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[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1927.

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## A BILL

To amend the Police Regulation Act, 1899, the Police Regulation (Superannuation) Act, 1906, and certain other Acts in certain respects; and for purposes connected therewith.

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**B**E 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:—

**1.** This Act may be cited as the "Police Regulation Short title.  
(Further Amendment) Act, 1927."

**2.** The Police Regulation Act, 1899, is amended as follows:—

Amendment  
of Act No. 20,  
1899.

(a) (i) by inserting in section twelve after the words "police force" the words "and to give effect to this Act or any amendment thereof";

Sec. 12.  
(Rules.)

(ii) by omitting from the same section the words "copies thereof shall be laid before both Houses of Parliament forthwith if sitting, and if not, within fourteen days after the opening of the next session" and by inserting in lieu thereof the figures and words—

"(i) shall take effect from the date of such publication or from a later date to be specified in the rules;

(ii) shall be laid before both Houses of Parliament within fourteen sitting days after such publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the rules have been laid before such House disallowing any rule or part thereof, such rule or part shall thereupon cease to have effect."

(b) by omitting section seventeen and by inserting in lieu thereof the following new section:—

Sec. 17.

17. Any person who, not being a member of the police force,—

Penalty for  
unlawful  
possession of  
accoutre-  
ments or  
wearing  
uniform.

(a) has in his possession any arms, ammunition, article of clothing, accoutrements, or appointments of the police force, and does not satisfactorily account for such possession; or

(b)

- (b) without the permission of the Commissioner and otherwise than in the course of a stage play, a music hall or circus performance, or a ball, wears the uniform, or any colourable imitation of the uniform, of a member of the police force; or
- (c) for the purpose of thereby obtaining admission into any house or other place, or of doing or procuring to be done any act which such person would not be entitled to do or procure of his own authority, or for any other unlawful purpose, assumes the name, designation, or description of a member of the police force; or
- (d) gives, or offers, or promises to give, any bribe, recompense, or reward to, or makes any collusive agreement with a member of the police force for the purpose of inducing him to neglect his duty, or to conceal or connive at any act whereby any rule made by the Governor under the provisions of this Act may be evaded,

shall be liable, in addition to any other punishment to which such person may be liable for such offence, to a penalty not exceeding *ten* pounds; and any penalty imposed in pursuance of the provisions of this section shall be paid to the Colonial Treasurer, to be by him applied and set apart towards the Police Superannuation and Reward Fund hereinafter referred to.

- (c) by inserting next after section seventeen the New s. 17A. following new section:—

17A. (1) No person who is not a member of the New South Wales police force shall assume the designation of detective, ex-detective, or private detective, and no person shall follow the

Private inquiry agents.

the calling of a private inquiry agent, investigation officer, or the like or assume any such designation unless he is the holder of a license authorising him so to do issued by the court of petty sessions nearest to his place of abode :

Provided however that nothing in this section shall preclude an employee of the Crown or local government body from performing the duties of his office in connection with any Government or municipal activity.

(2) No person, whether employer or employee, shall engage in such calling without being the holder of a license.

(3) A license under this section may be issued by any court of petty sessions and shall subject to this section be in force for one year from the date of issue.

Such license may be renewed from year to year as the court to which application in that behalf is made may deem fit.

(4) An application for a license shall be accompanied by certificates of character of at least three reputable citizens to whom the applicant is personally known.

The fee for the license or each renewal thereof shall be one pound.

(5) Any holder of a license under this section may be called upon at any time to show cause why his license should not be revoked, and such license may be revoked at any time by any court of petty sessions if good cause be shown.

(6) A record shall be kept by the clerk of petty sessions showing particulars of all persons to whom licenses under this section have been issued.

(7) Whosoever commits a breach of this section shall on conviction before two justices be liable to a penalty not exceeding

*ten*

ten pounds in default fourteen days imprisonment in respect of each and every offence, in addition to which his license may be cancelled or suspended.

All penalties under this section to be applied in aid of the Police Superannuation and Reward Fund hereinafter mentioned.

- (d) (i) by inserting in subsection one of section thirty-three after the words "disgraceful conduct or" the following paragraph:—  
"associates with thieves or reputed thieves, suspected persons, or other offenders; or"; Sec. 33. (Forfeiture of allowance in certain cases.)
- (ii) by inserting in the same subsection after the words "fraudulent purpose or" the following paragraphs:—  
"is guilty of any conduct in respect of which were he a member of the police force at the time he would have been deemed guilty of a breach of discipline under the police rules or was guilty of such conduct while he was a member of the police force, but the offence was not proved until after his retirement; or  
undertakes for remuneration any other Government employment; or";
- (e) by omitting from section one the words "Police Superannuation Fund and Police Reward Fund" and by inserting in lieu thereof the words "Police Superannuation and Reward Fund"; Sec. 1.
- (f) by omitting from section twenty the words "Curator of Intestate Estates" and by inserting in lieu thereof the words "Public Trustee"; Sec. 20.
- (g) by omitting subsection two of section thirty-six and by inserting in lieu thereof the following new subsection:—  
(2) An account in detail of the appropriation of the said Police Superannuation and Reward Fund or any part thereof during every year shall be laid before both Houses of Parliament Sec. 36 (2).

Parliament within thirty days next after the opening of the session after such appropriation has been made.

**3.** The Police Regulation (Superannuation) Act, 1906, is amended as follows:—

Amendment  
of Act No.  
28, 1906.

(a) by omitting subparagraphs (i), (ii), (iii), and (iv) of paragraph (b) of section seven and by inserting in lieu thereof the following new subparagraphs:—

Sec. 7.  
(Scale of  
pensions.)

(i) if he has so served for fifteen years such allowance shall not exceed one-half of the salary of his office at his retirement, less a deduction of three per centum per annum;

(ii) if he has so served for more than fifteen years such allowance shall be computed at the rate of one additional thirtieth part of such salary for each additional year of service above fifteen years, less a deduction of three per centum per annum, but shall not exceed the whole of such salary less a deduction of three per centum per annum.

(b) by inserting next after section eight the following new section:—

New s. 8A.

8A. Notwithstanding the foregoing provisions of this Act, where a member has served with diligence and fidelity for twenty-five years or upwards, but has not reached the age of sixty years, it shall be competent for him to retire, and he may be granted a yearly allowance equal to one-half of the average salary of his office for the last three years of his service; such allowance to be subject to a deduction of three per centum per annum.

Voluntary  
retirement  
after twenty-  
five years'  
of service.

(c) by inserting next at the end of section thirteen the following new section:—

New s. 13A.

13A. On and from the first day of February, one thousand nine hundred and seven, and prior to the passing of the Police Regulation (Superannuation)

Gratuities.

(Superannuation) Amendment Act, 1925, the following shall be deemed to have been the provisions governing the granting of gratuities under section thirteen :—

- (a) in the case of a member appointed before the first day of February, one thousand nine hundred and seven, a gratuity not exceeding one month's pay for each year of service of such member, and in the case of any such member who has served for over ten years a further gratuity of one month's pay for each year of service after the tenth year ;
- (b) in the case of a member appointed on or after the first day of February, one thousand nine hundred and seven, a gratuity not exceeding one month's pay for each year of service of such member.

Provided that in all such cases the gratuity shall not exceed a sum equal to twenty months' pay of such member calculated at the rate of the salary of such member at the date of his death.

- (d) by inserting next after section fourteen the New s. 14A following new section :—

14A. When any member of the police force is discharged otherwise than upon pension or gratuity he may be granted a refund of the total amount contributed by him to the Police Superannuation and Reward Fund during his service. Refund of superannuation contributions.

Such amount shall be refunded without interest.

- (e) by inserting next after section fifteen the following new section :— New s. 16.

16. Notwithstanding the grant of any superannuation allowance or gratuity under the provisions of this Act the Governor may at any time require any person in receipt of such allowance Medical examination.

allowance to submit himself for medical examination by two medical practitioners appointed under section eight of this Act; and upon the certificate of such medical practitioners to the effect that the incapacity of the said member has ceased the Governor may cancel or suspend his pension and require him to serve again in the police force in a rank not lower than the rank he held before his retirement.

(f) by repealing subsection two of section three so far as it amended subsection two of section thirty-six of the Police Regulation Act, 1899. Sec. 3 (2).

**4.** (1) The Vagrancy Act, 1902, is amended by omitting from section sixteen the words "Police Reward Fund," and by inserting in lieu thereof the words "Police Superannuation and Reward Fund." Amendment of Act No. 74, 1902, s. 16. Name of Fund.

(2) Unless the context or subject-matter otherwise requires the words "Inspector-General of Police" and "Inspector-General" (as referring to the Inspector-General of Police) wherever occurring in the Police Regulation Act, 1899, the Police Regulation (Superannuation) Act, 1906, the Police Regulation (Appeals) Act, 1923, the Gaming and Betting Act, 1912, the Crimes Act, 1900, the Metropolitan Traffic Act, 1900, or any other Act, or in any proclamation, rule, regulation, by-law, ordinance, or other instrument, shall be omitted and the words "Commissioner of Police" and "Commissioner" respectively, shall be inserted in lieu thereof. Amendment of various Acts. Title of Commissioner.

