

AUSTRALIAN CAPITAL TERRITORY

POLICE (ADMINISTRATION) ORDINANCE 1975

POLICE ORDINANCE 1975

POLICE (DISCIPLINARY PROVISIONS) ORDINANCE 1975

EXPLANATORY MEMORANDUM

Police (Administration) Ordinance 1975

This Ordinance makes amendments, consequent upon the change of administration of the Australian Capital Territory Police from the Attorney-General to the Minister for Police and Customs, to the undermentioned Ordinances of the Australian Capital Territory:-

Police Ordinance 1927-1974

Police (Disciplinary Provisions) Ordinance 1972-1973

Police Pensions Ordinance 1958-1974

Interpretation Ordinance 1967-1973.

The Police Ordinance, the Police (Disciplinary Provisions) Ordinance and the Police Pensions Ordinance are amended to provide that they shall be administered by the Minister for Police and Customs.

The Police (Disciplinary Provisions) Ordinance is also amended to empower the Minister for Police and Customs to delegate his powers and functions under the Ordinance to the Permanent Head of the Department of Police and Customs or to the Commissioner of Police.



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Consequential amendments are also made to the Police Ordinance and the Police Pensions Ordinance following the transfer of the administration of these Ordinances to the Minister for Police and Customs.

Section 24C of the Interpretation Ordinance, which provides that references in certain Ordinances of the Australian Capital Territory to the Minister of State for the Interior shall be read as references to the Attorney-General, is amended to exclude from its operation those Ordinances the administration of which is now to be transferred to the Minister for Police and Customs.

Police Ordinance 1975

This Ordinance provides for appointment of a Deputy Commissioner within the establishment of the Australian Capital Territory Police Force and seeks to clarify the powers of the Commissioner of the Force.

The Deputy Commissioner will be able to exercise such of the powers and functions of the Commissioner (other than those delegated to the Commissioner by the Minister under section 26A) as are assigned to him by the Commissioner but this will not preclude the Commissioner from exercising these powers himself (new section 5AAB).

In addition, the Deputy Commissioner will act in the office of Commissioner where the latter is absent from duty or cannot be contacted and during any vacancy in the office of Commissioner (new section 5AAD).



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Actions performed by the Deputy Commissioner on behalf of the Commissioner will be as valid as if done by the Commissioner (new section 5AAE).

The provision now in the Police Regulations that the Commissioner is, under the direction of the Minister, charged with the superintendence of the Police Force is brought into the Ordinance (new section 5AAA), and it is specifically provided that the Commissioner and the Deputy Commissioner have all the police powers of a member of the Australian Capital Territory Police Force (new section 5AAC).

Police (Disciplinary Provisions) Ordinance 1975

This Ordinance makes two minor amendments to the Principal Ordinance consequential upon the making of the Police Ordinance 1975.

A handwritten signature in dark ink, appearing to be 'H.E.' followed by a long horizontal stroke.