

Police Appeal Board Regulations

Compare between:

[03 Dec 2004, 01-a0-03] and [16 Mar 2007, 01-b0-07]



Reprinted under the Reprints Act 1984 as at 3 December 2004

Western Australia

Police Act 1892

Police Appeal Board Regulations

1. Citation

These regulations may be cited as the *Police Appeal Board Regulations* ¹.

2. Interpretation

In these regulations, unless the context requires otherwise — "Act" means the *Police Act 1892*;

"Appendix" means the appendix to these regulations;

______Board²² means the Police Appeal Board constituted under Part IIA of the Act:

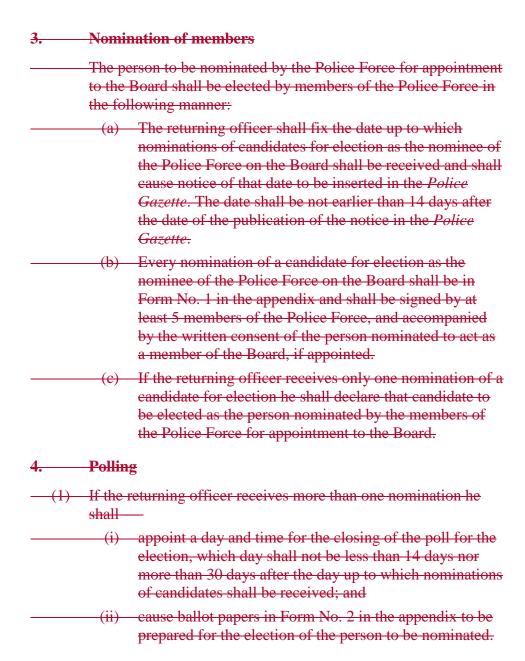
"returning officer" means the secretary for the time being of the Police Union of Workers of Western Australia, or his deputy, who shall be the returning officer for any election held under the provisions of these regulations;

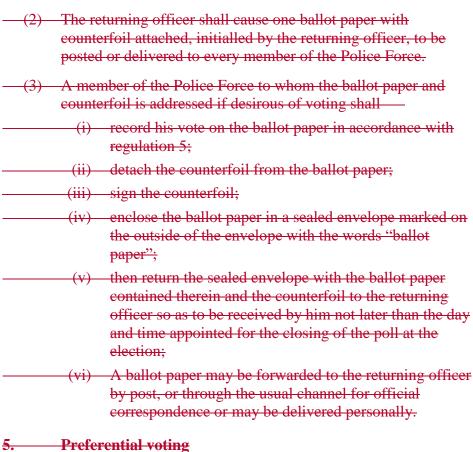
<u>"secretary"</u> <u>secretary</u> means the person appointed by the Minister to act as secretary of the Board;

expressions used in these regulations have the same respective meanings as in the Act.

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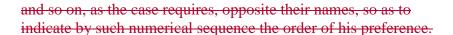
Extract from www.slp.wa.gov.au, see that website for further information





- (1) Voting shall be by means of a preferential ballot.
- (2) Where there are 2 nominations only, the member of the Police Force shall mark his vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he votes.
- Where there are more than 2 nominations, the member of the Police Force shall mark his vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he votes as his first preference, and he shall give contingent votes for all the remaining candidates by placing the numerals 2, 3

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6. The scrutiny

- (1) A ballot paper which
 - (i) is received by the returning officer after the day and time for the closing of the poll; or
 - (ii) is not marked in accordance with regulation 5,
- is informal and shall be rejected.
- (2) The counting of the votes and the scrutiny shall be conducted in the manner prescribed by the *Electoral Act 1907*, for the counting and scrutiny of votes and the election of candidates at an election of a representative of the Legislative Assembly and the provisions of the *Electoral Act 1907*, *mutatis mutandis*, apply.
- (3) The returning officer and one person nominated by each candidate for the purpose shall conduct the scrutiny and count of votes. No person shall be nominated to act as scrutineer unless he is a member of the Police Force residing in Perth or a suburb of Perth.
- (4) The candidate obtaining the highest number of votes shall be declared to be elected and shall be the person nominated by members of the Police Force for appointment to the Board. If the votes awarded to 2 or more candidates are equal, the successful candidate shall be determined by lot.
- (5) If any question arises as to the validity or regularity of any vote, the question shall be determined by the returning officer, whose decision is final.

[Regulation 2 amended in Gazette 16 Mar 2007 p. 973.]

[**3-6.** Deleted in Gazette 16 Mar 2007 p. 973.]

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7. Appeals

- (1) Every appeal under section 33E of the Act is required to be instituted by a notice of appeal given by the appellant to the Secretary within 14 days from the date the punishment, decision or finding appealed against is given.
- (2) Every notice of appeal shall
 - (a) be typewritten, and in triplicate;
 - (b) recite the punishment or decision appealed against;
 - (c) set out the grounds on which the appeal is made; and
 - (d) specify distinctly what relief the appellant desires the Board to grant him on appeal.
- (3) The appellant shall, in his appeal, state whether he requires any person to be summoned to appear before the Board, or to produce any books, documents, or writings.
- (4) The appellant and witnesses who have been summoned to appear before the Board shall be granted the necessary leave of absence to enable them to attend.
- (5) If the appellant fails to appear, the Board may determine the appeal on such evidence as is available.

[Appendix deleted in Gazette 16 Mar 2007 p. 973.]

Form No. 1

Western Australia

Police Appeal Board Regulations

NOMINATION OF MEMBER

We, the undersigned, being members of the	Police Force of Western Australia,
hereby nominate, of	r
as a Member of the Police Appeal Board.	
	
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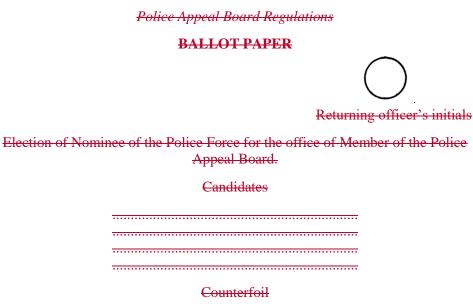
Form No. 2

Western Australia

Police Appeal Board Regulations

BALLOT PAPER

Appeal Board. **Candidates**



Rank Station

Counterfoil

Notes

This is a reprint as at 3 December 2004 compilation of the *Police Appeal Board Regulations*. The and includes the amendments made by the other written laws referred to in the following table. The table also contains information about those regulations and any reprint.

Compilation table

Citation	Gazettal	Commencement			
Police Appeal Board Regulations	25 Mar 1955 p. 556-9	25 Mar 1955			
Reprint 1: The Police Appeal Board Regulations as at 3 Dec 2004					
Police Appeal Board (Election) Regulations 2007 r. 30	16 Mar 2007 p. 973	16 Mar 2007			

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