



## THE POLICE REGULATIONS 1959, AMENDMENT NO. 26

PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 25th day of May 1987

Present:

THE RIGHT HON. DAVID LANGE PRESIDING IN COUNCIL

PURSUANT to section 64 of the Police Act 1958, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Police Regulations 1959, Amendment No. 26, and shall be read together with and deemed part of the Police Regulations 1959\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

**2. Law examinations**—(1) The principal regulations are hereby amended by revoking regulation 18, and substituting the following regulations:

**“18. Law examinations, credits, and courses**—(1) For the purpose of qualifying for the rank of sergeant there shall be a sergeants law examination, for the purpose of qualifying for the rank of senior sergeant there shall be a senior sergeants law examination, and for the purpose of

\*S.R. 1959/9 (Reprinted with Amendments Nos 1-24: S.R. 1985/259)  
Amendment No. 25: S.R. 1986/242

qualifying for commissioned rank there shall be a commissioned officers law examination.

“(2) A member who has successfully completed any degree, diploma, or paper in the course of pursuing university or other tertiary studies may be credited with a pass in any or all of the subjects of a law examination in accordance with the provisions of regulation 18A or regulation 18B or regulation 18C of these regulations.

“(3) To pass a law examination a candidate is required to obtain not less than 50 percent of the marks allotted in each subject for that examination.

“(4) Where a candidate obtains not less than 45 percent of the marks allotted in an examination in any subject, the examiner may, if the examiner thinks it appropriate after taking into account the performance of the candidate in any assignments undertaken in preparation for the examination in that subject, increase the mark obtained by the candidate to 50 percent, in which case the candidate shall pass in that subject.

“(5) A candidate shall be credited with a pass in any subject of a law examination which the candidate passes notwithstanding that the candidate may fail or not appear for examination in any other subject.

“(6) Each paper or part of a paper set in the subjects Evidence and Statutes shall be set and marked by a solicitor appointed by the Commissioner.

“(7) Each paper or part of a paper set in the subjects Police Administration and Practical Police Duties shall be set and marked by 2 or more commissioned officers appointed by the Commissioner.

“(8) Each paper or part of a paper set in the subjects Criminology and Criminal Law shall be set and marked by such person or persons as the Commissioner appoints for the purpose.

“(9) The Commissioner may provide or arrange residential or correspondence courses in any subject referred to in regulations 18A to 18C of these regulations, and may specify the entry requirements for any such course.

“(10) For the purpose of qualifying for any of the ranks of sergeant, senior sergeant, or commissioned officer, a candidate must complete to the satisfaction of the Promotion Board any course offered to the candidate after the candidate has passed or been credited with the relevant examination.

“18A. **Sergeants law examination and credits**—(1) No member is eligible to—

“(a) Sit for the sergeants law examination; or

“(b) Qualify for any credit for that examination by having obtained any degree, diploma, or paper,—

unless the member has completed, or will during the year of the examination complete, 3 years' continuous service in the Police.

“(2) The sergeants law examination shall, within such limits for each subject as may be prescribed in general instructions, consist of the following subjects:

“(a) Evidence:

“(b) Statutes:

“(c) Police Administration:

“(d) Practical Police Duties.

“(3) A member who has obtained the degree of Bachelor of Laws from a New Zealand university shall qualify to be credited with the subjects Evidence and Statutes.

“18B. **Senior sergeants law examination and credits**—(1) No member is eligible to be credited with any subject in the senior sergeants law examination unless the member has previously passed or been credited with the equivalent subject in the sergeants law examination.

“(2) The senior sergeants law examination shall, within such limits for each subject as may be prescribed in general instructions, consist of the following subjects:

“(a) Evidence:

“(b) Statutes:

“(c) Police Administration:

“(d) Practical Police Duties.

“(3) A member shall qualify to be credited with the relevant subject where the member has successfully completed a degree or paper as follows:

“(a) For the subject Evidence,—

“(i) The degree of Bachelor of Laws from a New Zealand university; or

“(ii) One of the papers specified in the *Police Gazette* as an alternative to that subject:

“(b) For the subject Statutes,—

“(i) The degree of Bachelor of Laws from a New Zealand university; or

“(ii) One of the papers specified in the *Police Gazette* as an alternative to that subject:

“(c) For the subject Police Administration, one of the papers specified in the *Police Gazette* as an alternative to that subject.

“18C. **Commissioned officers law examination and credits**—(1) No member is eligible to be credited with any subject in the commissioned officers law examination unless the member has previously passed or been credited with the equivalent subject in the senior sergeants law examination.

“(2) For the purposes of subclause (1) of this regulation, the subject Evidence in the senior sergeants law examination shall be equivalent to the subject Criminology, and the subject Statutes in that examination shall be equivalent to the subject Criminal Law.

“(3) The commissioned officers law examination shall, within such limits for each subject as may be prescribed in general instructions, consist of the following subjects:

“(a) Criminology:

“(b) Criminal Law:

“(c) Police Administration:

“(d) Practical Police Duties.

“(4) A member shall qualify to be credited with the subject Criminology or the subject Police Administration where the member has successfully completed any paper specified in the *Police Gazette* as an alternative to the relevant subject.

“(5) A member shall qualify to be credited with all the subjects for the commissioned officers law examination where the member—

“(a) Has completed a Diploma in Police Studies from Massey University; or

“(b) Has completed a degree from a New Zealand university in an area for which study leave may be granted in accordance with general instructions; or

“(c) Has obtained any university qualification which the Commissioner approves as being of an equivalent standard to a qualification specified in paragraph (a) or paragraph (b) of this subclause.”

(2) Nothing in regulations 18 to 18C of the principal regulations (as inserted by subclause (1) of this regulation) shall affect the validity of any pass in a subject that has been credited to a member before the commencement of these regulations.

**3. Part-time constables**—The principal regulations are hereby amended by revoking regulation 27, and substituting the following regulation:

“27. (1) Part-time constables may be appointed under section 12 of the Act—

“(a) For service at any place or in any position where there is not sufficient work to warrant a full-time appointment; or

“(b) For the purpose of supplementing constables appointed under section 10 of the Act where the nature and volume of work warrants such appointment.

“(2) Part IV of the Act (which relates to remuneration and conditions of employment) shall apply to part-time constables subject to the following modifications:

“(a) Any determination under that Part may prescribe remuneration in the nature of a fee or retainer, and scales thereof; and

“(b) For the purposes of that Part, any such remuneration or scale shall be deemed to be a salary, or scale of salary.

“(3) Any general instructions relating to the duties and responsibilities of members of the Police and the terms of their employment may make special provision for part-time constables appointed in accordance with this regulation.”

**4. Consequential amendments and revocations**—(1) The principal regulations are hereby amended by omitting from regulation 16 (2A) (as inserted by regulation 2 of the Police Regulations 1959, Amendment No. 10, and amended by regulation 2 (2) of the Police Regulations 1959, Amendment No. 16) the expression “subclause (9)”, and substituting the expression “subclause (4)”.

(2) The Police Regulations 1959, Amendment No. 16\* are hereby amended by revoking regulation 2 (1).

(3) The Police Regulations 1959, Amendment No. 22† are hereby amended by revoking regulation 3.

(4) The Police Regulations 1959, Amendment No. 17‡ are hereby revoked.

P. G. MILLEN,  
Clerk of the Executive Council.

\*S.R. 1972/195  
†S.R. 1979/132  
‡S.R. 1973/112

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#### EXPLANATORY NOTE

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

These regulations revoke and replace regulations 18 and 27 of the Police Regulations 1959.

*Regulation 2* revokes regulation 18 and substitutes new provisions relating to the law examinations required for promotion within the Police, and to the crediting of passes in those examinations for candidates who have obtained relevant university or other tertiary qualifications.

*Regulation 3* revokes regulation 27 and substitutes a new provision relating to the appointment of part-time constables. Such appointments may be made for service at any place or position where there is not sufficient work to warrant the appointment of regular constables, or for the purpose of supplementing the work of regular constables where the nature and volume of work so warrant.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 May 1987.

These regulations are administered in the Police Department.