

## POLICE AMENDMENT BILL

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### EXPLANATORY NOTE

This Bill contains miscellaneous amendments to the Police Act 1958.

*Clause 2:* The effect of the amendment proposed by this clause is that the Commissioner of Police may have his term of office extended for a year longer than it may now be extended.

*Clause 3:* Section 28 of the principal Act provides for the retirement of members of the Police who are medically unfit. The provisions are not identical with the retirement provisions of the Superannuation Act 1956 and the amendments ensure that a member of the Police retiring under the section will receive superannuation in accordance with the Superannuation Act.

*Clause 4:* Section 32 of the principal Act authorises suspension of a member for misconduct. Subsection (4) provides that a member is entitled to pay during suspension if an information against him is dismissed or if a charge is not proved at a police inquiry. In some cases an information may be laid in Court and also an inquiry held. In any such case it is desired that he shall not be automatically entitled to pay during suspension unless he is cleared on both the information and the police charge and the amendment provides accordingly. The amendment also permits the Commissioner to allow pay during a period of suspension.

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*Hon. Mr Allen*

## POLICE AMENDMENT

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### ANALYSIS

Title	2. Retirement of Commissioner
1. Short Title	3. Retirement of medically unfit
	4. Pay during suspension

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### A BILL INTITULED

#### An Act to amend the Police Act 1958

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

**1. Short Title**—This Act may be cited as the Police Amendment Act 1964, and shall be read together with and deemed part of the Police Act 1958\* (hereinafter referred to as the principal Act).

10 **2. Retirement of Commissioner**—Section 27 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

15 “(4) The Commissioner may, with the consent of the Minister, remain in the Police for a period not exceeding two years after the date on which that officer is required by subsection (1) of this section to retire and any Assistant Commissioner may, with the like consent, remain in the Police for a period not exceeding one year after the date on which any such officer is required to retire as aforesaid.”

\*1958, No. 109  
Amendment 1961, No. 122

**3. Retirement of medically unfit**—(1) Subsection (1) of section 28 of the principal Act is hereby amended by inserting, after the words “nominated by the Commissioner”, the words “and approved by the Government Superannuation Board”.

(2) Subsection (5) of section 28 of the principal Act is hereby amended by inserting, after the words “appointed by the Commissioner”, the words “and approved by the Government Superannuation Board”.

(3) Section 28 of the principal Act is hereby further amended by adding the following subsection:

“(7) For the purposes of section 36 of the Superannuation Act 1956, a person who ceases to be a member under this section shall be entitled to a retiring allowance in accordance with the said section 36, and the provisions of that section shall apply accordingly.”

**4. Pay during suspension**—Section 32 of the principal Act is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) Where under this section a member is suspended from duty and no conviction is recorded in any Court and no charge is proved at an inquiry under section 33 of this Act, the member shall be entitled to receive pay in respect of the period of suspension but otherwise he shall not receive pay in respect of that period unless the Commissioner so directs.”