

PO301*

Police Act 1892

Police Force Amendment Regulations 2007

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

1. Citation

These regulations are the *Police Force Amendment Regulations 2007*.

2. Commencement

These regulations come into operation on 7 February 2007.

3. The regulations amended

The amendments in these regulations are to the *Police Force Regulations 1979**.

[* Reprinted as at 15 June 2001.

For amendments to 10 January 2007 see *Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 15 and 22 December 2006.*]

4. Regulation 103 amended

Regulation 103 is amended as follows:

(a) by inserting in the appropriate alphabetical positions —

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“Commissioner’s uniform and appearance instruction” means the collection of orders and procedures entitled “Commissioner’s Uniform and Appearance Instruction” issued by the Commissioner and dated 7 February 2007;

“**uniform**” includes all appropriate ancillary attire, such as belts, socks, stockings, head wear, etc., accoutrements and the relevant insignia of rank, the badges and name plates, and any awards, that have been issued or given to a particular member or cadet, in accordance with the Act.

”;

- (b) by deleting the full stop at the end of the definition of “the Force” and inserting a semicolon instead.

5. Regulation 404 replaced

Regulation 404 is repealed and the following regulation is inserted instead —

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404. Station and personal issue firearms

- (1) In this regulation —

“**personal issue firearm**” means a firearm allocated to, and used by, a specified member;

“**station firearm**” means a firearm allocated to a particular police station for issue to members from time to time.

- (2) A member or cadet to whom a station firearm has been issued shall return the firearm to the member in charge or supervisor on the completion of the duties for which the firearm was required.
- (3) A member to whom a personal issue firearm has been issued shall retain and maintain that firearm at that station on the completion of the duties for which the firearm was required.
- (4) A member to whom a personal issue firearm has been issued shall retain that firearm on transfer unless the member is transferred to a station that issues station firearms.
- (5) The member in charge or supervisor shall ensure that the procedures relating to the issue and receipt of firearms and ammunition ordered by the Commissioner are carried out and complied with when a member is issued with, or returns, a station or personal issue firearm or ammunition.

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6. Regulation 405 repealed

Regulation 405 is repealed.

7. Regulations 612 and 613 repealed

Regulations 612 and 613 are repealed.

8. Regulation 8A08 repealed

Regulation 8A08 is repealed.

9. Part IX replaced

Part IX is repealed and the following Part is inserted instead —

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**Part IX — General dress and
appearance requirements**

901. Uniform to be worn as ordered

- (1) A member or cadet, when required by the Commissioner's uniform and appearance instruction to wear a uniform, shall —
 - (a) wear the type of uniform specified in the Commissioner's uniform and appearance instruction; and
 - (b) wear that uniform in the manner specified in the Commissioner's uniform and appearance instruction.
- (2) A member or cadet, when not required to wear a uniform on duty, shall —
 - (a) dress to the standard specified in the Commissioner's uniform and appearance instruction (if any); and
 - (b) dress in a manner appropriate to the duties being undertaken.

902. Wearing of uniform while off duty

- (1) A member or cadet shall not wear a uniform while off duty except —
 - (a) while travelling to or from his place of duty; or
 - (b) with the permission of his officer in charge or his immediate superior, as the case may be, as ceremonial dress where he is entering into marriage within the meaning of the *Marriage Act 1961* of the Commonwealth; or
 - (c) with the permission of his Assistant Commissioner or Director, at a special function or event.
- (2) A member or cadet cannot be authorised under subregulation (1)(b) or (c) to wear —
 - (a) a firearm, handcuffs, a baton, equipment belt or associated accoutrements; or
 - (b) a uniform at a place where alcohol is available for consumption.

903. Uniform not to be altered

- (1) A member or cadet shall not wear any current issue uniform clothing on duty that has had its appearance altered or its shape interfered with.
- (2) A member or cadet shall not alter his current issue uniform clothing for use as private garments, or wear any of his current issue articles of uniform as a civilian garment.

904. Replacement and disposal of articles of uniform

If an article of uniform or equipment is to be replaced, a member or cadet shall remove or destroy all components of the uniform or equipment being replaced that identify it as Police issue, before disposal of the replaced article.

905. Wearing of headwear

- (1) Subject to subregulations (2), (3) and (4), when in uniform, a member or cadet shall wear the cap or hat forming part of that uniform whenever he is outside a building or a vehicle.
- (2) A motor cycle helmet or other protective form of headwear forming part of a uniform is to be worn when a member or cadet in uniform is on a motorcycle, or in circumstances requiring head protection, as the case requires.
- (3) A uniformed member or cadet shall remove a hat, cap, motorcycle helmet or other protective helmet when seated in the Supreme Court or the District Court.
- (4) A uniformed member or cadet may remove his cap or hat when within the confines of an enclosed area of land that forms the curtilage of police premises.

906. Care to be taken of issued property

- (1) A member or cadet shall take proper care of all articles of uniform, equipment, documents (including his Certificate of Authority), books and other items of property which have been issued to him.
- (2) A member or cadet shall not —
 - (a) wilfully or carelessly cause any waste, loss or damage in respect of any article of uniform or equipment, or in respect of any book, document (including a Certificate of Authority) 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.

- (3) 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.

907. Certificate of Authority

- (1) A member or cadet who is not in uniform shall have with him his Certificate of Authority, 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 or cadet unless —
 - (a) he has a reasonable cause to refuse to do so; or
 - (b) it is not possible to do so.
- (2) A member or cadet who is not in uniform shall display his Certificate of Authority at all times while on police property or in police buildings, whether or not he is on duty at the time.
- (3) A member or cadet shall not transfer the Certificate of Authority issued to him to another member or cadet and shall not permit any person whether a member or not to use his Certificate of Authority.

908. Name plate

- (1) A member or cadet shall wear his approved name plate on work or ceremonial dress in the circumstances, and in the manner, specified in the Commissioner's uniform and appearance instruction.
- (2) A member or cadet shall not wear a name plate that does not conform to the specifications, and requirements, specified for a name plate in the Commissioner's uniform and appearance instruction.

909. Appearance

- (1) A member or cadet shall be neat and clean in his clothing, appearance and person.
- (2) A member or cadet shall have the hair on his head neatly groomed and trimmed in the manner specified in the Commissioner's uniform and appearance instruction, unless otherwise approved.
- (3) A male member or cadet shall have his face clean shaven with the exception of the upper lip and, where a moustache is worn, have it neat and trimmed, unless otherwise approved.
- (4) A member or cadet in uniform shall not wear sunglasses unless the sunglasses are of a type, and are worn in the manner, specified in the Commissioner's uniform and appearance instruction.

- (5) A member or cadet in uniform shall not wear jewellery or other adornments, unless the particular type of adornment is approved.

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10. Regulation 1203A inserted

After regulation 1203 the following regulation is inserted —

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1203A. Specialist equipment to be returned

When a member or cadet is to be transferred from a specialist area, the member or cadet is to ensure that all items of specialist equipment issued to the member or cadet are returned to the Officer in Charge before the member or cadet actually leaves that specialist area.

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11. Second Schedule repealed

The Second Schedule is repealed.

Date: 29 January 2007.

Signed: KARL J. O’CALLAGHAN, Commissioner of Police.

Approved: JOHN KOBELKE, Minister for Police and Emergency Services.
