

PO301*

Police Act 1892

Police Force Amendment Regulations (No. 2) 2010

Made under section 9 by the Commissioner of Police, with the approval of the Minister for Police.

1. Citation

These regulations are the *Police Force Amendment Regulations (No. 2) 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Police Force Regulations 1979*.

4. Regulation 605 amended

- (1) In regulation 605(1) delete paragraphs (e) and (f) and insert:

- (e) report anything which he knows concerning a criminal charge and disclose any evidence which he or, to his knowledge, any other person can give for or against any accused in criminal proceedings;
- (f) if, other than in the course of duty, he is present at or involved in an incident occurring within the State that the police attend or investigate —
 - (i) as soon as practicable, declare his presence or involvement, his status as a member or cadet, and his knowledge of the incident to the attending or investigating police; and

- (ii) as soon as practicable, report his presence or involvement, and knowledge of the incident, to his own supervisor;
- (g) if, other than in the course of duty, he is present at or involved in an incident occurring outside the State that police of the relevant jurisdiction attend or investigate, as soon as practicable report his presence or involvement, and knowledge of the incident, to his supervisor;
- (h) if he is charged with an offence under the law of the State or of any other jurisdiction, as soon as practicable report the charge to his supervisor;
- (i) if he —
 - (i) is given a cannabis infringement notice under the *Cannabis Control Act 2003* Part 2; or
 - (ii) is given an infringement notice under the *Liquor Control Act 1988* section 167; or
 - (iii) is given an order under *Criminal Investigation Act 2006* section 27; or
 - (iv) becomes bound by an order (including a police order) made under the *Restraining Orders Act 1999*,
as soon as practicable report the notice or order to his supervisor;
- (j) report any corrupt, criminal, unlawful, dishonest or unethical conduct or breach of discipline which he knows, or suspects on reasonable grounds, that a member or cadet is committing or has committed;
- (k) report any other matter which it is his duty to report.

(2) After regulation 605(2) insert:

- (3) If subregulation (1) requires a member or cadet to report a matter then, unless that subregulation provides otherwise, he is to report it —
 - (a) to his supervisor; or
 - (b) if he reasonably considers that it is not appropriate to report the matter to his supervisor, to a commissioned officer —
 - (i) who is not his supervisor; and

- (ii) who, if the member reporting is a commissioned officer, is equal or superior in rank to the member reporting.

Signed: K. J. O'CALLAGHAN
Commissioner of Police

Approved: ROB JOHNSON
Minister for Police
