

**POLICE REGULATION (APPEALS) AMEND-
MENT ACT.**

Act No. 19, 1947.

An Act to amend the Police Regulation (Appeals) Act, 1923-1944, and the Police Regulation Act, 1899-1944, in certain respects; and for purposes connected therewith. [Assented to, 10th November, 1947.]

George VI.
No. 19, 1947.

BE

Police Regulation (Appeals) Amendment Act.

No. 19, 1947.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
citation.

1. (1) This Act may be cited as the "Police Regulation (Appeals) Amendment Act, 1947."

(2) The Police Regulation (Appeals) Act, 1923, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation (Appeals) Act, 1923-1947.

(3) The Police Regulation Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Police Regulation Act, 1899-1947.

Amendment
of Act No.
33, 1923.
Sec. 6.
(Appeal to
Board.)

2. The Police Regulation (Appeals) Act, 1923-1944, is amended by inserting next after subsection one of section six the following new subsections:—

(1A) Notice in writing of any decision of the Commissioner for the promotion of any member of the police force other than the member of the police force who, according to the rules governing promotion in such force, is next in seniority for the promotion, shall be served on the member or each of the members of the police force affected thereby as soon as practicable after the decision is made:

Provided that where the Commissioner is unable to effect service of such notice within a period of fourteen days after the decision was made, the Commissioner may apply to the chairman of the Board for directions; and upon such application the chairman may give directions as to the manner of serving such notice or may dispense with service of the notice.

(1B) A decision of the nature referred to in subsection (1A) of this section shall not be carried into effect until the expiration of the time for lodging an appeal and, if an appeal is lodged within that time, shall not be carried into effect until the appeal is determined:

Provided

Provided that where the chairman has, under sub-section (1A) of this section, dispensed with service of the notice, any such decision may be carried into effect at any time thereafter. No. 19, 1947.

3. The Police Regulation Act, 1899-1944, is amended by omitting subsection three of section thirty-three and by inserting in lieu thereof the following subsection:— Amendment
of Act No.
20, 1899.
Sec. 33.

(3) (a) Before making any recommendation under this section the Commissioner shall in writing intimate to the person to be affected thereby his intention to make the recommendation and such person may within a period of thirty days from the date of such intimation appeal to the chairman of the Crown Employees Appeal Board constituted under the Crown Employees Appeal Board Act, 1944, against such intended recommendation and the chairman shall have jurisdiction to hear and determine the appeal. (Forfeiture
of allow-
ance in
certain
cases.)

(b) The decision of the chairman on any such appeal shall be final and shall be given effect to by the Commissioner.

(c) No decision of or proceedings before the chairman shall be vitiated by reason only of any informality or want of form or be liable to be challenged, appealed against, reviewed, quashed or called into question by any court of judicature on any account whatsoever.

(d) No writ of prohibition or certiorari shall lie in respect of any decision of or proceedings before the chairman relating to an appeal under this section.