

Regulations under the Police Ordinance 1927.

I, FRANK BRENNAN, the Attorney-General of the Commonwealth of Australia, in pursuance of the powers conferred upon me by the *Police Ordinance* 1927, hereby make the following Regulations to come into operation forthwith.

Dated this 7th day of May, 1930.

FRANK BRENNAN, Attorney-General.

AMENDMENT OF REGULATIONS UNDER THE POLICE ORDINANCE 1927,
MADE ON 10TH MARCH, 1930, AND PUBLISHED IN THE COMMONWEALTH
OF AUSTRALIA GAZETTE OF 13TH MARCH, 1930.

1. Regulation 11 of the Police Regulations is amended—

(a) by omitting from sub-regulation (2.) the words—“(who may, in the interests and efficiency of the Police Force, dispense with the services of the offender accordingly.)”, and inserting in their stead the words “, who may, in the interests of the efficiency of the Police Force, dispense with the services of the offender accordingly, or inflict such penalty, either by fine or by reduction in rank or grade, with loss of pay, as he thinks fit.”; and

(b) by omitting from sub-regulation (3.) the words “either by fine or by reduction in rank and pay,” and inserting in their stead the words “by the Chief Officer”.

Offences
punishable by
Chief Officer.

2. After regulation 11 of the Police Regulations the following regulation is inserted:—

“11A.—(1.) The Attorney-General may, in any case where there is reason to believe that—

(a) an offence against the Ordinance has been committed whether before or after the commencement of these Regulations by an officer or member of the Police Force; or

Offences
punishable by
Attorney-
General.

(b) an offence against these Regulations has been committed by a member of the Police Force, charge him with the offence, and may require him to state forthwith in writing whether he admits or denies the truth of the charge, and to give in writing any explanation he desires in regard thereto.

“(2.) If he admits in writing the truth of the charge, the Attorney-General may—

- (a) dispense with his services; or
- (b) inflict such penalty, either by fine or by reduction in rank or grade, with loss of pay, as he thinks fit.

“(3.) If he does not in writing admit the truth of the charge, the Attorney-General may direct that the charge, and all matters appertaining thereto, be heard by a person, or by a Board of Inquiry constituted of three persons, in the manner provided in this regulation.

“(4.) The person appointed, or, if a Board, of Inquiry is appointed, the Chairman, shall be a person who has the qualifications of a Stipendiary or Police Magistrate of the Commonwealth or a State, or of a Barrister or Solicitor of the High Court of Australia.

“(5.) The person or Board of Inquiry, as the case may be, shall be appointed by the Governor-General, and, if a Board is appointed, any two members of the Board may exercise all the powers of the Board.

“(6.) The person or the Board of Inquiry, as the case may be, shall sit in public or in private as directed by the Attorney-General.

“(7.) The person, or, if a Board of Inquiry is appointed, the Chairman of the Board, may at any time—

- (a) summon any person whose evidence appears to be material to the determination of the charge;
- (b) take evidence on oath; and
- (c) require the production of documents.

“(8.) Any person who, without reasonable cause, neglects or fails to attend in obedience to the summons, or to be sworn, or to answer questions or produce documents relative to the subject of the charge shall be guilty of an offence.

Penalty: Ten pounds.

“(9.) Nothing in this regulation shall be construed as compelling a person to answer a question which would tend to criminate him.

“(10.) The person or Board of Inquiry, as the case may be, shall report in writing to the Attorney-General his or its findings on the evidence given before him or it, as the case may be, and shall, to the best of his or its ability, answer any questions relevant to the inquiry submitted to him or it, and may make such further comments and observations as he or it thinks fit.

“(11.) After consideration of the report of the person or Board of Inquiry, as the case may be, the Attorney-General may—

- (a) dispense with the services of the officer or member; or
- (b) inflict such penalty, either by fine or by reduction in rank or grade, with loss of pay, as he thinks fit; or
- (c) reinstate the officer or member on such terms as he thinks fit.

“(12.) The Attorney-General, and the officer or member of the Police Force who is charged with an offence in accordance with this regulation, shall be entitled to be represented before the person or Board of Inquiry, as the case may be, by counsel, attorney or agent, who may examine witnesses and address the Board on behalf of the Attorney-General or officer or member, as the case may be.

“(13.) It shall be the duty of the person or Board of Inquiry, as the case may be, to make a thorough examination, without regard to legal forms and solemnities, and to direct himself or itself by the best evidence which he or it can procure, or which is laid before him or it, whether the evidence is such as the law would require in other cases or not.”.