

POLICE.

1° Elizabeth II., No. XV.

No. 15 of 1952.

AN ACT to amend the Police Act, 1892-1945, and, where necessary for the purpose of reprinting, to revise certain of the Acts amending "The Police Act, 1892" (Act 55 Victoriæ No. 27).

[Assented to 7th November, 1952.]

BE it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Police Act Amendment Act, 1952.* Short title.

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. In this Act, unless the context requires otherwise— Interpretation.

"amending Acts" means Acts 56 Victoriæ No. 10, 1893, 58 Victoriæ No. 26, 1894, 62 Victoriæ No. 21, 1898, 2 Edwardi VII No. 11 as

amended, 2 Edwardi VII No. 31, 1902 and Acts Nos 10 of 1907, 13 of 1915, 11 of 1928, 19 of 1933, 19 of 1940, 5 and 6 of 1945;

“principal Act” means the Police Act, 1892-1945, being Act 55 Victoriae No. 27 as reprinted in The Statutes of Western Australia Volume II, 1883-1892, By Authority 1896, and amended by the amending Acts.

Citation of principal Act as amended by this Act.

4. The principal Act as amended by this Act may be cited as the Police Act, 1892-1952.

S. 3 amended.

5. Section three of the principal Act is amended by:—

- (a) substituting the number “142” for the number “138” in line twenty-five;
- (b) deleting line twenty-six.

Part IX deleted.

6. The principal Act is amended by deleting the words and figures “Part IX—As to Appeals” after the last line of section one hundred and thirty-eight.

Revision of certain of the provisions of the amending Acts.

7. (1) By way of revision, for the purpose of reprinting, the provisions of the amending Acts are amended to the extent specified in the Schedule to this Act.

(2) The provisions of the last preceding subsection shall not be construed so as to affect the provisions of the Amendments Incorporation Act, 1938.

SCHEDULE.

S. 7.

No. of Act.	Short Title.	Item.	Amendment.
6 Vict. No. 10	The Police Act Amendment Act, 1893 (No. 1)	1. Add after the section number “4” the following:— “The Police Act, 1892” is amended by adding after section eighty-four, as section eighty-four A the following:—	
		2. Add after the section number “5” the following:— “The Police Act, 1892” is amended by adding as section eighty-four B the following:—	

SCHEDULE—continued.

No. of Act.	Short Title.	Item.	Amendment.
58 Vict. No. 26	"The Police Act, 1892 Amendment Act, 1894" (No. 2)	3.	Add after the section number "6" the following :— "The Police Act, 1892" is amended by adding as section eighty-four C the following :—
62 Vict. No. 21	Police Act Amendment Act, 1898	4.	Add after the section number "7" the following :— "The Police Act, 1892" is amended by adding as section eighty-four D the following :—
2 Edw. VII No. 31	Police Act Amendment Act, 1902	5.	Add after the section number "8" the following :— "The Police Act, 1892" is amended by adding as section eighty-four E the following :—
		6.	Add after the section number "9" the following :— "The Police Act, 1892" is amended by adding as section eighty-four F the following :—
		7.	Add after the section number "10" the following :— "The Police Act, 1892" is amended by adding as section eighty-four G the following :—
		8.	Add after the section number "11" the following :— "The Police Act, 1892" is amended by adding as section eighty-four H the following :—
		9.	Add after the section number "12" the following :— "The Police Act, 1892" is amended by adding as section eighty-four I the following :—
		10.	Section thirteen is repealed.
		11.	Add after the section number "14" the following :— "The Police Act, 1892" is amended by adding as section seventy-nine A the following :—
		12.	Section four is repealed.
		13.	Add after the section number "5" the following :— "The Police Act, 1892" is amended by adding as section sixty-two A the following :—
		14.	Add after the section number "3" the following :— "The Police Act, 1892" is amended by adding as section fifty A the following :—
		15.	Add after the section number "2" the following :— The principal Act is amended by adding as section seventy-six A the following :—
		16.	Insert after the word "vehicle" in line two of paragraph (a) of subsection (1) of section two the words "or in any boat or vessel" and insert after the word "gold" in subsections (1) and (2) of section two respectively the words, "or pearl."

SCHEDULE—continued.

No. of Act.	Short Title.	Item.	Amendment.
		17.	<p>Add after the section number " 3 " the following :— The principal Act is amended by adding as section seventy-six B the following :—</p>
		18.	<p>Insert after the word " gold " in lines two and five of section three the words " or pearl."</p>
		19.	<p>Add after the section number " 4 " the following :— The principal Act is amended by adding as section seventy-six C the following :—</p>
		20.	<p>Insert after the word " gold " in line two of paragraph (a) of section four the words " or pearl."</p>
		21.	<p>Add after the section number " 5 " the following :— The principal Act is amended by adding as section seventy-six D the following :—</p>
		22.	<p>Substitute for the word " two " in line three of subsection (1) of section five the word and letter " seventy-six A " and insert after the word " gold " in line three of paragraphs (a) and (b) of subsection (2) of section five respectively the words " or pearl."</p>
		23.	<p>Add after the section number " 6 " the following :— The principal Act is amended by adding as section seventy-six E the following :—</p>
		24.	<p>Substitute for the words " the preceding sections " in line one of section six the words and letters " sections seventy-six A, seventy-six C and seventy-six D," insert after the word " gold " in lines two and four of section six the words " or pearl " and add the following words to the section :— " In this and the preceding sections of this Act the word ' pearl ' includes baroque pearl and blister pearl."</p>
		25.	<p>Add after the section number " 7 " the following :— The principal Act is amended by adding as section seventy-six F the following :—</p>
		26.	<p>Add after the section number " 8 " the following :— The principal Act is amended by adding as section seventy-six G the following :—</p>
		27.	<p>Substitute for the word " principal " in line seven of subsection (1) of section eight the word " this."</p>
		28.	<p>Add after the section number " 9 " the following :— The principal Act is amended by adding as section seventy-six H the following :—</p>

SCHEDULE—continued.

No. of Act.	Short Title.	Item.	Amendment.
No. 10 of 1907 No. 13 of 1915	Police Act Amend- ment Act, 1907 Police Act Amend- ment Act, 1915	29. Substitute for the words "during any part of any Sunday" in lines two and three of paragraph (a) of subsection (1) of section nine the words, "on Christmas Day or on Good Friday in any year, or during any part of any such days respectively." 30. Add after the section number "10" following:— The principal Act is amended by adding as section fifty-eight A the following:— 31. Add after the section number "11" the following:— The principal Act is amended by adding as section seventy-six I the following:— 32. Substitute for the words "In this Act" in line one of section eleven the words and letters "For the purposes of sections seventy-six A to seventy-six H inclusive of this Act." 33. The whole of the Act is repealed.	34. Add after the section number "2" the following:— The principal Act is amended by adding as section thirty-five A the following:— Substitute for the word "principal" in line four of subsection (2) of section two the word "this." Delete the proviso to subsection (2) of section two. 35. Substitute for the words "Part III of the principal" in the last line of subsection (3) of section two the word "this." Delete the word "heretofore" in line one of subsection (4) of section two and insert after the word "Police" in line two thereof the words "before the commencement of the Police Act Amendment Act, 1915." Substitute for the word "principal" in the last line of subsection (4) of section two the word "this."
No. 11 of 1928	Police Offences (Drugs) Act, 1928	36. Substitute for section two the following:—	(1) Section three of "The Police Act, 1892" is amended by inserting therein between Part VI and Part VII the following:— "94A to 94E Part VIA, Opium and Dangerous Drugs." (2) A Part is inserted in "The Police Act, 1892" after section ninety-four with the heading "Part VIA, Opium and Dangerous Drugs."

SCHEDULE—continued.

No. of Act.	Short Title.	Item.	Amendment.
No. 6 of 1945	Police Act Amend- ment Act, 1902, Amendment Act, 1945	37.	Add after the section number " 3 " the following :— " The Police Act, 1892 " is amended by adding after the heading " Part VIA, Opium and Dangerous Drugs " as section ninety-four A the following :—
		38.	Substitute for the figure " 1894 " in line two of the definition of " Dentist " the figures " 1939-1947." Substitute for the words and figure " Medical Practitioners Act, 1894 " in lines two and three of the definition of " Medical practitioner " the words and figures " Medical Act, 1894-1950."
		39.	Substitute for the figure " 1910 " in line three of the definition of " Pharmaceutical Chemist " the figures " 1910-1948." Insert before the word " Schedule " in the last line of subsection (3) of section three the word " Third."
		40.	Add after the section number " 4 " the following :— " The Police Act, 1892 " is amended by adding as section ninety-four B the following :—
		41.	Add after the section number " 5 " the following :— " The Police Act, 1892 " is amended by adding as section ninety-four C the following :—
		42.	Add after the section number " 6 " the following :— " The Police Act, 1892 " is amended by adding as section ninety-four D the following :—
		43.	Add after the section number " 7 " the following :— " The Police Act, 1892 " is amended by adding as section ninety-four E the following :—
		44.	Substitute for the figure " 1919 " in line two of subsection (7) of section seven the figure " 1950."
		45.	Insert before the word " Schedule " in the first line of the Schedule the words " The Third."
		46.	The whole Act is repealed.