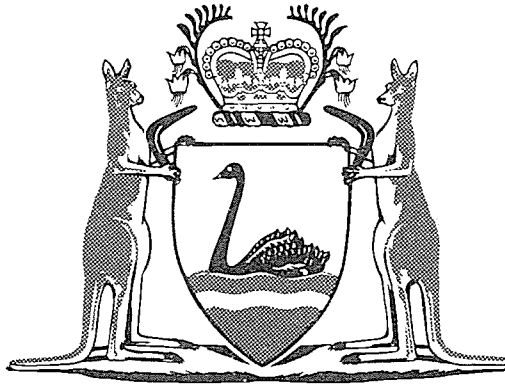


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POLICE ACT 1892

POLICE REGULATIONS 1979

Reprinted under the *Reprints Act 1984*
as at 28 August 1986.

WESTERN AUSTRALIA

POLICE ACT 1892

POLICE REGULATIONS 1979

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Reprinted under the *Reprints Act 1984*
as at 28 August 1986.

WESTERN AUSTRALIA

POLICE ACT 1892

POLICE REGULATIONS 1979

PART I—PRELIMINARY

Citation

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

Division

102. [*Regulation 102 omitted under Reprints Act 1984 s. 7 (4) (d).*]

Interpretation

103. 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;

“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;

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

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

“regulation” means one of these regulations;

“Schedule” means the schedule to these regulations;

“subregulation” means a subregulation of the regulation in which the term is used;

“the Act” means the *Police Act 1892*;

“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 Gazettes 15 January 1982 p. 55; 7 December 1984 p. 4024.*]

PART II—CONSTITUTION

Order of rank

201. (1) The Force comprises ranks with authority in the following order—

(a) Officers being—

(i) the Commissioner;

(ii) the Deputy Commissioner;

(iii) Assistant Commissioners;

(iv) the Commander;

(v) Chief Superintendents;

(vi) Superintendents;

(vii) Chief Inspectors;

(viii) Inspectors.

(b) Non-commissioned officers being—

(i) Senior Sergeants;

(ii) Sergeants First Class;

(iii) Sergeants;

(c) Other ranks being—

(i) Senior Constables;

(ii) Constables, First Class;

(iii) Constables; and

(d) Aboriginal Aides.

(2) The prefix “Detective” may be used in conjunction with the rank of a commissioned officer in the Criminal Investigation Branch.

[*Regulation 201 amended in Gazettes 16 February 1979 p. 425; 31 July 1981 p. 3158; 23 March 1984 p. 745; 24 April 1986 p. 1476.*]

PART III—ORGANIZATION

Commissioner to determine functions, duties and responsibilities

301. (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.

Deployment and control

302. 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.

Officers in control

303. (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.

(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.

Officers-in-charge absent

304. (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.

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

305. 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.

Senior member to exercise command unless member specially detailed

306. 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.

Police Gazette to be published

307. 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

Member and cadet to obey directions

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

Provisions relating to behaviour

402. 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.

Proper care to be taken of firearms, etc.

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

Full uniform to be worn on duty

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

Certificate of identity

405. 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.

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

406. (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 authorized 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.

Notice of functions, duties and responsibilities of other members

407. (1) In order to conduce co-ordination 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.

(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.

Persons etc., entitled to be saluted

408. (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.

How to salute

409. (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.

When to stand to attention

410. (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

Application for appointment

501. (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; and

- (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.

Eligibility for appointment

502. (1) Subject to these regulations, a person is not eligible for appointment unless—

- (a) he is a British subject;
- (b) he is of good character and repute;
- (c) his height and weight conform to the requirements of this regulation;
- (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 and not more than 33 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) if required to do so, he presents himself for personal interview by a Board of Selectors.

(2) A male person is not eligible for appointment as a member unless—

- (a) his height (without footwear) is not less than 175.50 centimetres; and
- (b) his weight and chest measurements are approximately in accordance with the following scale—

Height (cms)	Minimum Weight (Stripped) (kg)	Minimum Expiration (cms)	Minimum Inspiration (cms)
175.50	67.2	90.0	96.5
177.05	69.0	91.0	97.5
180.00	71.3	92.0	98.5
182.05	73.5	92.5	99.0
185.00	76.6	94.0	100.0

(3) A male person is not eligible for appointment as a police cadet unless his height (without footwear) weight and chest measurements are approximately in accordance with the following scale:—

	Height	Weight	Chest Minimum
16 years at least	172.83 cm	60.32 kgs	86.41 cm
17 years at least	174.09 cm	62.95 kgs	87.69 cm
18 years at least	175.37 cm	65.31 kgs	88.95 cm

(4) A female person is not eligible for appointment as a member or a police cadet unless her height (without footwear) is not less than 162.66 centimetres.

(5) Where the Commissioner is satisfied that a technical skill or qualification is necessary for the efficient working of the Force the Commissioner may direct that the maximum age limit prescribed by subregulation (1) (e) and the provisions of subregulation (2) and subregulation (3) do not apply to or in relation to employment in the Force in a particular case or a particular class of cases.

[Regulation 502 amended in Gazette 1 March 1985 p. 790.]

Entrance examination

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

- (a) a group intelligence test of a standard approved by the Commissioner;
- (b) a written examination in English expression, covering both grammar and spelling; and
- (c) arithmetic.

Board of Selectors may be appointed

504. The Commissioner may appoint a Board of Selectors, referred to in Regulation 502, comprising a Chairman and 2 other members, all of whom shall be commissioned officers.

Member in possession of information about applicant

505. 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.

Probationary period

505A. (1) At the time of induction into the Force a member shall be appointed on probation and the probationary period shall continue—

- (a) in the case of a member who attends the Police Academy, for 2 years from the date of graduation from the Police Academy; and
- (b) in any other case, for 2 years from the date of induction into the Force.

(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 by Gazette 1 March 1985 p. 790.]

PART VI—GENERAL RULES RELATING TO DISCIPLINE

Acting in manner prejudicial to the Force

601. (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.

Behaviour towards other members

602. 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.

Lawful order not to be disobeyed

603. 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.

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

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

Performance generally

605. (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.

False, misleading or inaccurate statements, etc.

606. 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.

Secrecy

607. (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, press or to any unauthorized person any matter connected with the Force.

(3) A member or cadet shall not—

- (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.

Member or cadet not to compromise his position

608. (1) A member or cadet shall not—
- (a) receive any bribe;
 - (b) 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 authorized, 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.

(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.

Unlawful arrest and unnecessary force

609. 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.

Feigning sickness or injury

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

Not to be absent or late without reasonable excuse

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

Appearance

612. 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.

Care of property issued

613. (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.

Under influence of intoxicating liquor or any drug

614. 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.

Receiving and being supplied with intoxicating liquor while on duty

615. 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.

Entering licensed premises

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

Consumption of intoxicating liquor

617. (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.

Premises supplying intoxicating liquor

618. 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.

Restrictions relating to loans, securities and debts

619. A member or cadet shall not—

- (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.

Interest in racing

620. 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.

Restrictions relating to trade, business or professions outside the Force

621. A member or cadet shall not carry on any trade, business or profession or accept any other remuneration for employment after having been ordered by the Commissioner to cease such trade, business, profession or employment.

Acts against discipline

622. 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.

Offence against discipline to be reported

623. 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.

Investigation into acts against discipline

624. (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 an officer into the allegation.

(2) The officer charged with making an investigation pursuant to subregulation (1) 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 authorized by the Commissioner for that purpose, either generally or for the particular case.

[Regulation 624 amended in Gazette 16 February 1979 p. 425; 23 March 1984 p. 745.]

Disciplinary proceedings

625. 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 Defaulter's Sheet set out in the First Schedule;
- (b) the officer-in-charge of the region or branch shall cause a copy of the Defaulter's 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 September 1979 p. 2717.]

Civil or criminal proceedings against member or cadet

626. (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 VII—RECORD OF SERVICE.**Interpretation**

701. 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 authorized by the Commissioner to act as a staff officer.

Personal file to be opened

702. (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 Defaulter's 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.

Entries in personal file

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

Unfavourable report

704. 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.

Particulars of offence may be removed from personal file

705. Where—

- (a) particulars of a conviction of an offence against the discipline of the Force has been entered in the personal file of a member or cadet;
- (b) five years have elapsed since the date of the entry of the conviction; and
- (c) the conduct of the member or cadet has been good during that period,

the Commissioner, on application by the member or cadet, may cause the sheet containing the particulars of the conviction to be removed from the personal file of the member or cadet.

Report on exceptional conduct, judgment or discretion

706. 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 because of exceptional merit and ability—

- (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.

Personal file may be viewed

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

Persons entitled to view personal file

708. No person other than the Commissioner, a person authorized 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 VIII—SENIORITY, EXAMINATIONS AND PROMOTIONS

Interpretation

801. In this Part unless the contrary intention appears—

- “Board of Examiners” means the Board of Examiners established pursuant to regulation 807;
- “Extension Studies (Stage 1)” means the course of study referred to in regulation 809, being part qualification to attain the rank of Constable First Class;
- “Extension Studies (Stage 2)” means the course of study referred to in regulation 808 (2a) being part qualification to attaining the rank of Senior Constable and Sergeant;
- “Extension Studies (Stage 3)” means the course of study referred to in regulation 808 (4a) being qualification to attaining the rank of Sergeant First Class and part qualification to attaining the rank of Senior Sergeant;
- “Promotions Appeal Board” means the Promotions Appeal Board established pursuant to regulation 821;
- “Promotional Assessment Course” means an approved course of study determined by the Board of Examiners as a prerequisite to promotion, and upon which members undertaking the course shall be assessed and examined;
- “Rank”, except in regulation 806 (1), means in this Part, substantive rank in accordance with the Seniority List;
- “Register” means the Register of Training and Education Qualifications established pursuant to regulation 803;
- “Selection Board” means a Promotions Selection Board established pursuant to regulation 814;
- “Seniority List” means the General Seniority List established pursuant to regulation 804;

“Transitional Student” means a member who, in 1981, was enrolled in the Educational Qualifying Course, or who, in 1984, was enrolled in the Promotional (Correspondence) Course, and in those years failed to complete the relevant course of study then being undertaken.

[Regulation 801 amended in Gazette 7 December 1984 p. 4024; 24 April 1986 p. 1476.]

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

802. 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.

Register of Training and Education Qualifications

803. (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 December 1984 p. 4024.]

General Seniority List to be established

804. (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.

General seniority of Force members

805. (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;
 - (ii) if the members took that oath on the same date, attend 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 December 1985 p. 4024.]

Seniority of a member in the Criminal Investigation Branch

806. (1) Where a member in the Criminal Investigation Branch obtains a rank in that Branch that is not in accordance with the seniority set out in relation to him in the General Seniority List, his seniority for the purposes of promotion outside that Branch is the seniority set out in relation to him in the General Seniority List.

(2) On transfer to the Criminal Investigation Branch as a detective the seniority of a member within the Branch shall commence from the date of the transfer, irrespective of his position in the General Seniority List.

(3) Where more than one detective is transferred to the Criminal Investigation Branch by transfer on the same date, their seniority in the Branch as between them is determined in accordance with their seniority on the General Seniority List.

Board of Examiners

807. (1) For the purposes of these regulations, there shall be a Board of Examiners.

(2) The Board of Examiners shall consist of 3 persons appointed by the Commissioner.

(3) A member employed in the Police Academy established by the Commissioner shall not be appointed to the Board of Examiners.

(4) A member of the Board of Examiners holds office as such during the pleasure of the Commissioner.

(5) The Board of Examiners shall supervise all matters relating to training, education and examination.

(6) Any member disqualified from examination or from further participation in an Extension Studies Course or a Promotional Assessment Course who reasonably believes that he should not have been so disqualified, may, within 14 days of being advised of the disqualification, by the Principal of the Police Academy, apply in writing, through that officer, to the Board of Examiners, for a review of the decision.

(7) Where an application for a review of a decision has been lodged in accordance with subregulation (6), the Board of Examiners shall consider that application, and may uphold or reverse the original decision, or may make recommendations to the Commissioner in respect to that decision, as it sees fit.

(8) Where a member applies for an exemption from either or both of the external study courses referred to in regulation 811 (1), (2) and (3) or from the internal study course referred to in regulation 811 (1) and (3a) and the application is rejected, the member may, within 14 days of being advised of the rejection of his application by the Principal of the Police Academy, apply in writing, through that officer, to the Board of Examiners, for a review of the decision.

(9) On the receipt of an application to review lodged in accordance with subregulation (8), the Principal of the Police Academy shall forthwith submit the application to the Board of Examiners together with his written reason for the rejection.

(10) The Board of Examiners on receipt of the documents referred to in subregulation (9), shall consider the application and may uphold or reverse the original decision, or may make recommendations to the Commissioner, as it sees fit.

(11) Where an application is received from a member by the Board of Examiners in accordance with subregulations (6) or (8) the Board of Examiners, or any members of it, may invite that member to appear before the Board to answer any questions relating to the application.

(12) When the Board of Examiners has reached a decision on any of the matters referred to in subregulations (7) or (10), that decision shall be notified, forthwith, to the member, in writing, by the Chairman of the Board.

(13) A decision of the Board of Examiners shall be final.

(14) Where the Board of Examiners makes a recommendation to the Commissioner, pursuant to subregulations (7) or (10), the Commissioner's decision shall be final, and the Board shall give effect to that decision.

[Regulation 807 amended in Gazettes 7 December 1984 p. 4024; 16 August 1985 p. 2926.]

Academic qualifications for promotion

808. (1) Subject to regulation 808A a member who has—

- (a) completed 5 years' service; and
- (b) passed Extension Studies Stage 1, is eligible for appointment to the rank of Constable First Class.

(2) A Constable First Class who has—

- (a) after attaining that rank, passed the Extension Studies (Stage 2) course and the external study course set out in subregulation (2a) (b) by examination for qualification for appointment to Senior Constable and part qualification for promotion to Sergeant; and
- (b) completed 9 years' service,

is eligible for appointment to the rank of Senior Constable.

(2a) The courses referred to in subregulation (2) (a) shall consist of the following subjects—

- (a) Extension Studies (Stage 2) being Statutes and Procedures (one course of study); and
- (b) the Technical Extension Service course, Business Communication 1A and 1B (one course of study), or an equivalent of that subject acceptable to the Board of Examiners.

(2b) Subject to these regulations, a member is not eligible to enrol for a course covering any of the subjects referred to in subregulation (2a), internally or externally, for qualification for appointment to Senior Constable or part qualification for promotion to Sergeant, unless the member has—

- (a) passed Extension Studies (Stage 1);
- (b) completed 5 years' service before 1 January of the year for which the member enrolls; and
- (c) attained the rank of Constable First Class.

(3) A Senior Constable who has attained that rank and achieved a pass in a Promotional Assessment Course within 2 years of anticipated promotion to Sergeant is eligible for promotion to that rank.

(3a) Subject to these regulations, a member is not eligible to attend a Promotional Assessment Course for part qualification for promotion to Sergeant, unless the member has—

- (a) passed Extension Studies (Stage 1);
- (b) passed the courses referred to in subregulation (2a) by examination; and
- (c) attained the rank of Senior Constable,

and is within 2 years of the date of anticipated promotion to the rank of Sergeant.

(4) A Sergeant who, after attaining that rank, has passed the Extension Studies (Stage 3) course, is eligible for promotion to Sergeant First Class.

(4a) Extension Studies (Stage 3) shall consist of the following subjects—

- (a) Statutes (one course of study); and
- (b) Procedures (one course of study).

(4b) Subject to these regulations, a member is not eligible to enrol for a course covering any of the subjects in Extension Studies (Stage 3), for qualification for promotion to Sergeant First Class, and part qualification for promotion to Senior Sergeant, unless the member has—

- (a) passed Extension Studies (Stage 1);
- (b) passed the courses referred to in subregulation (2a) by examination; and
- (c) attained the rank of Sergeant.

(5) A Sergeant First Class who, after attaining that rank, and not being a member who comes within the provisions of subregulation (6) has—

- (a) passed the 2 external study courses referred to in subregulation (5a) by examination for part qualification for promotion to Senior Sergeant; and
- (b) attained a pass in a Promotional Assessment Course within 2 years of anticipated promotion to Senior Sergeant,

is eligible for promotion to that rank.

(5a) The external study courses required by subregulation (5) (a) are the Technical Extension Service courses—

- (a) Organization 1A and 1B (one course of study) or the equivalent of that subject acceptable to the Board of Examiners; and
- (b) Police Supervision Techniques A and B (one course of study).

(5b) Subject to these regulations, a member is not eligible to enrol for a course referred to in subregulation (5a), for part qualification for promotion to Senior Sergeant unless the member has—

- (a) passed Extension Studies (Stage 1);
- (b) passed Extension Studies (Stage 2) and (Stage 3) by examination and passed a Promotional Assessment Course for promotion to Sergeant; and
- (c) attained the rank of Sergeant First Class.

(5c) Subject to these regulations a member is not eligible to attend a Promotional Assessment Course for part qualification for promotion to Senior Sergeant, unless the member has—

- (a) qualified by examination to the rank of Sergeant First Class, in accordance with these regulations;
- (b) passed the courses referred to in subregulation (5a); and
- (c) attained the rank of Sergeant First Class,

and is within 2 years of the date of anticipated promotion to the rank of Senior Sergeant.

(6) A Sergeant First Class who has attained that rank without passing the examinations for qualification for promotion to the rank of Senior Sergeant (then referred to as Sergeant First Class) under any promotional system in force prior to 1 January 1985 is not eligible for further promotion to Senior Sergeant, unless the member has passed—

- (a) Extension Studies (Stage 1);

- (b) Extension Studies (Stage 3) and the 2 approved external study courses referred to in subregulation (5a) by examination, for qualification for promotion to Senior Sergeant; and
- (c) a Promotional Assessment Course within 2 years of the date of anticipated promotion to the rank of Senior Sergeant.

(7) A Senior Sergeant who, after attaining that rank, has—

- (a) passed the examinations in the 2 external study courses referred to in subregulation (7a) for qualification for promotion to Commissioned Rank; and
- (b) attained a pass in a Promotional Assessment Course in Police Administration within 2 years of anticipated promotion to Commissioned Rank,

is eligible for promotion to that rank.

(7a) The external study courses required by subregulation (7) (a) are the Technical Extension Service courses—

- (a) Police Management A and B (one course of study); and
- (b) Police Administration A and B (one course of study).

(7b) Subject to these regulations, a member is not eligible to enrol for a course covering any of the subjects referred to in subregulation (7a), for part qualification for promotion to Commissioned Rank, unless he has qualified in accordance with these regulations by examination—

- (a) to the rank of Senior Sergeant; and
- (b) has attained that rank.

(7c) Subject to these regulations, a member is not eligible to attend a promotional Assessment Course in Police Administration for part qualification for promotion to Commissioned Rank, unless the member has—

- (a) qualified by examination to the rank of Senior Sergeant, in accordance with these regulations;
- (b) passed the courses referred to in subregulation (7a); and
- (c) attained the rank of Senior Sergeant,

and is within 2 years of the date of anticipated promotion to Commissioned Rank.

[Regulation 808 amended in Gazettes 15 January 1982 p. 55; 7 December 1984 pp. 4025-27; 16 August 1985 p. 2927; 24 April 1986 pp. 1476-77.]

Members who have passed or were enrolled in the Qualifying Examinations before 1 January 1982

808A. (1) A member who before 1 January 1982 has passed the Qualifying Examination shall be credited with an equivalent pass in Extension Studies (Stage 1).

(2) Where a member was enrolled in the Qualifying Examination course, but had not completed that course before 1 January 1982, he shall, for every subject passed in the Qualifying Examination, be credited with a pass in 7 papers, nominated by the Commissioner, in Extension Studies (Stage 1).

[Regulation 808A inserted by Gazette 15 January 1982 p. 55; amended in Gazette 7 December 1984 p. 4027.]

Provisions relating to various members at certain stages in the Qualifying Examinations

808B. (1) A member who before 1 January 1985 passed each of the subjects of Statutes and Procedural Reporting in the Promotional (Correspondence) Courses for promotion to Sergeant (then referred to as Sergeant Third Class) and Senior Sergeant (then referred to as Sergeant First Class) and above that rank, shall be eligible for promotion to those ranks subject to attaining a pass in a Promotional Assessment Course within 2 years of the date of anticipated promotion to each of the ranks of Sergeant, Senior Sergeant and Commissioned Rank.

(2) Where, in 1984, a member was enrolled in a Promotional (Correspondence) Course for qualification for promotion to either Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) and above that rank, but had not completed that course before 1 January 1985, the member shall, for a subject passed during the enrolment period of 3 years in either of the Promotional (Correspondence) Courses, be credited with an equivalent pass in Extension Studies (Stage 2) or Extension Studies (Stage 3), as the case may be, and—

(a) a member who was enrolled in the Promotional (Correspondence) Course to Sergeant (then referred to as Sergeant Third Class) and who—

(i) before 1 January 1985 passed Statutes, shall undertake the approved external study course;

(ii) before 1 January 1985 passed Procedural Reporting shall undertake Extension Studies (Stage 2),

to complete qualification to that rank subject to subregulation (1) and provided also that the member is within the original 3 year enrolment period;

(b) a member who was enrolled in the Promotional (Correspondence) Course to Senior Sergeant (then referred to as Sergeant First Class) and who—

(i) before 1 January 1985 passed Statutes, shall undertake the subject of Procedures in Extension Studies (Stage 3);

(ii) before 1 January 1985 passed Procedural Reporting, shall undertake the subject of Statutes in Extension Studies (Stage 3),

to complete qualification to that rank, subject to subregulation (1) and provided also that the member is within the original 3 year enrolment period;

(c) a member who enrolled in the Promotional (Correspondence) Course for promotion to Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) for 3 years commencing 1 January 1982 who failed to pass both the subject of Statutes and the subject of Procedural Reporting in promotional examination in 1982, 1983 or 1984, and who wishes to continue promotional studies will do so within the structure of the promotional system commencing 1 January 1985, provided the member is eligible by rank to do so;

(ca) a member who enrolled in the Promotional (Correspondence) Course for promotion to Sergeant (then referred to as Sergeant Third Class) for 3 years commencing 1 January 1982 and who passed only one of the subjects of Statutes or Procedural Reporting in promotional examination in 1982, 1983 or 1984 may continue studies under the promotional system commencing 1 January 1985 for the equivalent unit of study the member failed to pass in 1982, 1983 or 1984 and where the equivalent subject is satisfactorily completed the member will be eligible for promotion to Senior Constable;

(cb) a member who enrolled in the Promotional (Correspondence) Course for promotion to Senior Sergeant (then referred to as Sergeant First Class) for 3 years commencing 1 January 1982 and who passed only one of the subjects of Statutes or Procedural Reporting in promotional examination in 1982, 1983 or 1984 may continue studies under the promotional system commencing 1 January 1985 for the equivalent unit of study the member failed to pass in 1982, 1983 or 1984 and

where the equivalent subject is satisfactorily completed the member will be eligible for promotion to Sergeant First Class;

- (d) a member who enrolled in the Promotional (Correspondence) Course for promotion to Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) and above that rank for 3 years commencing 1 January 1983 who failed to pass any subject or who passed only one of the subjects of Statutes or Procedural Reporting before 1 January 1985 may complete his qualification to the level of rank for which he originally enrolled in accordance with paragraphs (a) or (b), and where the equivalent subjects are satisfactorily completed before 1 January 1986, the member will be eligible for promotion to the level of rank for which he originally enrolled, even though he may not then be eligible by rank to do so, and subject also to subsequent compliance with subregulation (1);
- (e) a member who enrolled in the Promotional (Correspondence) Course for promotion to Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) and above that rank for 3 years commencing 1 January 1984, who failed to pass any subject or who passed only one of the subjects, Statutes or Procedural Reporting, before 1 January 1985, may complete his qualification to the level for which he originally enrolled in accordance with paragraphs (a) or (b), and where the equivalent unit of study is completed before 1 January 1987, the member shall be eligible for promotion to the level of rank for which he originally enrolled, even though he may not then be eligible by rank to do so, and subject also to subsequent compliance with subregulation (1);
- (ea) a member who enrolled in the Promotional (Correspondence) Course for promotion to Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) for 3 years commencing 1 January 1983 or 1984 who passes only one of the subjects of Statutes or Procedural Reporting before 1 January 1986 or 1987, as the case may be, may continue with promotional studies within the structure of the promotional system commencing 1 January 1985 for the equivalent unit of study the member has failed to pass in 1986 or 1987 and where the equivalent subject is satisfactorily completed the member will be eligible for promotion to the level of rank set out in regulation 808 (2) and 808 (4);
- (eb) a member who enrolled in the Promotional (Correspondence) Course for promotion to Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) for 3 years commencing 1 January 1983 or 1984 who fails to pass any subject by 1 January 1986 or 1987, as the case may be, and who wishes to continue promotional studies will do so within the structure of the promotional system commencing 1 January 1985, provided the member is eligible by rank to do so; and
- (f) a member coming within the provision of paragraphs (c), (d) or (e), who fails to pass any subject or who passes only one of the 2 subjects within 3 years of his original enrolment and who subsequently passes the required subjects will be eligible for promotion to the level of rank set out in regulation 808 (2) and 808 (4).

[Regulation 808B inserted by Gazette 7 December 1984 pp. 4027-28; amended in Gazettes 16 August 1985 p. 2927; 24 April 1986 pp. 1477-78.]

Certain members exempt from Promotional Assessment Courses

808C. Members who before 1 January 1985 have qualified for promotion to Sergeant (then referred to as Sergeant Third Class) or Senior Sergeant (then referred to as Sergeant First Class) and above that rank, who are promoted prior to 31 December 1986, will not be required to attend Promotional Assessment Courses notwithstanding regulation 808B (1).

[Regulation 808C inserted by Gazette 7 December 1984 p. 4028; amended in Gazettes 16 August 1985 p. 2927; 24 April 1986 p. 1478.]

Provisions relating to Extension Studies (Stage 1)

809. (1) Extension Studies (Stage 1) shall consist of an approved course of study covering statutes and procedures.

(2) Subject to subregulation (3) a member, other than a transitional student, enrolled for Extension Studies (Stage 1) shall after 1 January 1985, undergo all progress tests at intervals of not less than one month and a pass must be attained on each unit before proceeding to the next.

(3) Where a member fails to pass a progress test he may undergo a subsequent test which may be taken at any time.

(4) If a member fails to pass a progress test on a unit after 3 attempts he may be disqualified from further participation for a period not exceeding 3 months at the discretion of the Board of Examiners.

[Regulation 809 substituted in Gazette 7 December 1984 p. 4028.]

Pass mark for certain courses

810. Subject to these regulations, the percentage pass mark allotted to Recruit Training Courses, Correspondence Courses for Promotion and Promotional Assessment Courses are as follows—

- (a) Recruit Training Course—aggregate of 65%;
- (b) Extension Studies (Stage 1)—80% for each progress test;
- (c) Extension Studies (Stage 2)—65%;
- (d) Extension Studies (Stage 3)—65% for each subject;
- (e) Business Communication 1A and 1B—as determined by the Education Department;
- (f) Organization 1A and 1B—as determined by the Education Department;
- (g) Police Supervision Techniques A and B—65%;
- (h) Police Management A and B—65%;
- (i) Police Administration A and B—65%;
- (j) Promotional Assessment Courses—aggregate of 65%.

[Regulation 810 substituted in Gazette 7 December 1984 p. 4029.]

Exemptions may be claimed

811. (1) Where a member is required by regulation 808 (2) or (5) to undertake an external study course or is required under these regulations to undertake a course in Statutes, Extension Studies (Stage 3) as a prerequisite to promotion, that member may be entitled to an exemption if he has already passed those subjects or has passed the equivalent of those subjects in the opinion of the Principal of the Police Academy or Board of Examiners.

(2) A member may claim an exemption from the course Business Communications 1A and 1B if he has—

- (a) already passed that subject; or

- (b) already passed—
 - (i) Communication 1;
 - (ii) English Expression 1;
 - (iii) T.A.E. English;
 - (iv) Leaving English; or
 - (v) English Literature.

(3) A member may claim an exemption from the course Organization 1A and 1B if he has—

- (a) already passed that subject;
- (b) already passed—
 - (i) Organization Theory;
 - (ii) Organization Theory (advanced);
 or
 - (iii) Human Behaviour in Administration.

(3a) A member may claim an exemption from Statutes, Extension Studies (Stage 3) if the member already has a degree or diploma in law from a university or other educational institution.

- (4) Exemptions will not be granted for—
- (a) Police Supervision Techniques A and B;
 - (b) Police Management A and B;
 - (c) Police Administration A and B;
 - (d) Procedures, Extension Studies (Stage 3);
 - (e) Statutes and Procedures, Extension Studies (Stage 2); or
 - (f) any unit in Extension Studies (Stage 1).

(5) The Principal of the Police Academy shall consider applications for exemptions for subjects on the basis of—

- (a) the subject passed on which the claim for exemption is based;
- (b) the year in which that pass was obtained and the time between gaining the pass and the date of application for exemption; and
- (c) other studies (if any) undertaken by the member either internally or externally during the intervening period.

(6) Where the Board of Examiners or the Principal of the Police Academy grants an exemption to a member, that member will be credited with a pass for the subject for which an exemption has been granted and the personal record of the member shall be endorsed accordingly.

[Regulation 811 substituted in Gazette 7 December 1984 p. 4029; amended in Gazette 16 August 1985 pp. 2927-28.]

Provisions applying to promotional courses

812. The following provisions apply in relation to promotional courses, both internal and external, wherever referred to in these regulations—

- (a) notice inviting applications for enrolment in internal promotional courses and final date of acceptance shall be published in the *Police Gazette*;

- (b) notice advising members in regard to enrolments for external studies shall be published in the *Police Gazette*;
- (c) notice advising members of the date of annual internal promotional examinations shall be published in the *Police Gazette*;
- (d) notice of the results of promotional examinations indicating only a pass or fail shall be published in the *Police Gazette*;
- (e) transitional students will be refunded fees paid by them on successful completion of the particular level of study for which they enrolled, even though the period may extend beyond 3 years;
- (f) fees shall not be payable by members enrolling for internal promotional courses;
- (g) a time limit will not be placed on members enrolling for internal courses except for transitional students who are restricted to the completion of their course of study within a 3 year period to enable them to qualify to the level of rank for which they originally enrolled;
- (h) any transitional student who enrolled for the year commencing 1 January 1982 or since that date will not forfeit any subject passed within a 3 year period of his initial enrolment even though the 3 year period to complete the particular level of course, may be exceeded;
- (j) a member is not eligible to sit for an examination in any subject unless the member has—
 - (i) submitted the papers required to be submitted for the subject, by the date and in the manner required by the Board of Examiners; and
 - (ii) submitted papers acceptable to the Extension Studies Section in accordance with criteria set by the Board of Examiners;
- (k) where a member enrolls for Extension Studies (Stage 3), that member may enrol for both subjects, or may enrol for one only, or, having enrolled for both, may defer a subject during the year but where both subjects are taken, the assignments must be forwarded for correction together;
- (l) members wishing to enrol for the external study courses shall after being certified as eligible by the Principal of the Police Academy do so through the Technical Extension Service of the Education Department and must undertake all external study by correspondence;
- (m) members who are required to purchase text books for the purpose of undertaking external study course for promotion, will be responsible for the cost of those books and will not be subsidized or refunded those costs by the Police Department;
- (n) members shall be regarded as having passed an examination in Extension Studies (Stage 2) or (Stage 3) from the date on which the results of those examinations are published in the *Police Gazette*; and
- (o) conditions of internal examinations for promotion and Promotional Assessment Courses for promotion shall, from time to time, be laid down by the Board of Examiners as they consider necessary.

[Regulation 81 substituted in Gazette 7 December 1984 pp. 4029-30; amended in Gazette 16 August 1985 p. 2928.]

Certain vacancies to be advertised in the *Police Gazette*

813. (1) Where a vacancy occurs in an office having the rank of Sergeant, Sergeant First Class, Senior Sergeant or Inspector, the Commissioner shall advertise the vacancy by notice in the *Police Gazette*.

(2) The notice referred to in subregulation (1) shall fix the final date for the acceptance of applications in respect of the vacancy.

[Regulation 813 amended in Gazette 24 April 1986 p. 1478.]

Applications referred to Promotions Selection Board and Constitution of Board

814. (1) Before the Commissioner makes a recommendation in respect of the filling of a vacancy for Sergeant, Sergeant First Class, Senior Sergeant or Inspector, the Commissioner shall refer all applications received by him to a Promotions Selection Board.

(2) A Promotions Selection Board shall consist of—

- (a) the member holding or acting in the office of the Assistant Commissioner designated by the Commissioner for the purpose, who shall be Chairman of the Board; and
- (b) two members appointed by the Commissioner holding a rank that is not less than the rank of the office to be filled by the promotion.

(3) A member of a Selection Board, other than the Chairman, holds office as such during the pleasure of the Commissioner.

(4) A Selection Board shall inquire into and make a recommendation to the Commissioner upon all applications submitted to it pursuant to subregulation (1).

[Regulation 814 amended in Gazettes 16 February 1979 p. 425; 24 April 1986 p. 1478.]

Criteria to be used by Promotions Selection Board

815. (1) When making its recommendation in relation to any applications submitted to it, a Selection Board, while having due regard to seniority, shall make its recommendation on the basis of the relative efficiency of the applicants for the vacancy.

(2) In subregulation (1)—

“efficiency” means—

- (a) diligence in the discharge of duty;
- (b) aptitude and special qualifications for the discharge of the duties of the office to be filled;
- (c) qualities of leadership;
- (d) medical fitness for the duties of the office to be filled; and
- (e) good conduct.

Promotions Selection Board may direct applicant

816. A Selection Board may direct an applicant for a vacancy to—

- (a) appear before it for examination concerning his suitability for promotion; and
- (b) submit himself for examination by a legally qualified medical practitioner nominated by the Board,

and the applicant shall give effect to such a direction.

Grounds against selection

817. A Selection Board shall not recommend an applicant for promotion if—

- (a) on being examined pursuant to regulation 816(b) he is not certified as being medically fit to carry out the duties of that office in any part of the State; or
- (b) he is not prepared to accept a transfer to any part of the State where his service may be required.

Promotion Selection Board to submit recommendation to Commissioner

818. (1) As soon as possible after making its recommendation a Selection Board shall submit its recommendation to the Commissioner.

(2) Where more than one office of the same rank is to be filled a Selection Board shall submit in its recommendation, a list of the names of the members it recommends in respect of those vacancies arranged in the order of seniority of the members so recommended as determined in accordance with these regulations.

Recommendation to be published in *Police Gazette*

819. The Commissioner shall cause the recommendation of a Selection Board to be published in the *Police Gazette*.

Appeal against Selection Board recommendation

820. (1) The Commissioner or any applicant for a vacancy who has not been recommended for promotion may appeal to the Promotions Appeal Board against the recommendation of a Selection Board.

(2) Notice of appeal shall be lodged with the Chairman of the Promotions Appeal Board not later than 14 days after the publication of the recommendation in the *Police Gazette*.

(3) The Commissioner and any appellant is entitled to the reasons given by a Selection Board for non-selection.

(4) An appeal may be made on the ground of—

- (a) superior efficiency to that of a recommended member;
- (b) equal efficiency and greater seniority to that of a recommended member; or
- (c) superior efficiency and greater seniority to that of a recommended member.

(5) For the purpose of this regulation the term “efficiency” has the same meaning as is given to that term in regulation 815.

Promotions Appeal Board

821. (1) For the purpose of these regulations there shall be a Promotions Appeal Board.

(2) Subject to these regulations the Promotions Appeal Board shall consist of—

- (a) the member holding or acting in the office of Deputy Commissioner who shall be Chairman;
- (b) a member holding or acting in the office of Assistant Commissioner; and
- (c) twenty-one commissioned officers.

(3) a member who was a member of the Promotions Selection Board that has made a recommendation the subject of an appeal shall not be a member of the Promotions Appeal Board hearing the appeal from that recommendation.

(4) The members referred to in subregulation (2) (c) shall consist of—

- (a) seven officers holding either rank of Chief Superintendent or Superintendent;
- (b) seven officers holding the rank of Chief Inspector; and
- (c) seven officers holding the rank of Inspector,

who shall be chosen in the following manner—

- (d) the names of all officers holding the rank referred to in paragraph (a) other than officers of that rank stationed in Broome or Karratha, shall be written on separate pieces of paper of the same shape and size;
- (e) the papers containing the names shall be placed in a box;

- (f) a member shall draw the names of 7 officers one after another from the box and enter them on a list but so that the list does not contain the name of more than one officer from the same region, unless that region is the Metropolitan Region; and
 - (g) the same method of selection shall be carried out in relation to the selection of the members referred to in paragraphs (b) and (c).
- (5) A quorum of the Promotions Appeal Board is constituted by—
- (a) the Chairman;
 - (b) the member referred to in subregulation (2) (b); and
 - (c) twenty-one of the members referred to in subregulation (2) (c).
- (6) Where a member of the Promotions Appeal Board is unable to attend by reason of sickness or any other cause acceptable to the Chairman, the Promotions Appeal Board may adjourn for a period not exceeding one hour in order to allow another member to be chosen by ballot from among the officers stationed in the metropolitan area as a substitute for that member but so that—
- (a) the ballot is conducted in the manner referred to in subregulation (4); and
 - (b) the constitution of the Board conforms to the provisions of this regulation.

[Regulation 821 amended in Gazettes 16 February 1979 p. 425; 31 July 1981 p. 3158; 15 January 1982 p. 56; 23 March 1984 p. 745; 24 April 1986 p. 1478.]

Full inquiry to be made by Promotions Appeal Board

822. (1) The Promotions Appeal Board shall make a full inquiry into the claims of the appellants and the merits of the member recommended.

(2) In the hearing and determination of an appeal against a recommendation of a Selection Board, the Promotions Appeal Board shall act according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms and shall not be bound by any laws or rules of evidence but may inform its mind on the matter in such a way as it thinks just.

Provisions relating to allowance or dismissal of an appeal by the Promotions Appeal Board

823. (1) The Promotions Appeal Board may dismiss or allow an appeal against the recommendation of a Selection Board.

(2) Where the Promotions Appeal Board allows an appeal in respect of a recommendation made in relation to more than one office of the same rank the name of the least senior member on the recommendation shall be deleted from the recommendation.

(3) Where the Promotions Appeal Board allows an appeal in respect of a recommendation made in relation to more than one office of the same rank it may—

- (a) determine that the seniority of the members named in the recommendation as varied by its decision remains the same in relation to each other as determined according to these regulations; or
- (b) allocate a different seniority as between the members.

(4) Where the Promotions Appeal Board disallows an appeal the Chairman may advise the appellants of the decision and also of the division of the votes cast.

Procedure relating to recommended promotion

824. The recommendation of a Selection Board, or, where the Promotions Appeal Board allows an appeal, the recommendation of a Selection Board as varied by the Appeal Board, shall be submitted to the Commissioner who shall—

- (a) where the recommendation is in relation to a promotion to the rank of Inspector, submit the recommendation through the Minister to the Governor;
- (b) where the recommendation is in relation to a promotion to a rank of a non-commissioned officer, submit the recommendation to the Minister,

and make his own submission in relation to the recommendation.

Member may be specially promoted

825. Subject to the Act, the Commissioner may specially promote a member to a higher rank by reason of the member's—

- (a) exceptional ability or merit; or
- (b) special qualifications for a particular position,

to a higher rank for the period during which he holds that position.

Provisions relating to study in own time

826. (1) A member or cadet who desires to undertake a course of study at a public educational institution in this State in his own time and intends to seek a refund of the enrolment, faculty or examination fee shall apply in writing to the Commissioner for his approval to undertake the course of study.

(2) Where the Commissioner approves of a course of study being undertaken by a member or cadet the member or cadet is, on passing each examination, entitled to the refund of the enrolment fees, faculty fees and examination fees paid by him in relation to that subject upon production of the receipt of the public educational institution as to the payment of those fees.

PART IX—DRESS AND EQUIPMENT*Division 1—General Requirements***Appearance**

901. (1) A member or cadet shall—

- (a) be neat and clean in his clothing, appearance and person;
- (b) if required to work in uniform, keep his uniform in good repair;
- (c) not remain in uniform when off duty for a longer period than is necessary to travel to and from duty; and
- (d) when wearing uniform, wear the approved cap or hat on all occasions when he is outside a building or outside a vehicle or while not seated in the Supreme or District Courts.

(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.

Care to be taken of issued property

902. 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.

Certificate of identity not transferable

903. (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.

Firearms

904. (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.

Summer uniform

905. (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. Regulation 906 repealed in Gazette 29 August 1980 p. 3033.]

When payment to be made for uniform alteration

907. 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.

Requisition for change of uniform

908. 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.

Uniform not to be altered

909. 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;
- (b) wear a scarf other than a navy blue one when wearing a trenchcoat.

Uniform to be worn as prescribed

910. (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 September 1979 p. 2717.]

Badges and insignia of rank

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

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

Senior Sergeant—three broad chevrons with a crown;

Sergeant First Class—three broad chevrons;

Sergeant—two broad chevrons separated by a narrow chevron;

Senior Constable—two 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 Gazettes 7 September 1979 p. 2717; 31 July 1981 p. 3158; 23 March 1984 p. 745; 24 April 1986 pp. 1478-79.]

Shoulder flashes

911A. 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 by Gazette 24 April 1986 p. 1479.]

Division 2—Male Members

Male members, badges of rank

912. (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 constable 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 Gazettes 16 February 1979 p. 425; 7 September 1979 p. 2717; 24 April 1986 p. 1479.]

Position of cap badge

913. 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.

Regimental number to the worn when in uniform

914. Sergeants and constables when in uniform shall wear their regimental 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 substituted in Gazette 24 April 1986 p. 1479.]

Purchases from Police Store

915. 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.

Boot allowance

916. A member in receipt of a boot allowance shall provide and wear black leather boots or shoes with a blue uniform and brown leather boots or shoes with a khaki uniform.

Areas where khaki uniforms to be worn

917. (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***Female members, badges of rank**

918. (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 April 1986 p. 1479.]

Form of badges, etc.

919. (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 April 1986 p. 1479.]

Position of hat badge

920. 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.

Position of registered numbers

921. [(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 April 1986 p. 1479.]

Boot allowance

922. A member in receipt of a boot allowance shall provide and wear shoes of a navy blue colour and of a style approved by the Commissioner.

PART X—CRIMINAL INVESTIGATION BRANCH**Interpretation**

1001. 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.

Criminal Investigation Branch established

1002. (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.

Vacancies to be advertised

1003. Vacancies in the Branch shall be advertised in the *Police Gazette*.

Constable appointed to Branch to be on probation

1004. (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.

Detectives to communicate with officer-in-charge

1005. Subject to these regulations, and to any directions to the contrary, all detectives shall communicate with the officer-in-charge of the Branch.

When to report to Regional Officer

1006. (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.

Duty of detective when attached to a station

1007. 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**Annual leave**

1101. A member or cadet is entitled to such annual leave as is prescribed by the Award.

Notice of annual leave

1102. (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.

Address for contact during leave

1103. In his application for leave a member or cadet shall state an address at which he can be contacted during his leave.

Annual leave to be taken according to the roster

1104. (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.

Leave accumulated by written permission

1105. Subject to the award, a member or cadet is not entitled to accumulate annual leave except with the written permission of the Commissioner.

Additional leave may be granted

1106. Where the Commissioner is of the opinion that special circumstances exist in a particular case he may grant a member or cadet additional annual leave with or without payment during that period.

Travelling concession

1107. (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 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 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 Gazettes 7 September 1979 p. 2717; 24 April 1986 p. 1479.]

[1108. Regulation 1108 repealed in Gazette 7 September 1979 p. 2717.]

Long service leave payment on pregnancy

1109. In addition to any lump sum payment of a money equivalent prescribed under the Award a lump sum payment for the money equivalent of any long service leave entitlement and pro-rata long service leave shall be paid in respect of a married female member who resigns from the Force because of her pregnancy.

PART XII—REMOVAL ON TRANSFER OR PROMOTION

This Part not in derogation of Award

1201. The provisions of this Part, are in addition to and not in derogation of anything in the Award.

Leave in respect of transfer

1202. (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.

Commissioner to be notified of transfer

1203. 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 by the Government or not, are to be vacated by him; and
- (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.

Removal allowance

1204. (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 of by the Commissioner of any of the member's or cadet's furniture duplicated by furniture supplied by the Department in any quarters which the member or cadet is obliged to occupy and for a period of 3 years (subject to any extension thereof by the Commissioner) the cost of any insurance policy in relation thereto to a maximum insured value of \$6 000;
- (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 Gazettes 7 September 1979 p. 2717; 24 April 1986 p. 1479.]

When removal allowance not to be paid

1205. 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**Notification of injury, illness and whereabouts**

1301. A member or cadet who becomes unfit for duty on the grounds of illness or injury shall as soon as possible cause his officer-in-charge to be notified of that fact, his illness or injury and his whereabouts.

Documents to support application for leave because of injury or illness

1302. (1) An application for leave on the grounds of illness or injury shall be supported by a certificate of a District Medical Officer, or a legally qualified medical practitioner, or, where the nature of the illness consists of a dental condition, by a certificate of a registered dentist.

(2) The application and certificate shall be in the form of a form approved by the Commissioner.

(3) Subject to these regulations the Commissioner may grant to a member or cadet who is unfit for duty on the grounds of illness or injury leave of absence for a period not exceeding 168 days in any one calendar year.

(4) With the approval of the Minister and subject to any terms and conditions imposed by the Minister, the Commissioner may grant leave of absence to a member or cadet who is unfit for duty on grounds of illness or injury for such period as determined by the Minister.

(5) No leave of absence on the grounds of illness or injury shall be granted with pay unless the medical certificate, duly completed referred to in these regulations is produced.

(6) Where a member or cadet has been absent for a period exceeding 7 days on grounds of illness or injury he shall, prior to returning to duty, submit evidence, in the form approved by the Commissioner, that he is medically fit to return to duty.

(7) A member or cadet absent from duty on the grounds of illness or injury shall not engage in any other occupation or activity for remuneration or reward.

[Regulation 1302 amended in *Gazettes* 7 September 1979 p. 2717; 15 January 1982 p. 56; 29 April 1983 p. 1299.]

Staff office to be notified

1303. A member or cadet who comes to the Metropolitan Area from outside that area on the grounds of illness or injury in order to receive medical attention shall report his arrival and address, to the Staff Office and shall immediately before returning to the place to which he is appointed notify the Staff Office of that fact.

Payment of allowances

1304. (1) Subject to this regulation a member or cadet who is absent from duty on grounds of illness or injury, other than an illness or injury of the type referred to in regulation 1306 (1), is entitled to continue to receive any special allowances payable under the Award.

(2) The regional allowance prescribed by the Award ceases to be payable after the member or cadet and his family are absent from his region for a period exceeding 6 weeks.

[Regulation 1304 amended in *Gazette* 7 September 1979 p. 2719; 15 January 1982 p. 56.]

Free medical treatment

1305. (1) Subject to this regulation, a member or cadet is entitled to receive free medical treatment of the kind normally provided by a general practitioner from the District Medical Officer at Perth, or Fremantle.

(1a) Where the District Medical Officer at Perth or Fremantle is not available to provide the treatment referred to in subregulation (1) the treatment may be received at a public hospital as defined in the *Hospitals Act 1927* situated within a radius of 25 kilometres from the Police Headquarters, Perth or the Fremantle Police Station.

(2) Subject to this regulation, a member or cadet who is normally stationed outside a radius of 25 kilometres from the Police Headquarters or the Fremantle Police Station who receives any treatment of the kind normally provided by a general practitioner is entitled to claim from the Department in respect of the practitioner's charges.

(3) No payment will be made by the Department pursuant to subregulation (1) or subregulation (2) in respect of hospitalization, specialist treatment, x-ray or other services not normally provided by a general practitioner.

(4) Where a registered pharmaceutical chemist supplies any item on prescription for a member or cadet, the member or cadet is entitled to claim from the Department a refund of the charge.

(5) The Department shall pay medical and hospitalization charges due to illness or injury incurred in, or caused in the performance of his duty.

(5a) A member or cadet is not entitled to receive free medical treatment or any refund of charges in respect of an illness or injury of the type referred to in regulation 1306 (1).

(6) Subject to subregulation (7), a member or cadet who is required to undergo any specialist treatment, x-ray or other services not normally provided by a general practitioner is entitled to claim from the Department in respect of the charges incurred for those services.

(7) No payment will be made by the Department to a member or cadet pursuant to subregulation (6) unless—

- (a) in the case of a member or cadet stationed within a radius of 25 kilometres of the Police Headquarters, Perth, or within a radius of 25 kilometres of the Police Station, Fremantle, the member or cadet has first consulted the District Medical Officer at Perth, or Fremantle; or
- (b) in the case of a member or cadet stationed outside the areas referred to in paragraph (a), the member or cadet has obtained the prior consent of the District Medical Officer at Perth and the member or cadet has obtained prior approval from the Commissioner for the treatment.

[*Regulation 1305 amended in Gazette 7 September 1979 pp. 2717-18; 15 January 1982 p. 56.*]

Where illness or injury is members own fault

1306 (1) A member or cadet who is incapacitated by illness or injury due to his own fault or misconduct is liable to cessation of his pay during his absence from duty.

(2) A member or cadet who is incapacitated by illness or injury while pursuing an occupation outside his employment as a member or cadet in the force for which occupation he was receiving, or was expecting to receive remuneration, is liable to cessation, reduction or variation of his pay during his absence from duty at the discretion of the Commissioner.

[*Regulation 1306 amended in Gazette 15 January 1982 p. 56.*]

Medical examination

1307. (1) The Commissioner may direct a member or cadet to submit himself for examination by a legally qualified medical practitioner nominated by the Commissioner, and the member or cadet shall give effect to such a direction.

(2) Where the medical practitioner referred to in subregulation (1) reports to the Commissioner that the member or cadet is incapacitated by illness or injury the Commissioner may direct the member or cadet to apply for leave on those grounds and the member or cadet shall give effect to any such direction.

[*Regulation 1307 inserted by Gazette 29 April 1983 p. 1299.*]

PART XIV—RETIREMENT, RESIGNATION, REMOVAL OR
DEATH OF A MEMBER

Retirement

1401. Subject to the Act and these regulations, a member of the Force including the Commissioner may retire on attaining the age of 55 years and every member of the Force other than the Commissioner shall retire on attaining the age of 60 years.

[*Regulation 1401 substituted in Gazette 29 June 1984 p. 1795.*]

Examination by medical board

1402. (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 Health³ 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.

Allowances paid on death of member

1403. Where a member or cadet dies the widow 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.

Leave entitlement to be paid out

1404. On the death of a member or cadet, the Minister may, on the recommendation of the Commissioner grant to the 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.

PART XV—QUARTERS

This Part not in derogation of Award

1501. The provisions of this Part are in addition to and not in derogation of any provisions of the Award.

Maintenance of quarters

1502. (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.

Expenditure not to be incurred without authority of Commissioner

1503. (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.

Inspection of quarters

1504. (1) Any member authorized 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, his wife, children and other dependants vacate those quarters.

Occupation and vacation of premises

1505. (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 wife, children and other dependants to reside there permanently.

(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, his wife, children and other dependants, upon ceasing to hold such office.

Notice of occupation and vacating to be given

1506. 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

Offences generally

1601. 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
POLICE DEPARTMENT
DEFAULTER'S SHEET
(Police Regulation No. 625)

Member of the Force charged.....No.....
(Name and Rank.)
.....Station.

Date and particulars of charge. (To be reported as fully and clearly as practicable).
.....
.....
.....
.....
.....
Officer preferring charge:.....

.....
(To be signed by accused.)

Witnesses (full names). Name of reporting witness first.
.....
.....
.....

Decision.
.....

By whom.
Date.....Signed.....

Remarks.
.....

Second Schedule

DESCRIPTION OF UNIFORMS—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.

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 peak 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.

5. Tie:

Black, long.

6. Socks:

Black.

7. Boots or Shoes:

Black.

8. Gloves

Black leather of a type approved of 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. Officers' Mess Jacket:

Black barathea material with blue collar, lapels and epaulettes made from material approved by the Commissioner.

Jacket to be of patrol type with three 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:

Black bow.

5. Cummerbund:

Black.

6. Socks:

Black.

7. Shoes:

Black.

[Second Schedule inserted by Gazette 7 September 1979 pp. 2718-19; amended in Gazettes 29 August 1980 p. 3033; 31 July 1981 p. 3158; 23 March 1984 p. 746; 24 April 1986 pp. 1479-80.]

NOTES

¹ This reprint is a compilation as at 28 August 1986 of the *Police Regulations 1979* and includes all amendments effected by the other regulations referred to in the following Table.

Table

Regulations	Gazettal	Commencement	Miscellaneous
<i>Police Regulations 1979</i>	20 December 1978 pp. 4731-62	1 January 1979	
<i>Amending regulations</i>	16 February 1979 p. 425	16 February 1979	
<i>Amending regulations</i>	7 September 1979 pp. 2716-19	7 September 1979	
<i>Amending regulations</i>	29 August 1980 p. 3033	29 August 1980	
<i>Police Amendment Regulations 1981</i>	31 July 1981 p. 3158	31 July 1981	
<i>Police Amendment Regulations (No. 2) 1981</i>	15 January 1982 pp. 55-56	15 January 1982	
<i>Police Amendment Regulations 1983</i>	29 April 1983 p. 1299	29 April 1983	
<i>Police Amendment Regulations 1984</i>	23 March 1984. pp. 745-46	23 March 1984	
<i>Police Amendment Regulations (No. 2) 1984</i>	29 June 1984 p. 1795	29 June 1984	
<i>Police Amendment Regulations (No. 3) 1984</i>	7 December 1984 pp. 4024-30	7 December 1984	
<i>Police Amendment Regulations 1985</i>	1 March 1985 p. 790	1 March 1985	
<i>Police Amendment Regulations (No. 2) 1985</i>	16 August 1985 pp. 2926-28	16 August 1985	
<i>Police Amendment Regulations 1986</i>	24 April 1986 pp. 1476-80	24 April 1986	

² Under the *Reprints Act 1984* section 7 (3) (g) this short title was substituted for "*Industrial Arbitration Act 1912*" which was changed by Act No. 94 of 1984.

³ Under the *Reprints Act 1984* section 7 (3) (h) this title was substituted for "Commissioner of Public Health" which was changed by Act No. 28 of 1984.

POLICE REGULATIONS

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