

Western Australia

Police Force Regulations 1979

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Police Force Regulations 1979

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Western Australia

Police Act 1892

Police Force Regulations 1979

Part I — Preliminary

101. Citation

These regulations may be cited as the *Police Force Regulations 1979*¹.

[Regulation 101 amended in Gazette 17 Nov 1989 p. 4110.]

[102. Repealed in Gazette 6 Jan 1998 p. 36.]

103. Interpretation

In these regulations, unless the contrary intention appears —

“**Aboriginal Aide**” means a person appointed under section 38A of the Act;

“**approved**” means approved by the Commissioner;

“**Assistant Commissioner**” means a person holding or acting in the office of Assistant Commissioner of Police;

“**cadet**” means any person appointed under the provisions of section 7(2) under the Act;

“**Commissioned Officer**” means a member appointed a Commissioned Officer pursuant to section 6 of the Act;

“**Commissioner**” means the person holding or acting in the office of Commissioner of Police under the Act;

“**constable**” means a member other than a commissioned officer or a non-commissioned officer;

“Department” means the department of the State known as the Police Department;

“Deputy Commissioner” means a person holding or acting in the office of Deputy Commissioner;

“member” includes any person holding office as a Commissioned Officer, non-commissioned officer or constable under the Act;

“metropolitan area” means the portion of the State within the Metropolitan Police Region created pursuant to section 39(2) of the Act;

“non-commissioned officer” means a non-commissioned officer appointed under section 7(1) of the Act;

“officer” means a member other than a non-commissioned officer or a constable;

“Police Gazette” means the publication published pursuant to regulation 307;

“physical performance evaluation” means a course designed to evaluate a person’s physical capabilities in relation to job requirements;

“the Award” means —

(a) in relation to a matter relating to members — the Police Award 1965;

(b) in relation to a matter relating to cadets — the Police Cadet Award

in force under the *Industrial Relations Act 1979*² including any amendment to such an award and any award in substitution for such an award; the term also includes an industrial agreement registered under that Act;

“the Force” means the Police Force established under the Act.

[Regulation 103 amended in Gazette 15 Jan 1982 p. 55; 7 Dec 1984 p. 4024; 22 Jan 1988 p. 127; 17 Mar 1989 p. 752; 14 Jul 1992 p. 3364; 22 Aug 1997 p. 4815.]

Part II — Constitution

201. Order of rank

- (1) The Force comprises ranks with authority in the following order —
 - (a) Officer ranks —
 - (i) Commissioner;
 - (ii) Deputy Commissioner;
 - (iii) Assistant Commissioner;
 - (iv) Commander;
 - (v) Chief Superintendent;
 - (vi) Superintendent;
 - (vii) Chief Inspector;
 - (viii) Inspector;
 - (b) Non-commissioned officer ranks —
 - (i) Senior Sergeant;
 - (ii) Sergeant First Class;
 - (iii) Sergeant;
 - (c) Other ranks —
 - (i) Senior Constable;
 - (ii) Constable First Class;
 - (iii) Constable;and
 - (d) Aboriginal aide ranks —
 - (i) senior aboriginal aide;
 - (ii) aboriginal aide first class;
 - (iii) aboriginal aide.
- (2) The prefix “Detective” may be used in conjunction with the rank of a commissioned officer in the Criminal Investigation Branch.

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Part II Constitution

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*[Regulation 201 amended in Gazette 16 Feb 1979 p. 425;
31 Jul 1981 p. 3158; 23 Mar 1984 p. 745; 24 Apr 1986 p. 1476;
17 Mar 1989 p. 752; 30 Mar 1990 p. 1648; 14 Jul 1992
p. 3364-5.]*

Part III — Organization

301. Commissioner to determine functions, duties and responsibilities

- (1) The functions, duties and responsibilities of a region, division, sub-division, section, branch or sub-branch shall be such as are determined by the Commissioner from time to time.
- (2) The Commissioner may from time to time alter, vary or abolish any region, division, sub-division, section, branch or sub-branch and may alter or vary any of the functions, duties and responsibilities of a region, division, sub-division, section, branch or sub-branch.

302. Deployment and control

For the purposes of the deployment and control of the Force the Commissioner may from time to time —

- (a) appoint the place or location of the principal police office or police station for a region, division or sub-division;
- (b) appoint the places or locations of police offices and police stations in a region, division or sub-division; and
- (c) apply a name or designation to a region, division, sub-division, police station and police office.

303. Officers in control

- (1) Each Police Region shall be under an officer known as the Regional Officer who shall be the officer-in-charge of the region.
- (2) The Regional Officer is responsible for the discipline of all members and cadets (including members and cadets transferred for duties in the Traffic Patrol under the provisions of the *Road Traffic Act 1974*) stationed in the region.

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- (3) Each police division shall be under the control of an officer who shall be known as the Divisional Officer.
- (4) Each police sub-division shall be under the control of an officer, non-commissioned officer or constable, as the case may be, who shall be known as the officer-in-charge of the sub-division.

304. Officers-in-charge absent

- (1) Subject to this regulation, where —
 - (a) an officer-in-charge of a region is absent from his region;
 - (b) an officer-in-charge of a division is absent from his division;
 - (c) an officer-in-charge of a sub-division is absent from his police station or police office,

the functions, duties and responsibilities of that officer-in-charge shall be assumed by the next senior member in the region, sub-division, police station or police office, as the case requires.

- (2) Where all the officers of a region are absent from the region the functions, duties and responsibilities of the officer-in-charge of the region shall be assumed by the officer-in-charge of the headquarters police station.
- (3) Where a Divisional Officer is absent from his Division the functions, duties and responsibilities of the Divisional Officer shall be assumed by the officer-in-charge of the region in which the Division is situated.

305. Commissioner may appoint any member when officer-in-charge absent

Notwithstanding anything in regulation 304, the Commissioner may appoint or direct any member to carry out the functions, duties and responsibilities of any officer-in-charge of a region, division, sub-division, section, branch or sub-branch during the

absence of the officer-in-charge from the region, division, sub-division, section, branch or sub-branch and the member so appointed shall be the officer-in-charge of the region according to the terms of the appointment or direction.

306. Senior member to exercise command unless member specially detailed

Where 2 or more members are performing a particular duty with any unit the senior member present exercises command except where one of these members has been specially detailed for that particular duty in which case the member so specially detailed shall exercise command.

307. *Police Gazette* to be published

For the purposes of the better management and control of the Force and cadets and as a means of keeping the Force and cadets better informed on matters relating to the Force the Commissioner may from time to time cause an official gazette known as the *Police Gazette* to be published.

Part IV — Duties

401. Member and cadet to obey directions

Every member or cadet shall carry out such functions, duties and responsibilities as he is directed by or on behalf of the Commissioner.

402. Provisions relating to behaviour

Every member or cadet shall —

- (a) devote himself exclusively and zealously to the discharge of his duties during his hours of duty;
- (b) behave at all times with courtesy to the public and every member or cadet, and give prompt attention to all reasonable requirements of the public;
- (c) obey promptly all lawful instructions given by any member under whose control or supervision he is placed and, where necessary, act on his own initiative;
- (d) promptly and correctly carry out all duties appertaining to his office, or any other duty he is lawfully directed to perform; and
- (e) in due course and at proper times comply with, and give effect to, all enactments, regulations, rules, orders and administrative instructions made or issued for his guidance in the performance of his duties.

403. Proper care to be taken of firearms, etc.

Every member or cadet shall take proper care of any firearms or ammunition in his care, possession or custody.

404. Full uniform to be worn on duty

Except where he is otherwise directed, a member of the Uniformed Branch shall wear full uniform on duty and when attending court.

405. Certificate of identity

A member who is not in uniform shall have with him his certificate of identity, which he shall produce whenever requested to do so by a person in relation to whom he is about to exercise any power or duty as a member unless he has a reasonable cause to refuse to do so or unless it is not possible to do so.

406. Notice to be taken of information published in *Police Gazette*

- (1) Every member and cadet shall acquaint himself with the information published in the *Police Gazette*.
- (2) A member or cadet shall not —
 - (a) divulge any information gained by him from the *Police Gazette* unless authorised to do so by the Commissioner;
 - (b) permit or suffer any person who is not a member or cadet to read the *Police Gazette* or any portion thereof; or
 - (c) permit or suffer any *Police Gazette* or portion thereof to come into the possession of a person who is not a member or cadet.

407. Notice of functions, duties and responsibilities of other members

- (1) In order to conduce coordination in the prevention and detection of offences throughout the State by all the members of the Force every member shall give consideration to the functions, duties and responsibilities of other members of the Force.
- (2) Where an event or incident occurs or is likely to occur and more than one member is required to perform certain functions, duties or responsibilities in relation to that event or incident each member shall have regard to the proper completion of all the functions, duties and responsibilities required to be carried out in relation to that event or incident.

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- (3) Except where the event or incident comes within the functions, duties and responsibilities of a particular branch, division, section or squad and subject to any direction to the contrary given by a senior member, where the officer-in-charge of a police region, division, police station or police office, as the case may be, in whose region, division or within whose area an event or incident occurs or is likely to occur is of the opinion that the functions, duties and responsibilities required to be carried out in relation to that event or incident will not be carried out, are not being carried out or have not been carried out, he may give such lawful directions as he thinks are necessary for the performance of those functions, duties and responsibilities and every member concerned shall give effect to those directions.
- (4) Where a member who receives a direction given pursuant to subregulation (3) disagrees with the direction he shall nevertheless carry out the direction but may report the matter to the Commissioner in the manner directed by the Commissioner.

408. Persons etc., entitled to be saluted

- (1) A member shall salute —
 - (a) the following persons where known to him —
 - (i) His Excellency the Governor;
 - (ii) Executive Council members;
 - (iii) Supreme Court Judges;and
 - (b) the Royal Colours when they are borne past him.
- (2) A commissioned officer shall salute a senior officer when reporting for, or being dismissed from, parade, or when making a report to him.
- (3) A sergeant or constable shall salute —
 - (a) magistrates and justices of the peace met at their courts;and

- (b) commissioned officers known to be such, whether in uniform or not.
- (4) Subregulations (1), (2) and (3) do not apply to a member present in a court or at a hearing of a complaint presided over by one of the persons mentioned in this regulation, or to a member on urgent duty which demands the whole of his attention.
- (5) Where a salute is received from a subordinate by —
 - (a) a commissioned officer, the commissioned officer shall return the salute;
 - (b) a group of commissioned officers, the senior commissioned officer shall return the salute.

409. How to salute

- (1) To salute a person entitled to be saluted, a member shall —
 - (a) where stationary when the person is passing, turn towards him and stand to attention;
 - (b) where walking past the person, turn the head slightly towards him; or
 - (c) where addressing him or appearing before him, halt 2 paces from him and stand to attention,and where wearing head-dress and able to use the right hand, raise the right hand smartly to the head-dress.
- (2) To salute the Royal Colours, a member shall turn towards the colours, stand to attention, and, where he is wearing head-dress and able to use the right hand, raise the right hand smartly to the head-dress.
- (3) Subregulations (1) and (2) do not apply to members marching as a group, as in that circumstance, each member shall salute by turning head and eyes to the right or left on the command, “Eyes right!” or “Eyes left!” by the member in charge of the group.

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410. When to stand to attention

- (1) A member or cadet shall stand to attention when addressed by a superior officer.
- (2) Where an officer visits a room or office occupied by subordinate members or cadets, the first member or cadet to see the officer shall call the members or cadets to attention and they shall cease work and remain at attention until the officer leaves or releases them.

Part V — Appointment

501. Application for appointment

- (1) A person who is desirous of being appointed as a member or a cadet shall apply in his own handwriting to the Commissioner.
- (2) An application made under subregulation (1) shall be —
 - (a) on the approved form; and
 - (b) accompanied by —
 - (i) evidence of the date of birth of the applicant;
 - (ii) testimonials of character from persons to whom the applicant is known;
 - (iii) where the applicant has had previous service in a police force, the armed services or with a public authority, any certificate issued in respect of that previous service; and
 - (iv) unless otherwise required by the Commissioner, a certificate from a medical practitioner in the form of Form 1 in the Third Schedule.

[Regulation 501 amended in Gazette 22 Jan 1988 p. 128.]

502. Eligibility for appointment

- (1) Subject to these regulations, a person is not eligible for appointment unless —
 - (a) he is —
 - (i) an Australian citizen, or a permanent resident, within the meaning of the *Australian Citizenship Act 1948* of the Commonwealth; or
 - (ii) the holder of a temporary visa within the meaning of the *Migration Act 1958* of the Commonwealth and is authorised by that temporary visa to engage in relevant work in Australia;
 - (b) he is of good character and repute;

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[(c) deleted]

(d) he passes a medical examination conducted by a legally qualified medical practitioner who certifies that he is physically fit and free from any constitutional, organic or other disability likely to render him unfit for duty as a member or cadet;

(e) he is —

(i) in the case of an application for appointment as a member not less than 19 years of age;

(ii) in the case of an application for appointment as a cadet not less than 16 years of age and not more than 18 years of age,

and

(f) he has —

(i) in the case of an application for appointment as a member, successfully completed at least Year 10 of school education in a school in Western Australia or has achieved an equivalent standard;

(ii) in the case of an application for appointment as a cadet, successfully completed at least Year 11 of school education in a school in Western Australia or has achieved an equivalent standard and has passed the entrance examination prescribed by regulation 503;

and

(g) in the case of an application for appointment as a member, and if required to do so by the Commissioner, he passes a physical performance evaluation conducted by a person appointed for that purpose by the Commissioner; and

(h) if required to do so by the Commissioner, he presents himself for personal interview by a Board of Selectors.

- (2) The activities to be undertaken by an applicant for appointment as a member, for the purposes of a physical performance evaluation required under subregulation (1)(g), shall be as determined by the Commissioner.

[Regulation 502 amended in Gazette 1 Mar 1985 p. 790; 22 Jan 1988 p. 128; 20 Sep 1996 p. 4750; 17 Dec 2004 p. 6087.]

503. Entrance examination

The entrance examination to be passed by every person who desires to be considered for appointment to the Force shall consist of —

[(a) deleted]

- (b) a written examination in English expression, covering both grammar and spelling; and
- (c) arithmetic.

[Regulation 503 amended in Gazette 18 Nov 1988 p. 4532.]

504. Board of Selectors

For the purposes of regulation 502(1)(h), the Commissioner may appoint a Board of Selectors, which shall have a membership as follows —

- (a) as to number —
 - (i) in the absence of specific reasons for contrary action, 3 members; but
 - (ii) in any case a minimum of 2 members and a maximum of 4 members;
- (b) as to sex, in the absence of specific reasons for contrary action, members of each sex; and
- (c) as to status, a member may be a Commissioned Officer, a Senior Sergeant or a person who is a retired Commissioned Officer, except that a Commissioned Officer shall be appointed to be chairman.

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[Regulation 504 inserted in Gazette 1 Dec 1989 p. 4395.]

505. Member in possession of information about applicant

Where a member possesses any information about any applicant that should be brought to the attention of the Commissioner, the member shall immediately communicate that information to his officer-in-charge for forwarding to the Officer-in-Charge, Recruiting.

505A. Probationary period

- (1) A person appointed as a member is on probation for a period of 2 years beginning on the day of his induction into the Police Academy or, where the person did not attend the Police Academy, beginning on the day of his appointment as a member.
- (2) Where the Commissioner is of the opinion that a member on probation will not give satisfactory service, he may, subject to the approval of the Minister remove the member from the Force.
- (3) The Commissioner may, at his discretion, shorten or lengthen the period of probation of any member.
- (4) Where the period of probation of a member is lengthened in accordance with subregulation (3), the Commissioner shall notify the member, in writing, of the date to which the probationary period is extended and the reason for that extension.

*[Regulation 505A inserted in Gazette 1 Mar 1985 p. 790;
amended in Gazette 14 Jul 1992 p. 3365.]*

Part VI — General rules relating to discipline

601. Acting in manner prejudicial to the Force

- (1) A member or cadet shall not act in a disorderly manner, or any manner prejudicial to discipline of the Force.
- (2) A member or a cadet shall not act in a manner that is likely to bring discredit on the Force or in a manner that is unbecoming of a member of the Force or a cadet, as the case may be.

602. Behaviour towards other members

A member or cadet shall not —

- (a) be insubordinate in any way;
- (b) use oppressive or tyrannical conduct towards an inferior in rank;
- (c) use obscene, abusive or insulting language towards any other member or cadet;
- (d) wilfully or negligently make any false complaint or statement against a member or a cadet;
- (e) assault a member or a cadet;
- (f) withhold any complaint or report against a member or a cadet;
- (g) cause or attempt to cause disaffection amongst members or cadets.

603. Lawful order not to be disobeyed

A member or cadet shall not disobey a lawful order and shall not, without good and sufficient cause, fail to carry out a lawful order.

604. Officer-in-charge not to remain absent unless arrangements made for his absence

An officer-in-charge shall not remain absent from his region, division, sub-division, section, branch, sub-branch, police

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station or office as the case may be, unless definite and adequate arrangements have been made for carrying out the functions, duties and responsibilities attaching to his office during his absence.

605. Performance generally

- (1) A member or cadet shall —
 - (a) except for good or sufficient cause, promptly and diligently attend to and carry out anything which is his duty as a member or cadet;
 - (b) perform and carry out any duty in a proper manner;
 - (c) work his beat in accordance with orders;
 - (d) when knowing where any offender is to be found, report the same and shall make due exertion for making him amenable to justice;
 - (e) report any matter which it is his duty to report;
 - (f) report anything which he knows concerning a criminal charge and shall disclose any evidence which he, or any person within his knowledge can give for or against any accused or defendant to a criminal charge.

- (2) A member or cadet shall not —
 - (a) sleep while on duty;
 - (b) by carelessness or neglect permit a prisoner to escape;
 - (c) omit to make any necessary entry in any official document or book;
 - (d) neglect, or without good and sufficient cause omit to carry out any instruction of the District Medical Officer while absent from duty on account of sickness; or
 - (e) if absent from duty on account of sickness or ill-health, do any act that will, or is likely to, retard his return to duty, or conduct himself in a manner that is likely to cause a delay in his return to duty.

606. False, misleading or inaccurate statements, etc.

A member or cadet shall not —

- (a) knowingly make or sign any false statement in any official document or book;
- (b) wilfully or negligently make any false, misleading or inaccurate statement;
- (c) without good and sufficient cause destroy or mutilate any official document or record or alter or erase any entry therein.

607. Secrecy

(1) A member or cadet shall not —

- (a) give any person any information relating to the Force or other information that has been furnished to him or obtained by him in the course of his duty as a member or cadet; or
- (b) disclose the contents of any official papers or documents that have been supplied to him in the course of his duties as a member or cadet or otherwise,

except in the course of his duty as a member or cadet.

(2) A member or cadet shall not, except with the express permission of his officer-in-charge or the Commissioner —

- (a) publicly comment, either orally or in writing, on any administrative action, or upon the administration of the Force;
- (b) use for any purpose, other than for the discharge of his official duties as a member or cadet, information gained by him through his employment in the Force or as a cadet; or
- (c) communicate to the public, or to any unauthorised person any matter connected with the Force.

(3) A member or cadet shall not —

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- (a) make any anonymous communication to the Commissioner or any commissioned officer;
- (b) canvass the Commissioner or any Minister of the Crown or any officer of the Minister's Department with regard to any matter concerning the Force;
- (c) sign or circulate any petition or statement except through the proper channel of correspondence to the Commissioner or in accordance with the constitution of the Western Australian Police Union of Workers.

[Regulation 607 amended in Gazette 22 Jan 1988 p. 128.]

608. Member or cadet not to compromise his position

- (1) A member or cadet shall not —
 - (a) receive any bribe;
 - (b) subject to regulation (1a), directly or indirectly solicit or receive any gratuity, present, reward, subscription or testimonial without the approval of the Commissioner;
 - (c) place himself under pecuniary obligation to any person who is directly or indirectly interested in any premises licensed for sale of intoxicating liquor, or who holds a licence concerning the granting or renewal of which the Police may have to report or give evidence;
 - (d) improperly use his reputation or position as a member or as a cadet for his private advantage;
 - (e) in his capacity as a member or as a cadet, sign, write or give, without the approval of the Commissioner, any testimonial of character or recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind;
 - (f) without the approval of the Commissioner, support an application for the grant of a licence of any kind;
 - (g) unless duly authorised, create a liability or enter into any contract on behalf of the Crown or agree to alter the

terms or conditions of any prescribed or duly approved form of contract to which the Crown is or will be party.

- (1a) The Commissioner may delegate, to an officer of the rank of Superintendent or higher, the approval power conferred on the Commissioner under subregulation (1)(b).
- (2) A member or cadet shall account for and make prompt and true return of any money or property received by him in his official capacity.
- (3) Where the Commissioner requires a member or cadet to account for any money or property whether received by him in his capacity as a member or cadet or not the member or cadet shall comply with that requirement within the time specified by the Commissioner.

[Regulation 608 amended in Gazette 10 Aug 2001 p. 4214.]

609. Unlawful arrest and unnecessary force

A member or cadet shall not —

- (a) make any unlawful arrest; or
- (b) use any unnecessary force on any prisoner or other person with whom he may be brought into contact in the performance of his duty.

610. Feigning sickness or injury

A member or cadet shall not feign or exaggerate any sickness or injury with a view to evading duty.

611. Not to be absent or late without reasonable excuse

A member or cadet shall not without reasonable excuse be absent without leave from, or be late for, parade, court or any other duty.

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612. Appearance

A member or cadet shall not while on duty, or while off duty in uniform in a public place, be improperly dressed or be dirty or untidy in his person, clothing or appointments.

613. Care of property issued

- (1) A member or cadet shall not —
 - (a) wilfully or by carelessness cause any waste, loss or damage in respect of any article of clothing or appointment, or in respect of any book, document or other property issued to him, used by him or entrusted to his care; or
 - (b) without lawful authority use any property issued to him or used by him or entrusted to his care other than in the performance of his duty.
- (2) A member or cadet shall promptly report any loss or damage, however caused, to any article supplied to him for the performance of his duties.

614. Under influence of intoxicating liquor or any drug

A member or cadet who at any time when on duty, or at any time when it is time for him to go on duty, is found to be under the influence of intoxicating liquor or any drug to such an extent as to affect or be likely to affect his speech, action or judgment, commits an offence against the discipline of the Force.

615. Receiving and being supplied with intoxicating liquor while on duty

A member or cadet shall not without the consent of his superior officer —

- (a) drink or receive from any person, any intoxicating liquor;
- (b) request or attempt to persuade any person to supply him with intoxicating liquor,

while he is on duty.

616. Entering licensed premises

A member or cadet shall not enter while on duty any premises licensed under the *Liquor Act 1970*³ or any other premises where intoxicating liquor is stored or distributed, when his presence there is not required in the performance of his duty.

617. Consumption of intoxicating liquor

- (1) A member shall not while in uniform consume intoxicating liquor in a public place except with the prior approval of the Commissioner.
- (2) A member does not commit an offence against subregulation (1) if he consumes intoxicating liquor at the Police Canteen.

618. Premises supplying intoxicating liquor

- (1) Subject to subregulation (2), a member or cadet shall not keep premises for the sale of intoxicating liquor either in his own or any other name or be directly or indirectly interested in the management or control of any such premises.
- (2) The Commissioner of Police may in writing authorise a member or cadet to keep premises for the sale of intoxicating liquor or to be directly or indirectly interested in the management or control of any such premises if —
 - (a) the premises have been approved by the Commissioner;
 - (b) the member or cadet is a member of the Western Australian Police Social Club (Inc.); and
 - (c) the premises are owned or leased by that Club.

[Regulation 618 amended in Gazette 14 Nov 1997 p. 6457.]

619. Restrictions relating to loans, securities and debts

A member or cadet shall not —

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- (a) lend money to any superior or borrow money or accept presents from any inferior;
- (b) induce any other member or cadet to become a security for a loan or debt;
- (c) neglect to pay a lawful debt.

620. Interest in racing

A member or cadet being an owner or directly or indirectly interested in or in any way taking part in the training or racing of a race horse or racing dog shall not act in a manner likely to bring discredit on the reputation of the Force or unbecoming to a member of the Force or cadet.

621. Restrictions relating to trade, business or professions outside the Force

- (1) A member or cadet shall not carry on any trade, business or profession or accept any other remuneration for employment without the approval of the Commissioner or a commissioned officer.
- (2) The approval under subsection (1) must be given in accordance with, and subject to, any instructions or directions issued by the Commissioner.

[Regulation 621 amended in Gazette 30 Dec 2005 p. 6879.]

622. Acts against discipline

A member or cadet shall not induce or attempt to induce any member of the Force or cadet to withhold his services, or commit a breach of discipline, or connive at or knowingly be an accessory to any offence against discipline of the Force.

623. Offence against discipline to be reported

Any member being an officer, non-commissioned officer or officer-in-charge of a police station shall report promptly any

member or cadet who has committed an offence against discipline of the Force.

624. Investigation into acts against discipline

- (1) Where an allegation is made that a member or cadet has committed an offence against the discipline of the Force the officer designated by the Commissioner for that purpose or the officer-in-charge of the region or branch in which the member or cadet is stationed shall cause an investigation to be made by a commissioned officer or non-commissioned officer (in subregulation (2) called “**the investigating officer**”) into the allegation.
- (2) The investigating officer shall on completing his investigation make his report to the officer by whom he was appointed to make the investigation.
- (3) A charge relating to an offence against the discipline of the Force shall not be brought except by a member who is authorised by the Commissioner for that purpose, either generally or for the particular case.

[Regulation 624 amended in Gazette 16 Feb 1979 p. 425; 23 Mar 1984 p. 745; 22 Aug 1997 p. 4815.]

625. Disciplinary proceedings

Where proceedings are taken pursuant to section 23 of the Act —

- (a) the charge shall be in writing on a form in the form of the disciplinary charge sheet set out in the First Schedule;
- (b) the officer-in-charge of the region or branch shall cause a copy of the disciplinary charge sheet containing the charge to be served on the member or cadet charged with the offence before he pleads to the charge;
- (c) the officer-in-charge of the region or branch in which the member or cadet is stationed shall take reasonable

steps to secure the attendance at the hearing of all persons whose names and addresses have been supplied by the accused member or cadet as witnesses on his behalf.

[Regulation 625 amended in Gazette 7 Sep 1979 p. 2717; 27 Oct 1989 p. 3888.]

626. Civil or criminal proceedings against member or cadet

- (1) Where any proceeding, whether civil or criminal (not being a charge for an offence against the discipline of the Force) is brought against a member or cadet, the member or cadet shall, as soon as possible after the commencement of the proceedings, report the fact to the officer-in-charge of the region or the branch in which he is stationed.
- (2) An officer-in-charge of a region or branch who receives a report pursuant to subregulation (1) shall immediately report the matter to the Commissioner.

Part VIA — Procedure relating to Part IIB of the Act

[Heading inserted in Gazette 26 Aug 2003 p. 3758.]

6A01. Interpretation

In this Part, unless the contrary intention appears —

“Assistant Commissioner” means a person holding or acting in the office of Assistant Commissioner (Professional Standards);

“member” has the same meaning as it has in section 33K of the Act;

“notice” means a notice given under section 33L(1) of the Act;

“privilege” means —

- (a) a privilege that would attach to documents prepared for the purpose of pending or contemplated proceedings or in connection with the obtaining or giving of legal advice;
- (b) immunity from production of documents or materials where their disclosure would be against the public interest; or
- (c) immunity from production of documents or materials under an enactment;

“review officer” means a person appointed under regulation 6A02.

[Regulation 6A01 inserted in Gazette 26 Aug 2003 p. 3758-9.]

6A02. Appointment of review officer

- (1) If a complaint or other information is received by the Commissioner or the Assistant Commissioner concerning a member’s integrity, honesty, competence, performance or conduct, the Commissioner or the Assistant Commissioner may appoint a review officer in relation to that member.

r. 6A03

- (2) If practicable, a person is not to be appointed as a review officer in relation to a member if that person is or has been involved in an investigation that resulted in the complaint being made or the information being supplied to the Commissioner or the Assistant Commissioner.

[Regulation 6A02 inserted in Gazette 26 Aug 2003 p. 3759.]

6A03. Role of review officer

- (1) In subregulation (2) —
“**relevant materials**” means materials relevant to issues identified in the Summary of Investigation concerning the member.
- (2) The review officer shall conduct an inquiry into the member referred to in regulation 6A02(1) and prepare —
- (a) a written report, called a “Summary of Investigation”, that includes reference to relevant materials that were gathered by the review officer for the purpose of the inquiry; and
 - (b) a written list, called an “Inspection List”, of relevant materials that were gathered by the review officer for the purposes of the inquiry.
- (3) The review officer shall identify in the Inspection List any documents in respect of which privilege is claimed and state in that List the grounds on which the privilege is claimed.
- (4) The review officer is subject to the direction of the Assistant Commissioner in conducting the inquiry and preparing the Summary of Investigation and Inspection List.

[Regulation 6A03 inserted in Gazette 26 Aug 2003 p. 3759-60.]

6A04. Provision of materials to the Commissioner

- (1) When the review officer completes his or her inquiry, the review officer or the Assistant Commissioner shall provide the Commissioner with —

- (a) the Summary of Investigation;
 - (b) the Inspection List; and
 - (c) any material referred to in the Inspection List that the review officer or the Assistant Commissioner considers appropriate.
- (2) Before the Commissioner decides whether or not to issue a notice, the Commissioner or the Assistant Commissioner may cause further materials, including written reports, to be provided to the Commissioner.
- (3) The Commissioner may direct the review officer to conduct a further review in accordance with regulation 6A03 and subregulation (1) to prepare and submit to him or her a supplementary Summary of Investigation and a supplementary Inspection List.
- (4) The Commissioner's direction may include a direction as to the matters to be investigated and included in the supplementary Summary of Investigation.

[Regulation 6A04 inserted in Gazette 26 Aug 2003 p. 3760.]

6A05. Notice for purpose of section 33L(1) of the Act

- (1) Apart from the matter set out in section 33L(1) of the Act, a notice shall —
- (a) set out the particular conduct or behaviour on which the Commissioner's loss of confidence is based; and
 - (b) advise the member that within 21 days of being given the notice or such longer period as is allowed by the Commissioner he or she may make a written submission to the Commissioner in respect of the grounds on which the Commissioner has lost confidence in the member's suitability to continue as a member.
- (2) As soon as practicable after the Commissioner gives a notice to a member, the Commissioner shall —

r. 6A06

- (a) provide to the member a copy of any of the following documents relating to the decision to give the notice —
 - (i) the Summary of Investigation and any supplementary Summary of Investigation;
 - (ii) the Inspection List and any supplementary Inspection List;
 - (iii) any document examined and taken into account in deciding to issue the notice;and
 - (b) make available to the member for inspection any other material examined and taken into account in deciding to issue the notice.
- (3) Subregulation (2) does not apply to any document or material that is privileged.
 - (4) If the Commissioner does not provide a member with a copy of a document or make available to the member for inspection any other material because it is privileged the Commissioner shall advise the member of the ground for the document or material being privileged.

[Regulation 6A05 inserted in Gazette 26 Aug 2003 p. 3760-1.]

6A06. Access to material

- (1) During the period referred to in section 33L(2) of the Act, the Commissioner shall permit a member who has been given a notice or the member's legal representative to inspect any materials referred to in the Inspection List that are not privileged.
- (2) If a member who has been given a notice wishes to inspect any material, other than material provided to the member under these regulations, that —
 - (a) the member has seen or created in the course of his or her duties as a member; and

- (b) is relevant to issues concerning the member referred to in the notice,

the member may make a request in writing to the Assistant Commissioner for permission to inspect that material.

- (3) The request shall be made as soon as practicable after, and in any event within 14 days of, the day on which the member was given the notice.
- (4) During the period referred to in section 33L(2) of the Act the Commissioner shall as far as practicable permit the member or the member's legal representative to inspect the material the subject of a request under subregulation (2).

[Regulation 6A06 inserted in Gazette 26 Aug 2003 p. 3761.]

6A07. Commissioner's assessment of the member's submission

- (1) If the Commissioner receives a submission from a member under section 33L(2) of the Act, the Commissioner or the Assistant Commissioner may cause further materials, including written reports, to be provided to the Commissioner.
- (2) The Commissioner shall within 21 days, where practicable, and in any event within 42 days of the end of the period referred to in section 33L(2) of the Act decide whether or not a period for further investigation or analysis of any submission of the member is necessary.
- (3) If the Commissioner decides that a further period for investigation or analysis is required, the Commissioner shall endeavour to cause that investigation or analysis to be completed within 7 weeks of receiving the member's submission.
- (4) If the further investigation or analysis cannot be completed within the period referred to in subregulation (3), the Commissioner shall give the member a notice stating —
- (a) the reasons for the further investigation or analysis;

r. 6A08

- (b) the period of time required to complete the further investigation or analysis; and
 - (c) the reason for the need for that period of time.
- (5) Despite deciding under section 33L(3)(a) of the Act not to take removal action, the Commissioner may consider whether or not the member's performance or conduct warrants other action being taken in relation to the member under the Act or these regulations.

[Regulation 6A07 inserted in Gazette 26 Aug 2003 p. 3761-2.]

6A08. Further ground for removal, or revocation of appointment

- (1) If during an assessment under this Part the Commissioner concludes that he or she has lost confidence in the suitability of the member the subject of the assessment to continue as a member on a ground other than a ground set out in the notice the Commissioner shall —
- (a) give the member notice in writing of the further ground;
 - (b) provide to the member a copy of any documents and make available for inspection any other materials that have been examined and taken into account by the Commissioner during the assessment under this Part with the exception of —
 - (i) those documents copies of which have already been given to the member or materials which have already been made available for inspection by the member under this Part; and
 - (ii) privileged documents or materials;
- and
- (c) allow the member a specified period to provide a response to the further ground.
- (2) For the purpose of subregulation (1), the specified period is —
- (a) the period of 21 days beginning on the day on which the member is given the notice of the further ground or

copies of documents under subregulation (1), whichever is the later; or

- (b) such other longer period as the Commissioner may approve on an application made before the expiration of the period referred to in paragraph (a).
- (3) If the Commissioner does not provide the member with a copy of a document or make available for inspection any other material that was examined and taken into account by the Commissioner during the assessment because it is privileged the Commissioner shall advise the member of the ground for the document or material being privileged.
- (4) Subregulation (3) does not apply if the Commissioner has already advised the member under this Part of the ground for the document or material being privileged.

[Regulation 6A08 inserted in Gazette 26 Aug 2003 p. 3762-3.]

6A09. Notice of Commissioner's recommendation or revocation of appointment of aboriginal aide

- (1) A notice under section 33L(3)(b) of the Act shall be given to the member within 7 days of the making of the decision to take removal action.
- (2) The Commissioner is not required to comply with section 33L(5)(b) of the Act —
 - (a) to the extent that he or she has already provided the member with a copy of the documents or made available to the member for inspection any other materials under this Part; or
 - (b) the documents or materials are privileged.
- (3) If the Commissioner does not comply with section 33L(5)(b) of the Act because the documents or materials are privileged the Commissioner shall advise the member of the ground for the documents or materials being privileged.

r. 6A10

- (4) Subregulation (3) does not apply if the Commissioner has already advised the member under this Part of the ground for the documents or materials being privileged.

[Regulation 6A09 inserted in Gazette 26 Aug 2003 p. 3763.]

6A10. Services of notices or documents

- (1) If a notice or document is required to be given to a member under Part IIB of the Act or this Part, service may be effected on the member —
- (a) by delivering it to the member personally;
 - (b) by properly addressing and posting it (by pre-paid post) as a letter to the usual or last known place of abode of the member or address for service given by the member in writing to the Assistant Commissioner;
 - (c) by leaving it for the member at his or her usual or last known place of abode; or
 - (d) by leaving it for the member at an address for service given by the member in writing to the Assistant Commissioner.
- (2) Service under subregulation (1) is to be taken to be effected —
- (a) in the case of service under subregulation (1)(a), at the time of delivery to the member;
 - (b) in the case of service under subregulation (1)(b), at the time when the letter would have been delivered in the ordinary course of post;
 - (c) in the case of service under subregulation (1)(c), at the time it is left at the abode; or
 - (d) in the case of service under subregulation (1)(d), at the time it is left at the address given to the Assistant Commissioner.

[Regulation 6A10 inserted in Gazette 26 Aug 2003 p. 3764.]

6A11. Members unfit for further active service

Regulations 6A02 to 6A08 do not apply where removal action is taken or to be taken in respect of a member because the medical board has reported under regulation 1402(4) that he or she is unfit for further active service.

[Regulation 6A11 inserted in Gazette 26 Aug 2003 p. 3764.]

6A12. Restriction on suspending member's pay

During any period in which consideration is being given to a member's suitability to continue as a member of the Police Force the Commissioner of Police and the Governor shall not suspend the member's pay.

[Regulation 6A12 inserted in Gazette 26 Aug 2003 p. 3764.]

Part VII — Record of service

701. Interpretation

In this Part —

“Officer-in-charge” means a member charged by the Commissioner with the duty of making entries in the personal files of members;

“personal file” means the record of service opened and maintained in relation to a member or cadet under this Part;

“staff officer” means a person authorised by the Commissioner to act as a staff officer.

702. Personal file to be opened

- (1) The Commissioner shall pursuant to these regulations cause a personal file to be opened and maintained in respect of every member or cadet on the appointment of that member or cadet.
- (2) The personal file of a member or cadet shall be entered with such particulars in relation to the member or cadet as are required by the form of the file and shall contain the following particulars —
 - (a) the marital status of the member or cadet and any alteration thereto;
 - (b) every unfavourable report against the member or cadet ordered to be entered in the file by the Commissioner pursuant to these regulations;
 - (c) full particulars from the disciplinary charge sheet of every charge of which the member or cadet has been convicted;
 - (d) the penalty imposed in relation to every conviction;
 - (e) full particulars of any conduct of the member or cadet that the Commissioner considers worthy of commendation;

- (f) particulars of every civil or military decoration or honour awarded to the member or cadet including police decorations and honours;
- (g) particulars of all transfers and promotions of the member or cadet; and
- (h) a record of all examinations passed by the member or cadet.

[Regulation 702 amended in Gazette 30 Mar 1990 p. 1648.]

703. Entries in personal file

No entry shall be made in a personal file except by or at the direction of the Commissioner or a staff officer.

704. Unfavourable report

- (1) Where an unfavourable report is made with respect to a member or cadet, the Commissioner after considering the report may direct that the report be entered in the personal file of the member or cadet concerned and shall cause the report to be brought to the attention of the member or cadet concerned who shall enter on the report the fact that he has noted the report.
- (2) The Commissioner may delegate to an officer of the rank of Superintendent or higher the power conferred on the Commissioner under subregulation (1).

[Regulation 704 amended in Gazette 28 Nov 2000 p. 6628.]

705. Certain records may be removed from personal file

- (1) Where —
 - (a) record of a conviction for an offence against the discipline of the Force;
 - (b) record of a reprimand or caution; or
 - (c) an unfavourable report,

r. 706

has been entered in the personal file of a member or cadet and —

- (aa) 5 years have elapsed since the date of the entry; and
- (bb) the relevant conduct of the member or cadet has been good during that period,

the Assistant Commissioner (Personnel), on application by the member or cadet, may cause the record of the matter to be removed from the personal file of the member or cadet.

- (2) Where the Assistant Commissioner (Personnel) is of the opinion that an application under subregulation (1) should be determined by the Commissioner, he shall refer the application to the Commissioner, who shall determine it.

[Regulation 705 inserted in Gazette 14 Aug 1987 p. 3167; amended in Gazette 1 Dec 1989 p. 4395-6; 14 Jul 1992 p. 3365.]

706. Report on exceptional conduct, judgment or discretion

Where an officer considers that a member or cadet has shown exceptional conduct, judgment or discretion in any matter or that he considers a member worthy of promotion —

- (a) the officer shall report the full particulars through his Regional Officer to the Commissioner and attach to his report any files relating to the matter; and
- (b) the Commissioner may inquire into the merits of the matter, decide whether or not the conduct is worthy of commendatory entry and notify his decision to the Regional Officer of the Region in which the member or cadet is posted.

[Regulation 706 amended in Gazette 30 Mar 1990 p. 1648.]

707. Personal file may be viewed

A member or cadet may upon written application to the Commissioner view his personal file.

708. Persons entitled to view personal file

No person other than the Commissioner, a person authorised by him for that purpose or the particular member or cadet concerned, or a staff officer acting in the course of his duties, is permitted to peruse or view a personal file.

[Part VIIA repealed in Gazette 17 Mar 1995 p. 1055.]

Part VIII — Seniority

*[Heading amended in Gazette 30 Mar 1990 p. 1665;
21 Aug 1998 p. 4678.]*

801. Interpretation

In this Part unless the contrary intention appears —

“**Register**” means the Register of Training and Education Qualifications established pursuant to regulation 803;

“**Seniority List**” means the General Seniority List established pursuant to regulation 804.

*[Regulation 801 amended in Gazette 7 Dec 1984 p. 4024;
24 Apr 1986 p. 1476; 30 Mar 1990 p. 1655; 14 Jul 1992
p. 3369; 21 Aug 1998 p. 4678.]*

802. Regulations not to affect power conferred on the Governor, Commissioner or Award

Nothing in these regulations affects —

- (a) the power conferred on the Governor or the Commissioner by sections 6 and 7 respectively of the Act; or
- (b) anything contained in the Award.

803. Register of Training and Education Qualifications

- (1) The Commissioner shall cause a register known as the Register of Training and Education Qualifications to be established and maintained.
- (2) The Register of Training and Education Qualifications shall contain the results obtained by all members who attend the Police Academy, or who undertake courses of study internally or externally, approved as a prerequisite to appointment or promotion.

[Regulation 803 amended in Gazette 7 Dec 1984 p. 4024.]

804. General Seniority List to be established

- (1) The Commissioner shall cause a list known as the General Seniority List to be established and maintained.
- (2) The General Seniority List shall contain particulars as to the seniority of all members in the Force in accordance with these regulations.
- (3) Subject to these regulations, the General Seniority List as in force immediately prior to the date that these regulations take effect shall continue in force for the purposes of these regulations.

805. General seniority of Force members

- (1) The general seniority of the members of the Force is in the order set out in regulation 201.
- (2) Subject to these regulations, the seniority of a member is determined by the rank held by him.
- (3) Subject to these regulations where the rank of a member is the same as the rank of another member or other members the following provisions apply for the purpose of determining seniority as between them —
 - (a) in the case of members whose rank is above the rank of constable, the member who is appointed first to that rank is senior, but if the date of the appointment of the members to that rank is the same, the member who was senior immediately prior to that date is senior;
 - (b) in the case of members whose rank is that of constable, the member who took the oath of office pursuant to section 10 of the Act first is senior but —
 - (i) if the members took that oath on the same date and attended the course at the Police Academy — the member who received the higher or highest rating as the case may be, is senior;

r. 805

- (ii) if the members took that oath on the same date, attended the course at the Police Academy and received the same rating at the course — the member who is older or oldest, as the case may be, is senior;
- (iii) if the members took that oath on the same date but have not all attended the course at the Police Academy — the older or oldest as the case may be is senior.

[Regulation 805 amended in Gazette 7 Dec 1985 p. 4024.]

[806. Repealed in Gazette 14 Jul 1992 p. 3369.]

[807, 808, 808A, 808B. Repealed in Gazette 21 Aug 1998 p. 4678.]

[808C. Repealed in Gazette 14 Jul 1992 p. 3369.]

[809-812. Repealed in Gazette 21 Aug 1998 p. 4678-9.]

[812A. Repealed in Gazette 7 Feb 1995 p. 422.]

[813-826. Repealed in Gazette 30 Mar 1990 p. 1656.]

Part VIIIA — Recognition of bravery and merit

[Heading inserted in Gazette 2 Feb 1990 p. 788.]

8A01. Interpretation of Part

In this Part —

“**award**” means any award designated in regulation 8A02;

“**Committee**” means the Police Honours and Awards Committee referred to in regulation 8A11;

“**member of the Force**” means a member, cadet, aboriginal aide or special constable.

[Regulation 8A01 inserted in Gazette 2 Feb 1990 p. 788.]

8A02. Classes of awards

The Commissioner may, under a recommendation made by the Committee, grant an award of a designation set out in the following table to a member of the Force who is eligible under the criterion shown opposite the designated award.

Table

Award for Bravery	Performance of an act of conspicuous merit involving exceptional bravery in the execution of duty.
Bar to the Award for Bravery	Performance by the holder of an Award for Bravery of an additional act of conspicuous merit involving exceptional bravery in the execution of duty.
Certificate of Merit	Display in the execution of duty of initiative, resourcefulness and courageous action, putting aside thought of personal safety, greater than what might reasonably be expected.
Special Commendation	Meritorious conduct under stressful conditions in the course of field operational duty.

r. 8A03

Commendation Display of initiative, resourcefulness and devotion to duty reflecting credit on the Force

[Regulation 8A02 inserted in Gazette 2 Feb 1990 p. 788-9.]

8A03. Nature of awards

Each award consists of what is specified in the following table —

Table

Award for Bravery	(1) A Cross for Bravery, as described in Part 1 of the Fourth Schedule (2) A citation from the Commissioner describing the act for which the award is granted
Bar to the Award for Bravery	(1) A bar and rosette, as described in Part 2 of the Fourth Schedule (2) A citation from the Commissioner describing the act for which the award is granted
Certificate of Merit	A certificate from the Commissioner describing the conduct for which the award is granted
Special Commendation	A letter from the Commissioner
Commendation	A letter from the Commissioner

[Regulation 8A03 inserted in Gazette 2 Feb 1990 p. 789.]

8A04. Nomination for an award

- (1) A member of the Force may be nominated for an award by any person, including another member of the Force.
- (2) A nomination must be in writing.

[Regulation 8A04 inserted in Gazette 2 Feb 1990 p. 789.]

8A05. Determination of nominations

- (1) A nomination must be determined by the following procedure —
 - (a) reference of the nomination to the commander of the Inspectorate;
 - (b) reference of the matter by the commander of the Inspectorate to a Commissioned Officer;
 - (c) an inquiry by that Commissioned Officer or a Commissioned Officer appointed by him and consideration by the inquiring Commissioned Officer of whether the grant of an award may be warranted, in light of the eligibility criteria specified in regulation 8A02 and taking into account the guidelines referred to in regulation 8A10;
 - (d) where the inquiring Commissioned Officer concludes that the grant of an award may be warranted, forwarding of a written report by him to the Chief Superintendent of the portfolio within which the nominated member of the Force is performing duty;
 - (e) transmission of that report by the Chief Superintendent of the portfolio concerned (with or without comments by him) to the commander of the Inspectorate;
 - (f) arrangements by the commander of the Inspectorate for the nomination and the associated report prepared to be considered by the Committee;
 - (g) consideration of the nomination and the associated report by the Committee and, where the Committee is of the opinion that an award should be granted, a written recommendation to the Commissioner specifying the award.

- (2) In carrying out its function, the Committee may make whatever enquiries it considers appropriate.

[Regulation 8A05 inserted in Gazette 2 Feb 1990 p. 789.]

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8A06. Record of awards

The Commissioner shall ensure that the following action is taken to record the grant of an award —

- (a) making of a record in the personal file of the member of the Force concerned; and
- (b) except in the case of a Commendation, publication of particulars of the award in the *Police Gazette*.

[Regulation 8A06 inserted in Gazette 2 Feb 1990 p. 789.]

8A07. Letters after name

A member of the Force who is granted the Award for Bravery is entitled to have the letters “Cr.B.” after his name in all official documents of the Force, and if he is later granted the Bar to the Award for Bravery, the letters are to be followed by an asterisk.

[Regulation 8A07 inserted in Gazette 2 Feb 1990 p. 790.]

8A08. Wearing of awards

A member of the Force who is granted an award which is described in the Fourth Schedule may wear that award only on the right side of the chest.

[Regulation 8A08 inserted in Gazette 2 Feb 1990 p. 790.]

8A09. Posthumous awards

An award may be presented posthumously to the closest spouse or de facto partner, or other relative, of a member of the Force who has earned an award, or to a person nominated by that spouse or de facto partner, or other relative,.

[Regulation 8A09 inserted in Gazette 2 Feb 1990 p. 790; amended in Gazette 30 Jun 2003 p. 2623.]

8A10. Guidelines for consideration of nominations

The Commissioner shall prescribe guidelines for use by Commissioned Officers in considering whether the grant of an

award to a member of the Force nominated for an award may be warranted.

[Regulation 8A10 inserted in Gazette 2 Feb 1990 p. 790.]

8A11. Police Honours and Awards Committee

- (1) For the purposes of this Part, there shall be a committee to be known as the Police Honours and Awards Committee.
- (2) The Committee is to consist of —
 - (a) the Commissioner;
 - (b) the Deputy Commissioner;
 - (c) the Assistant Commissioners; and
 - (d) an officer of the Department appointed by the Commissioner.
- (3) The Committee may determine its procedure and the provisions of the *Interpretation Act 1984* which would otherwise apply in relation to the procedure of the Committee apply only to the extent to which they are not inconsistent with determinations made by the Committee.

[Regulation 8A11 inserted in Gazette 2 Feb 1990 p. 790; amended in Gazette 14 Jul 1992 p. 3370.]

Part IX — Dress and equipment

Division 1 — General requirements

901. Appearance

- (1) A member or cadet shall be neat and clean in his clothing, appearance and person.
- (1a) A member shall —
 - (a) if required to work in uniform, keep his uniform in good repair; and
 - (b) when in uniform, wear the approved cap or hat whenever he is outside a building or a vehicle and while he is not seated in the Supreme Court or the District Court.
- (2) Unless otherwise approved by the Commissioner, a male member or cadet shall —
 - (a) have the hair on his head well cut and trimmed, and not have hair on the sides of his face lower than the lobe of the ear; and
 - (b) have his face clean shaven with the exception of the upper lip and, where a moustache is worn, have it neat and trimmed and not have hair encroaching onto his face.
- (3) A female member when in uniform —
 - (a) shall have her hair neatly styled or cut so that —
 - (i) it does not extend more than 3 cm below the collar;
 - (ii) the bulk or length of hair does not interfere with the correct wearing of the uniform hat; and
 - (iii) the member's hair is off her face;
 - (b) shall wear the uniform gloves on all ceremonial occasions;

- (c) shall not wear jewellery other than an engagement and wedding ring or one ring of conservative nature, and where the member has pierced ears, small stud earrings or sleepers;
 - (d) shall not wear heavy makeup;
 - (e) shall keep her fingernails trimmed so that they do not extend more than 3 mm beyond the tip of the finger; and
 - (f) shall not wear nail polish unless it is clear or a shade of pink or red.
- (4) When 2 or more female members in summer uniform are performing duty together, all of them must either wear jackets or all of them must not wear jackets.

[Regulation 901 amended in Gazette 6 Oct 1989 p. 3739.]

901A. Wearing of uniform while off duty

- (1) A member shall not wear a uniform while off duty except —
- (a) while travelling to or from a place of duty;
 - (b) with the permission of the officer-in-charge of the station or section in which he is located or his immediate superior, as the case may be, as ceremonial dress where he is entering into marriage within the meaning of the *Marriage Act 1961* of the Parliament of the Commonwealth; or
 - (c) with the permission of the Chief Superintendent for the portfolio in which he is located, at a special function or event.
- (2) Subregulation (1)(b) and (c) do not authorise a member —
- (a) to wear uniform other than —
 - (i) in areas where the designated uniform is blue, full winter blue uniform;
 - (ii) in areas where the designated uniform is khaki, full winter blue uniform or full khaki uniform; or

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- (iii) in the case of a commissioned officer, full commissioned officer's uniform or full ceremonial uniform;
- (b) to wear a sidearm, handcuffs, a baton, hellweg belt or associated accoutrements; or
- (c) to wear a uniform at a place where alcohol is available for consumption.

[Regulation 901A inserted in Gazette 6 Oct 1989 p. 3739.]

902. Care to be taken of issued property

A member shall take proper care of all articles of uniform, equipment (including his certificate of identity) and documents and books which have been issued to him by the Department and shall, should he lose any of those items, report the fact immediately to his officer-in-charge.

903. Certificate of identity not transferable

- (1) A member shall not transfer the certificate of identity issued to him to another member and shall not suffer or permit any person whether a member or not to use his certificate of identity.
- (2) Where a member is transferred to or from the Criminal Investigation Branch or to or from any position where he is required to perform duty in plain clothes, he shall apply to the Commissioner's staff officer for a new certificate of identity and, on receipt of the new certificate of identity, he shall return the old certificate to the Commissioner's staff officer.

904. Firearms

- (1) A member to whom a firearm has been issued shall return the firearm to the officer-in-charge on the completion of the duties for which the firearm was required.
- (2) On the issue and return of a firearm and ammunition, an officer-in-charge shall —
 - (a) examine the firearm; and

- (b) record the issue and return of the firearm and shall record particulars of any ammunition expended.
- (3) An officer-in-charge of any Police Station or Branch Headquarters where firearms are on issue, shall cause those firearms to be properly cleaned and oiled as their use demands, and in any event, shall cause the firearms to be properly cleaned and oiled during the months of May and November each year.

905. Summer uniform

- (1) Except where otherwise directed by the Commissioner, a member who is required to wear a uniform may wear a summer uniform between 1 November each year and 30 April in the following year.
- (2) A member in summer uniform is not required to wear a tunic or jacket.

[906. Repealed in Gazette 29 Aug 1980 p. 3033.]

907. When payment to be made for uniform alteration

A sergeant or constable shall pay for alterations to his uniform clothing when alteration is necessary because of inaccurate measurements supplied on his Self Measurement Form.

908. Requisition for change of uniform

Immediately upon receipt of notification of transfer or appointment to a position where a change of uniform is required, a sergeant or constable shall submit a requisition for uniform requirements at his new position.

909. Uniform not to be altered

A sergeant or constable shall not —

- (a) alter the current issue uniform clothing for use as private garments, or wear any current issue articles of uniform as a civilian garment;

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- (b) wear a scarf other than a navy blue one when wearing a trenchcoat.

910. Uniform to be worn as prescribed

- (1) A member when required to wear a uniform shall wear the uniform prescribed by these regulations in relation to the rank he holds.
- (2) The uniform of a Commissioned Officer shall conform to the requirements set out in the Second Schedule.

[Regulation 910 amended in Gazette 7 Sep 1979 p. 2717.]

911. Badges and insignia of rank

- (1) Badges and insignia of rank for the various ranks in the Force shall be as follows —

Commissioner — crossed batons in a laurel wreath surmounted by a crown, silvered metal. Gorget made of offset silver bullion thread in an oak-leaf pattern with a silver bullion thread button on a royal blue velvet background;

Deputy Commissioner — crossed batons in a laurel wreath surmounted by a star, silvered metal. Gorget is to be identical with the one worn by the Commissioner;

Assistant Commissioner — crossed batons in a laurel wreath, silvered metal. Gorget is to be identical with the one worn by the Commissioner;

Commander — 3 small stars surmounted by a crown, silvered metal. Gorget is to be identical with the one worn by the Commissioner;

Chief Superintendent — 2 stars surmounted by a crown, silvered metal. Gorget is to be identical with the one worn by the Commissioner;

Superintendent — one star surmounted by a crown, silvered metal. Gorget made of silvered pressed metal in an oak-leaf pattern with a silvered metal button on a royal blue velvet background;

Chief Inspector — one crown, silvered metal. Gorget made of chrome bar and button on a black velvet background;

Inspector — 3 stars, silvered metal. Gorget is to be identical with the one worn by a Chief Inspector;

Senior Sergeant — 3 broad chevrons with a crown;

Sergeant First Class — 3 broad chevrons;

Sergeant — 2 broad chevrons separated by a narrow chevron;

Senior Constable — 2 narrow chevrons;

First Class Constable — one narrow chevron.

- (1a) Notwithstanding subregulation (1), red may be adopted as a background colour to badges and insignia of rank for the administrative ranks of Commissioner, Deputy Commissioner, Assistant Commissioner, Commander and Chief Superintendent.
- (2) Insignia of rank shall be worn by members appointed to the Water Police and, in addition, the Master Engineer shall wear, in a position midway between the shoulder and elbow on the left sleeve of his shirt or tunic, an insignia comprised of crossed anchors surmounted by a crown and other members shall wear, in a position midway between the shoulder and elbow of the left sleeve of their shirt or tunic, an insignia comprised of crossed anchors.

*[Regulation 911 amended in Gazette 7 Sep 1979 p. 2717;
31 Jul 1981 p. 3158; 23 Mar 1984 p. 745; 24 Apr 1986
p. 1478-9.]*

911A. Shoulder flashes

All members of the Force shall wear shoulder flashes, bearing the police insignia with "W.A. POLICE" centrally placed at a distance of 3 cm below the sleeve head seam on each shoulder of the tunic, jacket, uniform shirt and uniform frock.

[Regulation 911A inserted in Gazette 24 Apr 1986 p. 1479.]

Division 2 — Male members

912. Male members, badges of rank

- (1) An Officer when in uniform shall wear badges of rank on the epaulettes of his tunic or, if no tunic is worn, on the epaulettes of his shirt and, where a tunic is worn, gorget patches 9 centimetres by 3 centimetres on the upper edge of the step on each side of the collar.
- (2) Non-commissioned officers, senior constables and first class constables when in uniform shall wear an insignia of rank on the right sleeve of the tunic or when no tunic is worn on the right sleeve of the uniform shirt.
- (3) Chevrons included in the insignia of rank referred to in subregulation (2) shall be positioned on the sleeve, pointing towards the hand, and so that the distance from the lowest point of the lowest chevron to the sleeve head seam shall be —
 - (i) for sergeants 21 cm;
 - (ii) for senior constables 19.5 cm;and
 - (iii) for first class constables 18 cm.

[Regulation 912 amended in Gazette 16 Feb 1979 p. 425; 7 Sep 1979 p. 2717; 24 Apr 1986 p. 1479.]

913. Position of cap badge

The cap badge on a uniform cap shall be centrally positioned with the base of the badge approximately 1.9 centimetres above the top of the cap peak.

914. Registered number to be worn when in uniform

Sergeants and constables when in uniform shall wear their registered number on the right hand pocket flap of the tunic or where no tunic is worn on the right hand pocket flap of the uniform shirt, in a central position at a distance of 1.8 cm below the pocket flap seam.

[Regulation 914 inserted in Gazette 24 Apr 1986 p. 1479; amended in Gazette 6 Oct 1989 p. 3739.]

915. Purchases from Police Store

Where the member making the purchase is stationed in an area where his purchase is required as part of the uniform and he intends to use it as part of the uniform, a sergeant or constable may purchase from the Police Store at his own expense during any one calendar year any of the following items —

- one pair of blue trousers;
- one blue cotton shirt;
- one pair of khaki trousers;
- one khaki shirt.

916. Boot allowance

A member in receipt of a boot allowance shall provide and wear black leather boots or shoes.

[Regulation 916 amended in Gazette 8 Dec 1989 p. 4462.]

917. Areas where khaki uniforms to be worn

- (1) Members stationed north of the 26th parallel of latitude and at Shark Bay shall wear khaki uniform during the summer and winter.

- (2) The Commissioner may approve the wearing of khaki summer, or summer and winter uniforms in areas south of the 26th parallel of latitude.
- (3) A member who is not stationed north of the 26th parallel of latitude or at Shark Bay or in an area where the Commissioner has approved the wearing of khaki uniform shall wear blue uniform during the summer and winter.

Division 3 — Female members

918. Female members, badges of rank

- (1) An officer in uniform shall wear badges of rank on the epaulette of her jacket or, if no jacket is worn, on the epaulette of her frock and, where a jacket is worn, gorget patches 9 centimetres by 3 centimetres on the upper edge of the step on each side of the collar.
- (2) Non-commissioned officers, senior constables and first class constables when in uniform shall wear an insignia of rank on the right sleeve of the jacket or when no jacket is worn on the right sleeve of the uniform frock.
- (3) Chevrons included in the insignia of rank referred to in subregulation (2) shall be positioned on the sleeve, pointing towards the hand, and so that the distance from the lowest point of the lowest chevron to the sleeve head seam shall be —
 - (i) for sergeants 21 cm;
 - (ii) for senior constables 19.5 cm;
and
 - (iii) for first class constables 18 cm.

[Regulation 918 amended in Gazette 24 Apr 1986 p. 1479.]

919. Form of badges, etc.

- (1) Badges and insignia of rank to be worn when in uniform shall have the same form for the various ranks as provided in regulation 911(1) and (1a).

- (2) Officers attending ceremonial functions in evening dress shall wear an approved medallion of rank and service on the left bodice of the dress.

[Regulation 919 amended in Gazette 24 Apr 1986 p. 1479.]

920. Position of hat badge

The hat badge on a uniform hat shall be centrally positioned with the base of the badge approximately 5 millimetres above the join of the brim with the crown.

921. Position of registered numbers

[(1) repealed]

- (2) Sergeants and constables when in uniform shall wear their registered number —
- (a) when wearing a jacket, on the right side of the collar of the jacket in a horizontal position with the top of the number level with the lower point of the collar step and in a central position between the inside and outside edges of the lapel; and
 - (b) when not wearing a jacket, on the right hand side of the yoke of the frock in a horizontal position with the centre of the bottom of the number 4 centimetres above the yoke peak.

[Regulation 921 amended in Gazette 24 Apr 1986 p. 1479.]

922. Boot allowance

A member in receipt of a boot allowance shall provide and wear black shoes of a style approved by the Commissioner.

[Regulation 922 amended in Gazette 8 Dec 1989 p. 4462.]

Part X — Criminal Investigation Branch

1001. Interpretation

In this Part, unless the contrary intention appears —

“**Branch**” means the Criminal Investigation Branch of the Force;

“**Detective**” means a member appointed to the Branch.

1002. Criminal Investigation Branch established

- (1) A branch to be known as the Criminal Investigation Branch is hereby established.
- (2) The Branch shall consist of members the general nature of whose duties relates to criminal investigation.

1003. Vacancies to be advertised

Vacancies in the Branch shall be advertised in the *Police Gazette*.

1004. Constable appointed to Branch to be on probation

- (1) A constable on being appointed to the Branch shall be employed therein in the first instance on probation for a period of 2 years.
- (2) If while on probation a constable is found to be unsuitable for duty with the Branch, he may be transferred from the Branch.

1005. Detectives to communicate with officer-in-charge

Subject to these regulations, and to any directions to the contrary, all detectives shall communicate with the officer-in-charge of the Branch.

1006. When to report to Regional Officer

- (1) A detective who is stationed at a place other than Perth which has a Regional Officer shall report to an officer at the office of

the Regional Office at the hour appointed by the Regional Officer.

- (2) Every report made by a detective pursuant to subregulation (1) shall include —
 - (a) details relating to the duties of the detective which come to the notice of the detective;
 - (b) details which require attention;
 - (c) steps taken or intended to be taken in the particular cases assigned to the detective.
- (3) A detective shall obey all instructions of an officer but where an order is not consistent with orders received from the officer-in-charge of the Branch, he shall notify the first-mentioned officer of the inconsistency and if the officer persists with his order the detective shall obey the order but immediately report the circumstances to the officer-in-charge of the Branch.
- (4) Where the officer-in-charge of the Branch is notified of an order pursuant to subregulation (3) he shall report the matter to the Commissioner.

1007. Duty of detective when attached to a Station

A detective who is attached to a Station other than the headquarters station of a region shall —

- (a) notify the officer-in-charge of the Station as to —
 - (i) his times of arrival at and departure from duty; and
 - (ii) where expedient, his duties;
- (b) communicate with the Regional Officer when necessary or as directed; and
- (c) where he is the only detective at the Station, advise the Regional Officer of any anticipated absence by him from the Station.

Part XI — Leave

1101. Annual leave

A member or cadet is entitled to such annual leave as is prescribed by the Award.

1102. Notice of annual leave

- (1) For the purposes of compiling the annual leave roster showing the commencing and finishing date of annual leave prescribed by the Award every member shall not later than 30 June each year give notice to the Commissioner of the dates that he prefers to commence and finish his annual leave in the year immediately following.
- (2) The notice referred to in subregulation (1) shall —
 - (a) in the case of an application by a member who is a commissioned officer or an officer-in-charge of a region be submitted to the office of the Commissioner;
 - (b) in the case of an application by a member other than a member referred to in paragraph (a) be submitted to the member who is the officer-in-charge of that member.

1103. Address for contact during leave

In his application for leave a member or cadet shall state an address at which he can be contacted during his leave.

1104. Annual leave to be taken according to the roster

- (1) Subject to these regulations, a member or cadet shall only take annual leave in accordance with the dates indicated in relation to him on the roster of annual leave applicable in that year unless the dates on the roster are altered.
- (2) The Commissioner or the officer-in-charge concerned may alter the dates indicated on the roster of annual leave either in relation to a particular member, or cadet, or generally.

1105. Leave accumulated by written permission

Subject to the award, a member or cadet is not entitled to accumulate annual leave except with the written permission of the Commissioner.

1106. Additional leave may be granted

Where the Commissioner is of the opinion that special circumstances exist in a particular case he may grant a member or cadet leave (not being annual leave) with or without payment during that period.

[Regulation 1106 amended in Gazette 14 Jul 1992 p. 3370.]

1107. Travelling concession

(1) In this regulation —

“distance rate” means the rate per kilometre applicable in the North West of the State that is prescribed by the Award as payment to an employee for the use by the employee of his vehicle for the performance of police duties;

“family” in relation to a member or cadet means the member or cadet, spouse or de facto partner and all dependant children attending school and to those dependant children living with the member who are unemployed;

“public transport” means any means of public transport approved of by the Commissioner;

“special area” means —

(a) any portion of the State that is —

(i) east of longitude 119° east; or

(ii) north of 26° of south latitude;

(b) Yalgoo, Mount Magnet, Cue and Meekatharra; and

(c) any area outside the State designated a special area by the Minister.

(2) The following travelling concessions apply to and in relation to a member or cadet stationed in a special area who for his annual

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leave travels to Perth or other place outside his sub-region which is approved of by the Commissioner —

- (a) where public transport is used — free return passes to Perth or that other place on public transport for the member or cadet and his family;
 - (b) where a private vehicle is used — the distance rate to that place so long as the amount so paid does not exceed the cost of free passes granted under paragraph (a);
 - (c) where both public transport and a private vehicle are used — free return passes to that place in respect of the persons travelling by public transport and the distance rate to that place payable under paragraph (b) so long as the amount so paid does not exceed the cost of providing the persons travelling by private vehicle with a free return pass granted under paragraph (a).
- (3) The travelling concession payable under subregulation (2) —
- (a) is payable only in respect of a member or cadet —
 - (i) who has completed 12 months' service in the special area; or
 - (ii) if the member or cadet has not completed 12 months' service in the special area before he proceeds on annual leave, he does so on his return from annual leave before he again takes annual leave;
 - (b) shall be repaid to the Department by the member or cadet if the member or cadet fails to complete 12 months' service in the special area unless the failure is due to causes beyond his control.

[Regulation 1107 amended in Gazette 7 Sep 1979 p. 2717; 24 Apr 1986 p. 1479; 30 Jun 2003 p. 2623.]

[1108. Repealed in Gazette 7 Sep 1979 p. 2717.]

[1109. Repealed in Gazette 6 Oct 1989 p. 3739.]

Part XII — Removal on transfer, promotion or retirement

[Heading amended in Gazette 31 Oct 1986 p. 4051.]

1201. This Part not in derogation of Award

The provisions of this Part, are in addition to and not in derogation of anything in the Award.

1202. Leave in respect of transfer

- (1) Subject to subregulation (2), where a member is appointed to a position, whether by transfer or promotion, necessitating a change of his residence he is allowed to take 2 days off duty — one day in respect of the packing and loading of his household goods and effects and one day in respect of their unpacking and unloading.
- (2) A member is not allowed to take the leave granted under subregulation (1) on any day on which he is required to attend Court or to any other pressing duty.

1203. Commissioner to be notified of transfer

A member or cadet moving from one station or office to another for the purpose of taking up a position, whether by transfer or promotion, shall —

- (a) notify the Commissioner through the Regional Officer of the region from which he is moving of the —
 - (i) date that he intends to cease duty at the station or office from which he is moving;
 - (ii) date of his intended departure for the station to which he is appointed;
 - (iii) time and date that his quarters, whether supplied by the Government or not, are to be vacated by him;

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- (b) as soon as possible after his arrival at the region to which he is appointed notify the Commissioner through the Regional Officer of the region to which he is appointed of the —
 - (i) time and date of his arrival;
 - (ii) time and date that his quarters are occupied by him and indicating whether they are Government or private quarters; and
 - (iii) time and date that he intends to commence duty in relation to his appointment.

1204. Removal allowance

- (1) Subject to subregulation (2), a member or cadet who is moved from one position to another or is required by the Commissioner to vacate one house to occupy another —
 - (a) in the public interest;
 - (b) in the course of promotion or transfer; or
 - (c) on account of illness due to causes over which he has no control,

shall be allowed —

- (d) such costs and allowances as are prescribed by the Award;
- (e) free transport by any means of transport approved of by the Commissioner for himself, his family and their household furniture, furnishings, domestic appliances, personal effects and one motor vehicle for which an allowance is not paid under paragraph (f);
- (f) mileage allowance in accordance with the Award for his motor vehicle;
- (g) the costs of storage in a warehouse approved by the Commissioner of any of the member's or cadet's excess household furniture and for a period of 3 years (subject to any extension by the Commissioner) the cost of any

insurance policy in relation thereto to a maximum insured value of \$15,000;

- (h) the costs of any insurance policy in respect of the transport of household furniture, furnishings, domestic appliances and personal effects and the stamp duty thereon; and
 - (i) the property allowance payable in respect of an officer of the Public Service of the State in accordance with the Public Service Property Allowance Award 1975.
- (2) In relation to the allowances payable pursuant to subregulation (1) —
- (a) the maximum weight in respect of which the Department is liable in relation to the costs of the transport of the household furniture, furnishings, domestic appliances and personal effects of a single member or cadet is 2.5 tonnes;
 - (b) as far as practicable the means of transport used for the transport of household furniture, furnishings, domestic appliances and personal effects shall be State owned.

[Regulation 1204 amended in Gazette 7 Sep 1979 p. 2717; 24 Apr 1986 p. 1479; 18 Nov 1988 p. 4532.]

1204A. Removal cost for retiring member

The removal costs of a member, who retires in accordance with regulation 1401, shall be paid in accordance with regulation 1204 (excluding subregulation (1)(g) and (i)), from the place where the member is stationed at the date of retirement, to the Metropolitan Area or any other area within the State as approved by the Commissioner.

[Regulation 1204A inserted in Gazette 31 Oct 1981 p. 4051.]

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1205. When removal allowance not to be paid

Except with the approval of the Commissioner the allowances payable under regulation 1204 are not payable in respect of a member, or cadet who is moved —

- (a) at his own request; or
- (b) because of his own misconduct.

Part XIII — Illness and injury

[Heading inserted in Gazette 17 Nov 1989 p. 4110.]

1301. Interpretation

In this Part, unless the contrary intention appears —

“**dentist**” has the same meaning as it has in the *Dental Act 1939*;

“**incapacity**” means unfitness for and absence from duty as a result of illness or injury and “**incapacitated**” shall be construed accordingly;

“**Manager**” means the Manager of the Occupational Health, Safety and Welfare Unit of the Department;

“**medical practitioner**” has the same meaning as it has in the *Medical Act 1894*;

“**Medicare benefits**” has the same meaning as it has in the *Health Insurance Act 1973* of the Parliament of the Commonwealth;

“**pharmaceutical chemist**” has the same meaning as it has in the *Pharmacy Act 1964*;

“**region**” means region of the State within the meaning of section 39(2) of the Act.

[Regulation 1301 inserted in Gazette 17 Nov 1989 p. 4110.]

1302. Report of incapacity

A member or cadet who becomes incapacitated shall as soon as possible —

- (a) notify his officer-in-charge of that fact and of his whereabouts; and
- (b) notify the Manager of the nature of the illness or the nature and cause of the injury, as the case may be.

[Regulation 1302 inserted in Gazette 17 Nov 1989 p. 4110.]

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1303. Application for leave

- (1) Except in respect of a day on which a member becomes incapacitated while on duty, an application for leave by a member on account of incapacity shall be supported by a certificate of a medical practitioner or, where the incapacity involves a dental condition, by a certificate of a dentist.
- (2) The application shall be —
 - (a) in a form approved by the Commissioner; and
 - (b) submitted to the Manager,and the certificate in its support shall be —
 - (c) submitted to the Manager.

[Regulation 1303 inserted in Gazette 17 Nov 1989 p. 4111.]

1304. Entitlement to leave and allowances

- (1) Subject to regulations 1308(1) and 1309 and to compliance by the member with regulation 1303, the Commissioner may grant to a member in respect of his incapacity leave of absence with pay —
 - (a) for up to 168 days in a calendar year; and
 - (b) if so recommended by the Manager and subject to any terms or conditions recommended by the Manager, for a further period.
- (2) Except where he is incapacitated through his fault or misconduct, a member is entitled to receive in respect of a period of leave of absence approved under subregulation (1), and subject to any terms or conditions imposed under subregulation (1)(b), any special allowances which he would have received under the Award if he had not been incapacitated.
- (3) The district allowance prescribed by the Award ceases to be payable —
 - (a) after an incapacitated member or cadet and the family of that member or cadet have been absent from his region for a continuous period exceeding 6 weeks; and

(b) for so long thereafter as that absence continues.

- (4) In subregulation (3), “**family**” means the spouse or de facto partner and any children of the member or cadet residing with him.

[Regulation 1304 inserted in Gazette 17 Nov 1989 p. 4111; amended in Gazette 30 Jun 2003 p. 2623.]

1305. Other work prohibited

An incapacitated member or cadet shall not during his absence from duty engage for reward in any other occupation or activity.

[Regulation 1305 inserted in Gazette 17 Nov 1989 p. 4111.]

1306. Medical and hospital expenses where member’s illness results from duties

Subject to regulation 1308(2), the Commissioner shall pay the reasonable medical and hospital expenses incurred by a member as a result of illness or injury arising out of or in the course of his duties or suffered by him in the course of travel to or from a place of duty.

[Regulation 1306 inserted in Gazette 17 Nov 1989 p. 4111.]

[1307. Repealed in Gazette 18 Nov 1994 p. 5867.]

1308. Ineligibility for benefits where incapacity own fault

- (1) A member who suffers illness or injury through his fault or misconduct is not entitled to paid leave in respect of absence from duty resulting from that illness or injury.
- (2) A member who suffers illness or injury through his fault or misconduct is not entitled in respect of that illness or injury to receive the benefits provided for by regulation 1306.

[Regulation 1308 inserted in Gazette 17 Nov 1989 p. 4111-2; amended in Gazette 18 Nov 1994 p. 5867.]

1309. Incapacity resulting from another occupation

Subject to regulation 1308(1), where the incapacity of a member or cadet results from the carrying on by him of an occupation for which he received or expected to receive remuneration, outside of his duties as a member or cadet, the Commissioner may grant or refuse to grant paid leave to the member or cadet in respect of the incapacity or may grant him leave at a reduced rate of pay.

[Regulation 1309 inserted in Gazette 17 Nov 1989 p. 4112.]

1310. Entitlements of cadets

The provisions of this Part, other than regulation 1309, are supplemental to and not in derogation of the provisions of the Award as to entitlements of cadets in respect of illness or injury.

[Regulation 1310 inserted in Gazette 17 Nov 1989 p. 4112.]

1311. Evidence of fitness after long incapacity

A member or cadet who has been absent from duty because of incapacity for longer than 4 weeks shall, before returning to duty, submit to the Manager evidence of his medical fitness to return to duty.

[Regulation 1311 inserted in Gazette 17 Nov 1989 p. 4112.]

1312. Examination arranged by Commissioner

- (1) The Commissioner may direct a member or cadet to submit to examination, at the expense of the Commissioner, by one or more medical practitioners nominated in each instance by the Commissioner and the member or cadet shall obey such a direction.
- (2) Where a member or cadet has been examined under subregulation (1) and the examining medical practitioner expresses the opinion in writing to the Commissioner that the member or cadet is unfit for duty because of illness or injury,

the Commissioner may direct the member or cadet to apply for leave on that ground and the member or cadet shall obey such a direction.

[Regulation 1312 inserted in Gazette 17 Nov 1989 p. 4112.]

Part XIV — Retirement, resignation, removal or death of a member

1401. Retirement

- (1) Subject to the Act and these regulations, a member of the Force including the Commissioner, Deputy Commissioner and Assistant Commissioner may retire on attaining the age of 55 years.

[(2), (3) repealed]

[Regulation 1401 inserted in Gazette 29 Jul 1988 p. 2540; amended in Gazette 13 Nov 1998 p. 6232.]

1402. Examination by medical board

- (1) Where the Commissioner is of the opinion that a member is not fit for further service, he may direct the member to submit himself to be examined by a medical board.
- (2) The medical board referred to in subregulation (1) shall consist of 3 legally qualified medical practitioners nominated by the person who holds or acts in the office of Commissioner of Health⁴ under the *Health Act 1911*.
- (3) A member shall not fail to carry out a direction given pursuant to subregulation (1).
- (4) Subject to the Act, where the medical board referred to in this regulation reports to the Commissioner that the member in question is unfit for further active service the Commissioner shall advise the member of the date he will cease duty.

1403. Allowances paid on death of member

Where a member or cadet dies the widow of the member or cadet, or a person who was the de facto partner of the member or cadet immediately before the death of the member or cadet and such of the children of the member or cadet as are under the age of 18 years are entitled to the allowances prescribed by

regulation 1204 for the conveyance of themselves and their furniture and effects to the Metropolitan Area or to any part of the State approved of by the Commissioner.

[Regulation 1403 amended in Gazette 30 Jun 2003 p. 2623.]

1404. Leave entitlement to be paid out

On the death of a member or cadet, the Minister may, on the recommendation of the Commissioner grant to the spouse or de facto partner and other relatives of the member or cadet who were dependent on him at the date of his death the monetary equivalent, computed to the date of death, of —

- (a) annual leave accrued and owing to the member or cadet;
- (b) long service leave accrued and owing to the member or cadet;
- (c) pro rata leave for each completed month of service of the member or cadet in the current year.

[Regulation 1404 amended in Gazette 30 Jun 2003 p. 2624.]

Part XV — Quarters

1501. This Part not in derogation of Award

The provisions of this Part are in addition to and not in derogation of any provisions of the Award.

1502. Maintenance of quarters

- (1) A member or cadet who occupies quarters provided by the State shall —
 - (a) keep them clean and in good and serviceable order;
 - (b) maintain the grounds in a reasonable condition free from accumulating rubbish and items which would detract from the appearance of the property;
 - (c) observe Local Authority By-laws in regard to the property;
 - (d) control weed growth and keep buildings and fences clear of grass;
 - (e) as soon as possible report to the Regional Officer any required repairs to the building or its appurtenances, or the presence of white ants.
- (2) A member or cadet occupying quarters is responsible for the cost of maintaining any chimneys in those quarters in a clean condition.

1503. Expenditure not to be incurred without authority of Commissioner

- (1) A member or cadet who occupies quarters shall not incur any expenditure on those quarters whether on his own behalf or on behalf of the Commissioner without the authority of the Commissioner.
- (2) A member or cadet shall not construct or alter any building or structure on quarters occupied by him except with the authority of the Commissioner.

- (3) Where the Commissioner approves of any construction or alteration of any building or structure on quarters by a member or cadet the cost thereof shall be borne by the member or cadet concerned but the property in the construction or alteration as the case may be, belongs to the State.

1504. Inspection of quarters

- (1) Any member authorised by the Commissioner in that behalf may after giving a member or cadet who occupies quarters reasonable notice enter the quarters occupied by the member or cadet at a reasonable hour for the purpose of inspecting the condition of those quarters, appurtenances and grounds.
- (2) The Commissioner may by written notice require a member or cadet who occupies quarters to carry out such directions as are specified in the notice for the purpose of putting the quarters, appurtenances and grounds into a fit and proper condition.
- (3) Where a member or cadet who has been served with a notice pursuant to subregulation (2) refuses to comply with the direction the Commissioner may direct —
 - (a) that the necessary action be taken to put the quarters, appurtenances and grounds in a fit and proper condition and may recover the costs thereof in any Court of competent jurisdiction; and
 - (b) that the member or cadet, the member's or cadet's spouse or de facto partner, children and other dependants vacate those quarters.

[Regulation 1504 amended in Gazette 30 Jun 2003 p. 2624.]

1505. Occupation and vacation of premises

- (1) Except with the prior written permission of the Commissioner a member or cadet who occupies quarters provided by the State shall not allow any person other than the member's, or cadet's spouse or de facto partner, children and other dependants to reside there permanently.

r. 1506

- (2) Where a member or cadet occupying quarters provided by the State ceases to hold office, the quarters shall be vacated by the member, or cadet, the member's or cadet's spouse or de facto partner, children and other dependants, upon ceasing to hold such office.

[Regulation 1505 amended in Gazette 30 Jun 2003 p. 2624.]

1506. Notice of occupation and vacating to be given

A member or cadet who is allocated quarters provided under the *Government Employees' Housing Act 1964*, shall notify the Commissioner as soon as practicable of the date that he first occupies those quarters and when he vacates the quarters of the date that he vacates them.

Part XVI — General

1601. Offences generally

A member or cadet who fails to comply with or who contravenes any of the provisions of these regulations commits an offence against the discipline of the Force.

First Schedule

First Schedule

[Reg. 625]

POLICE DEPARTMENT
DISCIPLINARY CHARGE SHEET
(Regulation 625)

Charge No. /

Person Charged
Rank and Number
Location

Particulars of charge.
(To be reported as fully
as possible).

Authorised officer
preferring charge
Date.

RECORD OF TRIBUNAL PROCEEDINGS

Table with 2 columns: Description (PLACE HEARD, DECISION, BY WHOM, REMARKS) and Date/Signed.

STATEMENT OF SERVICE

On the ... day of ... 20 ...
at ... I served the
within named ... with this disciplinary
charge sheet by delivering a duplicate of it to him/her personally.

Signature
Date

INSTRUCTIONS TO PERSON CHARGED

You will be notified of the time, date and place of the hearing. If you intend to plead not guilty, you must inform the Chief Superintendent of Discipline to enable arrangements to be made to accommodate that plea. Your attention is drawn to sections 8 and 23(4) of the *Police Act 1892*.

[Forms 2, 3 and 4 deleted]

[First Schedule inserted in Gazette 27 Oct 1989 p. 3888-9; amended in Gazette 30 Mar 1990 p. 1656-8 (erratum 6 Apr 1990 p. 1766); 17 Mar 1995 p. 1055.]

Second Schedule

Second Schedule

Description of Uniforms

Male Commissioned Officers Uniform

1. Tunic (All Grades) —

Black serge material made with 3 piece panel back, 2 side vents, fully lined, step collar, 2 outer breast pockets with expanding centre pleats 48 mm wide and flap to button, 2 side pockets with flap but without expanding centre pleats or buttons. Pocket flaps to have 3 points with the 2 outer points slightly rounded, top flaps points 63 mm long rising to 51 mm, bottom flaps 76 mm rising to 63 mm. Epaulette straps sewn into shoulder seam, 140 mm long, 57 mm wide at shoulder, tapering to rounded point 38 mm at button hole. Sleeves to have gauntlet cuffs 70 mm wide under arm rising from top side to a point 165 mm.

Four 25 mm buttons at front. One 19 mm button on each breast pocket in balance between top and second front buttons, also one 19 mm button on each shoulder for attachment of epaulette. All buttons are to be of a type approved of by the Commissioner. Western Australia Police insignia to be attached to the crown of each sleeve.

2. Trousers —

Black serge material identical with tunic. Side pockets, one hip and fob pocket if desired. Cuffless bottoms not more than 508 mm in width. Plain black braid 38 mm wide from waist to cuffless bottom to be sewn over outside seam.

3. Caps —

Black material with chequered band and badge of a type approved by the Commissioner.

Superintendent's, Chief Inspector's and Inspector's cap peaks to have a single row of silver embroidery 19 mm wide.

Commander's and Chief Superintendent's cap peaks to have a single row of silver embroidered oak leaf pattern 19 mm wide at the top and a single row of silver embroidery 19 mm wide below. Assistant Commissioner's cap peak to have a single silver embroidered row of oak leaf pattern 19 mm wide.

Commissioner's and Deputy Commissioner's cap peak to have 2 rows of silver embroidered oak leaf pattern 19 mm wide.

4. Shirt —

White, collar attached.

Second Schedule

5. Tie —
Black, long.
6. Socks —
Black.
7. Boots or Shoes —
Black.
8. Gloves —
Black leather of a type approved by the Commissioner.
9. Belt —
Black leather of a type approved by the Commissioner.

Ceremonial Dress

Commissioner — In addition to the uniform described above there shall be a pouch belt of black leather 73 mm wide with silver breast ornament whistle and chain, silver ornamented buckle and slide worn over left shoulder.

Deputy Commissioner, Assistant Commissioner, Commander and Chief Superintendent — In addition to the uniform described above there shall be a black leather 54 mm belt with 38 mm wide cross belt worn over right shoulder.

1. Male Officer's Mess Jacket:
Black or white barathea material with blue collar, lapels and epaulettes made from material approved by the Commissioner.
Jacket to be of patrol type with 3 piece back, having rolled collar 44 mm at back shaping to lapels 57 mm wide and tapered. Jacket to button with link style small "officer type" buttons 21 mm diameter.
Epaulettes to be stiffened, 51 mm wide at shoulder reducing to 38 mm to button onto small "officer type" 21 mm button.
Sleeves to have 76 mm vent with two 17 mm buttons, with button holes on each sleeve.
Approved officer's badge to be worn, placed centrally on each lapel with highest point of badge 178 mm below the junction of collar and forward edge of epaulette.
2. Trousers —
Black dress or dinner suit trousers, braided outside seam, cuffless.
3. Shirt —
White dress shirt with collar attached.
4. Tie —

Second Schedule

- Black bow.
5. Cummerbund —
Black.
6. Socks —
Black.
7. Shoes —
Black.

Female Commissioned Officers Uniform

1. Tunic (All Grades) —
Black serge material made with 4 piece back, fully lined, step collar. Single breasted. Fronts comprising 2 panels and a side body.
Epaulette straps sewn into shoulder seam, 120 mm long, 45 mm wide at shoulder, tapering to rounded point at the button hole. Two piece, three quarter, set in sleeves with gauntlet cuffs 65 mm wide under arm rising from top side to a point of 155 mm.
Four 25 mm buttons at front. One 25 mm button on each shoulder for attachment of epaulette. All buttons are to be of a type approved by the Commissioner. Western Australia Police insignia to be attached to the crown of each sleeve.
2. Skirt —
Black serge material.
Inverted centre front pleat, 2 piece back, skirt closure by means of slide fastener on left side seam. Waist band.
May be worn with or without a tunic.
3. Caps —
Black material with chequered band and a badge of a type approved by the Commissioner.
Superintendent's, Chief Inspector's and Inspector's cap peaks to have a single row of silver embroidery 19 mm wide.
Commander's and Chief Superintendent's cap peaks to have a single row of silver embroidered oak leaf pattern 19 mm wide at top and a single row of silver embroidery 19 mm wide below. Assistant Commissioner's cap peak to have a single silver embroidered row of oak pattern 19 mm wide.

Commissioner's and Deputy Commissioner's cap peaks to have 2 rows of silver embroidered oak leaf pattern 19 mm wide.

4. Shirt —
White, collar attached.
5. Tie —
Black, long.
6. Stockings —
Flesh coloured.
7. Shoes —
Black court, 50 mm high heel.
8. Gloves —
Black leather.

Ceremonial Dress

Commissioner — In addition to the uniform described above there shall be a pouch belt of black leather 73 mm wide with silver breast ornament whistle and chain, silver ornamented buckle and slide worn over left shoulder.

Deputy Commissioner, Assistant Commissioner, Commander and Chief Superintendent — In addition to the uniform described above there shall be a black leather 54 mm belt with 38 mm wide cross belt worn over right shoulder.

1. Female Officer's Mess Jacket —
Black or white barathea material with blue collar, lapels and epaulettes made from material approved by the Commissioner.
Jacket to be of patrol type with 3 piece back, having rolled collar 44 mm at back shaping to lapels 57 mm wide and tapered. Jacket to button with link style small "officer type" buttons 21 mm diameter.
Epaulettes to be stiffened, 51 mm wide at shoulder reducing to 38 mm to button onto small "officer type" 21 mm button. Sleeves to have 76 mm vent with two 17 mm buttons, with button holes on each sleeve.
2. Skirt —
Black serge material, straight single pieces in front, 2 piece back with 300 mm split.
3. Shirt —
White with Chinese style collar and 2 rows of ruffles down front.
4. Stockings —
Flesh coloured.

Second Schedule

5. Shoes —
Black court.

[Second Schedule inserted in Gazette 6 Oct 1989 p. 3740-1.]

Third Schedule

FORM 1

[reg. 501]

TO the Commissioner of Police

I am of the opinion that

Name and address

is physically capable, (given sufficient time for recovery and an intelligent application of the test) of undertaking a physical performance evaluation that simulates job related activities involving running, climbing, jumping, operating a mechanical "strength test simulator", dragging a 75 kilogram dummy over a reasonable distance and swimming and treading water.

Name

Medical Practitioner

[Third Schedule inserted in Gazette 22 Jan 1988 p. 128.]

Fourth Schedule

Fourth Schedule

[Regs. 8A03 and 8A04]

Part 1 — Award for bravery

The Cross for Bravery shall be of sterling silver, 40 mm long and 10 mm wide. The words "For Bravery" shall be embossed on the cross staff. The upright staff shall be surmounted by a crown with a black swan at the base. A sterling silver suspender 40 mm wide embossed with the words "Western Australia Police Force" will join the cross and ribbon. The ribbon shall be 32 mm long and 12 mm wide and shall be blue, edged with gold and black stripes.

Part 2 — Bar to the award for bravery

The Bar to the Award for Bravery shall be of sterling silver, 32 mm long and 5 mm wide. A laurel wreath shall be embossed on the clasp of the bar. The rosette shall be of sterling silver, shall be 10 mm wide and shall be placed in the centre of the ribbon of the Award for Bravery.

[Fourth Schedule inserted in Gazette 17 Mar 1989 p. 753.]

[Fifth Schedule repealed in Gazette 17 Mar 1995 p. 1055.]

Notes

¹ This is a compilation of the *Police Force Regulations 1979* and includes the amendments made by the other written laws referred to in the following table. The table also includes information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Police Regulations 1979</i> ⁵	20 Dec 1978 p. 4731-62	1 Jan 1979
	16 Feb 1979 p. 425	16 Feb 1979
	7 Sep 1979 p. 2716-19	7 Sep 1979
	29 Aug 1980 p. 3033	29 Aug 1980
<i>Police Amendment Regulations 1981</i>	31 Jul 1981 p. 3158	31 Jul 1981
<i>Police Amendment Regulations (No. 2) 1981</i>	15 Jan 1982 p. 55-6	15 Jan 1982
<i>Police Amendment Regulations 1983</i>	29 Apr 1983 p. 1299	29 Apr 1983
<i>Police Amendment Regulations 1984</i>	23 Mar 1984 p. 745-6	23 Mar 1984
<i>Police Amendment Regulations (No. 2) 1984</i>	29 Jun 1984 p. 1795	29 Jun 1984
<i>Police Amendment Regulations (No. 3) 1984</i>	7 Dec 1984 p. 4024-30	7 Dec 1984
<i>Police Amendment Regulations 1985</i>	1 Mar 1985 p. 790	1 Mar 1985
<i>Police Amendment Regulations (No. 2) 1985</i>	16 Aug 1985 p. 2926-8	16 Aug 1985
<i>Police Amendment Regulations 1986</i>	24 Apr 1986 p. 1476-80	24 Apr 1986

Reprint of the *Police Force Regulations 1979* as at 28 Aug 1986 published in *Gazette* 24 Sep 1986 p. 3463-517 (includes all amendments listed above)

Police Force Regulations 1979

Citation	Gazettal	Commencement
<i>Police Amendment Regulations (No. 2) 1986</i>	31 Oct 1986 p. 4050-1	31 Oct 1986
<i>Police Amendment Regulations (No. 2) 1987</i>	14 Aug 1987 p. 3167	14 Aug 1987
<i>Police Amendment Regulations 1988</i>	22 Jan 1988 p. 128	22 Jan 1988
<i>Police Amendment Regulations (No. 2) 1988</i>	6 May 1988 p. 1541	6 May 1988
<i>Police Amendment Regulations (No. 3) 1988</i>	1 Jul 1988 p. 2144	1 Jul 1988
<i>Police Amendment Regulations (No. 5) 1988</i>	29 Jul 1988 p. 2540	29 Jul 1988
<i>Police Amendment Regulations (No. 4) 1988</i>	18 Nov 1988 p. 4532	18 Nov 1988
<i>Police Amendment Regulations 1989</i>	17 Mar 1989 p. 752-3	17 Mar 1989
<i>Police Amendment Regulations (No. 2) 1989</i>	9 Jun 1989 p. 1666	9 Jun 1989
<i>Police Amendment Regulations (No. 3) 1989</i>	6 Oct 1989 p. 3739-41	6 Oct 1989
<i>Police Amendment Regulations (No. 4) 1989</i>	27 Oct 1989 p. 3888-9	27 Oct 1989
<i>Police Amendment Regulations (No. 6) 1989</i>	17 Nov 1989 p. 4110-12	17 Nov 1989
<i>Police Amendment Regulations (No. 5) 1989</i>	1 Dec 1989 p. 4395-6	1 Dec 1989
<i>Police Force Amendment Regulations (No. 8) 1989</i>	8 Dec 1989 p. 4462	8 Dec 1989
<i>Police Force Amendment Regulations 1990</i>	2 Feb 1990 p. 788-90	2 Feb 1990
<i>Police Force Amendment Regulations (No. 2) 1990</i>	30 Mar 1990 p. 1646-60 (erratum 6 Apr 1990 p. 1766)	30 Mar 1990
<i>Police Force Amendment Regulations 1992</i>	14 Jul 1992 p. 3364-70	14 Jul 1992

Citation	Gazettal	Commencement
<i>Police Force Amendment Regulations 1994</i>	18 Nov 1994 p. 5866-7	18 Nov 1994
<i>Police Force Amendment Regulations (No. 2) 1994</i>	7 Feb 1995 p. 422	7 Feb 1995
<i>Police Force Amendment Regulations (No. 2) 1995</i> ⁶	17 Mar 1995 p. 1055	17 Mar 1995
Reprint of the Police Force Regulations 1979 as at 30 Jan 1996 (includes amendments listed above)		
<i>Police Force Amendment Regulations (No. 2) 1996</i>	20 Sep 1996 p. 4750	20 Sep 1996
<i>Police Force Amendment Regulations 1997</i>	22 Aug 1997 p. 4815	22 Aug 1997
<i>Police Force Amendment Regulations (No. 4) 1997</i>	14 Nov 1997 p. 6457	14 Nov 1997
<i>Police Force Amendment Regulations (No. 2) 1997</i>	6 Jan 1998 p. 36	6 Jan 1998
<i>Police Force Amendment Regulations (No. 2) 1998</i> ⁷	21 Aug 1998 p. 4678-9	21 Aug 1998
<i>Police Force Amendment Regulations (No. 4) 1998</i>	13 Nov 1998 p. 6232	13 Nov 1998
<i>Police Force Amendment Regulations (No. 2) 2000</i>	28 Nov 2000 p. 6628	28 Nov 2000
Reprint of the Police Force Regulations 1979 as at 15 Jun 2001 (includes amendments listed above)		
<i>Police Force Amendment Regulations 2001</i>	10 Aug 2001 p. 4213-14	10 Aug 2001
<i>Equality of Status Subsidiary Legislation Amendment Regulations 2003 Pt. 31</i>	30 Jun 2003 p. 2581-638	1 Jul 2003 (see r. 2 and <i>Gazette</i> 30 Jun 2003 p. 2579)
<i>Police Force Amendment Regulations 2003</i>	26 Aug 2003 p. 3758-64	27 Aug 2003 (see r. 2 and <i>Gazette</i> 26 Aug 2003 p. 3753)
<i>Police Force Amendment Regulations (No. 2) 2004</i>	17 Dec 2004 p. 6087	17 Dec 2004

Citation	Gazettal	Commencement
<i>Police Force Amendment Regulations (No. 3) 2005</i>	30 Dec 2005 p. 6879	30 Dec 2005

2 Under the *Acts Amendment and Repeal (Industrial Relations) Act (No. 2) 1984*, a reference to the *Industrial Arbitration Act 1912* is to be read as a reference to the *Industrial Relations Act 1979*. The reference was substituted under the *Reprints Act 1984* s. 7(3)(g).

3 The *Liquor Act 1970* was repealed by the *Liquor Licensing Act 1988*.

4 Formerly referred to the Commissioner of Public Health, the name of which was changed to the Commissioner of Health by the *Health Legislation Amendment Act 1984*. The reference was changed under the *Reprints Act 1984* s. 7(3)(h).

5 Now known as the *Police Force Regulations 1979*, citation changed (see note under r. 101).

6 The *Police Force Amendment Regulations (No. 2) 1995* r. 3(2) reads as follows:

“

- (2) Notwithstanding subregulation (1) —
 - (a) the repealed Part VIIA continues to apply to any vacancy advertized in the *Police Gazette* under repealed regulation 7A13 or 7A27 before the commencement of subregulation (1); and
 - (b) for the purposes of paragraph (a) —
 - (i) the bodies created by the repealed Part VIIA continue in existence; and
 - (ii) the provisions deleted or repealed by regulations 4 and 5 continue to have effect, so far as may be necessary.

”

7 The *Police Force Amendment Regulations (No. 2) 1998* r. 13 reads as follows:

“

13. Transitional

- (1) In this regulation —
“**commencement day**” means the day on which these regulations are published in the *Gazette*.
- (2) Despite regulation 5, the Board of Examiners as constituted immediately before the commencement day shall continue in

existence for the purpose of considering, determining or dealing with, as soon as practicable after the commencement day —

- (a) any application under regulation 807(6) made before the commencement day; or
- (b) any application for a review of a decision under regulation 811(3) made before the commencement day,

as if the provisions repealed by these regulations continue to have effect so far as may be necessary.

”