



THE POLICE FORCE REGULATIONS 1950,  
AMENDMENT NO. 4

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 2nd day of August 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Police Force Act 1947, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Police Force Regulations 1950, Amendment No. 4, and shall be read together with and deemed part of the Police Force Regulations 1950\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Regulation 5 of the principal regulations is hereby amended by inserting after the word "Commissioner", the words "Assistant Commissioners".

3. The principal regulations are hereby amended by inserting, after regulation 10, the following heading and regulation:

*"Assistant Commissioners*

"10A. An Assistant Commissioner shall have such of the duties and functions of the Commissioner as the Commissioner may delegate to him, either generally or in any particular case."

4. The principal regulations are hereby amended by revoking regulation 68, and substituting the following regulation:

\*S.R. 1950/107.  
Amendment No. 1: S.R. 1951/10.  
Amendment No. 2: S.R. 1953/26.  
Amendment No. 3: S.R. 1955/13.

"68. (1) Subject to the provisions of these regulations, members of the Force not occupying free police quarters, shall be granted a house allowance according to the scale prescribed in that behalf.

"(2) Where one member of the Force is married to another member of the Force, only one house allowance shall be granted, unless the Commissioner is satisfied that the members are living separately through circumstances beyond their control and that neither of the members is occupying free police quarters.

"(3) A married male member of the Force living in barracks may, if the Commissioner is satisfied that he is supporting his wife and family in a proper manner, be granted a house allowance."

5. The principal regulations are hereby amended by adding to regulation 70, as subclause (2) thereof, the following subclause:

"(2) A cash payment may, with the approval of the Commissioner, be granted to the estate of a deceased member of the Force of an amount equivalent in money of the leave that might have been granted to the deceased member under this regulation as at the date of his death."

6. (1) The principal regulations are hereby amended by revoking regulation 80, as substituted by regulation 2 of the Police Force Regulations 1950, Amendment No. 1, and substituting the following regulation:

"80. (1) Leave on full pay for a period not exceeding 183 days may, with the approval of the Commissioner, be granted to any male member of the Force who is retiring from the Force after completing a total of not less than 40 years' Government service within the meaning of the Superannuation Act 1947:

"Provided that no leave granted under this subclause shall commence until the completion of 40 years' service as aforesaid.

"(2) Leave on full pay for a period not exceeding 183 days may, with the approval of the Commissioner, be granted to any female member of the Force who is retiring from the Force after completing a total of not less than 35 years' Government service within the meaning of the Superannuation Act 1947:

"Provided that no leave granted under this subclause shall commence until the completion of 35 years' service as aforesaid.

"(3) Leave on full pay for a period not exceeding 91 days, increased by 1 day for every 2 months of service in excess of 25 years, may, with the approval of the Commissioner, be granted to any member of the Force who, not having completed a total of 40 years' service as aforesaid in the case of a male or a total of 35 years' service as aforesaid in the case of a female, is retiring from the Force.

"(4) A cash payment of a sum equivalent in money of the leave that might have been granted to the deceased member of the Force under this regulation had he retired from the Force at the date of his death may, with the approval of the Commissioner, be granted to the widow or dependants of a deceased member of the Force.

"(5) Instead of leave being granted under this regulation, an allowance, not exceeding the amount of 91 days' full pay, may, with the approval of the Commissioner, be granted to a retiring member of the Force.

“(6) In considering whether or not his approval should be granted under this regulation, the Commissioner shall take into account whether or not the member’s conduct has been satisfactory throughout his service.

“(7) If a member about to retire from the Force occupies a house provided by the Police Department, he shall vacate the house on or before the date of the commencement of any leave granted to him under this regulation.

“(8) Where a member of the Force or any of his dependants remains in occupation of free police quarters after the date of retirement or death, as the case may be, no house allowance in respect of the period of occupation shall be taken into consideration when calculating full pay.

“(9) While a member of the Force is on retiring leave granted under this regulation, no annual leave shall be granted or shall accrue to that member in respect of the period of retiring leave.

“(10) For the purposes of this regulation, but subject to subclause (8) of this regulation, the expression ‘full pay’ includes a house allowance.”

(2) The Police Force Regulations 1950, Amendment No. 1, are hereby revoked.

7. Regulation 93 of the principal regulations is hereby amended as follows:

(a) By omitting from paragraph 44 the words “or neglecting any duty”:

(b) By adding the following paragraph:

“(64) Neglect of any lawful duty not referred to elsewhere in this regulation.”

8. The principal regulations are hereby amended as follows:

(a) By omitting from subclause (1) of regulation 99 the words “any appeal or at any inquiry held under the provisions of the Act”, and substituting the words “any inquiry under section 21 of the Act or any appeal under section 23 of the Act”:

(b) By omitting from regulation 100 the words “an appeal or conduct an inquiry under the Act”, and substituting the words “an appeal under section 23 of the Act or conduct an inquiry under section 21 of the Act”:

(c) By omitting from regulation 102 the words “any inquiry or appeal held under the provisions of the Act”, and substituting the words “any inquiry under section 21 of the Act or any appeal under section 23 of the Act”:

(d) By inserting in regulation 103, after the word “inquiry”, the words “under section 21 of the Act”.

9. (1) Regulation 118 of the principal regulations is hereby amended by revoking subparagraph (vii) of paragraph (b), and substituting the following subparagraph:

“(vii) The following statutes or any other statutes (as notified in General Instructions) in so far as they apply to police duty: Arms Act 1920, and regulations in force thereunder; Child Welfare Act 1925; Coroners Act 1951; Criminal Justice Act 1954; Dangerous Drugs Act 1927; Destitute Persons Act 1910; Indecent Publications Act 1910; Infants Act 1908; Mental Health Act 1911; Pawnbrokers Act 1908; Poisons Act 1934; Second Hand Dealers Act 1908; and Shipping and Seamen Act 1952.”.

(2) Regulation 120 of the principal regulations is hereby amended by revoking subparagraph (vii) of paragraph (b), and substituting the following subparagraph:

“(vii) The following statutes or any other statutes (as notified in General Instructions) in so far as they apply to police duty: Arms Act 1920, and regulations in force thereunder; Child Welfare Act 1925; Coroners Act 1951; Criminal Justice Act 1954; Dangerous Drugs Act 1927; Destitute Persons Act 1910; Fugitive Offenders Act 1881 (U.K.); Indecent Publications Act 1910; Immigration Restriction Act 1908; Infants Act 1908; Mental Health Act 1911; Pawnbrokers Act 1908; Poisons Act 1934; Second Hand Dealers Act 1908; and Shipping and Seamen Act 1952:”.

10. (1) Regulation 119 of the principal regulations is hereby amended by revoking the proviso to subclause (2).

(2) Regulation 119 of the principal regulations is hereby further amended by revoking subclause (3), and substituting the following subclause:

“(3) A candidate shall be required to pass at least two subjects before he is credited with a pass in any subject, but any candidate who has been credited with a pass in two subjects may thereafter be credited with a pass in any one or more other subjects which he passes.”

(3) Regulation 121 of the principal regulations is hereby amended by revoking the proviso to subclause (2).

(4) Regulation 121 of the principal regulations is hereby further amended by revoking subclause (3), and substituting the following subclause:

“(3) A candidate shall be required to pass at least two subjects before he is credited with a pass in any subject, but any candidate who has been credited with a pass in two subjects may thereafter be credited with a pass in any one or more other subjects which he passes.”

(5) Regulation 123 of the principal regulations is hereby amended by revoking the proviso to subclause (2).

(6) Regulation 123 of the principal regulations is hereby further amended by revoking subclause (3), and substituting the following subclause:

“(3) A candidate shall be required to pass at least two subjects before he is credited with a pass in any subject, but any candidate who has been credited with a pass in two subjects may thereafter be credited with a pass in any one or more other subjects in which he passes.”

11. The principal regulations are hereby amended by revoking regulations 129, 130, 131, and 132, and substituting the following regulation:

“129. All reports received by the Commissioner under regulation 128 hereof shall be referred by him to the Promotion Board constituted under section 25B of the Act.”

12. The principal regulations are hereby amended by revoking regulations 157, 158, and 159, and substituting the following regulations:

“157. Members of the Force shall not without the permission in writing of the Commissioner, which permission may at any time be withdrawn, engage in business or trade of any kind or accept or engage in any remunerative employment other than that connected with the duties of their office.

“158. (1) The wife of any member of the Force who does not hold a separation order, or who is not living apart from her husband pursuant to a written or an oral agreement to separate, shall not, without the permission of the Commissioner, engage in any employment on premises in respect of which a publican’s licence has been granted and is for the time being in force.

“(2) If the wife of any member of the Force engages in any employment in contravention of this regulation, the member shall report the fact promptly to his superior.”

T. J. SHERRARD,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*[This note is not part of the regulations, but is intended to indicate their general effect.]*

Regulations 2 and 3 make amendments consequential on the creation of the office of Assistant Commissioner.

Regulation 4 replaces the existing provisions relating to the payment of house allowances. In appropriate cases, married members living in barracks will also be entitled to an allowance.

Regulation 5 makes provision for the payment to the estate of a deceased member of the Force of a sum equivalent of accumulated annual leave. The provision is similar to that applying in the Public Service.

Regulation 6 makes provisions in respect of retiring leave. The provisions are similar to those applying to the Public Service generally.

Regulation 7 adds to the list of offences punishable by disciplinary action the offence of neglect of any lawful duty not otherwise referred to in the list.

Regulation 8 makes amendments to the principal regulations restricting the provisions amended to inquiries relating to discipline and appeals from disciplinary punishments. The reason for the amendments is to avoid confusion between inquiries and appeals to which the amendments relate and inquiries and appeals which may in the future be held under the Police Force Amendment Act 1954.

Regulation 9 brings up to date the list of enactments prescribed in connection with Police Force examinations.

Regulation 10 provides that a candidate for a police examination shall be required to pass two subjects before he is credited with any subject, but, having passed two subjects, he may thereafter be credited with single subjects. Hitherto a candidate was not credited with any subject unless he passed at least two.

Regulation 11 revokes the provisions of the principal regulation relating to Promotion Boards. These have been replaced by general legislation.

Regulation 12 replaces the existing provisions relating to the activities of members of the Force outside their official duties.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 August 1955.

These regulations are administered in the Police Department.