

## 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 10th day of March, 1930.

FRANK BRENNAN

Attorney-General.

### POLICE REGULATIONS.

1. The Regulations may be cited as the Police Regulations. Short title.
- 2.—(1) In these Regulations, unless the contrary intention appears:—Definitions.
  - “Member of the Police Force” means any sergeant or constable of the Police Force;
  - “the Territory” means the Territory for the Seat of Government.
- (2) In the construction of these Regulations, the rules and principles of interpretation set out in the *Acts Interpretation Act 1901-1918*, and the *Acts Interpretation Act 1904-1916*, for the interpretation of Acts shall apply *mutatis mutandis*.
3. In the case of illness or absence from the Territory of the Chief Officer, or for any other cause, the Attorney-General may appoint any person to act on his behalf, and to perform all or any of the duties imposed upon the Chief Officer by or under the *Police Ordinance 1927* or these Regulations. Appointment of Acting Chief Officer.
4. The Chief Officer shall, under the direction of the Attorney-General, be charged with the superintendence of the Police Force, and shall be held accountable for its organization, discipline, and efficiency. Responsibilities of the Chief Officer.
5. Any sergeants and constables, whether appointed before or after the making of these Regulations, shall have all such powers, privileges, and advantages and be liable to all such duties and responsibilities as are conferred or imposed upon any constable either by the common law, or by virtue of any law for the time being in force in the Territory. Authority of Sergeants and Constables.
6. A person shall not be appointed as a member of the Police Force unless he is of sound constitution, able-bodied, and under the age of thirty-five years, of good character for honesty, fidelity, and activity, and qualified to pass the standard of education fixed from time to time for the admission of candidates. Police to be of sound constitution, &c.
7. A person who has been convicted of any indictable offence or who is engaged in any capacity or business whatsoever which may interfere with the proper performance of the duties of the Police Force shall not be appointed a member of the Police Force. Convicted persons not to be appointed.
8. Any member of the Police Force who has been convicted of any indictable offence or who engages in any other capacity or business whatsoever which interferes with the proper performance of his duties as such member shall forfeit his appointment as a member of the Police Force, and all salary or gratuity payable to him as such. Convicted member of the Force to be dismissed.
9. If any question arises as to the right of any member of the Police Force to hold or execute his office, common reputation shall be deemed evidence of such right, and it shall not be necessary to have or produce any written appointment, or any oath, affidavit, or other document or matter whatsoever in proof of such right. Repute to be evidence of appointment.
- 10.—(1) A member of the Police Force shall obey and execute in all cases every lawful summons, warrant, execution, order, and command of any Court having jurisdiction in the Territory. Police to obey commands of Courts.
  - (2) A member of the Police Force shall execute all process directed to him or to the Chief Officer for levying the amount of any recognizance forfeited to His Majesty, or of any fine imposed upon any juror, witness, party, or person at any sitting of any Court having jurisdiction in the Territory, or any other fine imposed under any law of the Commonwealth or of a State.

(3) Any process, warrant, order, or command of any magistrate directed, delivered or given to any member of the Police Force may be executed and enforced by any other member of the Police Force and any such member shall have the same rights, powers and authorities for and in the execution of such process, warrant, order, or command as if the process, warrant, order or command had originally been directed to him by name.

Offences  
punishable by  
Chief Officer.

11.—(1) Any member of the Police Force who—

- (a) wilfully disobeys or disregards any lawful order or command made or given by any person duly authorized to make or give such order;
- (b) is negligent or careless in the discharge of his duties;
- (c) is inefficient or incompetent through causes which appear to be within his own control;
- (d) uses intoxicating liquor or drugs to excess or is found drunk on duty;
- (e) is guilty of any disgraceful or improper conduct, either in his official capacity or otherwise;
- (f) commits any breach of discipline, or fails to comply with the Rules and Instructions of the Police Force;
- (g) having made or subscribed an oath or affirmation in accordance with section six of the *Police Ordinance 1927* does or says anything in violation of that oath or affirmation;
- (h) publicly comments upon any administrative action or upon the administration of any Department;
- (i) uses for any purpose, other than for the discharge of his official duties, information gained by or conveyed to him as a member of the Police Force;
- (j) discloses directly or indirectly the contents of official papers, information concerning public business or any matter of which he has official knowledge; or
- (k) seeks the influence or interest of any person in order to obtain promotion, transfer or other advantage or supplies to another member for use for any such purpose certificates or testimonials relating to official capacity or performance of official duties,

shall be guilty of an offence, and shall be liable to such punishment as is hereinafter provided.

(2) The Chief Officer is hereby empowered to deal with all such offences in the first instance, and if on consideration he is of opinion that an offence has been committed he may caution or reprimand the offending member of the Police Force, or—

- (a) in the case of a constable, inflict a penalty not exceeding Three pounds, and
- (b) in the case of a sergeant, suspend him in rank or grade, with loss of pay, for any period not exceeding three months:

Provided that, where the Chief Officer considers that the punishments provided are inadequate by reason of the seriousness or aggravated nature of the case, or that the general character or conduct of the offender is so unsatisfactory that it may merit his discharge or dismissal, he shall refer the matter for the determination of the Attorney-General (who may, in the interests and efficiency of the Police Force, dispense with the services of the offender accordingly.)

(3) Where an offender has been punished, either by fine or by reduction in rank and pay, in accordance with the last preceding sub-regulation, the offender may appeal from the decision of the Chief Officer to the Attorney-General, provided that notice of appeal is lodged with the Chief Officer within forty-eight hours of the notification of the punishment so imposed having been received by the appellant, and the Attorney-General shall determine the appeal on its merits and his decision shall be final and conclusive.

Existing laws  
affecting  
members of the  
Force saved.

12. Nothing contained in these Regulations shall be deemed to diminish the duties or restrict or affect the liabilities of members of the Police Force at common law, or under any Act or Ordinance now in force or hereafter to be in operation in the Territory.