

Queensland



ANNO UNDECIMO

ELIZABETHAE SECUNDAE REGINAE

No. 22

An Act to Amend "The Police Acts, 1937 to 1960," in certain particulars

[ASSENTED TO 3RD APRIL, 1962]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as "*The Police Acts Amendment Act of 1962.*" Short title

(2) "*The Police Acts, 1937 to 1960,*" are in this Principal Act Act referred to as the Principal Act.

(3) The Principal Act and this Act may be Collective title collectively cited as "*The Police Acts, 1937 to 1962.*"

2. Section thirty-five of the Principal Act is Amendment of s. 35 (2) amended by omitting from subsection (2) the words "one hundred and forty-three pounds three shillings and six pence", wherever occurring, and inserting in their stead, wheresoever omitted, the words "two hundred and eight pounds seven shillings and six pence".

Amendment  
of s. 38

**3.** Section thirty-eight of the Principal Act is amended by omitting from the second paragraph the words “ the first day of April, one thousand nine hundred and fifty-nine ” and inserting in their stead the words “ the first day of July, one thousand nine hundred and sixty-one ”.

Amendments  
of s. 39 (2)

**4.** Subsection (2) of section thirty-nine of the Principal Act is amended by—

(a) omitting from the Table the symbol and figures “ £2,490 ”, wherever occurring, and inserting in their stead, wheresoever omitted, the symbol and figures “ £3,624 ” ; and

(b) omitting from the Table the symbol and figures “ £1,260 ” and inserting in their stead the symbol and figures “ £1,638 ”.

Amendment  
of s. 42

**5.** Section forty-two of the Principal Act is amended by omitting, the words “ the first day of April, one thousand nine hundred and fifty-nine ”, wherever occurring, and inserting in their stead, wheresoever omitted, the words “ the first day of July, one thousand nine hundred and sixty-one ”.

Amendments  
of s. 43

**6.** Section forty-three of the Principal Act is amended—

(a) by omitting the second paragraph of subsection (2) (being the paragraph commencing with the words “ If any such retired member ”) ; and

(b) by omitting subsections (3) and (4).

Amendments  
of s. 62

**7.** Section sixty-two of the Principal Act is amended—

(a) by renumbering that section as subsection (1) thereof ; and

(b) by adding at the end thereof as renumbered by this section the following subsection :—

“(2) The allegation in a complaint for an offence against this section that any person was not at any time or date mentioned in the complaint a member of the Police Force shall be evidence of the matter alleged and in the absence of evidence in rebuttal thereof shall be conclusive evidence of that matter.”

8. Sections two to five (both inclusive) and section nine of this Act shall be deemed to have come into operation on the first day of July, one thousand nine hundred and sixty-one, and to the extent necessary to give effect to this section this Act shall operate retrospectively.

9. (1) Every ex-member of the Police Force who retired or was retired therefrom, or whose retirement therefrom was approved or ordered by the Governor in Council before the first day of July, one thousand nine hundred and sixty-one (hereinafter in this section referred to as the "said date") shall continue to have the right or claim to be paid superannuation allowance from the Police Superannuation Fund had by him immediately prior to the said date under the Principal Act and shall be paid superannuation allowance from the Fund accordingly but no such person shall have any right or claim to be paid superannuation allowance or any other sum whatsoever from the Fund or otherwise howsoever under or by virtue of the Principal Act as amended by this Act.

Retrospectively  
Superannuation allowances and other sums payable in respect of persons who became entitled thereto before 1st July, 1961

(2) Upon the death of any ex-member of the Police Force referred to in subsection (1) of this section payment in respect of any widow or child of the ex-member shall be made from The Police Superannuation Fund as prescribed by the Principal Act on and from the date of such death and thereafter while such widow or child continues to be entitled to such payment under the Principal Act.

(3) Every sum being paid under the Principal Act from The Police Superannuation Fund immediately prior to the said date in respect of any widow or child shall continue to be payable at the rate at which the same was so being paid on and from the said date and thereafter whilst the same continues to be payable under the Principal Act.

(4) Pension, or sums payable in respect of a child, under the Principal Act as amended by this Act shall not be payable to or claimable by or on behalf of any widow or child in respect of whom payment is made from The Police Superannuation Fund as prescribed by subsections (2) or (3) of this section.

(5) The Principal Act as in force immediately prior to the commencement of this Act shall continue in force to the extent necessary to give operation and effect to this section.

(6) This section shall be in addition to and not in substitution for or derogation from sections twenty and twenty-one of "*The Police Acts Amendment Act of 1959*," and "*The Police (Pensions) Act of 1955*" as modified by that section twenty.

---