

## POLICE RESERVE BILL.

---

*Schedule of the Amendment referred to in Message of 2 April, 1941.*

Page 2, clause 2. *After line 31 insert—*

**(3) Upon the expiration of a period of six months after the termination of the war between His Majesty and Germany every person then holding office as a member of the police reserve shall cease to hold such office, and thereafter no person shall be appointed under this Part to be a member of the police reserve.**

**In this subsection "the war between His Majesty and Germany" means the war between His Majesty and Germany existing at the commencement of the Police Reserve Act, 1941.**

the first of these is the fact that the  
the second is the fact that the  
the third is the fact that the

the fourth is the fact that the  
the fifth is the fact that the



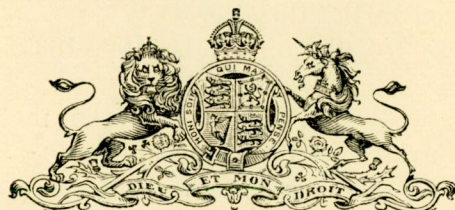
*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 26 March, 1941.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.*

W. K. CHARLTON,  
*Clerk of the Parliaments.*  
*Legislative Council Chamber,*  
*Sydney, 2 April, 1941.*

## New South Wales.



ANNO QUINTO

## GEORGII VI REGIS.

\*\*\*\*\*

Act No. , 1941.

An Act to provide for the appointment of police reservists; to amend the Police Regulation Act, 1899-1935, the Police Offences Act, 1901-1936, and certain other Acts in certain respects; and for purposes connected therewith.

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:—

5

### PART I.

#### PRELIMINARY.

1. (1) This Act may be cited as the "Police Reserve Act, 1941."

Short title  
and division  
into Parts.

19775

287—A

(2)

NOTE.—The words to be inserted are printed in black letter.



*Police Reserve.*

(2) This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF POLICE REGULATION ACT,  
1899-1935.

5 PART III.—AMENDMENT OF POLICE OFFENCES ACT,  
1901-1936.

PART II.

AMENDMENT OF POLICE REGULATION ACT, 1899-1935.

10 2. (1) This Part of this Act shall commence upon a Commence-  
day to be appointed by the Governor and notified by ment.  
proclamation published in the Gazette.

(2) The Police Regulation Act, 1899-1935, is Amendment  
amended— of Act No.  
20, 1899.

15 (a) by inserting in section one after the matter Sec. 1.  
relating to Part II the following matter:— (Division  
into Parts.)

PART IIA.—POLICE RESERVE.

(b) by inserting after section twenty-seven the fol- New Part  
lowing new Part:— IIA.

PART IIA.

20 POLICE RESERVE.

27A. (1) The Commissioner may, subject to Appointment  
disallowance by the Governor, appoint such and of members  
so many persons as he thinks fit to be members of police  
of the police reserve. reserve.

25 (2) A person under the age of forty  
years shall not be appointed to be a member of  
the police reserve unless the Colonial Secretary,  
upon being satisfied that special circumstances  
exist which render the appointment of such per-  
son desirable, has approved of the appointment  
30 of such person.

35 (3) Upon the expiration of a period of six  
months after the termination of the war between His  
Majesty and Germany every person then holding  
office as a member of the police reserve shall cease  
to hold such office, and thereafter no person shall be  
appointed under this Part to be a member of the  
police reserve.

In



*Police Reserve.*

In this subsection "the war between His Majesty and Germany" means the war between His Majesty and Germany existing at the commencement of the Police Reserve Act, 1941.

5 27B. (1) No person appointed to be a mem- Appointees  
ber of the police reserve shall be capable of to take  
holding such office or of acting in any way oath.  
therein until he has taken and subscribed the  
following oath:—

10 I, A.B., do swear that I will well and truly  
serve our Sovereign Lord the King in  
the office of member of the police  
reserve without favour or affection,  
malice or ill-will, and that I will to the  
15 best of my power cause the peace to  
be kept and preserved, and prevent  
all offences against the persons and  
properties of His Majesty's subjects,  
and that while I continue to hold the  
20 said office, I will, to the best of my skill  
and knowledge, discharge all the duties  
thereof faithfully according to law.  
So help me God.

25 Such oath shall be administered by a justice,  
and shall in all cases be subscribed by the person  
taking the same, and when so taken and sub-  
scribed shall be forwarded to the Commissioner  
by the justice before whom the same was taken.

30 (2) Every person appointed to be a mem-  
ber of the police reserve who has taken and  
subscribed the oath in accordance with subsec-  
tion one of this section is in this Part referred  
to as a "police reservist."

35 (3) Every such person taking and sub-  
scribing such oath shall be deemed to have  
thereby entered into a written agreement with  
and shall be thereby bound to serve His Majesty  
as a member of the police reserve from the day  
upon which such oath has been taken and sub-  
40 scribed until legally discharged.

Provided



---

*Police Reserve.*

---

Provided that—

(a) no such agreement shall be set aside, cancelled, or annulled for want of reciprocity;

5 (b) such agreement may be cancelled at any time by the lawful discharge, dismissal, or other removal from office of any such person accepted by the Commissioner or other person  
10 acting in his stead.

27c. (1) Every police reservist shall, in the execution of his office as a police reservist have, exercise and enjoy all such powers, authorities, advantages, and immunities, and be liable to  
15 all such duties and responsibilities as any constable duly appointed now has or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force.

Power of  
police  
reservist.

20 (2) Every police reservist shall in the execution of his office as a police reservist act under the direction and control of the Commissioner or any other member of the police force under whom he is placed by the Commissioner.

25 27d. (1) Payments may be made to a police reservist by way of—

Payments.

(a) reimbursement of out-of-pocket expenses necessarily incurred in the execution of his office as a police reservist;

30 (b) an allowance in consideration of wages lost by the police reservist while required for duty, which allowance shall not exceed the amount of wages lost;

35 (c) any other allowance approved by the Minister:

Provided that any payment made by way of allowance under paragraph (b) or paragraph (c) of this subsection to a police reservist shall  
not



---

*Police Reserve.*

---

not exceed the rate of pay (or the equivalent daily rate) for watchmen fixed by any award or industrial agreement for the time being in force under the Industrial Arbitration Act, 1912-1939, in respect of the industries or callings for which the Watchmen, Caretakers, Cleaners, etc. (State) Conciliation Committee is established.

Save as aforesaid, a police reservist shall not be entitled to any remuneration in respect of his service as such.

(2) Payments in pursuance of subsection one of this section shall be made out of moneys provided by Parliament.

(3) Any payment for which a police reservist may be eligible under subsection one of this section may be withheld in any case where the Commissioner is not satisfied that the police reservist is well-conducted and efficient in the discharge of his duties.

27E. (1) (a) No police reservist shall be at liberty to resign his office or to withdraw from the duties thereof unless expressly authorised in writing so to do by the Commissioner or other member of the police force under whom he is placed by the Commissioner, or unless he gives to the Commissioner or such other member of the police force three months' notice of his intention so to resign or withdraw.

Resignation,  
dismissal,  
etc.

(b) Any police reservist who so resigns or withdraws without such previous permission or notice shall on conviction be liable to a penalty not exceeding twenty pounds.

(2) The Commissioner or other member of the police force under whom a police reservist is placed by the Commissioner may at his discretion determine the services of or suspend or dismiss such police reservist.

(3)



*Police Reserve.*

(3) The Commissioner shall forthwith determine the services of a police reservist whose appointment as such is disallowed by the Governor.

5        27F. (1) When a police reservist ceases for Cesser of  
any cause to hold his office, all powers and powers and  
authorities vested in him as a police reservist authorities.  
shall immediately cease.

10        (2) Any police reservist so ceasing to  
hold his office, who does not forthwith deliver  
over all the arms, ammunition, accoutrements,  
and other appointments and things supplied to  
15        him for the execution of such office, or in his  
custody by virtue thereof, to some person  
appointed by any order special or general of  
the Commissioner shall, upon conviction, be  
liable to a penalty not exceeding twenty pounds  
or to imprisonment for a term not exceeding  
three months.

20        (3) Any justice may and shall issue his  
warrant to search for and seize to the use of  
His Majesty all and every the arms, ammuni-  
tion, accoutrements and other appointments  
and things not so delivered over wherever the  
25        same are found.

27G. (1) Where a police reservist, in the exe- Pensions in  
cution of his duty as a police reservist and with- case of  
out his own default, contracts any illness or incapacity  
receives any injury and— or death.

30        (a) is incapacitated by infirmity of mind or  
body occasioned by such illness or  
injury; or

(b) dies from the effects of such illness or  
injury,

35        the Governor may order and direct payment of  
a pension in accordance with this section.

(2)



---

*Police Reserve.*

---

(2) The pensions payable in accordance with this section shall be—

- (a) in the case of total incapacity of the member of the police reserve—
  - 5 (i) four pounds four shillings per fortnight for such member;
  - (ii) one pound sixteen shillings per fortnight for the wife of such member;
  - 10 (iii) one pound per fortnight for the first child of such member under the age of sixteen years;
  - (iv) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
  - 15 (v) ten shillings per fortnight each for any other children of such member under the age of sixteen years;
- 20 (b) in the case of specific or partial incapacity of the member of the police reserve—such less rates than those referred to in paragraph (a) of this subsection as may be determined by the Governor, having regard to the nature and probable duration of the incapacity;
- 25
- (c) in the case of the death of the member of the police reserve—
  - 30 (i) two pounds seven shillings per fortnight for the widow of such member;
  - (ii) one pound per fortnight for the first child of such member under the age of sixteen years;
  - 35 (iii) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
  - (iv)



*Police Reserve.*

- (iv) ten shillings per fortnight each for any other children of such member under the age of sixteen years;
- 5 (d) in the case of the death of a person who had been a member of the police reserve and who, at the date of his death, was in receipt of a pension under paragraph (a) or paragraph (b) of this subsection
- 10 —the rates set out in paragraph (c) of this subsection or such less rates as may be determined by the Governor having regard to the nature of the incapacity by reason of which such pension was
- 15 being paid.
- (3) The provisions of section thirty-three of this Act shall apply mutatis mutandis to and in respect of a person receiving a pension under this section.
- 20 (4) All pensions payable under this section shall be paid out of moneys provided by Parliament.
- 25 27H. Any expenses incurred in respect of the equipment and maintenance of police reservists and in the execution of their duties as such shall be paid out of moneys provided by Parliament. Expenses incurred.
- 30 27I. Any person who for any unlawful purpose or without proper authority puts on the dress or accoutrements or takes the name, designation, or character of a police reservist shall be liable on conviction to a penalty not exceeding twenty pounds. Penalty for unlawfully wearing uniform, etc.
- 35 27J. Whosoever assaults, resists, or obstructs any police reservist whilst in the execution of his office, or promotes, incites, or encourages any other person so to do shall be liable on conviction to a penalty not exceeding fifty pounds or to imprisonment for any term not exceeding six months. Penalty for assault, etc.



---

*Police Reserve.*

---

27K. Nothing in this Part of this Act contained shall be deemed to confer upon a police reservist any right to receive any pay, salary, allowance, reimbursement, pension or gratuity other than those specially provided for in this Part of this Act, or to confer upon a police reservist any right under the Police Regulation (Appeals) Act, 1923. Limitation of rights.

27L. (1) The Governor may make regulations not inconsistent with this Part of this Act prescribing all matters which are necessary or convenient to be prescribed for carrying into effect the objects and purposes of this Part of this Act. Regulations.

(2) In particular and without prejudice to the generality of subsection one of this section such regulations may provide—

- (a) for fixing the conditions of appointment and discharge of police reservists;
- (b) for securing that only fit and proper persons shall be appointed as police reservists;
- (c) for rendering police reservists efficient in the discharge of their duties;
- (d) for preventing neglect or abuse;
- (e) for the imposition of penalties not exceeding twenty pounds for any breach of the regulations.

(3) Any penalty imposed by such regulations shall be recoverable in a summary manner.

(4) Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date specified in the regulations;



---

*Police Reserve.*

---

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

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

15 (3) The Workers' Compensation Act, 1926-1938, Amendment of Act No. 15, 1926. is amended by inserting at the end of the definition of "Worker" in subsection one of section six the following Sec. 6 (1). word and new paragraph:— (Definitions.)

20 or (g) a member of the police reserve appointed under Part IIA of the Police Regulation Act, 1899-1939, employed upon duties as such member, so far as the employment upon such duties is concerned.

25 (4) The Police Regulation Act, 1899-1935, as Citation of Police Regulation Act, 1899. amended by subsequent Acts and by subsection two of this section, may be cited as the Police Regulation Act, 1899-1941.

30 (5) The Workers' Compensation Act, 1926-1938, Citation of Workers' Compensation Act, 1926. as amended by subsection three of this section, may be cited as the Workers' Compensation Act, 1926-1941.



*Police Reserve.*

PART III.

AMENDMENT OF POLICE OFFENCES ACT, 1901-1936.

3. The Police Offences Act, 1901-1936, is amended—

Amendment  
of Act No. 5,  
1901.

- 5 (a) by inserting in subsection (1A) of section one hundred and one after the words "may think fit" the words "A Police Magistrate or any two Justices may—

Sec. 101  
(1A).  
(Special  
constables.)

- 10 (a) at the request of the Commissioner of Police nominate and appoint any person who is a member of the police force of the Australian Capital Territory or of any State of the Commonwealth of Australia as a special constable for the State of New South  
15 Wales for such time as such Magistrate or Justices may think fit;

- 20 (b) at the request of the Commissioner of Police and subject to the approval of the Colonial Secretary nominate and appoint any person as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit."

- 25 (b) by omitting from section one hundred and three all words following the words "now has" and by inserting in lieu thereof the words "or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force."

Sec. 103.  
(Power of  
special  
constables.)



1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research. It also provides a brief overview of the methodology used in the study.

2. The second part of the report is a detailed description of the study area. It includes information about the location of the study area, the population of the study area, and the characteristics of the study area. It also discusses the data sources used in the study.

3. The third part of the report is a detailed description of the study results. It includes information about the findings of the study, the conclusions drawn from the findings, and the implications of the findings. It also discusses the limitations of the study and the need for further research.

4. The fourth part of the report is a conclusion and recommendations. It summarizes the findings of the study and provides recommendations for future research. It also discusses the implications of the findings for policy and practice.

5. The fifth part of the report is a bibliography. It lists the sources of information used in the study.

6. The sixth part of the report is an appendix. It contains supplementary information that is not included in the main body of the report.

7. The seventh part of the report is a list of figures and tables. It provides a brief description of each figure and table and its location in the report.

8. The eighth part of the report is a list of abbreviations. It provides a brief description of each abbreviation and its meaning.

9. The ninth part of the report is a list of acronyms. It provides a brief description of each acronym and its meaning.

10. The tenth part of the report is a list of symbols. It provides a brief description of each symbol and its meaning.

APPENDIX  
A  
1. The first part of the appendix is a list of figures and tables. It provides a brief description of each figure and table and its location in the appendix.

2. The second part of the appendix is a list of abbreviations. It provides a brief description of each abbreviation and its meaning.

3. The third part of the appendix is a list of acronyms. It provides a brief description of each acronym and its meaning.

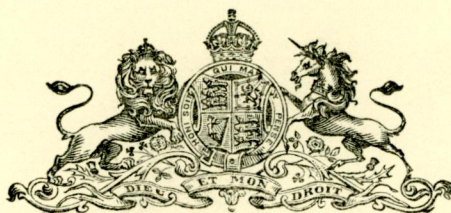
4. The fourth part of the appendix is a list of symbols. It provides a brief description of each symbol and its meaning.



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 26 March, 1941.*

## New South Wales.



ANNO QUINTO

## GEORGII VI REGIS.

\*\*\*\*\*

Act No. , 1941.

An Act to provide for the appointment of police reservists; to amend the Police Regulation Act, 1899-1935, the Police Offences Act, 1901-1936, and certain other Acts in certain respects; and for purposes connected therewith.

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  
5 the same, as follows :—

### PART I.

#### PRELIMINARY.

1. (1) This Act may be cited as the "Police Reserve Act, 1941."

Short title  
and division  
into Parts.

19775

287—A

(2)



*Police Reserve.*

(2) This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF POLICE REGULATION ACT,  
1899-1935.

5 PART III.—AMENDMENT OF POLICE OFFENCES ACT,  
1901-1936.

PART II.

AMENDMENT OF POLICE REGULATION ACT, 1899-1935.

2. (1) This Part of this Act shall commence upon a Commence-  
10 day to be appointed by the Governor and notified by ment.  
proclamation published in the Gazette.

(2) The Police Regulation Act, 1899-1935, is Amendment  
amended— of Act No.  
20, 1899.

(a) by inserting in section one after the matter Sec. 1.  
15 relating to Part II the following matter:— (Division  
into Parts.)

PART IIA.—POLICE RESERVE.

(b) by inserting after section twenty-seven the fol- New Part  
lowing new Part:— IIA.

PART IIA.

POLICE RESERVE.

20 27A. (1) The Commissioner may, subject to Appointment  
disallowance by the Governor, appoint such and of members  
so many persons as he thinks fit to be members of police  
of the police reserve. reserve.

25 (2) A person under the age of forty  
years shall not be appointed to be a member of  
the police reserve unless the Colonial Secretary,  
upon being satisfied that special circumstances  
exist which render the appointment of such per-  
30 son desirable, has approved of the appointment  
of such person.

27B. (1) No person appointed to be a mem- Appointees  
ber of the police reserve shall be capable of to take  
holding such office or of acting in any way oath.  
35 therein until he has taken and subscribed the  
following oath:—

I, A.B., do swear that I will well and truly  
serve our Sovereign Lord the King in  
the



---

*Police Reserve.*

---

5 the office of member of the police  
reserve without favour or affection,  
malice or ill-will, and that I will to the  
best of my power cause the peace to  
be kept and preserved, and prevent  
all offences against the persons and  
properties of His Majesty's subjects,  
and that while I continue to hold the  
said office, I will, to the best of my skill  
10 and knowledge, discharge all the duties  
thereof faithfully according to law.  
So help me God.

Such oath shall be administered by a justice,  
and shall in all cases be subscribed by the person  
15 taking the same, and when so taken and sub-  
scribed shall be forwarded to the Commissioner  
by the justice before whom the same was taken.

(2) Every person appointed to be a mem-  
ber of the police reserve who has taken and  
subscribed the oath in accordance with subsec-  
tion one of this section is in this Part referred  
20 to as a "police reservist."

(3) Every such person taking and sub-  
scribing such oath shall be deemed to have  
thereby entered into a written agreement with  
and shall be thereby bound to serve His Majesty  
as a member of the police reserve from the day  
upon which such oath has been taken and sub-  
scribed until legally discharged.

30 Provided that—

- (a) no such agreement shall be set aside,  
cancelled, or annulled for want of  
reciprocity;
- (b) such agreement may be cancelled at  
35 any time by the lawful discharge,  
dismissal, or other removal from  
office of any such person accepted by  
the Commissioner or other person  
acting in his stead.



*Police Reserve.*

5 27c. (1) Every police reservist shall, in the execution of his office as a police reservist have, exercise and enjoy all such powers, authorities, advantages, and immunities, and be liable to all such duties and responsibilities as any constable duly appointed now has or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force.

Power of  
police  
reservist.

10 (2) Every police reservist shall in the execution of his office as a police reservist act under the direction and control of the Commissioner or any other member of the police force under whom he is placed by the Commissioner.

15 27d. (1) Payments may be made to a police reservist by way of—

Payments.

(a) reimbursement of out-of-pocket expenses necessarily incurred in the execution of his office as a police reservist;

20 (b) an allowance in consideration of wages lost by the police reservist while required for duty, which allowance shall not exceed the amount of wages lost;

25 (c) any other allowance approved by the Minister:

30 Provided that any payment made by way of allowance under paragraph (b) or paragraph (c) of this subsection to a police reservist shall not exceed the rate of pay (or the equivalent daily rate) for watchmen fixed by any award or industrial agreement for the time being in force under the Industrial Arbitration Act, 1912-1939, in respect of the industries or callings for which the Watchmen, Caretakers, Cleaners, etc. (State) Conciliation Committee is established.

35 Save as aforesaid, a police reservist shall not be entitled to any remuneration in respect of his service as such.

(2)



*Police Reserve.*

(2) Payments in pursuance of subsection one of this section shall be made out of moneys provided by Parliament.

(3) Any payment for which a police reservist may be eligible under subsection one of this section may be withheld in any case where the Commissioner is not satisfied that the police reservist is well-conducted and efficient in the discharge of his duties.

27E. (1) (a) No police reservist shall be at liberty to resign his office or to withdraw from the duties thereof unless expressly authorised in writing so to do by the Commissioner or other member of the police force under whom he is placed by the Commissioner, or unless he gives to the Commissioner or such other member of the police force three months' notice of his intention so to resign or withdraw.

Resignation,  
dismissal,  
etc.

(b) Any police reservist who so resigns or withdraws without such previous permission or notice shall on conviction be liable to a penalty not exceeding twenty pounds.

(2) The Commissioner or other member of the police force under whom a police reservist is placed by the Commissioner may at his discretion determine the services of or suspend or dismiss such police reservist.

(3) The Commissioner shall forthwith determine the services of a police reservist whose appointment as such is disallowed by the Governor.

27F. (1) When a police reservist ceases for any cause to hold his office, all powers and authorities vested in him as a police reservist shall immediately cease.

Cesser of  
powers and  
authorities.

(2) Any police reservist so ceasing to hold his office, who does not forthwith deliver over all the arms, ammunition, accoutrements, and



---

*Police Reserve.*

---

5 and other appointments and things supplied to him for the execution of such office, or in his custody by virtue thereof, to some person appointed by any order special or general of the Commissioner shall, upon conviction, be liable to a penalty not exceeding twenty pounds or to imprisonment for a term not exceeding three months.

10 (3) Any justice may and shall issue his warrant to search for and seize to the use of His Majesty all and every the arms, ammunition, accoutrements and other appointments and things not so delivered over wherever the same are found.

15 27G. (1) Where a police reservist, in the execution of his duty as a police reservist and without his own default, contracts any illness or receives any injury and—

20 (a) is incapacitated by infirmity of mind or body occasioned by such illness or injury; or

(b) dies from the effects of such illness or injury,

25 the Governor may order and direct payment of a pension in accordance with this section.

(2) The pensions payable in accordance with this section shall be—

(a) in the case of total incapacity of the member of the police reserve—

30 (i) four pounds four shillings per fortnight for such member;

(ii) one pound sixteen shillings per fortnight for the wife of such member;

35 (iii) one pound per fortnight for the first child of such member under the age of sixteen years;

40 (iv) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;

(v).

Pensions in  
case of  
incapacity  
or death.



---

*Police Reserve.*

---

- (v) ten shillings per fortnight each for any other children of such member under the age of sixteen years;
- 5 (b) in the case of specific or partial incapacity of the member of the police reserve—such less rates than those referred to in paragraph (a) of this subsection as may be determined by
- 10 the Governor, having regard to the nature and probable duration of the incapacity;
- (c) in the case of the death of the member of the police reserve—
- 15 (i) two pounds seven shillings per fortnight for the widow of such member;
- (ii) one pound per fortnight for the
- 20 first child of such member under the age of sixteen years;
- (iii) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
- 25 (iv) ten shillings per fortnight each for any other children of such member under the age of sixteen years;
- (d) in the case of the death of a person who had been a member of the police reserve and who, at the date of his death, was in receipt of a pension under paragraph (a) or paragraph (b) of this subsection—the rates set out in paragraph (c) of this subsection or such less rates as may be determined by the Governor having regard to the nature of the incapacity by reason of which such pension was being paid.
- 30
- 35



---

*Police Reserve.*

---

(3) The provisions of section thirty-three of this Act shall apply mutatis mutandis to and in respect of a person receiving a pension under this section.

5 (4) All pensions payable under this section shall be paid out of moneys provided by Parliament.

10 27H. Any expenses incurred in respect of the equipment and maintenance of police reservists and in the execution of their duties as such shall be paid out of moneys provided by Parliament. Expenses incurred.

15 27I. Any person who for any unlawful purpose or without proper authority puts on the dress or accoutrements or takes the name, designation, or character of a police reservist shall be liable on conviction to a penalty not exceeding twenty pounds. Penalty for unlawfully wearing uniform, etc.

20 27J. Whosoever assaults, resists, or obstructs any police reservist whilst in the execution of his office, or promotes, incites, or encourages any other person so to do shall be liable on conviction to a penalty not exceeding fifty pounds or to imprisonment for any term not exceeding six months. Penalty for assault, etc.

25 27K. Nothing in this Part of this Act contained shall be deemed to confer upon a police reservist any right to receive any pay, salary, allowance, reimbursement, pension or gratuity other than those specially provided for in this Part of this Act, or to confer upon a police reservist any right under the Police Regulation (Appeals) Act, 1923. Limitation of rights.

30 27L. (1) The Governor may make regulations not inconsistent with this Part of this Act prescribing all matters which are necessary or convenient to be prescribed for carrying into effect the objects and purposes of this Part of this Act. Regulations.

(2)



*Police Reserve.*

(2) In particular and without prejudice to the generality of subsection one of this section such regulations may provide—

- 5 (a) for fixing the conditions of appointment and discharge of police reservists;
- (b) for securing that only fit and proper persons shall be appointed as police reservists;
- 10 (c) for rendering police reservists efficient in the discharge of their duties;
- (d) for preventing neglect or abuse;
- 15 (e) for the imposition of penalties not exceeding twenty pounds for any breach of the regulations.

(3) Any penalty imposed by such regulations shall be recoverable in a summary manner.

(4) Such regulations shall—

- 20 (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date specified in the regulations;
- 25 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

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



*Police Reserve.*

- (3) The Workers' Compensation Act, 1926-1938, Amendment of Act No. 15, 1926. Sec. 6 (1). (Definitions.)  
 is amended by inserting at the end of the definition of "Worker" in subsection one of section six the following word and new paragraph:—
- 5 or (g) a member of the police reserve appointed under Part II<sub>A</sub> of the Police Regulation Act, 1899-1939, employed upon duties as such member, so far as the employment upon such duties is concerned.
- 10 (4) The Police Regulation Act, 1899-1935, as Citation of Police Regulation Act, 1899.  
 amended by subsequent Acts and by subsection two of this section, may be cited as the Police Regulation Act, 1899-1941.
- 15 (5) The Workers' Compensation Act, 1926-1938, Citation of Workers' Compensation Act, 1926.  
 as amended by subsection three of this section, may be cited as the Workers' Compensation Act, 1926-1941.

PART III.

AMENDMENT OF POLICE OFFENCES ACT, 1901-1936.

3. The Police Offences Act, 1901-1936, is amended— Amendment of Act No. 5, 1901. Sec. 101 (1A). (Special constables.)
- 20 (a) by inserting in subsection (1A) of section one hundred and one after the words "may think fit" the words "A Police Magistrate or any two Justices may—
- 25 (a) at the request of the Commissioner of Police nominate and appoint any person who is a member of the police force of the Australian Capital Territory or of any State of the Commonwealth of Australia as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit;
- 30 (b)



---

*Police Reserve.*

---

5

(b) at the request of the Commissioner of Police and subject to the approval of the Colonial Secretary nominate and appoint any person as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit."

10

(b) by omitting from section one hundred and three all words following the words "now has" and by inserting in lieu thereof the words "or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force."

Sec. 103.  
(Power of  
special  
constables.)



11

Vol. No. 1181

10

100



# New South Wales.



ANNO QUINTO

## GEORGII VI REGIS.

\*\*\*\*\*

### Act No. 26, 1941.

An Act to provide for the appointment of police reservists; to amend the Police Regulation Act, 1899-1935, the Police Offences Act, 1901-1936, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 10th April, 1941.]

**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:—

#### PART I.

##### PRELIMINARY.

**1.** (1) This Act may be cited as the "Police Reserve Act, 1941."

Short title  
and division  
into Parts.



---

*Police Reserve.*

---

(2) This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF POLICE REGULATION ACT, 1899-1935.

PART III.—AMENDMENT OF POLICE OFFENCES ACT, 1901-1936.

---

PART II.

AMENDMENT OF POLICE REGULATION ACT, 1899-1935.

Commence-  
ment.

2. (1) This Part of this Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment  
of Act No.  
20, 1899.

(2) The Police Regulation Act, 1899-1935, is amended—

Sec. 1.  
(Division  
into Parts.)

(a) by inserting in section one after the matter relating to Part II the following matter:—

PART IIA.—POLICE RESERVE.

New Part  
IIA.

(b) by inserting after section twenty-seven the following new Part:—

## PART IIA.

## POLICE RESERVE.

Appointment  
of members  
of police  
reserve.

27A. (1) The Commissioner may, subject to disallowance by the Governor, appoint such and so many persons as he thinks fit to be members of the police reserve.

(2) A person under the age of forty years shall not be appointed to be a member of the police reserve unless the Colonial Secretary, upon being satisfied that special circumstances exist which render the appointment of such person desirable, has approved of the appointment of such person.

(3) Upon the expiration of a period of six months after the termination of the war between His Majesty and Germany every person then holding office as a member of the police reserve shall cease to hold such office, and thereafter no person shall be appointed under this Part to be a member of the police reserve.

In



---

*Police Reserve.*

---

In this subsection "the war between His Majesty and Germany" means the war between His Majesty and Germany existing at the commencement of the Police Reserve Act, 1941.

27B. (1) No person appointed to be a member of the police reserve shall be capable of holding such office or of acting in any way therein until he has taken and subscribed the following oath:—

Appointees  
to take  
oath.

I, A.B., do swear that I will well and truly serve our Sovereign Lord the King in the office of member of the police reserve without favour or affection, malice or ill-will, and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of His Majesty's subjects, and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law. So help me God.

Such oath shall be administered by a justice, and shall in all cases be subscribed by the person taking the same, and when so taken and subscribed shall be forwarded to the Commissioner by the justice before whom the same was taken.

(2) Every person appointed to be a member of the police reserve who has taken and subscribed the oath in accordance with subsection one of this section is in this Part referred to as a "police reservist."

(3) Every such person taking and subscribing such oath shall be deemed to have thereby entered into a written agreement with and shall be thereby bound to serve His Majesty as a member of the police reserve from the day upon which such oath has been taken and subscribed until legally discharged.

Provided



---

*Police Reserve.*

---

Provided that—

- (a) no such agreement shall be set aside, cancelled, or annulled for want of reciprocity;
- (b) such agreement may be cancelled at any time by the lawful discharge, dismissal, or other removal from office of any such person accepted by the Commissioner or other person acting in his stead.

Power of  
police  
reservist.

27c. (1) Every police reservist shall, in the execution of his office as a police reservist have, exercise and enjoy all such powers, authorities, advantages, and immunities, and be liable to all such duties and responsibilities as any constable duly appointed now has or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force.

(2) Every police reservist shall in the execution of his office as a police reservist act under the direction and control of the Commissioner or any other member of the police force under whom he is placed by the Commissioner.

Payments.

27d. (1) Payments may be made to a police reservist by way of—

- (a) reimbursement of out-of-pocket expenses necessarily incurred in the execution of his office as a police reservist;
- (b) an allowance in consideration of wages lost by the police reservist while required for duty, which allowance shall not exceed the amount of wages lost;
- (c) any other allowance approved by the Minister:

Provided that any payment made by way of allowance under paragraph (b) or paragraph (c) of this subsection to a police reservist shall not



---

*Police Reserve.*

---

not exceed the rate of pay (or the equivalent daily rate) for watchmen fixed by any award or industrial agreement for the time being in force under the Industrial Arbitration Act, 1912-1939, in respect of the industries or callings for which the Watchmen, Caretakers, Cleaners, etc. (State) Conciliation Committee is established.

Save as aforesaid, a police reservist shall not be entitled to any remuneration in respect of his service as such.

(2) Payments in pursuance of subsection one of this section shall be made out of moneys provided by Parliament.

(3) Any payment for which a police reservist may be eligible under subsection one of this section may be withheld in any case where the Commissioner is not satisfied that the police reservist is well-conducted and efficient in the discharge of his duties.

27E. (1) (a) No police reservist shall be at liberty to resign his office or to withdraw from the duties thereof unless expressly authorised in writing so to do by the Commissioner or other member of the police force under whom he is placed by the Commissioner, or unless he gives to the Commissioner or such other member of the police force three months' notice of his intention so to resign or withdraw. Resignation,  
dismissal,  
etc.

(b) Any police reservist who so resigns or withdraws without such previous permission or notice shall on conviction be liable to a penalty not exceeding twenty pounds.

(2) The Commissioner or other member of the police force under whom a police reservist is placed by the Commissioner may at his discretion determine the services of or suspend or dismiss such police reservist.



---

*Police Reserve.*


---

(3) The Commissioner shall forthwith determine the services of a police reservist whose appointment as such is disallowed by the Governor.

Cesser of  
powers and  
authorities.

27F. (1) When a police reservist ceases for any cause to hold his office, all powers and authorities vested in him as a police reservist shall immediately cease.

(2) Any police reservist so ceasing to hold his office, who does not forthwith deliver over all the arms, ammunition, accoutrements, and other appointments and things supplied to him for the execution of such office, or in his custody by virtue thereof, to some person appointed by any order special or general of the Commissioner shall, upon conviction, be liable to a penalty not exceeding twenty pounds or to imprisonment for a term not exceeding three months.

(3) Any justice may and shall issue his warrant to search for and seize to the use of His Majesty all and every the arms, ammunition, accoutrements and other appointments and things not so delivered over wherever the same are found.

Pensions in  
case of  
incapacity  
or death.

27G. (1) Where a police reservist, in the execution of his duty as a police reservist and without his own default, contracts any illness or receives any injury and—

- (a) is incapacitated by infirmity of mind or body occasioned by such illness or injury; or
- (b) dies from the effects of such illness or injury,

the Governor may order and direct payment of a pension in accordance with this section.

(2)



---

*Police Reserve.*

---

(2) The pensions payable in accordance with this section shall be—

(a) in the case of total incapacity of the member of the police reserve—

- (i) four pounds four shillings per fortnight for such member;
- (ii) one pound sixteen shillings per fortnight for the wife of such member;
- (iii) one pound per fortnight for the first child of such member under the age of sixteen years;
- (iv) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
- (v) ten shillings per fortnight each for any other children of such member under the age of sixteen years;

(b) in the case of specific or partial incapacity of the member of the police reserve—such less rates than those referred to in paragraph (a) of this subsection as may be determined by the Governor, having regard to the nature and probable duration of the incapacity;

(c) in the case of the death of the member of the police reserve—

- (i) two pounds seven shillings per fortnight for the widow of such member;
- (ii) one pound per fortnight for the first child of such member under the age of sixteen years;
- (iii) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
- (iv)



---

*Police Reserve.*

---

(iv) ten shillings per fortnight each for any other children of such member under the age of sixteen years;

(d) in the case of the death of a person who had been a member of the police reserve and who, at the date of his death, was in receipt of a pension under paragraph (a) or paragraph (b) of this subsection—the rates set out in paragraph (c) of this subsection or such less rates as may be determined by the Governor having regard to the nature of the incapacity by reason of which such pension was being paid.

(3) The provisions of section thirty-three of this Act shall apply mutatis mutandis to and in respect of a person receiving a pension under this section.

(4) All pensions payable under this section shall be paid out of moneys provided by Parliament.

Expenses incurred.

27H. Any expenses incurred in respect of the equipment and maintenance of police reservists and in the execution of their duties as such shall be paid out of moneys provided by Parliament.

Penalty for unlawfully wearing uniform, etc.

27I. Any person who for any unlawful purpose or without proper authority puts on the dress or accoutrements or takes the name, designation, or character of a police reservist shall be liable on conviction to a penalty not exceeding twenty pounds.

Penalty for assault, etc.

27J. Whosoever assaults, resists, or obstructs any police reservist whilst in the execution of his office, or promotes, incites, or encourages any other person so to do shall be liable on conviction to a penalty not exceeding fifty pounds or to imprisonment for any term not exceeding six months.

27K.



---

*Police Reserve.*

---

27K. Nothing in this Part of this Act contained shall be deemed to confer upon a police reservist any right to receive any pay, salary, allowance, reimbursement, pension or gratuity other than those specially provided for in this Part of this Act, or to confer upon a police reservist any right under the Police Regulation (Appeals) Act, 1923. Limitation of rights.

27L. (1) The Governor may make regulations not inconsistent with this Part of this Act prescribing all matters which are necessary or convenient to be prescribed for carrying into effect the objects and purposes of this Part of this Act. Regulations.

(2) In particular and without prejudice to the generality of subsection one of this section such regulations may provide—

- (a) for fixing the conditions of appointment and discharge of police reservists;
- (b) for securing that only fit and proper persons shall be appointed as police reservists;
- (c) for rendering police reservists efficient in the discharge of their duties;
- (d) for preventing neglect or abuse;
- (e) for the imposition of penalties not exceeding twenty pounds for any breach of the regulations.

(3) Any penalty imposed by such regulations shall be recoverable in a summary manner.

(4) Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date specified in the regulations;

(c)



---

*Police Reserve.*


---

- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then 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 regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Amendment  
of Act No.  
15, 1926.  
Sec. 6 (1).  
(Defini-  
tions.)

(3) The Workers' Compensation Act, 1926-1938, is amended by inserting at the end of the definition of "Worker" in subsection one of section six the following word and new paragraph:—

or (g) a member of the police reserve appointed under Part IIa of the Police Regulation Act, 1899-1939, employed upon duties as such member, so far as the employment upon such duties is concerned.

Citation  
of Police  
Regulation  
Act, 1899.

(4) The Police Regulation Act, 1899-1935, as amended by subsequent Acts and by subsection two of this section, may be cited as the Police Regulation Act, 1899-1941.

Citation  
of Workers'  
Compensa-  
tion Act,  
1926.

(5) The Workers' Compensation Act, 1926-1938, as amended by subsection three of this section, may be cited as the Workers' Compensation Act, 1926-1941.



---

*Police Reserve.*

---

PART III.

AMENDMENT OF POLICE OFFENCES ACT, 1901-1936.

3. The Police Offences Act, 1901-1936, is amended—
- (a) by inserting in subsection (1A) of section one hundred and one after the words “may think fit” the words “A Police Magistrate or any two Justices may—
  - (a) at the request of the Commissioner of Police nominate and appoint any person who is a member of the police force of the Australian Capital Territory or of any State of the Commonwealth of Australia as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit;
  - (b) at the request of the Commissioner of Police and subject to the approval of the Colonial Secretary nominate and appoint any person as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit.”
  - (b) by omitting from section one hundred and three all words following the words “now has” and by inserting in lieu thereof the words “or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force.”

Amendment  
of Act No. 5,  
1901.  
Sec. 101  
(1A).  
(Special  
constables.)

Sec. 103.  
(Power of  
special  
constables.)

---

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1941.

[6d.]



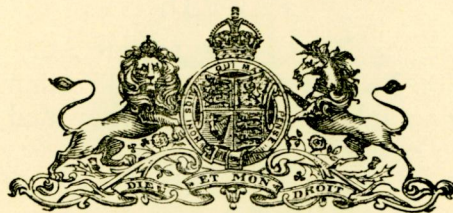




*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 8 April, 1941.*

## New South Wales.



ANNO QUINTO

## GEORGII VI REGIS.

\*\*\*\*\*

### Act No. 26, 1941.

An Act to provide for the appointment of police reservists; to amend the Police Regulation Act, 1899-1935, the Police Offences Act, 1901-1936, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 10th April, 1941.]

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:—

#### PART I.

##### PRELIMINARY.

1. (1) This Act may be cited as the "Police Reserve Act, 1941."

Short title  
and division  
into Parts.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. W. HEDGES,  
*Chairman of Committees of the Legislative Assembly.*



---

*Police Reserve.*


---

(2) This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY.

PART II.—AMENDMENT OF POLICE REGULATION ACT, 1899-1935.

PART III.—AMENDMENT OF POLICE OFFENCES ACT, 1901-1936.

---

PART II.

AMENDMENT OF POLICE REGULATION ACT, 1899-1935.

Commence-  
ment.

2. (1) This Part of this Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment  
of Act No.  
20, 1899.

(2) The Police Regulation Act, 1899-1935, is amended—

Sec. 1.  
(Division  
into Parts.)

(a) by inserting in section one after the matter relating to Part II the following matter:—

PART IIA.—POLICE RESERVE.

New Part  
IIA.

(b) by inserting after section twenty-seven the following new Part:—

PART IIA.

POLICE RESERVE.

Appointment  
of members  
of police  
reserve.

27A. (1) The Commissioner may, subject to disallowance by the Governor, appoint such and so many persons as he thinks fit to be members of the police reserve.

(2) A person under the age of forty years shall not be appointed to be a member of the police reserve unless the Colonial Secretary, upon being satisfied that special circumstances exist which render the appointment of such person desirable, has approved of the appointment of such person.

(3) Upon the expiration of a period of six months after the termination of the war between His Majesty and Germany every person then holding office as a member of the police reserve shall cease to hold such office, and thereafter no person shall be appointed under this Part to be a member of the police reserve.

In



---

*Police Reserve.*

---

In this subsection "the war between His Majesty and Germany" means the war between His Majesty and Germany existing at the commencement of the Police Reserve Act, 1941.

27B. (1) No person appointed to be a member of the police reserve shall be capable of holding such office or of acting in any way therein until he has taken and subscribed the following oath:—

Appointees  
to take  
oath.

I, A.B., do swear that I will well and truly serve our Sovereign Lord the King in the office of member of the police reserve without favour or affection, malice or ill-will, and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of His Majesty's subjects, and that while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law. So help me God.

Such oath shall be administered by a justice, and shall in all cases be subscribed by the person taking the same, and when so taken and subscribed shall be forwarded to the Commissioner by the justice before whom the same was taken.

(2) Every person appointed to be a member of the police reserve who has taken and subscribed the oath in accordance with subsection one of this section is in this Part referred to as a "police reservist."

(3) Every such person taking and subscribing such oath shall be deemed to have thereby entered into a written agreement with and shall be thereby bound to serve His Majesty as a member of the police reserve from the day upon which such oath has been taken and subscribed until legally discharged.

Provided



---

*Police Reserve.*

---

Provided that—

- (a) no such agreement shall be set aside, cancelled, or annulled for want of reciprocity;
- (b) such agreement may be cancelled at any time by the lawful discharge, dismissal, or other removal from office of any such person accepted by the Commissioner or other person acting in his stead.

Power of  
police  
reservist.

27c. (1) Every police reservist shall, in the execution of his office as a police reservist have, exercise and enjoy all such powers, authorities, advantages, and immunities, and be liable to all such duties and responsibilities as any constable duly appointed now has or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force.

(2) Every police reservist shall in the execution of his office as a police reservist act under the direction and control of the Commissioner or any other member of the police force under whom he is placed by the Commissioner.

Payments.

27d. (1) Payments may be made to a police reservist by way of—

- (a) reimbursement of out-of-pocket expenses necessarily incurred in the execution of his office as a police reservist;
- (b) an allowance in consideration of wages lost by the police reservist while required for duty, which allowance shall not exceed the amount of wages lost;
- (c) any other allowance approved by the Minister:

Provided that any payment made by way of allowance under paragraph (b) or paragraph (c) of this subsection to a police reservist shall  
not



---

*Police Reserve.*

---

not exceed the rate of pay (or the equivalent daily rate) for watchmen fixed by any award or industrial agreement for the time being in force under the Industrial Arbitration Act, 1912-1939, in respect of the industries or callings for which the Watchmen, Caretakers, Cleaners, etc. (State) Conciliation Committee is established.

Save as aforesaid, a police reservist shall not be entitled to any remuneration in respect of his service as such.

(2) Payments in pursuance of subsection one of this section shall be made out of moneys provided by Parliament.

(3) Any payment for which a police reservist may be eligible under subsection one of this section may be withheld in any case where the Commissioner is not satisfied that the police reservist is well-conducted and efficient in the discharge of his duties.

27E. (1) (a) No police reservist shall be at liberty to resign his office or to withdraw from the duties thereof unless expressly authorised in writing so to do by the Commissioner or other member of the police force under whom he is placed by the Commissioner, or unless he gives to the Commissioner or such other member of the police force three months' notice of his intention so to resign or withdraw.

Resignation,  
dismissal,  
etc.

(b) Any police reservist who so resigns or withdraws without such previous permission or notice shall on conviction be liable to a penalty not exceeding twenty pounds.

(2) The Commissioner or other member of the police force under whom a police reservist is placed by the Commissioner may at his discretion determine the services of or suspend or dismiss such police reservist.

(3)



---

*Police Reserve.*

---

(3) The Commissioner shall forthwith determine the services of a police reservist whose appointment as such is disallowed by the Governor.

Cesser of  
powers and  
authorities.

27F. (1) When a police reservist ceases for any cause to hold his office, all powers and authorities vested in him as a police reservist shall immediately cease.

(2) Any police reservist so ceasing to hold his office, who does not forthwith deliver over all the arms, ammunition, accoutrements, and other appointments and things supplied to him for the execution of such office, or in his custody by virtue thereof, to some person appointed by any order special or general of the Commissioner shall, upon conviction, be liable to a penalty not exceeding twenty pounds or to imprisonment for a term not exceeding three months.

(3) Any justice may and shall issue his warrant to search for and seize to the use of His Majesty all and every the arms, ammunition, accoutrements and other appointments and things not so delivered over wherever the same are found.

Pensions in  
case of  
incapacity  
or death.

27G. (1) Where a police reservist, in the execution of his duty as a police reservist and without his own default, contracts any illness or receives any injury and—

(a) is incapacitated by infirmity of mind or body occasioned by such illness or injury; or

(b) dies from the effects of such illness or injury,

the Governor may order and direct payment of a pension in accordance with this section.

(2).



---

*Police Reserve.*

---

(2) The pensions payable in accordance with this section shall be—

(a) in the case of total incapacity of the member of the police reserve—

- (i) four pounds four shillings per fortnight for such member;
- (ii) one pound sixteen shillings per fortnight for the wife of such member;
- (iii) one pound per fortnight for the first child of such member under the age of sixteen years;
- (iv) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
- (v) ten shillings per fortnight each for any other children of such member under the age of sixteen years;

(b) in the case of specific or partial incapacity of the member of the police reserve—such less rates than those referred to in paragraph (a) of this subsection as may be determined by the Governor, having regard to the nature and probable duration of the incapacity;

(c) in the case of the death of the member of the police reserve—

- (i) two pounds seven shillings per fortnight for the widow of such member;
- (ii) one pound per fortnight for the first child of such member under the age of sixteen years;
- (iii) fifteen shillings per fortnight for the second child of such member under the age of sixteen years;
- (iv)



---

*Police Reserve.*

---

(iv) ten shillings per fortnight each for any other children of such member under the age of sixteen years;

(d) in the case of the death of a person who had been a member of the police reserve and who, at the date of his death, was in receipt of a pension under paragraph (a) or paragraph (b) of this subsection—the rates set out in paragraph (c) of this subsection or such less rates as may be determined by the Governor having regard to the nature of the incapacity by reason of which such pension was being paid.

(3) The provisions of section thirty-three of this Act shall apply mutatis mutandis to and in respect of a person receiving a pension under this section.

(4) All pensions payable under this section shall be paid out of moneys provided by Parliament.

Expenses  
incurred.

27H. Any expenses incurred in respect of the equipment and maintenance of police reservists and in the execution of their duties as such shall be paid out of moneys provided by Parliament.

Penalty for  
unlawfully  
wearing uni-  
form, etc.

27I. Any person who for any unlawful purpose or without proper authority puts on the dress or accoutrements or takes the name, designation, or character of a police reservist shall be liable on conviction to a penalty not exceeding twenty pounds.

Penalty for  
assault, etc.

27J. Whosoever assaults, resists, or obstructs any police reservist whilst in the execution of his office, or promotes, incites, or encourages any other person so to do shall be liable on conviction to a penalty not exceeding fifty pounds or to imprisonment for any term not exceeding six months.

27K.



---

*Police Reserve.*

---

27K. Nothing in this Part of this Act contained shall be deemed to confer upon a police reservist any right to receive any pay, salary, allowance, reimbursement, pension or gratuity other than those specially provided for in this Part of this Act, or to confer upon a police reservist any right under the Police Regulation (Appeals) Act, 1923. Limitation of rights.

27L. (1) The Governor may make regulations not inconsistent with this Part of this Act prescribing all matters which are necessary or convenient to be prescribed for carrying into effect the objects and purposes of this Part of this Act. Regulations.

(2) In particular and without prejudice to the generality of subsection one of this section such regulations may provide—

- (a) for fixing the conditions of appointment and discharge of police reservists;
- (b) for securing that only fit and proper persons shall be appointed as police reservists;
- (c) for rendering police reservists efficient in the discharge of their duties;
- (d) for preventing neglect or abuse;
- (e) for the imposition of penalties not exceeding twenty pounds for any breach of the regulations.

(3) Any penalty imposed by such regulations shall be recoverable in a summary manner.

(4) Such regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of such publication or from a later date specified in the regulations;

(c)



---

*Police Reserve.*


---

- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is then 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 regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

Amendment  
of Act No.  
15, 1926.  
Sec. 6 (1).  
(Defini-  
tions.)

(3) The Workers' Compensation Act, 1926-1938, is amended by inserting at the end of the definition of "Worker" in subsection one of section six the following word and new paragraph:—

or (g) a member of the police reserve appointed under Part II<sub>A</sub> of the Police Regulation Act, 1899-1939, employed upon duties as such member, so far as the employment upon such duties is concerned.

Citation  
of Police  
Regulation  
Act, 1899.

(4) The Police Regulation Act, 1899-1935, as amended by subsequent Acts and by subsection two of this section, may be cited as the Police Regulation Act, 1899-1941.

Citation  
of Workers'  
Compensa-  
tion Act,  
1926.

(5) The Workers' Compensation Act, 1926-1938, as amended by subsection three of this section, may be cited as the Workers' Compensation Act, 1926-1941.



---

*Police Reserve.*

---

PART III.

AMENDMENT OF POLICE OFFENCES ACT, 1901-1936.

3. The Police Offences Act, 1901-1936, is amended—
- (a) by inserting in subsection (1A) of section one hundred and one after the words "may think fit" the words "A Police Magistrate or any two Justices may—
- (a) at the request of the Commissioner of Police nominate and appoint any person who is a member of the police force of the Australian Capital Territory or of any State of the Commonwealth of Australia as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit;
- (b) at the request of the Commissioner of Police and subject to the approval of the Colonial Secretary nominate and appoint any person as a special constable for the State of New South Wales for such time as such Magistrate or Justices may think fit."
- (b) by omitting from section one hundred and three all words following the words "now has" and by inserting in lieu thereof the words "or hereafter may have by virtue of the common law or of any Act or Imperial Act for the time being in force."

Amendment  
of Act No. 5,  
1901.

Sec. 101  
(1A).  
(Special  
constables.)

Sec. 103.  
(Power of  
special  
constables.)

*In the name and on behalf of His Majesty I assent to  
this Act.*

WAKEHURST,  
Governor.

*Government House,  
Sydney, 10th April, 1941.*



Page 11  
The first part of the report  
concerns the general situation  
of the country and the  
state of the economy.  
It is a very interesting  
and informative document.  
The second part of the report  
concerns the specific details  
of the situation in the  
different regions of the country.  
It is a very detailed and  
comprehensive document.  
The third part of the report  
concerns the specific details  
of the situation in the  
different regions of the country.  
It is a very detailed and  
comprehensive document.

The fourth part of the report  
concerns the specific details  
of the situation in the  
different regions of the country.  
It is a very detailed and  
comprehensive document.  
The fifth part of the report  
concerns the specific details  
of the situation in the  
different regions of the country.  
It is a very detailed and  
comprehensive document.