



ANNO TRICESIMO OCTAVO

**ELIZABETHAE II REGINAE**

**A.D. 1989**

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**No. 36 of 1989**

**An Act to amend the Police Regulation Act, 1952.**

*[Assented to 4 May 1989]*

The Parliament of South Australia enacts as follows:

**Short title**

- 1. (1) This Act may be cited as the *Police Regulation Act Amendment Act, 1989*.
- (2) The *Police Regulation Act, 1952*, is referred to in this Act as “the principal Act”.

**Commencement**

- 2. This Act will come into operation on a day to be fixed by proclamation.

**Substitution of s. 1**

- 3. Section 1 of the principal Act is repealed and the following section is substituted:

**Short title**

- 1. This Act may be cited as the *Police Act, 1952*.

**Interpretation**

- 4. Section 4 of the principal Act is amended—

- (a) by inserting after the definition of “member of the police force” the following definition:

“the Police Appeal Board” means the Board of that name constituted under the schedule;;

and

- (b) by inserting after the definition of “police cadet” the following definition:

“the Promotion Appeal Board” means the Board of that name constituted under the schedule.

**Substitution of s. 10**

- 5. Section 10 of the principal Act is repealed and the following section is substituted:



**Evidence of appointment**

18. Common reputation that a person is a member of the police force, or holds a particular position, rank or office in the police force, is *prima facie* evidence of that fact.

**Resigning without leave**

11. Section 19 of the principal Act is amended by striking out from paragraph (c) of subsection (1) "infirmity of mind or body" and substituting "physical or mental disability or illness".

**Termination due to physical or mental disability**

12. Section 19a of the principal Act is amended by striking out from subsection (1) "infirmity" and substituting "disability or illness".

**Substitution of s. 19b**

13. Section 19b of the principal Act is repealed and the following section is substituted:

**Divestment or suspension of powers**

19b. (1) Where a person ceases for any reason to be a member of the police force, all powers and authorities vested in that person by or under this Act or any other Act or law as a member of the police force or constable are divested from that person.

(2) Where a person is suspended from office as a member of the police force, all powers and authorities vested in that person by or under this Act or any other Act or law as a member of the police force or constable are suspended for the period of the suspension.

(3) Unless the Commissioner otherwise authorizes by instrument in writing, where a person who is a member of the police force is seconded to a position outside the police force, all powers and authorities vested in that person by or under this Act or any other Act or law as a member of the police force or constable are suspended for the period of secondment.

**Regulations**

14. Section 22 of the principal Act is amended—

(a) by striking out paragraph (1) and substituting the following paragraph:

(1) The ranks of members of the police force;

and

(b) by striking out subparagraph (c) of paragraph (8a) and substituting the following subparagraph:

(c) by transfer to a position that attracts a lower rank, or by reduction in seniority (or both);

**Insertion of s. 24a**

15. The following section is inserted after section 24 of the principal Act:

**Review of certain action by Police Disciplinary Tribunal**

24a. (1) If—

(a) a member of the police force is transferred, or is to be transferred, to another position in the police force;

and

- (b) the member of the police force believes that he or she is being punished for particular conduct, although he or she has not been charged with a breach of discipline under this Act,

the member of the police force may within the prescribed period apply to the Police Disciplinary Tribunal for a review of the transfer.

(2) The Police Disciplinary Tribunal may in an appropriate case extend the period for an application under this section.

(3) Where the Police Disciplinary Tribunal is satisfied on the balance of probabilities that the applicant is being punished for particular conduct, the Tribunal may, as it thinks fit—

- (a) quash the transfer;
- (b) remit the matter to the Commissioner for reconsideration;
- (c) make recommendations for settlement of the matter.

#### Substitution of s. 31

16. Section 31 of the principal Act is repealed and the following section is substituted:

##### Oath or affirmation for special constables

31. (1) A special constable is not capable of acting as such until he or she has taken an oath or affirmation under this section.

(2) The oath or affirmation will be in the following form:

I, A.B. do swear [*or* I, A.B. do solemnly and truly declare and affirm] that I will well and truly serve Her Majesty Queen Elizabeth II and Her heirs and successors according to law in the office of special constable for the State of South Australia [*or, as the case may be, the following part of the State of South Australia, namely* ] without favour or affection, malice or ill-will; and that I will faithfully discharge all duties imposed on me as a special constable—[So help me God!]

Taken at  
this  
of  
Before me

day  
19 }

..... Justice of the Peace

#### Substitution of Part V

17. Part V of the principal Act is repealed and the following Part is substituted:

### PART V

#### APPEALS

##### DIVISION I—APPEALS AGAINST TERMINATION OF SERVICES

##### Right of appeal

37. (1) A right of appeal lies to the Police Appeal Board against—

- (a) a termination of the services of a member of the police force during a period of probation;
- (b) a termination of the services of a member of the police force by reason of physical or mental disability or illness;
- (c) any decision or finding on which any such termination may be based.

(2) An appeal under subsection (1) may be made by the member or former member of the police force affected by the termination, decision or finding.

(3) An appeal is instituted by lodging a notice of appeal under the regulations with the Secretary to the Board within the prescribed period.

(4) The Board may in an appropriate case extend the period for the institution of an appeal under this section.

**Determination of appeal**

38. (1) On an appeal, the Police Appeal Board may do one or more of the following as it thinks just—

- (a) dismiss the appeal and recommend that the termination, decision or finding appealed against be confirmed;
- (b) recommend that the termination, decision or finding appealed against be rescinded;
- (c) recommend that any decision or finding be substituted for the decision or finding appealed against;
- (d) recommend any other course of action in connection with the subject matter of the appeal.

(2) A decision in which any two members of the Board concur is a decision of the Board.

(3) A member may give a dissenting report.

**Transmission of decision**

39. (1) At the conclusion of an appeal, the presiding member of the Police Appeal Board must forward to the Commissioner a certified copy of—

(a) the evidence taken during the proceedings on the appeal;  
and

(b) the decision of the Board, including any dissenting report.

(2) The Commissioner must transmit the evidence and decision (with any dissenting report), together with any comments and recommendations that the Commissioner desires to make, to the Minister.

(3) After considering the material transmitted under subsection (2), the Minister must decide the matter in issue in the appeal, but cannot make a decision less favourable to the appellant than that recommended by the Board.

**No further appeal**

40. No further appeal lies against a decision of the Police Appeal Board, and no appeal lies against a decision of the Minister after giving consideration to a decision of the Board.

**DIVISION II—PROMOTION APPEALS****Promotion appeals—non-commissioned officers**

41. (1) Where a member of the police force has been selected for appointment to a position in the police force that attracts a rank above the rank of constable and below the rank of inspector, the Commissioner must, by notice published in the *Police Gazette* in accordance with the regulations, give notice of the proposed appointment.

(2) Where such a notice is given—

(a) if applications were called for in relation to the position—any unsuccessful applicant (being a member of the police force) who is eligible for appointment to the position may appeal to the Promotion Appeal Board against the proposed appointment;

and

(b) if applications were not called for in relation to the position—any aggrieved person (being a member of the police force) who is eligible for appointment

to the position may appeal to the Promotion Appeal Board against the proposed appointment.

(3) An appeal is instituted by lodging a notice of appeal under the regulations with the Secretary to the Board within the prescribed period.

(4) The Board may in an appropriate case extend the period for the institution of an appeal under this section.

(5) Where on an appeal the Board is satisfied that the appellant should have been selected for appointment to the relevant position in preference to the member of the police force who was selected, the Board may make a declaration to that effect and quash the selection.

(6) Where on an appeal the Board is satisfied that there has been some irregularity in the selection processes leading to the appointment, the Board may—

(a) quash the selection;

and

(b) order that the selection processes be recommenced from the beginning or at some later stage as specified by the Board.

(7) For the purposes of this section—

(a) a person is not eligible for appointment to a position if the person does not have qualifications determined by the Commissioner to be essential in respect of the position;

and

(b) a determination by the Commissioner that specific qualifications, experience or other attributes are essential or desirable for appointment to a position is binding on the Board.

(8) Where no one is entitled to appeal under this section against a proposed appointment, or no one has been successful with an appeal before the Board, the selected member of the police force may be appointed to the relevant position.

(9) Where the Board has made a declaration under subsection (5), the successful appellant will be appointed to the relevant position.

(10) For the purposes of this section, a decision in which any two members of the Board concur is a decision of the Board.

#### **Promotion appeals—rank of inspector**

42. (1) Where a member of the police force has been selected by the Commissioner for nomination for appointment to the rank of inspector, the Commissioner must, by notice published in the *Police Gazette* in accordance with the regulations, give notice of the proposed nomination.

(2) Where such a notice is given, any aggrieved person (being a member of the police force) who is eligible for appointment to the rank of inspector may appeal to the Promotion Appeal Board against the proposed nomination.

(3) An appeal is instituted by lodging a notice of appeal under the regulations with the Secretary to the Board within the prescribed period.

(4) The Board may in an appropriate case extend the period for the institution of an appeal under this section.

(5) Where on an appeal the Board is satisfied that the appellant should have been selected for nomination in preference to the member of the police force who was selected, the Board may make a declaration to that effect and quash the selection.

(6) For the purposes of this section—

(a) a person is not eligible for appointment to the rank of inspector if the person does not have qualifications determined by the Commissioner to be essential in respect of the rank;

and

(b) a determination of the Commissioner that specific qualifications, experience or other attributes are essential or desirable for appointment to the rank of inspector is binding on the Board.

(7) Where no one is entitled to appeal under this section against a proposed nomination, or no one has been successful with an appeal before the Board, the selected member of the police force may be nominated for appointment to the rank of inspector.

(8) Where the Board has made a declaration under subsection (5), the successful appellant will be nominated for appointment to the rank of inspector.

(9) For the purposes of this section, a decision in which any two members of the Board concur is a decision of the Board.

#### Insertion of s. 53

18. The following section is inserted after section 52 of the principal Act:

#### Delegation

53. (1) The Commissioner may, by instrument in writing, delegate any of the powers or functions conferred on, or assigned to, the Commissioner by or under this or any other Act—

(a) to a particular person;

or

(b) to the person for the time being occupying a particular position.

(2) A power or function delegated under this section may, if the instrument of delegation so provides, be sub-delegated.

(3) A delegation or sub-delegation under this section—

(a) may be absolute or conditional;

(b) does not derogate from the power of the delegator to act personally in any matter;

and

(c) is revocable at will by the delegator.

(4) A copy of every instrument of delegation issued by the Commissioner under this section must be retained as part of the records of the police force.

#### Insertion of schedule

19. The following schedule is inserted at the end of the principal Act:

#### SCHEDULE

#### THE POLICE APPEAL BOARD AND THE PROMOTION APPEAL BOARD

#### Interpretation

1. In this schedule—

“the Police Association” means the Police Association of South Australia.

#### Constitution of Boards

2. (1) There will be—

(a) a Police Appeal Board;

and

(b) a Promotion Appeal Board.

- (2) The Police Appeal Board will for the purposes of particular proceedings consist of—
- (a) a District Court Judge selected by the Senior Judge (who will preside at those proceedings);
  - (b) a person appointed by the Commissioner;
- and
- (c) a member of the police force selected from a panel of five nominated by the Police Association.
- (3) The Promotion Appeal Board will for the purposes of particular proceedings consist of—
- (a) a person appointed by the Minister (who will preside at those proceedings);
  - (b) a person appointed by the Commissioner;
- and
- (c) a member of the police force selected from a panel of five nominated by the Police Association.
- (4) The Minister may from time to time invite the Police Association to nominate members of the police force to the panels referred to in subsections (2) (c) and (3) (c).
- (5) If the Police Association fails to make nominations in response to an invitation under this section within a reasonable time allowed in the invitation, the Minister may choose members of the police force in lieu of nominees of the Police Association and any members so chosen will be taken to have been nominated to the relevant panel.
- (6) The member of a panel who is to be on a Board for particular proceedings will be selected for the purposes of those proceedings—
- (a) by the appellant;
- or
- (b) if there are two or more appellants and they do not agree on the selection of a particular person—by the person who is to preside at those proceedings.

**Term of office, acting appointments, etc.**

3. (1) A person appointed to a Board (either by the Minister or the Commissioner) holds office until the thirtieth day of June in the second year after his or her appointment (and on the expiration of a term of office is eligible for re-appointment).
- (2) A person nominated to a panel remains on that panel until the thirtieth day of June in the second year after his or her nomination (and on the expiration of a term of office is eligible for re-nomination).
- (3) A member of a Board (including a member of a panel)—
- (a) may resign by written notice addressed to the Minister;
  - (b) may be removed from office by the Governor on the ground of misconduct, neglect of duty, incompetence, or physical or mental incapacity to carry out official duties.
- (4) In addition to subsection (3), a person ceases to be a member of a panel if that person ceases to be a member of the police force.
- (5) If for any reason the member of the Promotion Appeal Board appointed by the Minister is unable to act, the Minister may appoint another person to be an acting member of the Board during the period of inability.
- (6) If for any reason the member of a Board appointed by the Commissioner is unable to act, the Commissioner may appoint another person to be an acting member of the Board during the period of inability.

**Members of the police force not subject to direction**

4. A member of a Board who is a member of the police force is not subject to direction as a member of the police force in respect of the performance of duties as a member of the Board.

**Secretary to the Boards**

5. The Minister will appoint a Secretary to the Boards.

**Proceedings before a Board**

6. (1) A Board must in relation to any proceedings before the Board give the Commissioner and the appellant (the "parties" to the proceedings) reasonable notice of the time and place at which the proceedings are to be heard and must afford them a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Board.
- (2) Subject to subsection (3), a party to proceedings before a Board is entitled to appear personally, or by representative, in those proceedings.
- (3) A party is not entitled to be represented by a legal practitioner except in proceedings before the Police Appeal Board.
- (4) If a party to whom notice has been given under subsection (1) does not attend at the time and place fixed by the notice, the Board may proceed in the absence of that party.
- (5) In its proceedings under this Act, a Board—
- (a) will act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms;



and

(b) is not bound by any rules of evidence, but may inform itself on any matter in such manner as it thinks fit.

(6) A Board must keep a record of any evidence taken during proceedings on an appeal.

(7) A Board may decline to hear or determine any proceedings that appear to be trivial, frivolous or vexatious.

#### **Powers of a Board**

7. (1) A Board may, for the purposes of its proceedings—

(a) by summons signed on behalf of the Board by a member of the Board, or the Secretary to the Board, require the attendance before the Board of any person;

(b) by summons signed on behalf of the Board by a member of the Board, or the Secretary to the Board, require the production of any document, object or material;

(c) require any person to make an oath or affirmation truly to answer all questions put by the Board, or any person appearing before the Board;

and

(d) require any person appearing before the Board to answer any relevant questions put by any member of the Board or by any other person appearing before the Board.

(2) Subject to subsection (3), if any person—

(a) who has been served with a summons to attend before the Board, fails without reasonable excuse to attend in obedience to the summons;

(b) who has been served with a summons to produce any document, object or material, fails without reasonable excuse to comply with the summons;

(c) misbehaves before the Board, wilfully insults the Board or any member of the Board, or interrupts the proceedings of the Board;

or

(d) refuses to be sworn or to affirm, or to answer any relevant question when required to do so by the Board,

that person is guilty of an offence and liable to a penalty not exceeding a division 7 fine.

(3) A person is not obliged to answer a question under this section if the answer to that question would tend to incriminate that person of an offence, or to produce any document, object or material if it or its contents would tend to incriminate that person of an offence.

#### **Regulations**

8. The Governor may make regulations with respect to the manner in which an appeal to a Board is to be commenced and the practice and procedure of the Board on the appeal.

#### **Transitional provision**

20. (1) Notwithstanding the provisions to be inserted by this Act into the principal Act in relation to promotion appeals, during the operation of this section no appeal lies to the Promotion Appeal Board against the selection of a person for appointment to a position with the rank of Senior Constable.

(2) This section expires on a day to be fixed by proclamation.

#### **Statute Law Revision amendments**

21. The principal Act is further amended as indicated in the schedule.

## SCHEDULE

Provision Amended	How Amended
Long title	Strike out "matters incidental thereto" and substitute "incidental matters".
Section 5	This section is repealed.
Section 7 (1)	Strike out "shall" and substitute "must". Strike out "he attains" and substitute "attaining".
Section 7 (2)	Strike out this subsection and substitute: (2) The Commissioner will cease to contribute to the Police Pensions Fund on the thirtieth day of June next after attaining the age of 60 years (but this subsection does not affect the operation of any enactment exempting a Commissioner from the obligation to contribute to the Police Pensions Fund).
Section 8 (1)	Strike out "shall be paid" and substitute "is entitled to".
Section 8 (3)	Strike out this subsection and substitute: (3) The salary and allowances referred to in subsection (1) are a charge on the General Revenue of the State which is appropriated to the necessary extent.
Section 9 (1)	Strike out "who shall" and substitute "to".
Section 9 (2)	Strike out "shall" and substitute "must". Strike out "any" and substitute "a".
Section 9 (3)	Strike out "by reason of illness or of any other cause" and substitute "because of illness or for any other reason".
Section 9 (4)	Strike out "shall be paid" and substitute "is entitled to".
Section 9a (1)	Strike out "shall" and substitute "must". Strike out "he attains" and substitute "attaining".
Section 9a (2)	Strike out this subsection and substitute: (2) The Deputy Commissioner will cease to contribute to the Police Pensions Fund on the thirtieth day of June next after attaining the age of 60 years (but this subsection does not affect the operation of any enactment exempting a Deputy Commissioner from the obligation to contribute to the Police Pensions Fund).
Section 9b (2)	Strike out "shall become vacant if" and substitute "becomes vacant if he or she". Strike out "he" wherever it occurs.
Section 9b (3)	Strike out "shall not" and substitute "cannot". Strike out "shall" (second occurring) and substitute "will".
Section 9c	Strike out "by reason of illness or of any other cause" and substitute "because of illness or for any other reason".
Section 11a (1)	Strike out "he deems" and substitute "the Commissioner thinks".
Section 11a (2)	Strike out "shall hold" and substitute "holds".
Section 11a (3)	Strike out "shall not be deemed to be" and substitute "is not".
Section 11a (4)	Strike out subsection (4).
Section 12 (2) and (3)	Strike out these subsections and substitute: (2) Every such appointment will be on terms and conditions fixed by the Governor. (3) A police medical officer is not a Public Service employee.
Section 12 (4)	Strike out "shall" and substitute "must".
Section 12 (5)	Strike out "shall not be deemed to be" and substitute "is not".
Section 13 (1)	Strike out "his" (first occurring). Strike out "his appointment shall" and substitute "the appointment will".
Section 13 (2)	After "his" insert "or her".
Section 13 (2) (a)	Strike out "of the member".
Section 13 (2) (b)	Strike out "he" and substitute "the Commissioner".

Provision Amended	How Amended
Section 13 (3)	Strike out this subsection and substitute: (3) The period of the probationary service of a member of the police force does not, unless the Commissioner decides to the contrary, include any period during which the member is absent from duty without pay.
Section 13 (4)	Strike out "Any" and substitute "An". Strike out "shall be deemed to be" and substitute "will be taken to have been".
Section 13 (5)	Strike out subsection (5).
Section 15 (1)	Strike out "shall not" and substitute "must not make any false statement". Strike out "any" and substitute "an". Strike out "make any false statement" at the end of subsection (1). Strike out: Penalty: \$400 or imprisonment for six months and substitute: Penalty: Division 7 fine or division 7 penalty.
Section 15 (2)	Strike out "shall not be" and substitute "is not". Strike out "shall be a defence if the accused proves that he" and substitute "is a defence to prove that the defendant".
Section 17 (2)	Strike out "shall be" and substitute "is".
Section 19 (1)	Strike out this subsection and substitute: (1) A member of the police force or police cadet must not resign, or relinquish official duties unless he or she— (a) is expressly authorized in writing by the Commissioner to do so; (b) has given the Commissioner 14 days notice of intention to do so; or (c) has reached the retiring age prescribed by law or is incapacitated by physical or mental disability or illness from performing official duties.
Section 19 (2)	Strike out this subsection and substitute: (2) A person who contravenes subsection (1) is guilty of an offence. Penalty: Division 8 fine or division 8 imprisonment.
Section 19a (1)	Strike out "due to the" and substitute "because of the member's". Strike out "of the member". Strike out "his".
Section 19a (1) (b)	Strike out "Chief Secretary" and substitute "Minister".
Section 19a (2)	Strike out "as the case may be, the Chief Secretary" and substitute "the Minister".
Section 20 (1)	Strike out "shall, forthwith upon so ceasing," and substitute "must forthwith". Strike out "of every kind". Strike out "the execution of his duty as a member of the force or police cadet" and substitute "official purposes". Strike out— Penalty: \$200 and substitute— Penalty: Division 8 fine.
Section 20 (2)	Strike out "Any" and substitute "A". Strike out "therein".
Section 21 (1)	Strike out "shall have" and substitute "has".
Section 21 (2)	Strike out "The Chief Secretary shall" and substitute "The Minister must".
Section 21 (3)	Strike out "The Chief Secretary shall" and substitute "The Minister must".

Provision Amended	How Amended
Section 22	Strike out "which it is". Strike out "to prescribe for the purpose of" and substitute "for". Strike out "his" and substitute "the".
Section 22 (8a)	Strike out "his".
Section 22 (17) (c)	Strike out "any".
Section 23 (2)	Strike out this subsection and substitute: (2) Such orders will not be taken to be a form of subordinate legislation.
Section 23 (3)	Strike out "shall" and substitute "does".
Section 24 (1)	Strike out "Every" and substitute "A". Strike out "shall" and substitute "is". Strike out "be".
Section 24 (2)	Strike out "While a" and substitute "A". Strike out "is" and substitute ", while". Strike out "he shall" and substitute ", must". Strike out "his" (twice occurring). Strike out "shall be" and substitute "is". Strike out "such" and substitute "the".
Section 25 (1)	Strike out "Every" and substitute "A". Strike out "shall" and substitute "must". Strike out "him" and substitute "the member".
Section 25 (2)	Strike out "his" and substitute "the member's". Strike out "shall have" and substitute "has". Strike out "it had originally been directed to him expressly by name" and substitute "named in the warrant as the person to whom it is directed".
Section 26	Strike out "shall be" and substitute "is". Strike out "Chief Secretary" and substitute "Minister".
Section 27 (1) (b)	After "himself" insert "or herself".
Section 27 (1)	Strike out "shall be" and substitute "is". Strike out— Penalty: \$400 or imprisonment for 12 months and substitute— Penalty: Division 7 fine or division 7 imprisonment.
Section 27 (2)	Strike out "in his possession" and substitute "possession of".
Section 27 (2) (b)	Strike out "the execution of his duties" and substitute "official purposes".
Section 27 (2)	Strike out "shall be" and substitute "is". Strike out— Penalty: \$400 or imprisonment for 12 months and substitute— Penalty: Division 7 fine or division 7 imprisonment.
Section 27 (3)	Strike out "shall" and substitute "does".
Section 29 (a)	After "his" insert "or her".
Section 29 (b)	Strike out "him" and substitute "the member or cadet". Strike out "his" and substitute "a". Strike out "whereby" and substitute "by which".
Section 29 (d)	After "his" insert "or her".
Section 29	Strike out "shall be" and substitute "is". Strike out— Penalty: \$200 or imprisonment for 6 months and substitute— Penalty: Division 7 fine or division 7 imprisonment.
Section 30 (2)	Strike out "shall" and substitute "must".

Provision Amended	How Amended
Section 32 (1) (a)	Strike out "shall have" and substitute "has". Strike out "on him".
Section 32 (1) (b)	Strike out this paragraph and substitute: (b) has, in relation to the performance of those duties, subject to any limitations specified in the minute of appointment or imposed after appointment by the Commissioner by notice in writing given to the special constable, the same powers, responsibilities and immunities as a member of the police force.
Section 33 (1)	After "his" insert "or her".
Section 33 (1) (b)	Strike out "his" (twice occurring).
Section 33 (2)	Strike out "shall send notice thereof to the Chief Secretary" and substitute "must send notice of it to the Minister".
Section 34 (1)	Strike out "shall" and substitute "must". Strike out "upon so ceasing". Strike out "of every kind". Strike out "the execution of his duty as a special constable" and substitute "official purposes". Strike out— Penalty: \$200 and substitute— Penalty: Division 8 fine.
Section 34 (2)	Strike out "therein".
Section 35	Strike out "Chief Secretary" and substitute "Minister".
Section 35 (a)	Strike out "he deems" and substitute "the Minister thinks".
Section 35 (b)	Strike out "he deems" and substitute "the Minister thinks".
Section 36 (1)	Strike out "which it is" Strike out "his" and substitute "the".
Section 51a (1)	Strike out "shall" and substitute "does". After "liability for an" insert "honest". Strike out "done or made in good faith". Strike out "upon him".
Section 51a (2)	Strike out "shall lie" and substitute "lies".
Section 52	Strike out this section and substitute: <b>Proceedings for offences</b> 52. An offence against this Act is a summary offence.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor