

# LEGISLATIVE ASSEMBLY

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Read 1° 8 April 1987

*(Brought in by Mr Mathews and Mr Fordham)*

## A BILL

to make provision for the appointment of protective services officers,  
to amend the *Police Regulation Act 1958* and for other purposes.

### **Police Regulation (Protective Services) Act 1987**

The Parliament of Victoria enacts as follows:

#### **Purpose.**

1. The purpose of this Act is to make provision for the appointment of protective services officers.

#### **5 Commencement.**

2. This Act comes into operation on a day or days to be proclaimed.

#### **Principal Act.**

3. In this Act, the *Police Regulation Act 1958* is called the Principal Act.

No. 6338  
Reprinted to  
No. 9906 and  
amended by  
Nos. 9945, 9975,  
10031, 10087,  
10250, 10257,  
10258, 16/1986  
and 61/1986.

**Insertion of new Part VIA.**

4. After Part VI of the Principal Act insert—

**“PART VIA—PROTECTIVE SERVICES OFFICERS”****Definition.**

‘118A. In this Part “**Officer**” means an officer appointed under this Part.’ 5

**Appointment of protective services officers.**

“118B. (1) Subject to the regulations, the Chief Commissioner may from time to time appoint so many persons to be protective services officers as the Governor in Council thinks necessary for the purpose of providing services for the protection of persons holding certain official or public offices and of certain places of public importance. 10

(2) Officers are not members of the force.

(3) The conditions on which officers are employed shall be as determined by the Police Service Board.” 15

**Oath.**

“118C. (1) A person appointed as an officer is not capable of acting in the office until he or she has taken and subscribed the oath set out in Form B in the Second Schedule, as appropriately modified.

(2) The oath shall be administered by a justice and subscribed by the person taking it and the justice must forward a copy of the oath as so taken and subscribed to the Chief Commissioner.” 20

**Powers and privileges of officers.**

“118D. An officer who has taken and subscribed the oath has and may exercise, in the execution of his or her duties, the same powers, authorities, advantages and immunities, and is liable to the same duties and responsibilities, as a constable appointed under this Act has and may exercise, or to which such a constable is liable, by virtue of the common law.” 25

**Direction and control of officers.** 30

“118E. An officer, in the execution of his or her duties, is subject to the direction and control of the Chief Commissioner.”

**Discipline.**

“118F. An officer must comply with the prescribed disciplinary code.” 35

**Resignation.**

- 5 “118G. An officer must not resign or withdraw from duty unless expressly authorised in writing by the Chief Commissioner or by a person authorised in that behalf by the Chief Commissioner or unless the officer gives to the Chief Commissioner or such other person 14 days’ notice in writing of the intention to resign or withdraw.”

**Dismissal.**

“118H. The Chief Commissioner may terminate the service of, or suspend or dismiss, an officer.”

**10 Retirement at age 60.**

“118I. A person ceases to be an officer on attaining the age of 60 years.”

**Offence.**

- 15 “118J. A person must not assault or obstruct an officer in the execution of the officer’s duty.

Penalty: 10 penalty units.”

**Regulations.**

“118K. The Governor in Council may make regulations for or with respect to—

- 20 (a) the qualifications and procedures for appointment of officers;  
(b) the discipline of officers;  
(c) any matter relating to the efficiency of officers in the discharge of their duties; and  
25 (d) any other matter or thing required or permitted by this Act to be prescribed or necessary to be prescribed to give effect to this Act.”

**Amendment of Principal Act.**

5. (1) In section 69 of the Principal Act—  
30 (a) after sub-section (2) (c) insert—  
“and  
(d) to determine the conditions on which protective services officers are to be employed”; and

- (b) in sub-section (3) after “police force” insert “or protective services officers”.
- (2) In section 82 of the Principal Act—
  - (a) in sub-section (1) for “paragraph (a) of section 69 (2)” substitute “section 69”; and
  - (b) in sub-section (1A) for “paragraph (a) or (aa) of section 69 (2)” substitute “section 69”.