

POLICE SERVICE (EMPLOYER) AMENDMENT ACT 1992
No. 22

NEW SOUTH WALES



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POLICE SERVICE (EMPLOYER) AMENDMENT ACT 1992
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Act No. 22, 1992

An Act to amend the Police Service Act 1990 to designate the Commissioner of Police as the employer for industrial purposes of non-executive officers of the Police Service. [Assented to 14 May 1992]

Police Service (Employer) Amendment 1992 No. 22

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Police Service (Employer) Amendment Act 1992.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Police Service Act 1990 No. 47

3. The Police Service Act 1990 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

- (1) Section 84:

Omit the section, insert instead:

Commissioner to be employer for industrial matters

84. The Commissioner is to be the employer of non-executive officers for the purposes of any proceedings relating to non-executive officers held before a competent tribunal having jurisdiction to deal with industrial matters.

- (2) Section 85 (**Commissioner may determine salary, wages etc.**):

From section 85 (1), omit “the Public Employment Industrial Relations Authority”, insert instead “the Commissioner”.

- (3) Section 86 (**Commissioner may enter into agreements**):

Omit section 86 (1) and (2), insert instead:

(1) The Commissioner may enter into an agreement with any association or organisation representing a group or class of non-executive officers with respect to industrial matters.

SCHEDULE 1—AMENDMENT—*continued*

(2) The Commissioner is not authorised to enter into such an agreement with respect to a matter if the Industrial Relations Commission does not have jurisdiction to make an award or order with respect to that matter because of section 349 of the Industrial Relations Act 1991.

(4) Schedule 4 (**Savings, transitional and other provisions**):

- (a) At the end of clause 2 (1), insert:
the Police Service (Employer) Amendment Act 1992.
- (b) After Part 3, insert:

**PART 4—PROVISIONS CONSEQUENT ON
ENACTMENT OF POLICE SERVICE (EMPLOYER)
AMENDMENT ACT 1992**

Pending proceedings by PEIRA

16. Any proceedings to which the Public Employment Industrial Relations Authority is a party immediately before the commencement of the Police Service (Employer) Amendment Act 1992 are not affected by the amendments made by that Act.

(2) However, on the commencement of that Act the Commissioner is taken to be a party to those proceedings instead of the Public Employment Industrial Relations Authority, except in the case of any particular proceedings in respect of which it is agreed between the Commissioner and the Authority that the Authority is to continue to be a party to those proceedings.

Previous determinations, agreements etc. by PEIRA

17. (1) Any thing done by the Public Employment Industrial Relations Authority under Division 7 of Part 6 of this Act before the amendment of that Division by the Police Service (Employer) Amendment Act 1992 is taken, after the commencement of that Act, to have been done by the Commissioner.

SCHEDULE 1—AMENDMENTS—*continued*

(2) Any reference to that Authority in any award, determination or agreement entered into or made under that Division is taken, after that commencement, to be a reference to the Commissioner.

*[Minister's second reading speech made in—
Legislative Assembly on 26 March 1992
Legislative Council on 5 May 1992]*