

# THE NORTHERN TERRITORY OF AUSTRALIA

No 27 of 1981

## AN ACT

To amend the Police Administration Act

[Assented to 25 March 1981]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### 1. SHORT TITLE

This Act may be cited as the Police Administration Amendment Act 1981.

### 2. PRINCIPAL ACT

The Police Administration Act is in this Act referred to as the Principal Act.

### 3. ACTING COMMISSIONER, &c.

Section 12 of the Principal Act is amended -

(a) by omitting sub-section (1) and substituting the following:

"(1) The Minister may appoint a member to act from time to time as the Commissioner, Deputy Commissioner or Assistant Commissioner, as the case may be, during the absence from the Territory or from duty of the Commissioner, Deputy Commissioner or Assistant Commissioner or a vacancy in any of those offices.";

(b) by omitting from sub-section (4)(a) "the Administrator" and substituting "the Minister";

(c) by omitting from sub-section (5) "the Administrator" and substituting "the Minister"; and

(d) by omitting from sub-section (6) "the Administrator" and substituting "the Minister".

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4. INTERIM VACANCIES

Section 13(1) of the Principal Act is amended by omitting "the Administrator" and substituting "the Minister".

5. CONSENT AGREEMENTS TO BE IN WRITING

Section 52 of the Principal Act is amended by omitting all words after "shall be in writing" and substituting "and, subject to this Part, shall remain in force for such period, not exceeding 5 years, as is specified in the agreement.".

6. ESTABLISHMENT OF BOARD

Section 59 of the Principal Act is amended -

(a) by omitting from sub-section (1) all words after "Police Promotions Board"; and

(b) by omitting sub-section (2).

7. CONSTITUTION OF BOARD

Section 60 of the Principal Act is amended -

(a) by omitting from sub-section (1)(c) "appropriate available"; and

(b) by omitting sub-sections (3) and (4) and substituting the following:

"(3) Subject to sub-section (4), the Minister shall appoint to be the nominated member for the purpose of sub-section (1)(c) a person stated by the secretary of the Police Association, in writing under his hand, to be the person nominated by that Association for that purpose.

"(4) Where an appeal is lodged by a member or former member of the Police Force against a decision of the Commissioner made under section 23 or 24, and that member or former member, immediately before the decision, held a rank in the Police Force higher than the rank of Sergeant First Class, the Minister shall, as soon as practicable after the appeal is lodged, appoint to be the nominated member of the Board for the purpose of the hearing of that appeal, a person stated by the secretary of the Officers Association, in writing under his hand, to be the person nominated by that Association in respect of that hearing, and upon his being so appointed he shall be a member of the Board for that purpose in place of the member referred to in sub-section (3)."

8. TRAVELLING TIME

Section 62(3) of the Principal Act is amended by omitting "an available nominated member" and substituting "a member of the Board".

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9. TERMINATION OF APPOINTMENT

Section 63(1) of the Principal Act is amended -

- (a) by omitting "An appointment" and substituting "Subject to section 60(4), an appointment"; and
- (b) by omitting paragraphs (b) and (c) and substituting the following:
  - "(b) the member ceasing to reside in the Territory;
  - (c) in the case of a member who is a member of the Police Force -
    - (i) his retirement or dismissal from the Police Force; or
    - (ii) his transfer to a station so distant from the place where the Board ordinarily sits that his continuing to act would, in the opinion of the Commissioner, interfere with the efficient working of the Police Force; or
  - (d) in the case of the member referred to in section 60(1)(c) or (4) - the secretary of the Police Association or Officers Association, as the case may be, notifying the Minister, in writing under his hand, that the member has ceased to be the person nominated by that Association for the purpose of that section."

10. REPEAL

Section 64 of the Principal Act is repealed.

11. APPEALS

Section 67 of the Principal Act is amended -

- (a) by inserting in paragraph (a) after "section 16(1)(b)" the words "promoting a member of the Police Force to the rank of Sergeant First Class or below"; and
- (b) by inserting at the end of paragraph (b) "to the rank of Sergeant First Class or below".

12. PROCEDURES

Section 68(3) of the Principal Act is amended by inserting after "requests a member" the words "of the Board".

13. FURTHER AMENDMENTS

The Principal Act is further amended as set out in the Schedule.

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SCHEDULE

Section 13

AMENDMENTS

Column 1	Column 2	
Provision of the Principal Act	Amendment	
	Omit	Substitute
Section 42(2)	"but subject to sub-section (5),"	
Section 51	"enter consent agreements"	"enter into consent agreements"
Section 53(3)	", thereupon, subject to sub-section (6),"	