

Regulations under the *Police and Police Offences Ordinance 1923-1964.*

I ROGER BEDE NOTT, the Administrator of the Northern Territory of Australia, having received the advice of the Administrator's Council, in pursuance of the powers conferred on me by the *Police and Police Offences Ordinance 1923-1964* and the *Administrator's Council Ordinance 1959-1963*, hereby make the following Regulations.

Dated this first day of July, 1964.

ROGER NOTT
Administrator.

AMENDMENTS OF THE POLICE REGULATIONS.†

Repeal.

1. Regulations 1964, No. 2, are repealed.

Parts.

2. Regulation 3 of the Police Regulations is amended by omitting the words—

“Part VIII.—Uniforms, Badges of Rank, and Equipment (Regulations 105-119).

Division 1.—Uniforms (Regulations 105-107).

Division 2.—Uniform Entitlement (Regulations 108-114).

Division 3.—Officers' Uniforms (Regulations 115-116).

Division 4.—Badges of Rank (Regulations 117-118).

Division 5.—Equipment (Regulation 119).”

and inserting in their stead the words—

“Part VIII.—Uniforms, Badges of Rank, and Equipment (Regulations 106-108).”.

Definitions.

3. Regulation 4 of the Police Regulations is amended—

(a) by inserting, after the definition of “member”, the following definition:—

“‘offence’ means an offence against these Regulations.”;
and

(b) by omitting the definition of “the Deputy Commissioner”.

* Notified in the *Northern Territory Government Gazette* on 1st July, 1964.

† Regulations 1961, No. 4, as amended by Regulations 1961, No. 18; 1963, No. 17; and 1964, No. 2.

4. Regulation 5 of the Police Regulations is repealed and the following regulations are inserted in its stead:—

“ 5.—(1.) Where the rank of a member is determined by a punishment **Seniority.** imposed under regulation 33, 35, 46, 57 or 98 of these Regulations, the seniority of that member is the seniority determined by the person or Police Appeals Board that imposed the punishment.

“ (2.) Subject to the last preceding sub-regulation, where two or more members are appointed to the same rank on the same day, their seniority is governed—

- (a) in the case of first appointments to the Force, by the alphabetical order of their surnames, followed by their Christian or other fore names;
- (b) in the case of promotions from the same rank, by their seniority in the rank from which they are promoted; or
- (c) in any other case, by their rank before being so appointed, so that a member promoted from a higher rank is senior to a member appointed from a lower rank.

“ (3.) Subject to the last two preceding sub-regulations, a member appointed to a rank is senior to a member later appointed to that rank.

“ 5A. The Commissioner shall cause to be prepared and maintained a **Seniority list.** seniority list showing in relation to each member—

- (a) his name;
- (b) his rank;
- (c) the date of his appointment to the Force;
- (d) where applicable, the date of his appointment to any rank to which he is promoted or reduced; and
- (e) where applicable, his seniority in accordance with the last preceding regulation.”

5. Regulation 30 of the Police Regulations is amended—

- (a) by omitting from sub-regulation (1.) the words “, the Deputy Commissioner.”;
- (b) by adding at the end of paragraph (b) the word “ or ”;
- (c) by omitting paragraphs (c) and (d) and inserting in their stead the following paragraph:—
“ (c) in the case of an Inspector, to the Commissioner.”;
and
- (d) by omitting from sub-regulation (2.) the words “ in accordance with the provisions of paragraphs (b), (c) or (d) of that sub-regulation, as may be appropriate,” and inserting in their stead the words “ to the officer next senior to him of the officers mentioned in paragraphs (b) and (c) of that sub-regulation,”

Method of communication.

6. Regulation 31 of the Police Regulations is amended by omitting **Offences.** from paragraph (xliii) the words “ Deputy Commissioner ” and inserting in their stead the word “ Commissioner ”.

7. Regulations 32 and 33 of the Police Regulations are repealed and the following regulations inserted in their stead:—

Definitions.

“ 32. In this Division—

‘ member ’ means a member of the Force who is not an officer;

‘ punishment ’ means punishment prescribed by these Regulations for an offence.

Prescribed punishment, &c.

“ 33.—(1.) The punishment prescribed by these Regulations is—

(a) if the punishment is imposed by an Inspector—

(i) a caution;

(ii) a reprimand; or

(iii) a fine not exceeding Five pounds; or

(b) if the punishment is imposed by the Commissioner or the Police Appeals Board—

(i) a caution;

(ii) a reprimand;

(iii) a fine not exceeding Twenty pounds;

(iv) a reduction in seniority, without reduction in rank, to such seniority as the Commissioner or the Police Appeals Board specifies when imposing the punishment;

(v) a reduction in rank to the next lower rank, with such seniority in that rank as the Commissioner or the Police Appeals Board specifies when imposing the punishment; or

(vi) a reduction in rank to the rank next below the next lower rank, with such seniority in the rank to which the member is reduced as the Commissioner or the Police Appeals Board specifies when imposing the punishment.

“ (2.) If, in imposing on a member a punishment that involves a reduction in his rank, the Commissioner or the Police Appeals Board does not specify the seniority of the member in the rank to which he is reduced by force of the punishment, the Commissioner or the Police Appeals Board shall be deemed to have specified that the member shall have seniority in that rank lower than that of any other member in that rank on the date of the imposition of the punishment.

“ (3.) The Commissioner or the Police Appeals Board may, instead of imposing a punishment on a member, recommend to the Minister that the member be dismissed from the Force.”.

Loss of or damage to Government property.

8. Regulation 34 of the Police Regulations is amended by omitting the words “ Deputy Commissioner ” and inserting in their stead the word “ Commissioner ”.

9. Regulations 35 and 36 of the Police Regulations are repealed and the following regulations inserted in their stead:—

Punishment by Minister.

“ 35.—(1.) The Minister may, on the recommendation of the Commissioner or the Police Appeals Board, punish a member by dismissing him from the Force.

(2.) The Minister may substitute such punishment as he thinks fit in place of a punishment recommended by the Commissioner or the Police Appeals Board.

“36. Where a member is suspended under this Division, he is not entitled to pay or allowances from and including the day on which he is suspended until the day when the suspension is lifted, unless— Effect of suspension.

- (a) in the case of a charge referred to the Minister, the Minister otherwise directs;
- (b) in the case of a charge referred to the Commissioner, the Commissioner otherwise directs;
- (c) on the hearing of the charge against him, arising from which the suspension was imposed, or on appeal by him to the Police Appeals Board—
 - (i) he is exonerated; or
 - (ii) the charge against him is dismissed; or
- (d) in accordance with these Regulations, the Police Appeals Board otherwise orders.”

10. Regulation 37 of the Police Regulations is amended—

Preliminary inquiries.

- (a) by omitting from sub-regulation (3.) the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”;
- (b) by omitting from sub-regulation (4.) the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”;
- (c) by omitting from sub-regulation (5.) the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”; and
- (d) by omitting from sub-regulation (8.) the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”.

11. Regulation 38 of the Police Regulations is amended—

Making of charges.

- (a) by omitting from paragraph (a) of sub-regulation (1.) the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”; and
- (b) by omitting sub-regulations (3.) and (4.) and inserting in their stead the following sub-regulations:—
 - “ (3.) Notwithstanding the provisions of regulation 41 of these Regulations, where—
 - (a) an officer makes a charge against a member whose rank is not above the rank of Senior Constable;
 - (b) the member pleads guilty to the charge;
 - (c) the charge is made in accordance with Form 1 in the Second Schedule to these Regulations; and
 - (d) the member is given an opportunity of making an explanation in writing to the officer,
 the officer may forthwith decide the issue or issues raised by the charge and plea.

“ (4.) Where the procedure set out in the last preceding sub-regulation is followed, the punishment that may be imposed is—

- (a) a caution;
- (b) a reprimand; or
- (c) a fine not exceeding Five pounds.”.

Court actions.

12. Regulation 42 of the Police Regulations is amended—

- (a) by omitting from sub-regulation (2.) the word “disrated” and inserting in its stead the words “reduced in rank or seniority, or both,”; and
- (b) by omitting from sub-regulation (3.) all the words after the word “misconduct” and inserting in their stead the words “the member shall be deemed to have committed an offence against these Regulations and is liable to punishment accordingly.”.

Charge procedure.

13. Regulation 43 of the Police Regulations is amended—

- (a) by omitting the word “disrated” and inserting in its stead the words “reduced in rank or seniority”; and
- (b) by omitting the word and figures “regulation 42” and inserting in their stead the words and figures “regulation 38 or 42”.

Finding.

14. Regulation 46 of the Police Regulations is amended by omitting from paragraph (c) all the words after the word “Inspector” and inserting in their stead the words “refer the matter to the Commissioner for the imposition of punishment or other appropriate action under these Regulations.”.

15. After regulation 47 of the Police Regulations, the following regulation is added at the end of Division 2 of Part IV.:—

“47A. If a member is punished under these Regulations by being reduced in rank or seniority, the salary and allowances to which he is entitled are the salary and allowances of a member having the rank and seniority that the member has after being so punished.”.

Salary, &c., of member after being reduced in rank, &c.**Offence by officer.**

16. Regulation 48 of the Police Regulations is amended by omitting the word “Commissioner” and inserting in its stead the word “Administrator”.

Summary proceedings.

17. Regulation 49 of the Police Regulations is amended by omitting from sub-regulation (1.) the word “Commissioner” and inserting in its stead the word “Administrator”.

Commission of Inquiry.

18. Regulation 50 of the Police Regulations is amended by omitting from sub-regulation (1.) the word “Commissioner” and inserting in its stead the word “Administrator”.

19. Regulation 57 of the Police Regulations is amended—

(a) by omitting paragraph (d) of sub-regulation (1.) and inserting in its stead the following paragraph and words:—

Minister to determine matter.

“(d) any further reports he may require, may dismiss the charge or impose the punishment recommended or any other punishment.”; and

(b) by omitting paragraph (d) of sub-regulation (2.) and inserting in its stead the following paragraph:—

“(d) a reduction in rank or seniority, or both; or”.

20. Regulation 62 of the Police Regulations is amended by omitting the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”.

Syllabus.

21. Regulation 64 of the Police Regulations is amended by omitting paragraph (d) of sub-regulation (2.) and inserting in its stead the following paragraph:—

Examinations to be conducted by examiners.

“(d) such other information as they think fit.”.

22. Regulation 67 of the Police Regulations is amended by omitting the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”.

Member to apply to sit for examination.

23. Regulation 68 of the Police Regulations is amended by omitting paragraph (b) and inserting in its stead the following paragraph and words:—

Number to be allotted to candidates, &c.

“(b) a list of the numbers which have been allotted to candidates, but not their names, to be furnished to the examiners.”.

24. Regulation 75 of the Police Regulations is amended by omitting from sub-regulation (2.) the words “Deputy Commissioner” and inserting in their stead the word “Commissioner”.

Names of successful candidates to be published.

25. Regulation 79 of the Police Regulations is amended—

(a) by omitting from sub-regulation (2.) the word “Minister” and inserting in its stead the word “Administrator”; and

Appeal by member not promoted.

(b) by omitting from sub-regulation (3.) the word “Minister” (wherever occurring) and inserting in its stead the word “Administrator”.

26. Part VIII. of the Police Regulations is repealed and the following Part inserted in its stead:—

“PART VIII.—UNIFORMS, BADGES OF RANK, AND EQUIPMENT.

“106.—(1.) An officer shall wear uniform on such occasions as the Commissioner directs him to do so and on such other occasions as he considers it necessary or desirable that he should do so.

Officers' uniforms.

(2.) An officer shall be paid an annual allowance, as determined from time to time by the Administrator, in lieu of uniform.

(3.) Out of the allowance paid to him under the last preceding sub-regulation, an officer shall maintain sufficient items of standard uniform to be worn on the occasions referred to in sub-regulation (1.) of this regulation.

(4.) For each other item of uniform with which an officer is required to provide himself he shall be reimbursed as much of the landed cost as the Administrator approves as reasonable.

Uniform to be worn on duty.

“ 107. A member of the Force shall wear the uniform and badges of rank appropriate to his rank prescribed in Standing Orders, at such time, in such manner, and subject to such conditions and exemptions as are prescribed in Standing Orders.

Supply, &c., of uniforms.

“ 108. The provisions for the supply, procurement and replacement of items of uniform and of items of equipment shall be laid down in Standing Orders.”

Personal file to be kept for each member.

27. Regulation 121 of the Police Regulations is amended—

(a) by omitting from paragraph (b) of sub-regulation (2.) the words “or Deputy Commissioner” and inserting in their stead the words “or an Inspector”; and

(b) by omitting from sub-regulation (6.) the words “the Deputy Commissioner” and inserting in their stead the words “an Inspector”.

Police Association may present a case to the Administrator.

28. Regulation 129 of the Police Regulations is amended by omitting the word “Minister” (wherever occurring) and inserting in its stead the word “Administrator”.

Appeal against order, &c.

29. Regulation 147 of the Police Regulations is amended—

(a) by omitting from sub-regulation (1.) the words “Deputy Commissioner” (wherever occurring) and inserting in their stead the word “Commissioner”;

(b) by omitting from sub-regulation (1.) the word “Commissioner” and inserting in its stead the word “Administrator”;

(c) by omitting from sub-regulation (2.) the words “Deputy Commissioner” (wherever occurring) and inserting in their stead the word “Commissioner”;

(d) by omitting from sub-regulation (2.) the word “Commissioner” and inserting in its stead the word “Administrator”.

Repeal of Third and Fourth Schedules.

30. The Third and Fourth Schedules to the Police Regulations are repealed.