

POLICE.

No. 71 of 1980.

AN ACT to amend the Police Act 1892-1979.

[Assented to 26 November 1980.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Police Amendment Act 1980*.

Short title
and
citation.

(2) In this Act, the Police Act 1892-1979 is referred to as the principal Act.

Reprinted as
approved
11 July 1978
and
amended by
Acts Nos. 17,
29 and 83
of 1979.

(3) The principal Act as amended by this Act may be cited as the Police Act 1892-1980.

Commence-
ment.

2. This Act shall come into operation on the twenty-eighth day after the day on which it is assented to by the Governor.

Section 16
amended.

3. Section 16 of the principal Act is amended by inserting after subsection (2) the following subsection—

“ (3) A person who, with the consent of the Commissioner, puts on or assumes the dress of any member of the Police Force in the course of his duties as a supervisor of a Police and Citizens’ Youth Club or as a member of the Police Band does not thereby commit an offence against subsection (1) of this section. ” .

Section 34
amended.

4. Section 34 of the principal Act is amended by—

(a) inserting after the section designation “34” the subsection designation “(1)”;

(b) deleting “or felony” and substituting the following—

“ felony, or civil emergency ”; and

(c) inserting the following subsection—

“ (2) In this section, “civil emergency” means a natural or man-made disaster which causes or threatens to cause loss of life or property or injury to persons or property or distress to persons. ” .

Section 80
amended.

5. Section 80 of the principal Act is amended in subsection (1) by deleting “wilfully or maliciously”.

Section 82B
inserted.

6. After section 82A of the principal Act, the following section is inserted—

Unlawfully
remaining
on premises.

“ 82B. (1) A person shall not, without lawful authority, remain on any premises after being warned to leave those premises—

(a) in the case of premises occupied by the Crown or a public authority, by a person in charge of the premises or by a member of the Police Force;

- (b) in the case of premises other than premises occupied by the Crown or a public authority, by the owner or a person in charge or occupation of the said premises or by a member of the Police Force.

Penalty: \$500 or 6 months' imprisonment.

(2) A person who for the purposes of and in accordance with subsection (1) of this section warns some other person to leave premises may, at the same time as he gives the warning, indicate to such person that part of the premises which the person concerned is required to leave and in any such circumstances the part of the premises so indicated shall constitute the premises for the purposes of that subsection.

(3) A person shall not, without lawful authority, prevent, obstruct, or hinder any lawful activity which is being, or is about to be, carried on upon any premises.

Penalty: \$500 or 6 months' imprisonment.

(4) In this section—

“premises” includes any land, building, structure, or any part thereof;

“public authority” means an authority or body (not being an incorporated company or association) constituted by or under a law of the State or the Commonwealth. ” .

7. Section 138A of the principal Act is amended by inserting after subsection (2) the following subsection—

Section 138A
amended.

“ (3) The regulations may prescribe fees that may be charged for the issue of certificates or the provision of services, including the services of escorts or guards. ” .