

No. 6 of 1975

## AN ORDINANCE

### Relating to the Police Force of the Australian Capital Territory.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this twenty-seventh day of March 1975.

JOHN R. KERR  
Governor-General.

By His Excellency's Command,

KEP ENDERBY  
Attorney-General.

### POLICE (ADMINISTRATION) ORDINANCE 1975

1. This Ordinance may be cited as the *Police (Administration) Ordinance 1975*.<sup>\*</sup> Short title.

2. (1) The *Police Ordinance 1927-1974*<sup>†</sup> is amended by inserting after section 2 the following section:—

“3. Notwithstanding a provision of any other Ordinance, this Ordinance shall be administered by the Minister of State for Police and Customs.”. Adminis-  
tration.

(2) Section 5AD of the *Police Ordinance 1927-1974* is amended by omitting from sub-section (3) the word “Attorney-General” and substituting the word “Minister”.

(3) Section 6 of the *Police Ordinance 1927-1974* is amended by omitting from sub-section (2) the words “Secretary, Attorney-General's Department” and substituting the words “Permanent Head of the Department of Police and Customs”.

(4) Section 26A of the *Police Ordinance 1927-1974* is amended by omitting from sub-section (1) the words “an officer of the First Division of the Australian Public Service” and substituting the words “the Permanent Head of the Department of Police and Customs”.

<sup>\*</sup> Notified in the *Australian Government Gazette* on 27 March 1975.

<sup>†</sup> Ordinance No. 19, 1927, as amended by No. 14, 1930; No. 18, 1932; No. 23, 1934; Nos. 25 and 35, 1938; No. 14, 1943; Nos. 5 and 9, 1947; No. 8, 1950; No. 5, 1954; No. 5, 1955; No. 19, 1956; No. 2, 1958; No. 21, 1959; No. 3, 1960; No. 2, 1964; No. 6, 1966; No. 4, 1967; No. 17, 1970; Nos. 22 and 40, 1972; and No. 16, 1974.

3. (1) Section 2 of the *Police (Disciplinary Provisions) Ordinance* 1972-1973<sup>‡</sup> is repealed and the following section substituted:—

Administra-  
tion.

“2. Notwithstanding a provision of any other Ordinance, this Ordinance shall be administered by the Minister of State for Police and Customs.”.

(2) The *Police (Disciplinary Provisions) Ordinance* 1972-1973 is amended by inserting after section 47 the following section:—

Delegation.

“47A. (1) The Minister may, by writing under his hand, delegate to the Permanent Head of the Department of Police and Customs or to the Commissioner, either generally or otherwise as provided by the instrument of delegation, all or any of his powers and functions under this Ordinance (except this power of delegation and the power to make regulations).

“(2) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation and, when so exercised or performed, shall, for the purposes of this Ordinance, be deemed to have been exercised or performed by the Minister.

“(3) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Minister.”.

4. (1) After section 3 of the *Police Pensions Ordinance* 1958-1974<sup>§</sup> the following section is inserted:—

Administra-  
tion.

“3A. Notwithstanding a provision of any other Ordinance, this Ordinance shall be administered by the Minister of State for Police and Customs.”.

(2) Section 4 of the *Police Pensions Ordinance* 1958-1974 is amended by omitting from sub-section (4) the words “Attorney-General” and substituting the words “Minister of State for Police and Customs”.

Amendment  
of the  
*Interpreta-  
tion  
Ordinance*  
1967-1973.

5. Section 24c of the *Interpretation Ordinance* 1967-1973<sup>||</sup> is amended—

(a) by omitting from sub-section (1) the words “In this section” and substituting the words “Subject to sub-section (4), in this section”; and

(b) by adding at the end thereof the following sub-section:—

“(4) On and after the date of commencement of the *Police (Administration) Ordinance* 1975, the following Ordinances shall not be Ordinances to which this section applies:—

(a) the *Police Ordinance* 1927-1975;

(b) the *Police (Disciplinary Provisions) Ordinance* 1972-1975;

(c) the *Police Pensions Ordinance* 1958-1975.”.

<sup>‡</sup> Ordinance No. 39, 1972, as amended by No. 50, 1973.

<sup>§</sup> Ordinance No. 1, 1958, as amended by No. 9, 1960; No. 19, 1965; Nos. 1 and 4, 1966; No. 7, 1968; No. 8, 1972; and No. 1, 1974.

<sup>||</sup> Ordinance No. 48, 1967, as amended by Nos. 18 and 42, 1972; and No. 23, 1973.

6. (1) The *Police Ordinance* 1927-1974, as amended by this Ordinance, may be cited as the *Police Ordinance* 1927-1975.

Citation of  
amended  
Ordinances.

(2) The *Police (Disciplinary Provisions) Ordinance* 1972-1973, as amended by this Ordinance, may be cited as the *Police (Disciplinary Provisions) Ordinance* 1972-1975.

(3) The *Police Pensions Ordinance* 1958-1974, as amended by this Ordinance, may be cited as the *Police Pensions Ordinance* 1958-1975.

(4) The *Interpretation Ordinance* 1967-1973, as amended by this Ordinance, may be cited as the *Interpretation Ordinance* 1967-1975.