

**POLICE REGULATION (ALLEGATIONS OF MISCONDUCT)
AMENDMENT ACT 1985 No. 212**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

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Act No. 212, 1985

An Act to amend the Police Regulation (Allegations of Misconduct) Act 1978 in relation to the Internal Affairs Branch within the Police Force and the exercise of certain functions by the Deputy Ombudsman and an Assistant Ombudsman. [Assented to, 10th December, 1985.]

Police Regulation (Allegations of Misconduct) Amendment 1985

BE it enacted by the Queen'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

1. This Act may be cited as the "Police Regulation (Allegations of Misconduct) Amendment Act 1985".

Amendment of Act No. 84, 1978

2. The Police Regulation (Allegations of Misconduct) Act 1978 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) ACT 1978

(1) Section 34 (**Constitution of Internal Affairs Branch**)—

(a) Section 34 (6)—

Before "(7)", insert "(6B), (6C),".

(b) Section 34 (6B), (6C)—

After section 34 (6A), insert:

(6B) Subsection (6) does not apply to a member of the Police Force of or above the rank of Chief Inspector.

(6C) For the purposes of subsection (6), any period during which the services of a member of the investigative staff of the Internal Affairs Branch are made use of under section 32 (2) of the Ombudsman Act 1974 shall be disregarded.

(2) Section 48 (**Powers, etc., of acting Ombudsman, Deputy Ombudsman and special officer**)—

(a) Section 48 (2)—

Omit the subsection.

Police Regulation (Allegations of Misconduct) Amendment 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE POLICE REGULATION (ALLEGATIONS
OF MISCONDUCT) ACT 1978—*continued*

(b) Section 48 (3)—

After “Ombudsman” where lastly occurring, insert “(other than an Assistant Ombudsman)”.

(c) Section 48 (4)—

After section 48 (3), insert:

(4) The powers, authorities, duties and functions of the Ombudsman that may, under section 10 of the Ombudsman Act 1974, be delegated to an Assistant Ombudsman do not include any power or duty to make a report under this Act.
