

PO301*

Police Act 1892

Police Force Amendment Regulations 2014

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

Part 1 — Preliminary

1. Citation

These regulations are the *Police Force Amendment Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

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

3. Regulations amended

These regulations amend the *Police Force Regulations 1979*.

Part 2 — Amendments about appointments

4. Regulation 103 amended

In regulation 103 insert in alphabetical order:

psychological assessment means an assessment designed to evaluate a person's psychological suitability in relation to job requirements;

5. Regulations 501 to 504 replaced

Delete regulations 501 to 504 and insert:

501. Terms used

In this Part, unless the contrary intention appears —

medical practitioner means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

psychiatrist means a person whose name is contained in the register of specialist psychiatrists kept by the Medical Board of Australia under the *Health Practitioner Regulation National Law (Western Australia)* section 223;

psychologist means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the psychology profession.

502. Application for appointment

An application to be appointed as a member is to be made to the Commissioner in the approved manner.

503. Eligibility for appointment

Subject to these regulations, an applicant is not eligible for appointment as a member unless —

(a) the applicant is —

(i) an Australian citizen, or a permanent resident, within the meaning of the *Australian Citizenship Act 2007* (Commonwealth); or

(ii) a New Zealand citizen who is the holder of a special category visa within the meaning of the *Migration Act 1958* (Commonwealth) and is authorised under that special category visa to work in Australia as a member;

and

- (b) the applicant is of good character and repute; and
- (c) the applicant has attained the age of 18 years; and
- (d) the applicant has, unless the Commissioner in a particular case has approved otherwise in writing —
 - (i) passed a medical examination conducted by a medical practitioner who certifies that the applicant is physically fit and free from any constitutional, organic or other disability likely to render the applicant unfit for duty as a member; and
 - (ii) passed an examination for entry to the Force, set in a manner approved by the Commissioner; and
 - (iii) passed a physical performance evaluation conducted by a person appointed for that purpose by the Commissioner; and
 - (iv) passed a psychological assessment, conducted by a psychiatrist or psychologist appointed for that purpose by the Commissioner; and
 - (v) performed to a satisfactory standard in an interview by a panel selected in a manner approved by the Commissioner.

6. Regulation 505 amended

In regulation 505 delete “Officer-in-Charge, Recruiting.” and insert:

Manager, Police Recruiting.

7. Third Schedule deleted

Delete the Third Schedule.

Part 3 — Amendments about cadets

8. Regulation 103 amended

In regulation 103 delete the definition of *cadet*.

9. Regulation 614 deleted

Delete regulation 614.

10. Regulation 1310 deleted

Delete regulation 1310.

11. Various references to “or cadet” deleted

In the provisions listed in the Table delete “or cadet” (each occurrence).

Table

| | |
|--|-----------------------------|
| r. 103 def. of <i>uniform</i> | r. 401 |
| r. 402 | r. 403 |
| r. 404(2) | r. 601(1) |
| r. 602 | r. 603 |
| r. 605(1), (2) and (3) | r. 606 |
| r. 607(1), (2) and (3) | r. 608(1), (2) and (3) |
| r. 609 | r. 610 |
| r. 611 | r. 615 |
| r. 616 | r. 618(1) and (2) |
| r. 619 | r. 620 |
| r. 621(1) | r. 622 |
| r. 623 | r. 624(1) |
| r. 625(b) and (c) | r. 626(1) |
| r. 901A def. of <i>Certificate of Authority</i> | r. 901(1) and (2) |
| r. 902(1) and (2) | r. 903(1) and (2) |
| r. 904 | r. 905(1), (2), (3) and (4) |
| r. 906(1), (2) and (3) | r. 907(1), (2) and (3) |
| r. 908A(3) | r. 908(1) and (2) |
| r. 909(1), (2), (3), (4) and (5) | r. 1101 |
| r. 1103 | r. 1104(1) |
| r. 1105 | r. 1106 |
| r. 1107(1) def. of <i>family</i> , (2), (3)(a) and (b) | r. 1203 |

| | |
|-------------------------|-------------------------|
| r. 1203A | r. 1204(1) and (2)(a) |
| r. 1302 | r. 1304(3)(a) and (4) |
| r. 1305 | r. 1309 |
| r. 1311 | r. 1312(1) and (2) |
| r. 1403 | r. 1404 |
| r. 1502(1) and (2) | r. 1503(1), (2) and (3) |
| r. 1504(1), (2) and (3) | r. 1505(1) and (2) |
| r. 1506 | r. 1601 |

Notes:

1. The heading to amended regulation 401 is to read:
Member to obey directions
2. The heading to amended regulation 608 is to read:
Member not to comprise his or her position
3. The heading to amended regulation 626 is to read:
Civil or criminal proceedings against member

12. Other amendments about cadets

Amend the provisions listed in the Table as set out in the Table.

Table

| Provision | Delete | Insert |
|-----------------------------|--------------------------------------|-------------------|
| r. 303 | members, APLOs and cadets | members and APLOs |
| r. 307 (each occurrence) | Force and cadets | Force |
| r. 601(2) | member or a cadet | member |
| r. 601(2) | Force or a cadet, as the case may be | Force |
| r. 602(d), (e) and (f) | member or a cadet | member |
| r. 602(g) | members or cadets | members |
| r. 607(2)(b) | Force or as a cadet | Force |
| r. 608(1)(d) and (e) | member or as a cadet | member |

| Provision | Delete | Insert |
|--|----------------------|----------|
| r. 1104(2) r. 1505(2) | member, or cadet, | member, |
| r. 1204(1)(g) r. 1504(3)(b) r. 1505(2) | member's or cadet's | member's |
| r. 1205 | member, or cadet | member |
| r. 1505(1) | member's, or cadet's | member's |

Part 4 — Other amendments

13. Regulation 402 amended

Delete regulation 402(a) and insert:

- (a) when on duty, devote himself or herself exclusively and zealously to the discharge of his or her duties as a member; and

14. Regulation 605 amended

(1) Delete regulation 605(1)(f) and insert:

- (f) if, other than in the course of duty, the member is present at or involved in an incident occurring within the State that the police attend or investigate —
 - (i) as soon as practicable, declare his or her presence or involvement, status as a member and knowledge of the incident to the attending or investigating police; and
 - (ii) as soon as practicable, report his or her presence or involvement and knowledge of the incident to his or her own supervisor;

(2) Delete regulation 605(1)(i)(i) and insert:

- (i) is given a cannabis intervention requirement under the *Misuse of Drugs Act 1981* Part IIIA; or

(3) Delete regulation 605(2)(e) and insert:

- (e) if absent from duty on account of sickness or ill-health —
 - (i) do any act that will, or is likely to, retard the member's return to work; or
 - (ii) conduct himself or herself in a manner that is likely to cause a delay in returning to work.

15. Regulation 607 amended

In regulation 607(1)(a) delete “to him or obtained by him” and insert:

to, or obtained by, the member

16. Regulation 624 amended

Delete regulation 624(2) and insert:

- (2) Upon completion of the investigation the investigating officer shall make a report to the officer by whom the investigating officer was appointed to make the investigation.

17. Regulation 902 amended

In regulation 902(1)(b) delete “of his officer in charge or his immediate superior, as the case may be, as ceremonial dress where he is” and insert:

of the member's officer in charge or immediate superior, as the case may be, as ceremonial dress where the member is

18. Regulation 906 amended

In regulation 906(2):

- (a) in paragraph (a) delete “to him, used by him or entrusted to his care; or” and insert:

to, used by, or entrusted to the care of, the member; or

- (b) in paragraph (b) delete “issued to him or used by him or entrusted to his care other than in the performance of his duty.” and insert:

issued to, used by, or entrusted to the care of the member, other than in the performance of the member’s duty.

19. Regulation 1403 amended

In regulation 1403 after “widow” insert:

or widower

20. Various provisions amended

Amend the provisions listed in the Table as set out in the Table.

Table

| Provision | Delete | Insert |
|-----------------------------|--------------------------|---------------|
| r. 605(1)(d) | him | the offender |
| r. 615(b) | him | him or her |
| r. 907(1) and (3) | | |
| r. 607(1)(b) and (2)(b) | him (each occurrence) | the member |
| r. 608(2) and (3) | | |
| r. 805(2) | | |
| r. 906(1) and (3) | | |
| r. 1104(1) | | |
| r. 1203(a)(iii) and (b)(ii) | | |
| r. 1304(4) | | |
| r. 1306 | | |
| r. 1309 | | |
| r. 1404 | | |
| r. 1503(2) | | |
| r. 304(1) and (3) | his (each occurrence) | his or her |

| Provision | Delete | Insert |
|--|--------|--------|
| r. 402(c), (d) and (e) | | |
| r. 403 | | |
| r. 505 | | |
| r. 505A(3) | | |
| r. 604 | | |
| r. 605(1)(a), (c), (e), (g), (h), (i) and (k) and (3) | | |
| r. 607(1) and (2) | | |
| r. 608(1), (2) and (3) | | |
| r. 609(b) | | |
| r. 615 | | |
| r. 622 | | |
| r. 625(c) | | |
| r. 903(2) | | |
| r. 905(4) | | |
| r. 906(3) | | |
| r. 907(3) | | |
| r. 908(1) | | |
| r. 909(1) and (2) | | |
| r. 1102(1) | | |
| r. 1103 | | |
| r. 1107(1) def. of <i>distance rate</i> and (3)(a)(ii) | | |
| r. 1304(2) | | |
| r. 1305 | | |
| r. 1308(1) and (2) | | |
| r. 1311 | | |
| r. 1404 | | |

| Provision | Delete | Insert |
|--|--------------------------|--------------------|
| r. 616 r. 618(1) r. 902(1)(a) and (c) r. 906(1) r. 907(1) and (2) r. 1107(2) and (3)(b) r. 1202(1) r. 1203(a) and (b) r. 1204(1)(e) and (f) r. 1205 r. 1302(a) r. 1304(1) and (3) r. 1306 r. 1309 r. 1503(1) | his (each occurrence) | the member's |
| r. 505A(1) | his (each occurrence) | the person's |
| r. 608(1)(c) r. 1402(1) | himself | himself or herself |
| r. 1204(1)(e) | himself | the member |
| r. 401 r. 402(c) and (d) r. 407(4) r. 605(1)(e), (g), (h), (i) and (j) and (3) r. 609(b) r. 615 r. 617(2) | he (each occurrence) | the member |

| Provision | Delete | Insert |
|---|-------------------------|------------------|
| r. 626(1) r. 905(1) r. 907(1) and (2) r. 1102(1) r. 1103 r. 1107(3)(a)(ii) r. 1202(1) and (2) r. 1203(a) and (b) r. 1204(1) r. 1304(2) r. 1309 r. 1402(4) r. 1506 | | |
| r. 407(3) r. 625(b) | he (each occurrence) | he or she |
| r. 505A(2) r. 1106 r. 1402(1) | he | the Commissioner |

Note: The heading to amended regulation 604 is to read:

**Officer in charge not to remain absent unless arrangements made
for his or her absence**

Date: 23/04/2014.

Signed: STEPHEN A. BROWN, APM,
Commissioner of Police.

Approved: L. HARVEY,
Minister for Police.