

27

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1912.

A BILL

To make better provision for the making of promotions in the police force ; to provide for appeals from punishments imposed on members of such force ; for the above purposes to constitute a board and committee ; and for purposes consequent thereon or incidental thereto.

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 :—

Preliminary.

1. This Act may be cited as the "Officers Appeal Act, 1912." Short title.

2. In this Act—

"Board" means board as constituted under this Act.

Definitions.

"Committee" means committee as constituted under this Act.

"Inspector-General" means Inspector-General of Police.

Board.

3. (1) The Governor may establish and appoint the members of a board to hear appeals under this Act. Constitution of board of appeal.

(2) The board shall in each appeal be constituted as follows :—

- (a) A barrister-at-law, or a stipendiary or police magistrate, who shall act as chairman of the board.
- (b) A person nominated by the Inspector-General; and
- (c) A member of the police force who has served at least five years in such force, and who has been elected in the manner prescribed by the members of such police force below the rank of superintendent.

(3) Any such elected member shall hold office on such board for a term of three years. At the expiration of that term he shall be eligible for re-election. If not re-elected he may be re-appointed to the police force, and for the purposes of such reappointments, and for all other purposes, the term he has served as a member of the board shall be considered as service in the police force.

(4) The members of the board, with the exception of the nominee of the Inspector-General, shall be remunerated by fees to be prescribed by regulation.

The Committee.

4. The Inspector-General shall appoint a committee to consist of not less than _____ nor more than _____ persons, being members of the police force of or above the rank of sub-inspector. Committee.

5. (1) The committee may recommend to the Inspector-General the promotion of any member of the police force to any rank below that of superintendent. Recommendations of committee.

Such recommendation shall be published in two consecutive numbers of the weekly Police Gazette.

Any member of the police force deeming himself to be prejudicially affected by any such recommendation may, within two weeks from the date of the last of such publications, forward any objections and reasons therefor to the Inspector-General. If no such objections are forwarded within the above-mentioned time the Inspector-General may deal with such recommendations in accordance with the provisions of the Police Regulation Act, 1899.

(2) If any such objections are so forwarded within the prescribed time the Inspector-General shall send on the case to the board who shall hear and consider any objections as soon as practicable, and after such hearing and consideration shall remit its report to the Inspector-General. Consideration of objections.

On the receipt of such report the Inspector-General shall deal with the matter and his decision thereon shall be final, subject to the provisions of the Police Regulation Act, 1899. (3)

(3) Such decision shall within two weeks from the making thereof be published in the Police Weekly Gazette.

Appeals from punishment.

6. The board may, on application in the prescribed manner, Appeals. hear any appeal of a member of the police force from the imposition of any punishment by way of disrating or the infliction of a fine by any superintendent. It shall forward a report on the matter to the Inspector-General, who shall give effect to such report, unless he forwards it on with a recommendation to the Minister.

The Minister's decision in the matter shall be final.

7. In the hearing and consideration of any such case OR Hearing of appeals. application so sent on or forwarded the board may call any witnesses it desires to examine, and examine them on oath, and may, whenever it thinks desirable, dispense with the observance of the rules of evidence, and may admit any evidence, or any documents or statement which, in its opinion, would be of assistance in the making of its report.

8. The board may, in its report, make any recommendation it Costs. pleases with regard to the costs of any hearing or application.

Regulations.

- 9.** (1) The Governor may make regulations prescribing— Regulations.
- (a) the method of making applications and the procedure of the board and committee;
 - (b) the election to the board of the officer to represent the members of the police force;
 - (c) fines, not involving dismissal, which may be inflicted by superintendents; and
 - (d) generally to carry out the provisions of this Act.

(2) Such regulations shall be published in the Gazette, and shall take effect from the date of such proclamation. Such regulations shall be laid before both Houses of Parliament, within fourteen days after publication if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.
