

**POLICE REGULATION (PRIORITY LISTS AND APPEALS)
AMENDMENT BILL, 1980**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend the Police Regulation Act, 1899, to require the preparation, each year, of a priority list containing the names of persons qualified for promotion to the rank of sergeant third class in the police force, for the purpose of enabling appointments to vacancies in that rank to be made during the year next following the preparation of the list (Schedule 1);
 - (b) to amend the Police Regulation (Appeals) Act, 1923, to enable a person to appeal against the failure to include his name in a priority list relating to the promotion of persons to the rank of sergeant third class in the police force or against the order in which his name was included (Schedule 2 (3)); and
 - (c) to amend the Police Regulation Act, 1899, by way of statute law revision (Schedule 3).
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AMENDMENT BILL, 1980
POLICE REGULATION (PRIORITY LISTS AND APPEALS)

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament.)

The objects of this Bill are—

- (a) to amend the Police Regulation Act, 1969, to require the preparation each year of a priority list containing the names of persons qualified for promotion to the rank of sergeant third class in the police force, for the purpose of enabling appointments to vacancies in that rank to be made during the year next following the preparation of the list (Schedule 1);
- (b) to amend the Police Regulation (Appeals) Act, 1973, to enable a person to appeal against the failure to include his name in a priority list relating to the promotion of persons to the rank of sergeant third class in the police force or against the order in which his name was included (Schedule 2 (a)); and
- (c) to amend the Police Regulation Act, 1969, by way of statutory law revision (Schedule 3).

POLICE REGULATION (PRIORITY LISTS AND APPEALS) AMENDMENT BILL, 1980

No. , 1980.

A BILL FOR

An Act to amend the Police Regulation Act, 1899, and the Police Regulation (Appeals) Act, 1923, with respect to the preparation of, and appeals relating to, lists of senior constables qualified for promotion to the rank of sergeant third class in the police force.

[MR CRABTREE—26 March, 1980.]

Police Regulation (Priority Lists and Appeals) Amendment.

BE 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 :—

- 5 **1.** This Act may be cited as the "Police Regulation (Priority Lists and Appeals) Amendment Act, 1980". Short title.
- 2.** This Act contains the following Schedules :— Schedules.
- SCHEDULE 1.**—AMENDMENT TO THE POLICE REGULATION ACT, 1899.
- 10 **SCHEDULE 2.**—AMENDMENTS TO THE POLICE REGULATION (APPEALS) ACT, 1923.
- SCHEDULE 3.**—AMENDMENTS TO THE POLICE REGULATION ACT, 1899, BY WAY OF STATUTE LAW REVISION.
- 3.** The Police Regulation Act, 1899, is amended in the manner Amendment of Act No. 20, 1899.
15 set forth in Schedules 1 and 3.
- 4.** The Police Regulation (Appeals) Act, 1923, is amended Amendment of Act No. 33, 1923.
in the manner set forth in Schedule 2.
- 5.** Notwithstanding the amendments made to the Police Saving.
Regulation (Appeals) Act, 1923, by this Act, the provisions of
20 that Act continue to apply to and in respect of a decision of the Commissioner of Police made on or before 31st March, 1981 (being a decision referred to in section 3 (1) of that Act as in force immediately before the commencement of this Act) as if this Act had not been enacted.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENT TO THE POLICE REGULATION ACT, 1899.

Section 6C—

After section 6B, insert :—

5 6C. (1) In this section—

“lower ranking member of the police force” means a member of the police force lower in rank than the rank of sergeant third class;

Priority lists for promotion to sergeant third class.

10 “priority list” means a list prepared under subsection (2);

15 “qualified lower ranking member of the police force” means a lower ranking member of the police force who, according to the rules governing promotion in the police force, is qualified to be promoted to the rank of sergeant third class;

“sergeant third class” means a sergeant of a rank lower than the rank of any other rank of sergeant;

20 “supplementary priority list” means a list prepared under subsection (3);

“year” means any year commencing on 1st April.

25 (2) Not later than 31st December, 1980, and not later than 31st December in each subsequent year, the Commissioner shall prepare or cause to be prepared a list for the year next following the preparation of the list containing the names of such number of qualified lower ranking members of the police force as the Commissioner thinks fit, that number being not less than the number of vacancies in the rank of sergeant third class expected to occur during that year.

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Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

5 (3) If, at any time during any year, it appears to
the Commissioner that the number of vacancies in the
rank of sergeant third class expected to occur during the
remainder of that year will exceed the number of qualified
lower ranking members of the police force whose names
10 are then contained in the priority list prepared for that
year, the Commissioner shall prepare or cause to be pre-
pared a list for the remainder of that year containing the
names of such number of qualified lower ranking members
of the police force as the Commissioner thinks fit, that
15 number being not less than the number of expected excess
vacancies.

(4) The Commissioner may appoint such panels or
committees, comprising such number of members of the
police force of or above the rank of inspector, as he thinks
fit for the purpose of advising him or assisting in the
20 preparation of any priority list or supplementary priority
list for the purposes of this section.

(5) As soon as practicable after a priority list or
supplementary priority list has been prepared under this
section, the Commissioner shall cause a copy of the list
25 to be served on—

- (a) every lower ranking member of the police force
whose name is contained in the list; and
- (b) every lower ranking member of the police force
30 whose name is not contained in the list but who
is senior in rank to the most junior lower ranking
member of the police force whose name is con-
tained in the list.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

5 (6) Service of a copy of a list under subsection
(5) may be effected by delivering the copy to the lower
ranking member of the police force in person or by
sending it to him by certified mail to his address last known
to the Commissioner.

10 (7) A lower ranking member of the police force
shall not be promoted to the rank of sergeant third class
in any year—

(a) unless, where his name is contained in the priority
list for that year—

15 (i) the period within which appeals under
section 4 (1) of the Police Regulation
(Appeals) Act, 1923, relating to that list
has expired; and

20 (ii) every appeal under section 4 (1) of that
Act relating to that list has been finally
determined or has been withdrawn; or

(b) unless, where his name is contained in a
supplementary priority list for a part of that
year—

25 (i) the period within which appeals under
section 4 (1) of the Police Regulation
(Appeals) Act, 1923, relating to that list
has expired; and

30 (ii) every appeal under section 4 (1) of that
Act relating to that list has been finally
determined or has been withdrawn.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

5 (8) A person shall not be promoted to the rank of
sergeant third class in any year after the year ending on
31st March, 1981, unless he is a qualified lower ranking
member of the police force and—

10 (a) his name is contained in the priority list for that
year and is higher in order than the name of any
other qualified lower ranking member of the
police force contained in that priority list; or

(b) his name is contained in a supplementary priority
list for a part of that year and—

15 (i) his name is higher in order than the name
of any other qualified lower ranking
member of the police force contained in
that supplementary priority list; and

20 (ii) the priority list for that year and any
previously prepared supplementary
priority list for a part of that year does
not contain the name of any qualified
lower ranking member of the police
force.

25 (9) A sergeant third class whose name was
contained—

30 (a) in a priority list for any year and who was
promoted to the rank of sergeant third class in
that year is senior, in the rank of sergeant third
class, to any other sergeant third class whose
name was contained—

(i) in that priority list lower in order than
the name of the firstmentioned sergeant;

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

- 5 (ii) in the priority list for any subsequent year; or
- (iii) in a supplementary priority list for part of that or any subsequent year; or
- 10 (b) in a supplementary priority list for part of any year and who was promoted to the rank of sergeant third class in that year is senior, in the rank of sergeant third class, to any other sergeant third class whose name was contained—
- 15 (i) in that supplementary priority list lower in order than the name of the firstmentioned sergeant; or
- (ii) in any priority list, other than the priority list for that or any previous year, or in any supplementary priority list other than a previously prepared supplementary
- 20 priority list.
- (10) For the purposes of subsections (8) and
- (9)—
- 25 (a) a reference to a priority list or a supplementary priority list is, where such a list has been varied under section 4 (2) of the Police Regulation (Appeals) Act, 1923, a reference to that list as so varied; and
- 30 (b) a supplementary priority list shall be deemed to have been prepared previously to another supplementary priority list if it purports to have been prepared on an earlier date.
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Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 2.

Sec. 4.

**AMENDMENTS TO THE POLICE REGULATION (APPEALS)
ACT, 1923.**

- 5 (1) Section 2, definitions of "Sergeant first class", "Sergeant third class"—

After the definition of "Commissioner", insert :—

"Sergeant first class" means a sergeant of a rank higher than the rank of any other rank of sergeant.

- 10 "Sergeant third class" means a sergeant of a rank lower than the rank of any other rank of sergeant.

- (2) Section 3 (1) (a)—

Omit "rank of sergeant first class", insert instead "rank of sergeant first class or the rank of sergeant third class".

- (3) Section 4 (1)—

- 15 Omit "5A or 6B", insert instead "5A, 6B or 6C".
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Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 3.

Sec. 3.

AMENDMENTS TO THE POLICE REGULATION ACT, 1899,
BY WAY OF STATUTE LAW REVISION.

(1) (a) Section 5A (9) (b)—

5 Omit “inspector to”, insert instead “inspector, to”.

(b) Section 5A (11)—

Omit “priority list” where fourthly occurring, insert
instead “supplementary priority list”.

(2) Section 6B (10) (a)—

10 Omit “section 4B (2)”, insert instead “section 4 (2)”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

Police Regulation (Priority List and Appeals) Amendment.

Sec. 3.

SCHEDULE 3

AMENDMENTS TO THE POLICE REGULATION ACT, 1992,
BY WAY OF STATUTE LAW REVISION.

(1) (a) Section 2A (9) (b) —
Omit "inspector" for "insert instead "inspector,"

(b) Section 2A (1) —
Omit "priority list" where jointly occurring, insert
"insert supply necessary priority list".

(2) Section 6A (10) (a) —
Omit "section 4A (2)", insert instead "section 4 (2)".

**POLICE REGULATION (PRIORITY LISTS AND APPEALS)
AMENDMENT BILL, 1980**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend the Police Regulation Act, 1899, to require the preparation, each year, of a priority list containing the names of persons qualified for promotion to the rank of sergeant third class in the police force, for the purpose of enabling appointments to vacancies in that rank to be made during the year next following the preparation of the list (Schedule 1);
 - (b) to amend the Police Regulation (Appeals) Act, 1923, to enable a person to appeal against the failure to include his name in a priority list relating to the promotion of persons to the rank of sergeant third class in the police force or against the order in which his name was included (Schedule 2 (3)); and
 - (c) to amend the Police Regulation Act, 1899, by way of statute law revision (Schedule 3).
-

POLICE REGULATION (PRIORITY LISTS AND APPEALS)
AMENDMENT BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to the Bill as introduced into Parliament.)

The object of this Bill is—

(a) to amend the Police Regulation Act, 1980, to require the preparation, each year, of a list containing the names of persons qualified for promotion to the rank of sergeant and persons in that rank for the purpose of enabling appointments to vacancies in that rank to be made on the basis of the list; and

(b) to amend the Police Regulation Act, 1980, to enable a person to appeal against the failure to include his name in a priority list relating to the promotion of persons to the rank of sergeant and also in the police force or against the order in which his name was included in Schedule 2 (7) and

(c) to amend the Police Regulation Act, 1980, by way of statute law to give effect to the provisions of the Bill.

**POLICE REGULATION (PRIORITY LISTS AND
APPEALS) AMENDMENT BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the Police Regulation Act, 1899, and the Police Regulation (Appeals) Act, 1923, with respect to the preparation of, and appeals relating to, lists of senior constables qualified for promotion to the rank of sergeant third class in the police force.

[MR CRABTREE—26 March, 1980.]

Police Regulation (Priority Lists and Appeals) Amendment.

BE 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 :—

- 5 **1.** This Act may be cited as the "Police Regulation (Priority Lists and Appeals) Amendment Act, 1980". Short title.
- 2.** This Act contains the following Schedules :— Schedules.
- SCHEDULE 1.**—AMENDMENT TO THE POLICE REGULATION ACT, 1899.
- 10 **SCHEDULE 2.**—AMENDMENTS TO THE POLICE REGULATION (APPEALS) ACT, 1923.
- SCHEDULE 3.**—AMENDMENTS TO THE POLICE REGULATION ACT, 1899, BY WAY OF STATUTE LAW REVISION.
- 15 **3.** The Police Regulation Act, 1899, is amended in the manner set forth in Schedules 1 and 3. Amendment of Act No. 20, 1899.
- 4.** The Police Regulation (Appeals) Act, 1923, is amended in the manner set forth in Schedule 2. Amendment of Act No. 33, 1923.
- 5.** Notwithstanding the amendments made to the Police Regulation (Appeals) Act, 1923, by this Act, the provisions of Saving.
20 that Act continue to apply to and in respect of a decision of the Commissioner of Police made on or before 31st March, 1981 (being a decision referred to in section 3 (1) of that Act as in force immediately before the commencement of this Act) as if this Act had not been enacted.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENT TO THE POLICE REGULATION ACT, 1899.

Section 6C—

After section 6B, insert :—

5

6C. (1) In this section—

Priority lists for promotion to sergeant third class.

“lower ranking member of the police force” means a member of the police force lower in rank than the rank of sergeant third class;

10

“priority list” means a list prepared under subsection (2);

15

“qualified lower ranking member of the police force” means a lower ranking member of the police force who, according to the rules governing promotion in the police force, is qualified to be promoted to the rank of sergeant third class;

“sergeant third class” means a sergeant of a rank lower than the rank of any other rank of sergeant;

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“supplementary priority list” means a list prepared under subsection (3);

“year” means any year commencing on 1st April.

25

(2) Not later than 31st December, 1980, and not later than 31st December in each subsequent year, the Commissioner shall prepare or cause to be prepared a list for the year next following the preparation of the list containing the names of such number of qualified lower ranking members of the police force as the Commissioner thinks fit, that number being not less than the number of vacancies in the rank of sergeant third class expected to occur during that year.

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Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

5 (3) If, at any time during any year, it appears to
the Commissioner that the number of vacancies in the
rank of sergeant third class expected to occur during the
remainder of that year will exceed the number of qualified
lower ranking members of the police force whose names
10 are then contained in the priority list prepared for that
year, the Commissioner shall prepare or cause to be pre-
pared a list for the remainder of that year containing the
names of such number of qualified lower ranking members
of the police force as the Commissioner thinks fit, that
15 number being not less than the number of expected excess
vacancies.

(4) The Commissioner may appoint such panels or
committees, comprising such number of members of the
police force of or above the rank of inspector, as he thinks
20 fit for the purpose of advising him or assisting in the
preparation of any priority list or supplementary priority
list for the purposes of this section.

(5) As soon as practicable after a priority list or
supplementary priority list has been prepared under this
25 section, the Commissioner shall cause a copy of the list
to be served on—

- (a) every lower ranking member of the police force
whose name is contained in the list; and
- (b) every lower ranking member of the police force
30 whose name is not contained in the list but who
is senior in rank to the most junior lower ranking
member of the police force whose name is con-
tained in the list.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

5 (6) Service of a copy of a list under subsection
(5) may be effected by delivering the copy to the lower
ranking member of the police force in person or by
sending it to him by certified mail to his address last known
to the Commissioner.

10 (7) A lower ranking member of the police force
shall not be promoted to the rank of sergeant third class
in any year—

(a) unless, where his name is contained in the priority
list for that year—

15 (i) the period within which appeals under
section 4 (1) of the Police Regulation
(Appeals) Act, 1923, relating to that list
has expired; and

20 (ii) every appeal under section 4 (1) of that
Act relating to that list has been finally
determined or has been withdrawn; or

(b) unless, where his name is contained in a
supplementary priority list for a part of that
year—

25 (i) the period within which appeals under
section 4 (1) of the Police Regulation
(Appeals) Act, 1923, relating to that list
has expired; and

30 (ii) every appeal under section 4 (1) of that
Act relating to that list has been finally
determined or has been withdrawn.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

5 (8) A person shall not be promoted to the rank of sergeant third class in any year after the year ending on 31st March, 1981, unless he is a qualified lower ranking member of the police force and—

10 (a) his name is contained in the priority list for that year and is higher in order than the name of any other qualified lower ranking member of the police force contained in that priority list; or

(b) his name is contained in a supplementary priority list for a part of that year and—

15 (i) his name is higher in order than the name of any other qualified lower ranking member of the police force contained in that supplementary priority list; and

20 (ii) the priority list for that year and any previously prepared supplementary priority list for a part of that year does not contain the name of any qualified lower ranking member of the police force.

25 (9) A sergeant third class whose name was contained—

30 (a) in a priority list for any year and who was promoted to the rank of sergeant third class in that year is senior, in the rank of sergeant third class, to any other sergeant third class whose name was contained—

(i) in that priority list lower in order than the name of the firstmentioned sergeant;

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

- 5 (ii) in the priority list for any subsequent year; or
- (iii) in a supplementary priority list for part of that or any subsequent year; or
- 10 (b) in a supplementary priority list for part of any year and who was promoted to the rank of sergeant third class in that year is senior, in the rank of sergeant third class, to any other sergeant third class whose name was contained—
- 15 (i) in that supplementary priority list lower in order than the name of the firstmentioned sergeant; or
- 20 (ii) in any priority list, other than the priority list for that or any previous year, or in any supplementary priority list other than a previously prepared supplementary priority list.
- (10) For the purposes of subsections (8) and (9)—
- 25 (a) a reference to a priority list or a supplementary priority list is, where such a list has been varied under section 4 (2) of the Police Regulation (Appeals) Act, 1923, a reference to that list as so varied; and
- 30 (b) a supplementary priority list shall be deemed to have been prepared previously to another supplementary priority list if it purports to have been prepared on an earlier date.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 2.

Sec. 4.

AMENDMENTS TO THE POLICE REGULATION (APPEALS)
ACT, 1923.

- 5 (1) Section 2, definitions of "Sergeant first class", "Sergeant third class"—

After the definition of "Commissioner", insert :—

"Sergeant first class" means a sergeant of a rank higher than the rank of any other rank of sergeant.

- 10 "Sergeant third class" means a sergeant of a rank lower than the rank of any other rank of sergeant.

- (2) Section 3 (1) (a)—

Omit "rank of sergeant first class", insert instead "rank of sergeant first class or the rank of sergeant third class".

- (3) Section 4 (1)—

- 15 Omit "5A or 6B", insert instead "5A, 6B or 6C".

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 3.

Sec. 3.

AMENDMENTS TO THE POLICE REGULATION ACT, 1899,
BY WAY OF STATUTE LAW REVISION.

(1) (a) Section 5A (9) (b)—

5 Omit “inspector to”, insert instead “inspector, to”.

(b) Section 5A (11)—

Omit “priority list” where fourthly occurring, insert
instead “supplementary priority list”.

(2) Section 6B (10) (a)—

10 Omit “section 4B (2)”, insert instead “section 4 (2)”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(30c)

Public Accounting, Property Law and Appraisal Amendments

Sec. 2

SCHEDULE 2

Amendments to the Public Accountancy Act, 1975
by the Public Accountancy Act (Amendment) Bill, 1979

Section 10 (1) (b) -

The word "inspector" in section 10 (1) (b) shall mean

the person who is

appointed by the Council of the Institute of Chartered Accountants in England and Wales to act as an inspector of accounts under section 10 (1) (b) of the Public Accountancy Act, 1975.

Section 10 (1) (a) -

Section 10 (1) (a) shall be amended as follows -

BY AUTHORITY

BY WEST GERRARD & CO. CHARTERED ACCOUNTANTS

(505)

POLICE REGULATION (PRIORITY LISTS AND APPEALS) AMENDMENT ACT, 1980, No. 92

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 92, 1980.

An Act to amend the Police Regulation Act, 1899, and the Police Regulation (Appeals) Act, 1923, with respect to the preparation of, and appeals relating to, lists of senior constables qualified for promotion to the rank of sergeant third class in the police force. [Assented to, 1st May, 1980.]

Police Regulation (Priority Lists and Appeals) Amendment.

BE 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 (Priority Lists and Appeals) Amendment Act, 1980".

Schedules.

2. This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENT TO THE POLICE REGULATION ACT, 1899.

SCHEDULE 2.—AMENDMENTS TO THE POLICE REGULATION (APPEALS) ACT, 1923.

SCHEDULE 3.—AMENDMENTS TO THE POLICE REGULATION ACT, 1899, BY WAY OF STATUTE LAW REVISION.

Amendment
of Act No.
20, 1899.

3. The Police Regulation Act, 1899, is amended in the manner set forth in Schedules 1 and 3.

Amendment
of Act No.
33, 1923.

4. The Police Regulation (Appeals) Act, 1923, is amended in the manner set forth in Schedule 2.

Saving.

5. Notwithstanding the amendments made to the Police Regulation (Appeals) Act, 1923, by this Act, the provisions of that Act continue to apply to and in respect of a decision of the Commissioner of Police made on or before 31st March, 1981 (being a decision referred to in section 3 (1) of that Act as in force immediately before the commencement of this Act) as if this Act had not been enacted.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENT TO THE POLICE REGULATION ACT, 1899.

Section 6C—

After section 6B, insert :—

6C. (1) In this section—

“lower ranking member of the police force” means a member of the police force lower in rank than the rank of sergeant third class;

Priority lists for promotion to sergeant third class.

“priority list” means a list prepared under subsection (2);

“qualified lower ranking member of the police force” means a lower ranking member of the police force who, according to the rules governing promotion in the police force, is qualified to be promoted to the rank of sergeant third class;

“sergeant third class” means a sergeant of a rank lower than the rank of any other rank of sergeant;

“supplementary priority list” means a list prepared under subsection (3);

“year” means any year commencing on 1st April.

(2) Not later than 31st December, 1980, and not later than 31st December in each subsequent year, the Commissioner shall prepare or cause to be prepared a list for the year next following the preparation of the list containing the names of such number of qualified lower ranking members of the police force as the Commissioner thinks fit, that number being not less than the number of vacancies in the rank of sergeant third class expected to occur during that year.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

(3) If, at any time during any year, it appears to the Commissioner that the number of vacancies in the rank of sergeant third class expected to occur during the remainder of that year will exceed the number of qualified lower ranking members of the police force whose names are then contained in the priority list prepared for that year, the Commissioner shall prepare or cause to be prepared a list for the remainder of that year containing the names of such number of qualified lower ranking members of the police force as the Commissioner thinks fit, that number being not less than the number of expected excess vacancies.

(4) The Commissioner may appoint such panels or committees, comprising such number of members of the police force of or above the rank of inspector, as he thinks fit for the purpose of advising him or assisting in the preparation of any priority list or supplementary priority list for the purposes of this section.

(5) As soon as practicable after a priority list or supplementary priority list has been prepared under this section, the Commissioner shall cause a copy of the list to be served on—

- (a) every lower ranking member of the police force whose name is contained in the list; and
- (b) every lower ranking member of the police force whose name is not contained in the list but who is senior in rank to the most junior lower ranking member of the police force whose name is contained in the list.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

(6) Service of a copy of a list under subsection (5) may be effected by delivering the copy to the lower ranking member of the police force in person or by sending it to him by certified mail to his address last known to the Commissioner.

(7) A lower ranking member of the police force shall not be promoted to the rank of sergeant third class in any year—

(a) unless, where his name is contained in the priority list for that year—

(i) the period within which appeals under section 4 (1) of the Police Regulation (Appeals) Act, 1923, relating to that list has expired; and

(ii) every appeal under section 4 (1) of that Act relating to that list has been finally determined or has been withdrawn; or

(b) unless, where his name is contained in a supplementary priority list for a part of that year—

(i) the period within which appeals under section 4 (1) of the Police Regulation (Appeals) Act, 1923, relating to that list has expired; and

(ii) every appeal under section 4 (1) of that Act relating to that list has been finally determined or has been withdrawn.

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

(8) A person shall not be promoted to the rank of sergeant third class in any year after the year ending on 31st March, 1981, unless he is a qualified lower ranking member of the police force and—

- (a) his name is contained in the priority list for that year and is higher in order than the name of any other qualified lower ranking member of the police force contained in that priority list; or
- (b) his name is contained in a supplementary priority list for a part of that year and—
 - (i) his name is higher in order than the name of any other qualified lower ranking member of the police force contained in that supplementary priority list; and
 - (ii) the priority list for that year and any previously prepared supplementary priority list for a part of that year does not contain the name of any qualified lower ranking member of the police force.

(9) A sergeant third class whose name was contained—

- (a) in a priority list for any year and who was promoted to the rank of sergeant third class in that year is senior, in the rank of sergeant third class, to any other sergeant third class whose name was contained—
 - (i) in that priority list lower in order than the name of the firstmentioned sergeant;

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 1—*continued.*

AMENDMENT TO THE POLICE REGULATION ACT, 1899—
continued.

- (ii) in the priority list for any subsequent year; or
 - (iii) in a supplementary priority list for part of that or any subsequent year; or
- (b) in a supplementary priority list for part of any year and who was promoted to the rank of sergeant third class in that year is senior, in the rank of sergeant third class, to any other sergeant third class whose name was contained—
- (i) in that supplementary priority list lower in order than the name of the firstmentioned sergeant; or
 - (ii) in any priority list, other than the priority list for that or any previous year, or in any supplementary priority list other than a previously prepared supplementary priority list.
- (10) For the purposes of subsections (8) and (9)—
- (a) a reference to a priority list or a supplementary priority list is, where such a list has been varied under section 4 (2) of the Police Regulation (Appeals) Act, 1923, a reference to that list as so varied; and
 - (b) a supplementary priority list shall be deemed to have been prepared previously to another supplementary priority list if it purports to have been prepared on an earlier date.
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Police Regulation (Priority Lists and Appeals) Amendment.

Sec. 4.

SCHEDULE 2.

AMENDMENTS TO THE POLICE REGULATION (APPEALS)
ACT, 1923.

- (1) Section 2, definitions of "Sergeant first class", "Sergeant third class"—

After the definition of "Commissioner", insert :—

"Sergeant first class" means a sergeant of a rank higher than the rank of any other rank of sergeant.

"Sergeant third class" means a sergeant of a rank lower than the rank of any other rank of sergeant.

- (2) Section 3 (1) (a)—

Omit "rank of sergeant first class", insert instead "rank of sergeant first class or the rank of sergeant third class".

- (3) Section 4 (1)—

Omit "5A or 6B", insert instead "5A, 6B or 6C".

Police Regulation (Priority Lists and Appeals) Amendment.

SCHEDULE 3.

Sec. 3.

AMENDMENTS TO THE POLICE REGULATION ACT, 1899,
BY WAY OF STATUTE LAW REVISION.

(1) (a) Section 5A (9) (b)—

Omit “inspector to”, insert instead “inspector, to”.

(b) Section 5A (11)—

Omit “priority list” where fourthly occurring, insert
instead “supplementary priority list”.

(2) Section 6B (10) (a)—

Omit “section 4B (2)”, insert instead “section 4 (2)”.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 1st May, 1980.*

Police Regulation (Priority List and Appeals) Amendment

Sec. 3.

SCHEDULE 1

AMENDMENTS TO THE POLICE REGULATION ACT, 1980
IN THE WAY OF STATUTE LAW REVISION

(1) Section 2A (9) (b) —

omit "subject to" insert "subject to"

(2) Section 2A (11) —

omit "priority list" insert "priority list" where found, otherwise insert
instead "supplementary priority list"

(3) Section 4 (10) (a) —

omit "section 4 (2)" insert "section 4 (3)"

in the name and on credit of the Government of the State of New Jersey

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BY THE GOVERNOR

AND COMMISSIONERS

GOVERNMENT PRINTING OFFICE

1980



