



ANALYSIS

Title	2. Deputy Commissioners
1. Short Title	3. Penalties
	4. General search of person in custody

1981, No. 86

An Act to amend the Police Act 1958

[22 October 1981

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Police Amendment Act 1981, and shall be read together with and deemed part of the Police Act 1958 (hereinafter referred to as the principal Act).

2. Deputy Commissioners—(1) Section 3 of the principal Act is hereby amended by repealing subsection (2) (as substituted by section 2 of the Police Amendment Act 1973), and substituting the following subsection:

“(2) The Governor-General may from time to time appoint one or more fit and proper persons as Deputy Commissioners of Police. Each Deputy Commissioner shall have and may exercise such of the powers, authorities, duties, and functions of the Commissioner as the Commissioner may delegate to him either generally or in any particular case.”

(2) Section 3 (4) of the principal Act (as so substituted) is hereby amended by inserting, after the words “Deputy Commissioner”, the words “longest in office as such”.

(3) Section 3 (5) of the principal Act (as so substituted) is hereby amended by omitting the words “the Deputy Commissioner”, and substituting the words “a Deputy Commissioner”.

(4) Section 6 of the principal Act (as substituted by section 2 (2) of the Police Amendment Act 1976) is hereby amended by omitting the words “the Deputy Commissioner”, and substituting the words “each Deputy Commissioner”.

3. Penalties—(1) Section 33 of the principal Act (as amended by section 6 of the Police Amendment Act 1978) is hereby amended—

(a) By omitting from subsection (1) (b) (iv) the expression “\$300”, and substituting the expression “\$400”:

(b) By omitting from subsection (2) (b) (iv) the expression “\$150”, and substituting the expression “\$250”:

(c) By omitting from subsection (3) (b) (iii) the expression “\$120”, and substituting the expression “\$175”.

(2) Section 34 of the principal Act is hereby amended by repealing subsection (3) (as substituted by section 6 (1) of the Police Amendment Act 1976), and substituting the following subsection:

“(3) Where the appeal relates to the dismissal of the appellant or the imposition on him of any other penalty, the dismissal or other penalty shall not take effect pending the hearing of the appeal; but the Commissioner may suspend the appellant from duty with or without pay, or without such part of his pay, as the Commissioner so directs.”

(3) The following enactments are hereby consequentially repealed:

(a) Section 6 of the Police Amendment Act 1976:

(b) Section 6 of the Police Amendment Act 1978.

4. General search of person in custody—Section 57A of the principal Act (as inserted by section 2 of the Police Amendment Act 1979) is hereby amended by inserting in subsection (1), after the words “a member of the Police”, the words “, or any other person employed for the purpose pursuant to regulations made under this Act”.