

**POLICE SERVICE (RECRUITMENT) AMENDMENT
ACT 1994 No. 74**

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

**POLICE SERVICE (RECRUITMENT) AMENDMENT
ACT 1994 No. 74**

NEW SOUTH WALES



Act No. 74, 1994

An Act to amend the Police Service Act 1990 in relation to the recruitment of police officers. [Assented to 23 November 1994]

The Legislature of New South Wales enacts:**Short title**

1. This Act may be cited as the Police Service (Recruitment) Amendment Act 1994.

Commencement

2. This Act commences on a day or days 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 65A:

After section 65, insert:

Specialty designated non-executive police positions above rank of constable open to outside appointment

65A. (1) The Police Board may, for the purpose of the selection process, designate a non-executive position as a position available to any eligible person, whether or not the person is already a police officer (a “special designated position”).

(2) The Police Board may so designate such a position only if satisfied that the position requires special skills, qualifications or experience not generally available in the Police Service.

(3) The special skills, qualifications or experience required for a special designated position are an essential requirement for appointment to that position.

(4) In the case of a special designated position that is not that of a non-executive commissioned police officer, the following provisions have effect despite anything to the contrary in this Part:

- (a) the Commissioner is required to advertise a vacancy in the position in such manner as the Police Board directs;

SCHEDULE 1—AMENDMENTS—*continued*

(b) the Commissioner is not to appoint to the position a person who is not already a police officer unless the Commissioner has sought, and obtained, the recommendation of the Police Board to make the appointment;

(c) the Police Board may only recommend the appointment if the person has, in the opinion of the Police Board, the greatest merit of the applicants eligible for appointment to the position.

(5) The appointment of a person who is not already a police officer to a special designated position may be made on probation. In that case, the provisions of section 73 (Appointment of constables) relating to appointments on probation and the dismissal of probationary police officers apply to that appointment. However, an appointment on probation cannot exceed 2 years without the approval of the Police Board and a commissioned officer cannot be dismissed except by the Governor.

(6) A person who is not already a police officer and who is appointed to a special designated position is, during the first 2 years after first appointment to a special designated position, not eligible to be promoted or transferred under this Part to any other position of a police officer that is not a special designated position.

(7) This section does not apply to a position of the rank of constable or to a position of an administrative officer.

(8) The maximum number of police officers to be employed in the Police Service as determined by the Treasurer under section 9 is increased by the number of special designated positions under this section.

(2) Section 68 (**Only police officers eligible for appointment**):

At the end of the section, insert:

(2) This section does not apply to a special designated position under section 65A.

(3) Section 69 (**Advertising of vacancies**):

After “police officers”, insert “or, in the case of a special designated position under section 65A, generally”.

SCHEDULE 1—AMENDMENTS—*continued*

(4) Section 72 (**Appointment of inspectors subject to appeal**):

At the end of the section, insert:

(4) This section does not apply to the appointment of a person to a special designated position under section 65A unless a person who is already a police officer is appointed to the position and another police officer also duly applied for appointment to the position.

(5) Section 75 (**Only police officers eligible for appointment as sergeants**):

At the end of the section, insert:

(2) This section does not apply to a special designated position under section 65A.

(6) Section 76 (**Advertising of vacancies—sergeants**):

After “police officers”, insert “or, in the case of a special designated position under section 65A, generally”.

(7) Section 78 (**Appointment of sergeants subject to appeal**):

At the end of the section, insert:

(4) This section does not apply to the appointment of a person to a special designated position under section 65A unless a person who is already a police officer is appointed to the position and another police officer also duly applied for appointment to the position.

*[Minister's second reading speech made in—
Legislative Assembly on 15 September 1994
Legislative Council on 22 November 1994]*