

CONCURRENCE COPY

POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) (COMMISSIONER OF PUBLIC COMPLAINTS) AMENDMENT BILL, 1984

EXPLANATORY NOTE

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

This Bill is cognate with the Commissioner of Public Complaints Bill, 1984.

The object of this Bill is to amend the Police Regulation (Allegations of Misconduct) Act, 1978, consequent on and in connection with the enactment of the proposed Commissioner of Public Complaints Act, 1984.

**POLICE REGULATION (ALLEGATIONS OF MISCONDUCT)
(COMMISSIONER OF PUBLIC COMPLAINTS) AMENDMENT
BILL, 1984**

No. , 1984.

A BILL FOR

An Act to amend the Police Regulation (Allegations of Misconduct) Act, 1978, consequent on and in connection with the enactment of the Commissioner of Public Complaints Act, 1984.

[MR WRAN—17 *May*, 1984.]

Police Regulation (Allegations of Misconduct) (Commissioner of Public Complaints) 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 **Short title.**

1. This Act may be cited as the "Police Regulation (Allegations of Misconduct) (Commissioner of Public Complaints) Amendment Act, 1984".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Commissioner of Public Complaints Act, 1984.

Amendment of Act No. 84, 1978.

3. The Police Regulation (Allegations of Misconduct) Act, 1978, is
15 amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE POLICE REGULATION (ALLEGATIONS OF
MISCONDUCT) ACT, 1978.

20 (1) Section 5 (4)—

After section 5 (3), insert:—

(4) Subsection (3) (a) does not apply to a complaint that is being examined by the Commissioner of Public Complaints.

Police Regulation (Allegations of Misconduct) (Commissioner of Public Complaints) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) ACT, 1978—*continued.*

- (2) (a) Section 6 (1B) (c)—
5 Omit “or”.
- (b) Section 6 (1B) (d)—
Omit “Minister.”, insert instead “Minister; or”.
- (c) Section 6 (1B) (e)—
After section 6 (1B) (d), insert:—
10 (e) it is referred to the Ombudsman by the Commissioner of Public Complaints.
- (d) Section 6 (4A)—
After section 6 (4), insert:—
15 (4A) Where the Commissioner of Public Complaints refers a complaint under subsection (1B) (e), that Commissioner does not become the complainant.

(50c)

THE UNIVERSITY OF CHICAGO
LIBRARY

**POLICE REGULATION (ALLEGATIONS OF MISCONDUCT)
(COMMISSIONER OF PUBLIC COMPLAINTS)
AMENDMENT ACT, 1984, No. 77**

New South Wales



ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 77, 1984.

An Act to amend the Police Regulation (Allegations of Misconduct) Act, 1978, consequent on and in connection with the enactment of the Commissioner of Public Complaints Act, 1984. [Assented to, 27th June, 1984.]

Police Regulation (Allegations of Misconduct) (Commissioner of Public Complaints) 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 (Allegations of Misconduct) (Commissioner of Public Complaints) Amendment Act, 1984".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Commissioner of Public Complaints Act, 1984.

Amendment of Act No. 84, 1978.

3. The Police Regulation (Allegations of Misconduct) Act, 1978, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) ACT, 1978.

(1) Section 5 (4)—

After section 5 (3), insert:—

(4) Subsection (3) (a) does not apply to a complaint that is being examined by the Commissioner of Public Complaints.

*Police Regulation (Allegations of Misconduct) (Commissioner of Public Complaints)
Amendment.*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE POLICE REGULATION (ALLEGATIONS OF
MISCONDUCT) ACT, 1978—*continued.*

(2) (a) Section 6 (1B) (c)—

Omit “or”.

(b) Section 6 (1B) (d)—

Omit “Minister.”, insert instead “Minister; or”.

(c) Section 6 (1B) (e)—

After section 6 (1B) (d), insert:—

(e) it is referred to the Ombudsman by the Commissioner
of Public Complaints.

(d) Section 6 (4A)—

After section 6 (4), insert:—

(4A) Where the Commissioner of Public Complaints refers
a complaint under subsection (1B) (e), that Commissioner
does not become the complainant.

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

L. W. STREET,
*By Deputation from
His Excellency the Governor.*

*Government House,
Sydney, 27th June, 1984.*

