

*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 11 April, 1973.*

## **New South Wales**



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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**Act No.           , 1973.**

An Act to regulate the payment of certain gratuities and superannuation allowances payable to certain members of the police force on retirement; to provide certain rights of appeal from decisions of the Commissioner of Police; for these and other purposes to amend the Police Regulation (Superannuation) Act, 1906, the Police Regulation (Appeals) Act, 1923; and for purposes connected therewith.

BE

*Police Regulation (Superannuation and Appeals) Amendment.*

5 **B**E it enacted by the Queen'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. (Superannuation and Appeals) Amendment Act, 1973".

2. The Police Regulation (Superannuation) Act, 1906, Amendment of Act No. 28, 1906. is amended by omitting section 8 and by inserting instead the Subst. sec. 8. following section :—

8. (1) A superannuation allowance or gratuity shall Retirement under age of 60 years. not be granted or paid under section 7, 10 or 14 to a member of the police force who—

15 (a) is discharged after the commencement of the Police Regulation (Superannuation and Appeals) Amendment Act, 1973; and

(b) at the time of his discharge is under the age of sixty years,

20 unless two medical practitioners appointed by the Governor for the purpose have certified the member to be incapable, from infirmity of body or mind, of discharging the duties of his office.

25 (2) Where a member of the police force is discharged by reason of the infirmity to which a certificate referred to in subsection (1) relates the Commissioner shall—

30 (a) decide whether or not the infirmity to which the certificate relates was occasioned by a wound or injury referred to in subsection (1) of section 10; and

(b) notify the person to whom the certificate relates of that decision.

3.



*Police Regulation (Superannuation and Appeals) Amendment.*

3. The Police Regulation (Appeals) Act, 1923, is amended by omitting section 6 (1) and by inserting instead the following subsection :—

Amendment  
of Act No.  
33, 1923.  
Sec. 6.  
(Appeal to  
Board and  
procedure  
thereon.)

(1) Where the Commissioner decides—

5 (a) to grant or refuse promotion to a member of the police force;

(b) to punish a member of the police force—

(i) by imposing a fine;

(ii) by a reduction in rank or pay; or

10 (iii) by suspension, dismissal, discharge or transfer;

15 (c) to grant or refuse leave of absence on full pay to a member of the police force during any period of absence occasioned by a wound or injury received in the same circumstances as those in which subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906, would authorise the payment or grant of a gratuity or superannuation allowance to the member if he were disabled by the wound or injury; or

20 (d) in the case of a person who was discharged from the police force while under the age of sixty years by reason of his being duly certified, as provided by subsection (1) of section 8 of the Police Regulation (Superannuation) Act, 1906, to be incapable, from infirmity of body or mind, of discharging the duties of his office—that the infirmity was not occasioned by a wound or injury referred to in subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906,

that member or person may appeal to the Board against the decision of the Commissioner.



*Police Regulation (Superannuation and Appeals) Amendment.*

4. A member of the police force may appeal to the Board against a decision of the Commissioner of the nature referred to in section 6 (1) (c) of the Police Regulation (Appeals) Act, 1923, as amended by this Act, if he was notified of the decision on or after 10th April, 1969, and before the commencement of this Act, and he may so appeal as if he had been first notified of the decision immediately after that commencement.

Right of appeal against certain decisions made before commencement of this Act.

5. Where, on or after 10th April, 1969, and before the commencement of this Act, a person who was a member of the police force within the meaning of section 3 of the Police Regulation Act, 1899—

Right of appeal against certain other decisions.

- (a) was certified by two medical practitioners appointed by the Governor for the purpose to be incapable, from infirmity of body or mind, of discharging the duties of his office;
  - (b) was discharged while under the age of sixty years by reason of that infirmity;
  - (c) within three months after his discharge claimed to be entitled to a superannuation allowance pursuant to section 10 of the Police Regulation (Superannuation) Act, 1906; and
  - (d) was granted or paid a superannuation allowance or gratuity pursuant to section 7 or 14 of that Act,
- section 8 (2) of the Police Regulation (Superannuation) Act, 1906, as amended by this Act, and section 6 (1) (d) of the Police Regulation (Appeals) Act, 1923, as so amended, apply as if that person had been discharged immediately after the commencement of this Act, while under the age of sixty years, by reason of the infirmity referred to in paragraph (a).

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973  
[5c]



No. , 1973.

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## A BILL

To regulate the payment of certain gratuities and superannuation allowances payable to certain members of the police force on retirement; to provide certain rights of appeal from decisions of the Commissioner of Police; for these and other purposes to amend the Police Regulation (Superannuation) Act, 1906, the Police Regulation (Appeals) Act, 1923; and for purposes connected therewith.

[SIR ROBERT ASKIN—5 April, 1973.]

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BE



*Police Regulation (Superannuation and Appeals) Amendment.*

5 **B**E it enacted by the Queen'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. (Superannuation and Appeals) Amendment Act, 1973".

2. The Police Regulation (Superannuation) Act, 1906, <sup>Amendment of Act No. 28, 1906.</sup> is amended by omitting section 8 and by inserting instead the <sup>Subst. sec. 8.</sup> following section :—

8. (1) A superannuation allowance or gratuity shall Retirement under age of 60 years. not be granted or paid under section 7, 10 or 14 to a member of the police force who—

15 (a) is discharged after the commencement of the Police Regulation (Superannuation and Appeals) Amendment Act, 1973; and

(b) at the time of his discharge is under the age of sixty years,

20 unless two medical practitioners appointed by the Governor for the purpose have certified the member to be incapable, from infirmity of body or mind, of discharging the duties of his office.

25 (2) Where a member of the police force is discharged by reason of the infirmity to which a certificate referred to in subsection (1) relates the Commissioner shall—

30 (a) decide whether or not the infirmity to which the certificate relates was occasioned by a wound or injury referred to in subsection (1) of section 10; and

(b) notify the person to whom the certificate relates of that decision.

3.



*Police Regulation (Superannuation and Appeals) Amendment.*

3. The Police Regulation (Appeals) Act, 1923, is amended by omitting section 6 (1) and by inserting instead the following subsection :—

Amendment  
of Act No.  
33, 1923.  
Sec. 6.  
(Appeal to  
Board and  
procedure  
thereon.)

- (1) Where the Commissioner decides—
- 5 (a) to grant or refuse promotion to a member of the police force;
- (b) to punish a member of the police force—
- (i) by imposing a fine;
- (ii) by a reduction in rank or pay; or
- 10 (iii) by suspension, dismissal, discharge or transfer;
- (c) to grant or refuse leave of absence on full pay to a member of the police force during any period of absence occasioned by a wound or injury received in the same circumstances as those in which subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906, would authorise the payment or grant of a gratuity or superannuation allowance to the member if he were disabled by the wound or injury; or
- 15
- 20
- (d) in the case of a person who was discharged from the police force while under the age of sixty years by reason of his being duly certified, as provided by subsection (1) of section 8 of the Police Regulation (Superannuation) Act, 1906, to be incapable, from infirmity of body or mind, of discharging the duties of his office—that the infirmity was not occasioned by a wound or injury referred to in subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906,
- 25
- 30

that member or person may appeal to the Board against the decision of the Commissioner.



*Police Regulation (Superannuation and Appeals) Amendment.*

4. A member of the police force may appeal to the Board against a decision of the Commissioner of the nature referred to in section 6 (1) (c) of the Police Regulation (Appeals) Act, 1923, as amended by this Act, if he was notified of the decision on or after 10th April, 1969, and before the commencement of this Act, and he may so appeal as if he had been first notified of the decision immediately after that commencement.
5. Where, on or after 10th April, 1969, and before the commencement of this Act, a person who was a member of the police force within the meaning of section 3 of the Police Regulation Act, 1899—
- (a) was certified by two medical practitioners appointed by the Governor for the purpose to be incapable, from infirmity of body or mind, of discharging the duties of his office;
  - (b) was discharged while under the age of sixty years by reason of that infirmity;
  - (c) within three months after his discharge claimed to be entitled to a superannuation allowance pursuant to section 10 of the Police Regulation (Superannuation) Act, 1906; and
  - (d) was granted or paid a superannuation allowance or gratuity pursuant to section 7 or 14 of that Act,
- section 8 (2) of the Police Regulation (Superannuation) Act, 1906, as amended by this Act, and section 6 (1) (d) of the Police Regulation (Appeals) Act, 1923, as so amended, apply as if that person had been discharged immediately after the commencement of this Act, while under the age of sixty years, by reason of the infirmity referred to in paragraph (a).

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[5c]



**POLICE REGULATION (SUPERANNUATION AND APPEALS)  
AMENDMENT BILL, 1973**

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**EXPLANATORY NOTE**

THE objects of this Bill are—

- (a) to provide a right of appeal against a decision of the Commissioner of Police as to whether or not a member of the police force has been hurt on duty in so far as the decision affects the member's entitlement to leave on full pay or the granting of a gratuity or superannuation allowance to him on discharge under the age of 60 years;
- (b) to give a like right of appeal against certain decisions of the Commissioner of Police made before or after the commencement of the amendments made by the Bill in respect of certain events occurring before that commencement;
- (c) to make provisions consequential upon or ancillary to the foregoing.





*PROOF*

No. , 1973.

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## A BILL

To regulate the payment of certain gratuities and superannuation allowances payable to certain members of the police force on retirement; to provide certain rights of appeal from decisions of the Commissioner of Police; for these and other purposes to amend the Police Regulation (Superannuation) Act, 1906, the Police Regulation (Appeals) Act, 1923; and for purposes connected therewith.

[SIR ROBERT ASKIN—5 April, 1973.]

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BE

*Police Regulation (Superannuation and Appeals) Amendment.*

5 **B**E it enacted by the Queen'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. (Superannuation and Appeals) Amendment Act, 1973".

2. The Police Regulation (Superannuation) Act, 1906, is amended by omitting section 8 and by inserting instead the following section :—

Amendment  
of Act No.  
28, 1906.  
Subst.  
sec. 8.

8. (1) A superannuation allowance or gratuity shall not be granted or paid under section 7, 10 or 14 to a member of the police force who—

Retirement  
under age  
of 60 years.

15 (a) is discharged after the commencement of the Police Regulation (Superannuation and Appeals) Amendment Act, 1973; and

(b) at the time of his discharge is under the age of sixty years,

20 unless two medical practitioners appointed by the Governor for the purpose have certified the member to be incapable, from infirmity of body or mind, of discharging the duties of his office.

25 (2) Where a member of the police force is discharged by reason of the infirmity to which a certificate referred to in subsection (1) relates the Commissioner shall—

30 (a) decide whether or not the infirmity to which the certificate relates was occasioned by a wound or injury referred to in subsection (1) of section 10; and

(b) notify the person to whom the certificate relates of that decision.

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*Police Regulation (Superannuation and Appeals) Amendment.*

3. The Police Regulation (Appeals) Act, 1923, is amended by omitting section 6 (1) and by inserting instead the following subsection :—

Amendment  
of Act No.  
33, 1923.

Sec. 6.  
(Appeal to  
Board and  
procedure  
thereon.)

- (1) Where the Commissioner decides—
- 5 (a) to grant or refuse promotion to a member of the police force;
- (b) to punish a member of the police force—
- (i) by imposing a fine;
- (ii) by a reduction in rank or pay; or
- 10 (iii) by suspension, dismissal, discharge or transfer;
- (c) to grant or refuse leave of absence on full pay to a member of the police force during any period of absence occasioned by a wound or injury received in the same circumstances as those in which subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906, would authorise the payment or grant of a gratuity or superannuation allowance to the member if he were disabled by the wound or injury; or
- 15
- 20
- (d) in the case of a person who was discharged from the police force while under the age of sixty years by reason of his being duly certified, as provided by subsection (1) of section 8 of the Police Regulation (Superannuation) Act, 1906, to be incapable, from infirmity of body or mind, of discharging the duties of his office—that the infirmity was not occasioned by a wound or injury referred to in subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906,
- 25
- 30

that member or person may appeal to the Board against the decision of the Commissioner.

*Police Regulation (Superannuation and Appeals) Amendment.*

4. A member of the police force may appeal to the Board against a decision of the Commissioner of the nature referred to in section 6 (1) (c) of the Police Regulation (Appeals) Act, 1923, as amended by this Act, if he was notified of the decision on or after 10th April, 1969, and before the commencement of this Act, and he may so appeal as if he had been first notified of the decision immediately after that commencement.

Right of appeal against certain decisions made before commencement of this Act.

5. Where, on or after 10th April, 1969, and before the commencement of this Act, a person who was a member of the police force within the meaning of section 3 of the Police Regulation Act, 1899—

Right of appeal against certain other decisions.

- (a) was certified by two medical practitioners appointed by the Governor for the purpose to be incapable, from infirmity of body or mind, of discharging the duties of his office;
  - (b) was discharged while under the age of sixty years by reason of that infirmity;
  - (c) within three months after his discharge claimed to be entitled to a superannuation allowance pursuant to section 10 of the Police Regulation (Superannuation) Act, 1906; and
  - (d) was granted or paid a superannuation allowance or gratuity pursuant to section 7 or 14 of that Act,
- section 8 (2) of the Police Regulation (Superannuation) Act, 1906, as amended by this Act, and section 6 (1) (d) of the Police Regulation (Appeals) Act, 1923, as so amended, apply as if that person had been discharged immediately after the commencement of this Act, while under the age of sixty years, by reason of the infirmity referred to in paragraph (a).

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973



*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.*

**I. P. K. VIDLER,**  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 13 March, 1973.*

## **New South Wales**



**ANNO VICESIMO SECUNDO**

**ELIZABETHÆ II REGINÆ**

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### **Act No. 5, 1973.**

An Act to increase the superannuation allowances payable to certain retired members of the Police Force and certain widows and other persons; for this and other purposes to amend the Police Regulation (Superannuation) Act, 1906, and the Police Association Employees (Superannuation) Act, 1969; and for purposes connected therewith.  
[Assented to, 21st March, 1973.]

**BE**

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

**J. H. BROWN,**  
*Chairman of Committees of the Legislative Assembly.*

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*Police Regulation (Superannuation) Amendment.*

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**B**E it enacted by the Queen'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 :—

Short title.      1. This Act may be cited as the "Police Regulation (Superannuation) Amendment Act, 1973".

Commence-      2. (1) Subject to subsections (2) and (3), this Act  
ment.            commences on the date of assent thereto.

(2) Section 3 shall be deemed to have commenced on 7th January, 1972.

(3) Section 4 shall be deemed to have commenced on 1st April, 1972.

Amendment      3. The Police Regulation (Superannuation) Act, 1906,  
of Act No.      is amended—  
28, 1906.

Sec. 7.  
(Amount of  
pensions.)

(a) by inserting at the end of section 7 the following new subsection :—

(6) Where an amount equal to the sum of—

(a) the amount of the superannuation allowance that, but for this subsection, would be payable under this section and section 7A to a member of the Police Force who retired on or before 18th December, 1969, reduced by the amount of any increase under section 7A included therein; and

(b) a percentage of the reduced amount referred to in paragraph (a), being a percentage equal to that specified in the Second Column of the Table to this subsection opposite the period specified in the First Column of that Table that includes the date of retirement of the member,

is









*Police Regulation (Superannuation) Amendment.*

is greater than the amount of that superannuation allowance, the amount of that superannuation allowance is, except to the extent that the Governor otherwise directs in the interest of the member, hereby increased to that greater amount.

TABLE.

First Column.	Second Column.
Date of Retirement.	Amount per centum.
3rd May, 1969, to 18th December, 1969 ..	3.0
7th July, 1967, to 2nd May, 1969 .. ..	4.5
3rd May, 1966, to 6th July, 1967 .. ..	6.5
9th July, 1965, to 2nd May, 1966 .. ..	9.5
3rd May, 1963, to 8th July, 1965 .. ..	11.0
1st July, 1961, to 2nd May, 1963 .. ..	14.0
12th February, 1960, to 30th June, 1961 ..	15.5
1st January, 1959, to 11th February, 1960 ..	17.5
1st January, 1958, to 31st December, 1958 ..	19.0
1st July, 1955, to 31st December, 1957 ..	22.0
Before 1st July, 1955 .. .. ..	24.0

- (b) by inserting at the end of section 10 the following new subsection :—

Sec. 10.  
(Disable-  
ment in  
execution  
of duty.)

- (7) Where an amount equal to the sum of—

- (a) the amount of the superannuation allowance that, but for this subsection, would be payable to a member of the Police Force disabled on or before 18th December, 1969, reduced by the amount of any increase under subsection (6) included therein; and

- (b)

*Police Regulation (Superannuation) Amendment.*

- (b) a percentage of the reduced amount referred to in paragraph (a), being a percentage equal to that specified in the Second Column of the Table to this subsection opposite the period specified in the First Column of that Table that includes the date of disablement of the member,

is greater than the amount of that superannuation allowance, the amount of that superannuation allowance is, except to the extent that the Governor otherwise directs in the interest of the member, hereby increased to that greater amount.

TABLE.

First Column.	Second Column.
Date of Disablement.	Amount per centum.
3rd May, 1969, to 18th December, 1969 .. ..	3.0
7th July, 1967, to 2nd May, 1969 .. ..	4.5
3rd May, 1966, to 6th July, 1967 .. ..	6.5
9th July, 1965, to 2nd May, 1966 .. ..	9.5
3rd May, 1963, to 8th July, 1965 .. ..	11.0
1st July, 1961, to 2nd May, 1963 .. ..	14.0
12th February, 1960, to 30th June, 1961 .. ..	15.5
1st January, 1959, to 11th February, 1960 .. ..	17.5
1st January, 1958, to 31st December, 1958 .. ..	19.0
1st July, 1955, to 31st December, 1957 .. ..	22.0
Before 1st July, 1955 .. ..	24.0

Sec. 11A.  
(Grant of  
super-  
annuation  
allowance  
to widow.)

- (c) by inserting next after section 11A (1) the following new subsection :—

(1A) Where, but for his death, the superannuation allowance received by, or payable to, a member referred to in subsection (1) would have been

increased,



*Police Regulation (Superannuation) Amendment.*

increased, the superannuation allowance payable to his widow pursuant to subsection (1) shall, except to the extent that the Governor otherwise directs in the interest of that widow, be increased to an amount equivalent to one-half of the superannuation allowance that would have been received by, or payable to, that member had he not died.

4. The Police Association Employees (Superannuation) Act, 1969, is amended—

Amendment  
of Act No.  
33, 1969.

(a) (i) by inserting next after section 3 (2) the following new subsection :—

Sec. 3.  
(Employees  
of Associa-  
tion  
transferring  
from police  
force.)

(2A) Where the superannuation allowance of a retired member of the police force under section 7 of the Police Regulation (Superannuation) Act, 1906, is increased, any superannuation allowance that would be payable under subsection (2) to the prescribed person had he been that member shall be increased to the same extent.

(ii) by inserting next after section 3 (10) the following new subsection :—

(10A) Where, but for his death, the superannuation allowance received by, or payable to, the prescribed person would have been increased, the superannuation allowance payable to his widow pursuant to subsection (10) shall be increased to an amount equivalent to one-half of the superannuation allowance that would have been received by, or payable to, that prescribed person, had he not died.

(b)

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*Police Regulation (Superannuation) Amendment.*

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Sec. 4.  
(Payment  
of super-  
annuation  
allowance to  
F. C. Laut  
or his  
widow.)

- (b) (i) by inserting next after section 4 (1) the following new subsection :—

(1A) Where the superannuation allowance that would be payable to a retired member of the police force referred to in subsection (1) is increased, the annual superannuation allowance received by or payable to the said Francis Charles Laut shall be increased to an amount equal to the superannuation allowance payable to such a retired member of the police force.

- (ii) by omitting section 4 (4) ;  
(iii) by inserting next after section 4 (5) the following new subsection :—

(5A) Where, after the death of the said Francis Charles Laut, the superannuation allowance received by him before his death would, but for his death, have been increased, the superannuation allowance payable to his widow pursuant to subsection (5) shall be increased to an amount equivalent to one-half of the superannuation allowance that would have been received by, or payable to, him had he not died.

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

A. R. CUTLER,  
Governor.

*Government House,  
Sydney, 21st March, 1973.*



*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.*

**I. P. K. VIDLER,**  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 12 April, 1973, A.M.*

## **New South Wales**



ANNO VICESIMO SECUNDO

**ELIZABETHÆ II REGINÆ**

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### **Act No. 27, 1973.**

An Act to regulate the payment of certain gratuities and superannuation allowances payable to certain members of the police force on retirement; to provide certain rights of appeal from decisions of the Commissioner of Police; for these and other purposes to amend the Police Regulation (Superannuation) Act, 1906, the Police Regulation (Appeals) Act, 1923; and for purposes connected therewith. [Assented to, 2nd May, 1973.]

BE

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

**J. H. BROWN,**  
*Chairman of Committees of the Legislative Assembly.*

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*Police Regulation (Superannuation and Appeals) Amendment.*

---

**B**E it enacted by the Queen'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:—

Short title.      1. This Act may be cited as the "Police Regulation (Superannuation and Appeals) Amendment Act, 1973".

Amendment  
of Act No.  
28, 1906.  
Subst.  
sec. 8.      2. The Police Regulation (Superannuation) Act, 1906, is amended by omitting section 8 and by inserting instead the following section :—

Retirement  
under age  
of 60 years.

8. (1) A superannuation allowance or gratuity shall not be granted or paid under section 7, 10 or 14 to a member of the police force who—

(a) is discharged after the commencement of the Police Regulation (Superannuation and Appeals) Amendment Act, 1973; and

(b) at the time of his discharge is under the age of sixty years,

unless two medical practitioners appointed by the Governor for the purpose have certified the member to be incapable, from infirmity of body or mind, of discharging the duties of his office.

(2) Where a member of the police force is discharged by reason of the infirmity to which a certificate referred to in subsection (1) relates the Commissioner shall—

(a) decide whether or not the infirmity to which the certificate relates was occasioned by a wound or injury referred to in subsection (1) of section 10; and

(b) notify the person to whom the certificate relates of that decision.

3.

*Police Regulation (Superannuation and Appeals) Amendment.*

3. The Police Regulation (Appeals) Act, 1923, is amended by omitting section 6 (1) and by inserting instead the following subsection :—

Amendment  
of Act No.  
33, 1923.

Sec. 6.  
(Appeal to  
Board and  
procedure  
thereon.)

- (1) Where the Commissioner decides—
  - (a) to grant or refuse promotion to a member of the police force;
  - (b) to punish a member of the police force—
    - (i) by imposing a fine;
    - (ii) by a reduction in rank or pay; or
    - (iii) by suspension, dismissal, discharge or transfer;
  - (c) to grant or refuse leave of absence on full pay to a member of the police force during any period of absence occasioned by a wound or injury received in the same circumstances as those in which subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906, would authorise the payment or grant of a gratuity or superannuation allowance to the member if he were disabled by the wound or injury; or
  - (d) in the case of a person who was discharged from the police force while under the age of sixty years by reason of his being duly certified, as provided by subsection (1) of section 8 of the Police Regulation (Superannuation) Act, 1906, to be incapable, from infirmity of body or mind, of discharging the duties of his office—that the infirmity was not occasioned by a wound or injury referred to in subsection (1) of section 10 of the Police Regulation (Superannuation) Act, 1906,

that member or person may appeal to the Board against the decision of the Commissioner.



*Police Regulation (Superannuation and Appeals) Amendment.*

Right of  
appeal  
against  
certain  
decisions  
made before  
commence-  
ment of  
this Act.

4. A member of the police force may appeal to the Board against a decision of the Commissioner of the nature referred to in section 6 (1) (c) of the Police Regulation (Appeals) Act, 1923, as amended by this Act, if he was notified of the decision on or after 10th April, 1969, and before the commencement of this Act, and he may so appeal as if he had been first notified of the decision immediately after that commencement.

Right of  
appeal  
against  
certain  
other  
decisions.

5. Where, on or after 10th April, 1969, and before the commencement of this Act, a person who was a member of the police force within the meaning of section 3 of the Police Regulation Act, 1899—

- (a) was certified by two medical practitioners appointed by the Governor for the purpose to be incapable, from infirmity of body or mind, of discharging the duties of his office;
- (b) was discharged while under the age of sixty years by reason of that infirmity;
- (c) within three months after his discharge claimed to be entitled to a superannuation allowance pursuant to section 10 of the Police Regulation (Superannuation) Act, 1906; and
- (d) was granted or paid a superannuation allowance or gratuity pursuant to section 7 or 14 of that Act,

section 8 (2) of the Police Regulation (Superannuation) Act, 1906, as amended by this Act, and section 6 (1) (d) of the Police Regulation (Appeals) Act, 1923, as so amended, apply as if that person had been discharged immediately after the commencement of this Act, while under the age of sixty years, by reason of the infirmity referred to in paragraph (a).

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

JOHN R. KERR,

*By Deputation from*

*His Excellency the Lieutenant-Governor.*

*Government House,*

*Sydney, 2nd May, 1973.*