

WESTERN AUSTRALIA

ANNO TRIGESIMO

VICTORIÆ REGINÆ

No. 10

An Ordinance to regulate the Police Benefit Fund.

[Assented to 25th September, 1866.]

Preamble

WHEREAS moneys have been collected from among the members of the Police Force by means of fines and subscriptions, for the purpose of providing a Police gratuity, reward and benefit fund; and it is desirable, for the encouragement of such members, that the funds so raised be specially set apart for their benefit, and should be secured to them and protected by law: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Police Benefit  
Fund

1. The balance of moneys in the hands or control of the Superintendent of Police to the credit of the Police Benefit Account at the time of the passing of this Ordinance, and also all moneys hereafter accruing from fines and penalties imposed on any of the Constables belonging to the Police Force of the Colony for misconduct; and any portion of the fines, penalties and forfeitures imposed on offenders by any Magistrate, on the information of any Police Constable, as shall be directed by law to be paid to the informer, and any further and other sums, or portion of salaries of the members of the Police Force, as the rules and regulations hereinafter mentioned shall direct, shall from time to time be invested in the names of such persons, and in such manner as may from time to time be directed by the Governor, with the advice of the Executive Council, and the interest and dividends thereof, if any, or so much of the same as may be required for the purposes hereinafter mentioned, shall be invested in like manner, and accumulate so as to form a fund to be called 'The Police Benefit Fund,' and such fund shall be applied, as occasion may require, for the payment of such gratuities, rewards, retiring allowances or superannuation, as may be ordered or appointed by the Governor, under the powers hereinafter given him, to be charged on the said fund or payable thereout.

*Police Benefit Fund*

2. All fines and penalties for neglect of duty which shall be imposed on any Police Constable under the 'Police Ordinance, 1861,' or any other Ordinance, and the moiety or portion, if any, payable to the informer, of all fines, penalties and forfeitures imposed upon any summary conviction by a Justice or Justices of the Peace, on any offender, upon the information of a Police Constable, or the Superintendent of Police, and any further or other sums, or portions of the salaries of the members of the Police Force, as the rules and regulations hereinafter provided shall direct, shall be paid to the Superintendent of Police on account of the said Police Benefit Fund, notwithstanding any Ordinance to the contrary.

Fines, &c.,  
payable to Fund

3. Upon the written recommendation of any Board or Boards to be nominated from time to time in the rules and regulations hereinafter mentioned, it shall be lawful for the Governor to order and direct that any Inspector, Sub-Inspector or Police Constable, or the widow or orphan or orphans of such Inspector, Sub-Inspector or Police Constable shall receive such gratuity, reward, retiring allowance or superannuation, and upon such conditions as shall be provided for in this Ordinance and the rules and regulations for the time being to be made in pursuance hereof; and every such gratuity, reward, retiring allowance or superannuation, shall be chargeable upon and paid out of the said Police Benefit Fund, so far as the same shall be adequate to the discharge thereof, together with the several gratuities and rewards previously payable out of the said fund.

Officers how  
paid

4. If any person entitled to a gratuity, reward, retiring allowance or superannuation under this Ordinance shall be convicted of felony or misdemeanour, or shall be dismissed for misconduct from the said Police Force, such person shall, in addition to any other punishment to which he may be liable, forfeit, at the pleasure of the Governor, the whole or part of such gratuity or reward; and if any person, after having received such gratuity or reward, retiring allowance or superannuation, shall apply for or in any manner claim or receive a superannuation, gratuity or reward under any Statute or Ordinance, other than this Ordinance, on account of his service in the said Police Force, without the written permission of the Governor, he shall be guilty of a misdemeanour and punished accordingly.

Forfeiture of  
gratuity on  
conviction for  
felony

5. The Governor, with the advice of the Executive Council, shall from time to time make all such rules and regulations, not being repugnant to the provisions of this Ordinance, or the laws of the said Colony, as he, with the advice aforesaid, shall deem necessary for carrying the provisions of this Ordinance into effect, and may from time to time alter, vary or annul such rules and regulations; and such rules and regulations and every alteration, variation and annulling thereof, or any part thereof, shall be binding on the several members of the Police Force, and all persons claiming through or under them, and be received as evidence in the said Colony.

Rules to be made  
by Governor

J. S. HAMPTON,  
GOVERNOR AND COMMANDER-IN-CHIEF.