

1970/150



THE POLICE REGULATIONS 1959, AMENDMENT NO. 15

RICHARD WILD, Administrator of the Government
ORDER IN COUNCIL

At the Government House at Wellington this 20th day of July 1970

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Police Act 1958, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. Title and commencement 2. General 3. Police Education examinations 4. Leaving district or subdistrict 5. Duties in connection with youth clubs 6. Medical protection | <ul style="list-style-type: none"> 7. Disciplinary offences 8. Procedure at inquiry 9. Criminal Investigation Branch 10. Defaulter sheets 11. Annual leave 12. Pay during sickness |
|--|--|

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Police Regulations 1959, Amendment No. 15, and shall be read together with and deemed part of the Police Regulations 1959* (hereinafter referred to as the principal regulations).

(2) Regulation 3 of these regulations shall be deemed to have come into force on the 1st day of August 1967.

(3) Except as provided in subclause (2) of this regulation, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. General—(1) Regulation 15 of the principal regulations is hereby amended by inserting in paragraph (c) of subclause (1), after the word “physical”, the words “and mental”.

(2) The said regulation 15 is hereby further amended by inserting in subclause (6) (as substituted by regulation 2 of the Police Regulations 1959, Amendment No. 13), after the word “physically”, the words “and mentally”.

*S.R. 1959/9 (Reprinted with Amendments Nos. 1 to 13: S.R. 1968/61)
Amendment No. 14: S.R. 1968/164

3. Police Education examinations—(1) Regulation 17 of the principal regulations (as substituted by regulation 4 (1) of the Police Regulations 1959, Amendment No. 13) is hereby amended by revoking the proviso to subclause (3), and substituting the following proviso:

“Provided that if a candidate,—

“(a) Being unqualified for non-commissioned rank, obtains not less than 50 percent of the marks in any subject, he shall be granted a partial pass in the examination in respect of that subject to qualify for non-commissioned rank; or

“(b) Being unqualified for commissioned rank, obtains not less than 60 percent of the marks in any subject, he shall be granted a partial pass in the examination in respect of that subject to qualify for commissioned rank.”

(2) The said regulation 17 is hereby further amended by inserting in subclause (5), after the word “pass”, the words “or partial pass”.

4. Leaving district or subdistrict—(1) The principal regulations are hereby amended by revoking regulation 31.

(2) Regulation 6 of the Police Regulations 1959, Amendment No. 7 is hereby revoked.

5. Duties in connection with youth clubs—The principal regulations are hereby further amended by omitting from regulation 42A (as inserted by regulation 2 of the Police Regulations 1959, Amendment No. 11) the words “Juvenile Crime Prevention Section”, and substituting the words “Youth Aid Section”.

6. Medical protection—The principal regulations are hereby further amended by inserting, after regulation 44, the following regulation:

“44A—Every member shall be injected against tetanus and vaccinated against small-pox from time to time as required by the Commissioner and shall also receive such other medical protection as the Commissioner deems necessary:

“Provided that this regulation shall not apply to any member who produces a certificate signed by a registered medical practitioner which states that the injection, vaccination, or other medical protection would be prejudicial to the health of that member.”

7. Disciplinary offences—(1) Regulation 46 of the principal regulations is hereby amended by revoking paragraph (18), and substituting the following paragraph:

“(18) Without the written permission of the Commissioner which may at any time be revoked, owning or having an interest in a horse or dog used or intended to be used for racing. A member shall be deemed to have an interest if his wife owns or has an interest in a horse or dog used or intended to be used for racing.”

(2) The said regulation 46 is hereby further amended by adding to paragraph (26) the words “except housie played by an approved organisation within the meaning of the Housie Regulations 1959* with the consent of the Officer in Charge of the district”.

8. Procedure at inquiry—Regulation 50 of the principal regulations is hereby amended by adding to subclause (6) the words “A copy of those representations shall, within the same time, be delivered to the prosecutor who may, within three days from receipt, reply and make any representations he thinks fit as to penalty in writing to the Tribunal. If the prosecutor makes any reply or representations as to penalty he shall, within the same time as he delivers that reply or those representations to the Tribunal, deliver a copy to the member or his advocate who may, within three days from receipt, reply in writing to the Tribunal and deliver a copy of that reply to the prosecutor.”

9. Criminal Investigation Branch—Regulation 56 of the principal regulations is hereby amended by revoking the proviso to subclause (2).

10. Defaulter sheets—(1) Regulation 60 of the principal regulations is hereby amended by adding to subclause (1) the following proviso:

“Provided that no defaulter sheet shall be required to be kept in respect of any member if the personal record sheet of that member contains a part designed for the recording of those particulars which shall be recorded on that part of the personal record sheet of that member.”

(2) The said regulation 60 is hereby further amended by inserting in subclause (2), after the words “defaulter sheet”, the words “or on that part of the personal record sheet designed for recording particulars pursuant to subclause (1) of this regulation”.

(3) The said regulation 60 is hereby further amended by revoking subclause (3), and substituting the following subclause:

“(3) Every member shall be fully informed in writing of any entry made on his defaulter sheet or on that part of his personal record sheet designed for recording particulars pursuant to subclause (1) of this regulation.”

(4) The said regulation 60 is hereby further amended by revoking subclause (5) (as added by regulation 3 of the Police Regulations 1959, Amendment No. 11), and substituting the following subclause:

“(5) If no entry has been made during a period of 7 years on a member’s defaulter sheet or, as the case may be, on that part of a member’s personal record sheet designed for recording particulars pursuant to subclause (1) of this regulation, all entries on the defaulter sheet, or on that part of the member’s personal record sheet, relating to any period before the commencement of the period of 7 years shall be deemed to be expunged.”

11. Annual leave—Regulation 76 of the principal regulations is hereby amended by inserting in subclause (1), after the proviso, the following further proviso:

“Provided also that no annual leave shall accrue during any period where a member is on retiring leave, resigning leave, or any other period of final leave, if at the expiration of that leave the member will not return to duty in the Police.”

12. Pay during sickness—Regulation 82 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) For the purposes of subclause (1) of this regulation, the length of time of service of a member does not include any period of leave granted without pay.”

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations amend the Police Regulations 1959. Regulation 3 enables a partial pass to be obtained in each subject of the Police Education examination if the candidate has gained the required marks in that subject, and operates retrospectively from 1 August 1967 to enable partial passes to be taken into account as from that date, being the date of the Police Education examination coming into operation. Regulation 6 requires every member of the Police to submit to such antitetanic injections, small-pox vaccinations or other medical protection as the Commissioner requires unless it would be prejudicial to the health of the member.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 July 1970.

These regulations are administered in the Police Department.