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## ANALYSIS

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## 1955, No. 2

Title.

AN ACT to amend the Police Force Act 1947.

[9 May 1955]

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

Short Title.

1. This Act may be cited as the Police Force Amendment Act 1955, and shall be read together with and deemed part of the Police Force Act 1947 (hereinafter referred to as the principal Act).

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Controller-General and Deputy Controller-General of Police Force.

2. (1) The Governor-General may from time to time appoint a fit and proper person to be Controller-General of the Police Force.

(2) The Governor-General may from time to time appoint an Assistant Commissioner to be Deputy Controller-General of the Police Force.

(3) The Controller-General and the Deputy Controller-General shall each hold office during the pleasure of the Governor-General.

Powers and duties of Controller-General.

3. (1) While the Controller-General is in office, all the powers and duties conferred or imposed on the Commissioner by the principal Act or by any other Act shall be carried out by the Controller-General and not

by the Commissioner, and all references to the Commissioner in any Act, regulation, by-law, Order, or other enactment or in any deed, instrument, application, licence, notice, or other document shall, unless inconsistent with the context, be read as references to the Controller-General.

(2) Notwithstanding the provisions of any enactment, any office held by the Commissioner by virtue of his office shall, while the Controller-General is in office, be held by the Controller-General.

4. (1) The Deputy Controller-General, subject to the control of the Controller-General, shall have and may exercise all the powers, duties, and functions of the Controller-General.

Powers and duties of Deputy Controller-General.

(2) On the occurrence from any cause of a vacancy in the office of Controller-General (whether by reason of death, resignation, or otherwise), and in case of the absence from duty of the Controller-General (from whatever cause arising), and so long as any such vacancy or absence continues, the Deputy Controller-General shall have and may exercise all the powers, duties, and functions of the Controller-General.

(3) The fact that the Deputy Controller-General exercises any power, duty, or function of the Controller-General shall be conclusive evidence of his authority to do so.

5. All acts done before the commencement of this Act by the Commission of Police Officers appointed on the twenty-second day of December, nineteen hundred and fifty-four, for the purpose of controlling the administration of the Force are hereby validated.

Validation.

6. (1) The principal Act is hereby amended by inserting, after section three A, as inserted by subsection one of section two of the Police Force Amendment Act 1954, the following section:

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“3B. The Commissioner shall hold office during the pleasure of the Governor-General.”

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(2) Section sixteen of the principal Act, as amended by subsection three of section two of the Police Force Amendment Act 1954, is hereby further amended by omitting the words “discharge or dismiss the Commissioner or any Assistant Commissioner, Superintendent”, and substituting the words “dismiss from the Force any Assistant Commissioner, Superintendent”.

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(3) Subsection three of section two of the Police Force Amendment Act 1954 is hereby repealed.

(4) Section eighteen of the principal Act, as amended by subsection four of section two of the Police Force Amendment Act 1954, is hereby further amended by omitting from subsection one the words "or an Assistant Commissioner".

(5) Subsection four of section two of the Police Force Amendment Act 1954 is hereby repealed.

Superannuation  
rights of  
Commissioner  
and Controller-  
General.

7. The principal Act is hereby amended by inserting, after section three B, as inserted by subsection one of section six of this Act, the following section:

"3C. On the termination of the appointment of any person as Commissioner, or as Controller-General, otherwise than by his removal from office for misbehaviour or incompetence, he shall, unless he is appointed to another position in the Government service, or has declined to accept any such appointment, or is not a contributor to the Government Superannuation Fund, be entitled to receive from the Fund an annual retiring allowance for the rest of his life computed as provided in section thirty-one of the Superannuation Act 1947, notwithstanding that he may not have attained the age or have had the length of service which would entitle him in accordance with that section to a retiring allowance."

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Provision for  
payments to  
Commissioner  
E. H. Compton  
on his  
retirement.

8. Whereas Commissioner Eric Henry Compton retired from the office of Commissioner of Police on the nineteenth day of April, nineteen hundred and fifty-five: Be it therefore enacted as follows:

(1) There shall be paid to him out of the Consolidated Fund, without further appropriation than this section,—

(a) Three months' salary for accumulated leave due to him:

(b) Six months' salary for leave on retirement:

(c) The sum of six thousand pounds as compensation for loss of office.

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(2) Notwithstanding anything to the contrary in the Superannuation Act 1947, he shall be entitled to receive from the Government Superannuation Fund an annual retiring allowance from the nineteenth day of January, nineteen hundred and fifty-six, for the rest of his life at the rate of eight hundred and twelve pounds a year.