

*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. S. MOWLE,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 28 September, 1916.*

## New South Wales.



ANNO SEPTIMO

GEORGI V REGIS.

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Act No. , 1916.

**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 authorise the imposition of fines ; and for purposes consequent thereon or incidental thereto.

*Police Appeal.*

**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:—

*Preliminary.*

**1.** This Act may be cited as the "Police Appeal Act, Short title. 1916."

**2.** In this Act—

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

Definitions.

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

*The board.*

15 **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:—

20 A barrister-at-law, or a stipendiary or police magistrate, who shall act as chairman of the board; a person nominated by the Inspector-General; and any member of the police force who has been elected in the manner prescribed by the members of the police force below the rank of superintendent.

25 (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 a member who is in the police force shall continue in the said force.

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

*Promotions.*

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

Recommendation of committee.

If the claims of the person recommended for promotion are, in the opinion of the Inspector-General, sufficiently strong to warrant further inquiry, he shall, if

*Police Appeal.*

if the Minister approves, cause such recommendation to be published in two consecutive numbers of the weekly Police Gazette.

5 **5.** Any member of the police force deeming himself Objections.  
to be prejudicially affected by any such recommendation  
published as aforesaid may forward his objections with  
the reasons therefor to 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  
10 the recommendation was first published.

**6.** (1) If no such objections are so received within If no  
objections  
received.  
the abovementioned time the Inspector-General may  
give effect to such recommendation in accordance with  
the provisions of the Police Regulation Act, 1899.

15 (2) If any such objections are so received within Consider-  
ation of  
objections.  
the abovementioned time, the Inspector-General shall  
send on the case to the board, and the board shall, as  
soon as practicable, hear and consider any objections,  
and forward a report thereon to the Inspector-General.

20 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  
25 thereof be published in the weekly Police 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 against the imposition of any punish-  
30 ment by the infliction of a fine or suspension in rank by  
any superintendent, or by dismissal, by discharge, or by  
disrating, and shall forward a report on the matter to  
the Inspector-General, who shall consider such report  
and shall either confirm, remit, or vary such punishment  
35 as he may think 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 to  
40 the Minister a full report on the case : Provided

*Police Appeal.*

Provided also, that in any case where the board recommends the confirmation of any such punishment, the Inspector-General may, if he thinks fit, permit a further appeal from such punishment direct to himself.

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

10 Members of the police force may personally conduct their cases before the board, or may be represented by counsel, solicitors, or agents.

15 9. The board may, in its report, make any recommendation it pleases with regard to the costs of any hearing or application.

20 *Regulations.*

25 10. (1) The Governor may make regulations—  
prescribing the method of making applications and the procedure of the board ;  
providing for the election to the board of the person to represent the members of the police force ;  
authorising the infliction of pecuniary fines by superintendents ; and  
generally to carry out the provisions of this Act.

30 (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 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  
35 next session.