

No. , 1914.

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 ; to authorise the imposition of fines ; 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 :—

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Preliminary.

- Short title. **1.** This Act may be cited as the "Police Appeal Act, 1914."
- Definitions. **2.** In this Act—
 "Board" means board as constituted under this Act. **5**
 "Inspector-General" means Inspector-General of Police.

The board.

- Constitution of board of appeal. **3.** (1) The Governor may establish and appoint the 10 members of a board to hear appeals under this Act.
 (2) The board shall be constituted as follows:—
 A barrister-at-law, or a stipendiary or police magistrate, who shall act as chairman of the board; a person nominated by the Inspector-General; and 15 a member of the police force who has been elected in the manner prescribed by the members of the police force below the rank of superintendent.
 (3) Such elected member shall hold office on such 20 board for a term of three years. At the expiration of that term he shall be eligible for re-election. During his term of office he shall continue in the police force.
 (4) The members of the board shall be paid such fees as may be prescribed by regulation. **25**

Promotions.

- Recommendation of committee. **4.** A superintendent may recommend to the Inspector-General the promotion of any member of the police force to any rank below that of superintendent.
 Such recommendation shall be published in two consecutive numbers of the weekly Police Gazette. **30**
- Objections. **5.** Any member of the police force deeming himself to be prejudicially affected by any such recommendation may forward his objections with the reasons therefor to the Inspector-General, but so that they are received by the Inspector-General within four weeks after the date of the Police Gazette in which the recommendation was first published. **35**
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Police Appeal.

6. (1) If no such objections are so received within the abovementioned time the Inspector-General may give effect to such recommendation in accordance with the provisions of the Police Regulation Act, 1899.

If no objections received.

5 (2) If any such objections are so received within the abovementioned time, the Inspector-General shall send on the case to the board, who shall, as soon as practicable, hear and consider any objections, and forward a report thereon to the Inspector-General.

Consideration of objections.

10 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.

Such decision shall within two weeks from the making thereof be published in the weekly Police Gazette.

Appeals from punishment.

7. The board may, on application in the prescribed manner, hear and consider any appeal of a member of the police force from the imposition of any punishment by the infliction of a fine or suspension in rank by any superintendent, or by dismissal, discharge, or disrating, and shall forward their report on the matter to the Inspector-General, who shall consider such report and either confirm or remit or vary such punishment as he may see fit :

Appeals.

Provided that in any case in which the Inspector-General confirms a punishment which the board have recommended should be remitted or varied, he shall, within seven days after such confirmation, forward a full report on the case to the Minister :

Provided further, that in any case where the board recommend the confirmation of any such punishment, the Inspector-General may, if he sees fit, permit a further appeal from such punishment direct to himself.

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Hearing by board.

8. In the hearing and consideration of any matter under this Act the board may call witnesses, and examine them on oath, and may, whenever they think desirable,

Hearing by board.

desirable, dispense with the observance of the rules of evidence, and admit any evidence, or any documents or statement which, in their opinion, would be of assistance in the making of their report.

In the hearing and consideration of any such matter the parties thereto shall not be represented by counsel or any other person. 5

Costs.

9. The board may, in their report, make any recommendation they please with regard to the costs of any hearing or application. 10

Regulations.

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10. (1) The Governor may make regulations—
prescribing the method of making applications and the procedure of the board ;
providing for the election to the board of the officer 15
to represent the members of the police force ;
authorising the imposition of pecuniary fines by superintendents ; and
generally to carry out the provisions of this Act.

(2) Such regulations shall be published in the 20
Gazette, and shall take effect from the date of such publication. 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 25
next session.
