

*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.*

RICHD. A. ARNOLD,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 28 August, 1913, A.M.*

## New South Wales.



ANNO QUARTO

GEORGII V REGIS.

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Act No. , 1913.

An Act to make better provision for the making of promotions in the police force ; to provide for appeals from punishments imposed on members of such force ; for the above purposes to constitute a board ; to provide for fines ; and for purposes consequent thereon or incidental thereto.

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 :—

*Police Appeal.**Preliminary.*

1. This Act may be cited as the " Police Appeal Act, Short title.  
1913."

2. In this Act—

5 " Board " means board as constituted under this Act.

Definitions.

" Inspector-General " means Inspector-General of Police.

*The board.*

10 3. (1) The Governor may establish and appoint the members of a board to hear appeals under this Act.

Constitution of board of appeal.

(2) The board shall be constituted as follows:—

A barrister-at-law, or a stipendiary or police magis-  
trate, who shall act as chairman of the board ;

15 a person nominated by the Inspector-General ; and  
a member of the police force who has been elected  
in the manner prescribed by the members of  
the police force below the rank of superin-  
tendent.

20 (3) Such elected member shall hold office on such  
board for a term of three years. At the expiration of  
that term he shall be eligible for re-election. During  
his term of office he shall continue in the police force.

(4) The members of the board shall be paid such  
25 fees as may be prescribed by regulation.

*Promotions.*

4. A superintendent may recommend to the Inspector-  
General the promotion of any member of the police  
force to any rank below that of superintendent.

Recommendation of committee.

30 Such recommendation shall be published in two con-  
secutive numbers of the weekly Police Gazette.

5. Any member of the police force deeming himself  
to be prejudicially affected by any such recommendation  
may forward his objections with the reasons therefor to  
35 the Inspector-General, but so that they are received by  
the Inspector-General within four weeks after the date  
of the Police Gazette in which the recommendation was  
first published.

Objections.

6.

*Police Appeal.*

- 6.** (1) If no such objections are so received within the abovementioned time the Inspector-General may give effect to such recommendation in accordance with the provisions of the Police Regulation Act, 1899. If no objections received.
- 5 (2) If any such objections are so received within the abovementioned time, the Inspector-General shall send on the case to the board, who shall, as soon as practicable, hear and consider any objections, and forward a report thereon to the Inspector-General. Consideration of objections.
- 10 On the receipt of such report the Inspector-General shall deal with the matter, and his decision thereon shall be final, subject to the provisions of the Police Regulation Act, 1899.
- Such decision shall within two weeks from the making  
15 thereof be published in the Police Weekly Gazette.

*Appeals from punishment.*

- 7.** The board may, on application in the prescribed Appeals. manner, hear and consider any appeal of a member of the police force from the imposition of any punishment
- 20 by the infliction of a fine or suspension in rank by any superintendent, or by dismissal, discharge, or disrating, and shall forward their report on the matter to the Inspector-General, who shall consider such report and either confirm or remit or vary such punishment as he
- 25 may see fit :
- Provided that in any case in which the Inspector-General confirms a punishment which the board has recommended should be remitted or varied, he shall, within seven days after such confirmation, forward a
- 30 full report on the case to the Minister :
- Provided further, that in any case where the board recommends the confirmation of any such punishment, the Inspector-General may, if he sees fit, permit a further appeal from such punishment direct to himself.

**35** *Hearing by board.*

- 8.** In the hearing and consideration of any case or application sent on or made to it under this Act the board may call witnesses, and examine them on oath, and may, whenever it thinks desirable, dispense with the observance Hearing by board.

*Police Appeal.*

observance of the rules of evidence, and admit any evidence, or any documents or statement which, in its opinion, would be of assistance in the making of its report.

- 5 **9.** The board may, in its report, make any recom- Costs.  
mendation it pleases with regard to the costs of any hearing or application.

*Regulations.*

- 10 **10.** (1) The Governor may make regulations— Regulations,  
prescribing the method of making applications and  
the procedure of the board and committee ;  
providing for the election to the board of the officer  
to represent the members of the police force ;  
authorising the infliction of pecuniary fines by  
15 superintendents ; and  
generally to carry out the provisions of this Act.  
(2) Such regulations shall be published in the  
Gazette, and shall take effect from the date of such  
publication. Such regulations shall be laid before both  
20 Houses of Parliament, within fourteen days after  
publication if Parliament is in session, and if not, then  
within fourteen days after the commencement of the  
next session.