORITY.

(B) APPOINTMENTS AT THE ENTRANCE LEVEL. THOSE APPLICANTS FOR APPOINTMENT TO THE DEPARTMENT AT THE ENTRANCE LEVEL WHO POSSESS THE MINIMUM QUALIFICATIONS AND MEET THE OTHER ELIGIBILITY CRITERIA ESTABLISHED BY THE COMMISSIONER AFTER CONSULTATION WITH EXAMINING AUTHORITY, AS DETERMINED BY THE TESTS AND PROCEDURES ADMINISTERED PURSUANT TO SUBSECTION (A) SHALL BE INCLUDED ON AN ELIGIBLE LIST PREPARED BY THE EXAMINING AUTHORITY SETTING FORTH THE NAMES OF THE SUCCESSFUL APPLICANTS LISTED IN ORDER FROM THE HIGHEST TO LOWEST QUALIFYING SCORE. WHEN MAKING APPOINTMENTS TO THE DEPARTMENT, THE COMMISSIONER SHALL BE REQUIRED TO MAKE SUCH APPOINTMENT FROM THOSE APPLICANTS WHO PLACE WITHIN THE TOP OR HIGHEST FIVE POSITIONS ON THE ELIGIBLE LIST. WHEN AN APPLICANT IS SO APPOINTED, THE COMMISSIONER SHALL BE REQUIRED TO FILL THE NEXT VACANCY IN THE DEPARTMENT, IF ANY, FROM A LIST OF APPLICANTS COMPOSED OF THE REMAINING AND AVAILABLE FOUR HIGHEST CANDIDATES ON SUCH LIST, PLUS THE NEXT OR SIXTH HIGHEST SCORING AVAILABLE APPLICANT APPEARING ON THE ELIGIBLE LIST. THE PROCEDURE HEREIN ESTABLISHED FOR APPOINTMENT TO THE DEPARTMENT SHALL BE KNOWN AND DESIGNATED AS THE "RULE OF FIVE" AND ALL SUBSEQUENT APPOINTMENTS SHALL BE MADE ONLY IN ACCORDANCE WITH THIS PROCEDURE UNTIL THE ELIGIBLE LIST IS EXHAUSTED BY SUCH APPOINTMENTS. NO SUCH LIST, OR WHERE THE LIST CONSISTS OF A COMBINATION OF MORE THAN ONE ELIGIBLE LIST, NO PART OF SUCH LIST, SHALL CONTINUE IN FORCE FOR LONGER THAN ONE YEAR, UNLESS EXTENDED UPON REQUEST OF THE COMMISSIONER BY THE EXAMINING AUTHORITY, BUT IN NO EVENT