

VICTORIA.



ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

By His Excellency CHARLES JOSEPH LA TROBE, ESQUIRE, Lieutenant Governor of the Colony of Victoria and its Dependencies, with the advice and consent of the Legislative Council.

No. XXIV.

An Act for the Regulation of the Police Force. [Assented to 8th January, 1853.]

WHEREAS it is expedient to repeal an Act of the Governor and Legislative Council of the Colony of New South Wales, passed in the Fourteenth year of Her present Majesty's reign, intituled, "*An Act for the Regulation of the Police Force in New South Wales*," and to make provision for the Establishment and control of a Constabulary Force. Be it therefore enacted by His Excellency the Lieutenant-Governor of the Colony of Victoria, by and with the advice and consent of the Legislative Council thereof as follows:

Preamble.

I. The said Act passed in the Fourteenth year of Her said Majesty's reign shall be, and the same is hereby repealed, but all appointments, acts, matters, or things, made done, or commenced to be done, under that Act, shall be and be continued as if the said Act remained in force, excepting so far as the same shall be inconsistent with the provisions hereof.

Repeal of 14 Vic. No. 28.

II. It shall be lawful for the Lieutenant-Governor from time to time to appoint one fit and proper person to be Chief Commissioner of Police throughout the said Colony, and as occasion may require to remove such person from his office, and appoint another in his stead, and every such Chief Commissioner of Police shall be charged and invested with the general control and management of the Police Force of the said Colony.

Chief Commissioner of Police to be appointed.

III. It shall be lawful for the Lieutenant-Governor to appoint such number of Provincial, and other Inspectors, Sub-Inspectors, and other officers of Police as may be found necessary, and such Inspectors shall, subject to the general control of the Chief Commissioner of Police, be respectively charged and invested with the government, direction, and superintendence of the Police Force stationed within such districts as the Lieutenant-Governor may direct, and such Sub-Inspectors shall have such more limited authority in relation to the said Police as the Lieutenant-Governor shall direct.

Inspectors Sub-Inspectors and other Officers of Police to be appointed.

IV. It

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Chief Constables and other Constables to be appointed.

IV. It shall be lawful for the Lieutenant-Governor to appoint so many Chief Constables, Sergeants, and Cadets, and for the Chief Commissioner of Police to appoint so many Constables of different grades as the Lieutenant Governor shall deem necessary for the preservation of peace throughout the Colony, and such Constables shall, unless and until their appointments respectively shall be disallowed by the Lieutenant-Governor, (which disallowance is hereby authorised,) have all such powers, authorities, privileges, and advantages, and be liable to all such duties and responsibilities as any Constable duly appointed, now has or hereafter may have, either by the common law or by virtue of any Statute or Act of Council now or hereafter to be in force in the said Colony. Provided that in the event of the non-appointment, or in the absence of any Chief Constable in, at, or for any place or district in the said Colony, any Sergeant of the said Force for the time being appointed to, or stationed at, or nearest to the place of holding any Court of Petty Sessions in, at, or for such place or district, shall, and may do all the acts, perform all the duties, and exercise all the powers and authorities required or empowered by any Law, Statute, or Act of Council to be done, performed, or exercised by such Chief Constable.

Removal and appointment of Officers.

V. It shall be lawful for the Lieutenant-Governor, from time to time, as he shall think fit to remove any Provincial or other Inspector, Sub-Inspector, Officer, Chief Constable, Sergeant, or Cadet, of Police, who may be appointed under this Act, and upon any vacancy in any of the said offices, or appointments by death, removal, disability, or otherwise to nominate and appoint some other fit and proper person to fill the same, and it shall be lawful for the Chief Commissioner of Police, from time to time, as he shall think fit to remove any Constable appointed under this Act, and to appoint another in his stead.

The Lieutenant-Governor and Executive Council to frame Rules, and to alter or amend the same.

VI. It shall be lawful for the Lieutenant-Governor, with the advice of the Executive Council, from time to time, to frame Rules, Orders, and Regulations, for the general government of the members of the Police Force, as well with respect to the places of their residence, their classification, rank, and particular services, their distribution and inspection, as to the description of the arms, accoutrements, and other necessaries to be furnished to them, and which of them shall be supplied with horses, and all such other rules, orders, and regulations, relative to the said Police Force as may be necessary for rendering the said force efficient for the discharge of the several duties thereof, and for the purpose of preventing neglect or abuse, and such Rules, Orders, and Regulations to vary, alter, and repeal, and frame others in their stead.

Qualifications of Constables to be appointed under this Act.

VII. No person shall be appointed to be a Constable unless he shall be of a sound constitution, able bodied, and under the age of forty-five years, of a good character for honesty, fidelity, and activity, and unless circumstances shall render it necessary to dispense with this qualification in any case, he shall be required to read and write, and no person shall be appointed to be such Constable, who shall have been convicted of any felony, or who shall be a Bailiff, Sheriff's Bailiff, or Parish Clerk, or who shall be a hired servant in the employment of any person whomsoever, or who shall keep a house for the sale of beer, wine, or spirituous liquors by retail, and if any person who shall be or become a Bailiff, Sheriff's Bailiff, or Parish Clerk, or a hired servant, or shall act in any of the said capacities, or shall sell any beer, wine, or spirituous liquors by retail, such person shall be and become disabled from, and incapable of acting, and shall forfeit his appointment as Constable, and all authority and privileges, and all salary and gratuity payable to him, as a Constable under this Act: Provided, nevertheless, that so much of this enactment as relates to the qualification of persons to be appointed Constables, shall not be deemed or taken to apply to any person who at the time of the passing hereof, was employed in the Constabulary Force of the said Colony.

Proviso as to Constables employed at present.

VIII. Every

VIII. Every Chief Constable, Sergeant, Cadet and Constable, shall when not engaged on actual duty, attend on the Justices of the Peace, at their several General Sessions, and also at their Petty Sessions, which shall be held at the respective places where such Chief Constable, Sergeants, Cadets, or Constables may be stationed, and shall obey and execute all the lawful summons, warrants, executions, orders, and commands of such Justices, at such Sessions, in all cases, civil and criminal.

Chief Constables &c.
to attend at General
and Petty Sessions
and execute war-
rants &c.

IX. Except as aforesaid, every Chief Constable, Sergeant, Cadet, and Constable, shall execute all process to him directed for levying the amount of any recognizance forfeited to Her Majesty, Her Heirs and Successors, or of any fine imposed on any Jurors, Witnesses, parties, or persons at any Assizes, or Commission of Oyer and Terminer, or Gaol Delivery, or Sessions of the Peace, or any other fine imposed under any Act in force in the said Colony, and any process or any warrant, order or command, of any Magistrate, directed, delivered, or given to any such Chief Constable, Sergeant, Cadet, or Constable, shall and may be executed and enforced by any other Chief Constable, Sergeant, Cadet, or Constable, of the said Colony, or his assistants; and every such last mentioned Chief Constable, Sergeant, Cadet, and Constable, and his assistants, shall have all and every the same rights, powers, and authorities, for and in the execution of such process, warrant, order, or command, as if the same had originally been directed to him or them, expressly by name.

Constables to execute
process.

X. No person appointed to be Chief Commissioner of Police, Provincial, or other Inspector, Sub-Inspector, or other Officer, Chief Constable, Sergeant, or Cadet, nor any Constable, except Aboriginal Natives, attached to the Police, shall be capable of holding the said Office, or of acting in any way therein, until he shall take and subscribe, or shall have taken and subscribed under the said recited Act, the following oath, (that is to say), "I, A. B., do swear that I will well and truly serve our Sovereign Lady the Queen, in the Office of Chief Commissioner of Police, Chief Inspector, Provincial Inspector, Sub-Inspector, Officer, Chief Constable, Sergeant, Cadet, or Constable, (as the case may be) without favor or affection, malice, or ill will, for the period of from this date, and until I am legally discharged; that I will see and cause Her Majesty's Peace to be kept and preserved, and that I will prevent, to the best of my power, all offences against the same, and that while I shall continue to hold the said Office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law. So help me God"; and the said Oath shall be administered either at General or Petty Sessions, or otherwise, by any two Justices of the Peace, and shall in all cases be subscribed by the person taking the same, and the oath so taken by the Chief Commissioner of Police, shall be forthwith transmitted to the Colonial Secretary, by the Justices before whom the same was taken, and the oaths so taken and subscribed by all other persons appointed to any Office under this Act, shall be forwarded by the Justices before whom the same were taken, to the said Chief Commissioner of Police.

Oath to be taken by
Officers and Constables.

XI. Every person taking and subscribing such oath, as aforesaid, shall be deemed and taken to have thereby entered into a written agreement with, and shall be thereby bound to serve, Her said Majesty, as a member of the said Police Force, and in the capacity in which he shall have taken such oath, at the current rate of pay for such member, and until legally discharged, from the day on which such oath shall have been taken and subscribed: Provided, that no such agreement shall be set aside, cancelled, or annulled, for want of reciprocity: Provided further, that such agreement may be cancelled at any time by the lawful discharge, dismissal, or other removal from Office of any such person, or by the resignation of any such person being accepted by the Chief Commissioner of Police of the said Colony of Victoria, or other person acting in his stead.

Taking an Oath equivalent to entering into an agreement.

XII. Any

Penalty on Constables
for neglect of duty.

XII. Any constable, or other member of the Police Force, who shall neglect or refuse to obey and execute any process hereby directed to be by him executed, or shall be guilty of any other misconduct, neglect, violation of, or absence from duty, shall forfeit and pay any such penalty, not exceeding for the first offence, five pounds, or for the second, or any subsequent offence, twenty pounds, as any two Justices of the Peace on their own view, or after examination upon oath of one or more credible witness or witnesses, or upon confession of the party, shall, in their discretion, think proper in a summary way, to impose or inflict.

All powers and authorities
vested in Constables to cease upon
dismissal from office,
&c.

XIII. When any Constable shall be dismissed from, or cease to hold and exercise his office, all powers and authorities vested in him, as Constable, shall immediately cease and determine, to all intents and purposes whatsoever; and if any Constable shall not forthwith, after he shall have been dismissed from, or shall have ceased to hold his office, deliver over all and every the arms, ammunition, and accoutrements, horse, saddle, bridle, clothing, and other appointments and things whatsoever, which may have been supplied to him for the execution of such office, or which may be in his custody by virtue thereof, to such person as may be appointed by any order, special or general, issued by the said Chief Commissioner of Police, every such Constable shall, upon conviction of such offence, in a summary manner, before any two or more Justices of the Peace, be imprisoned and kept to hard labor for any such period not exceeding three calendar months, as such Justices may direct; and it shall be lawful for any Justice of the Peace, and he is hereby authorized and required to issue his warrant to search for and seize, to the use of Her Majesty, all and every the arms, ammunition, accoutrements, horses, saddles, bridle, clothing, and other appointments and things whatsoever, which shall not be so delivered over, wherever the same shall be found.

Three months notice
of resignation to be
given by Constables.

XIV. No Constable or other member of the Police Force shall be at liberty to resign his office, or to withdraw himself from the duties thereof, notwithstanding the period of his engagement shall have expired, unless expressly authorised in writing so to do by the Chief Commissioner of Police, or the Inspector under whom he may be placed, or unless he shall give to such Inspector three months notice of his intention so to resign or withdraw; and if any Constable or other member shall so resign or withdraw himself without such previous permission or notice, he shall upon conviction, in a summary way before any two Justices of the Peace, for every such offence either forfeit a sum not less than Five, and not exceeding Forty Pounds, or in the discretion of the Justices be imprisoned for any term not exceeding four months.

Punishment for taking
a bribe, &c.

XV. Any Constable or other member of the Police Force who shall take any bribe, pecuniary or otherwise, either directly or indirectly, to forego his duty as such Constable, or who shall in any manner aid, abet, assist, or connive at the escape or any attempt or preparation to escape, of any prisoner from any Gaol, House of Correction, Watch-house, Hulk, or any other place in which any such prisoner may be legally confined, or otherwise in lawful custody, or who shall desert his post, or assault his Superior Officer, shall for every such offence, upon conviction thereof before any two Justices of the Peace, forfeit and pay a penalty not exceeding twenty-five pounds, or in the discretion of such Justices be imprisoned and kept to hard labour for any period not exceeding twelve calendar months.

Exemption from Tolls.

XVI. The Chief Commissioner of Police, and all Inspectors, Sub-Inspectors, Chief Constables, Sergeants, Cadets, Constables, and other members of the Police Force being on actual duty, and in proper dress or undress as such, and all prisoners under their charge, and all carriages and horses exclusively employed in carrying or conveying such persons or their prisoners or baggage, or returning therefrom, and not otherwise engaged or employed, shall be exempt from payment of any tolls or dues otherwise

wise demandable in passing any toll-gate, turnpike, road, bridge, or ferry, and every toll-collector who shall demand or receive any duty or toll contrary to this Act shall forfeit and pay any sum not exceeding ten pounds for every such offence, to be recovered by distress and sale of the goods and chattels of the person so offending, on conviction in a summary way before a Justice of the Peace, the same to be applied in aid of the Police Reward Fund provided in this Act.

XVII. It shall be lawful to and for the Chief Commissioner of Police, Inspectors, or any other person to be nominated for the purpose by the Lieutenant-Governor, to examine on oath into the truth of any charge or complaint preferred against any member of the Police Force as to any neglect or violation of duty in his office, and to report thereon to the said Lieutenant-Governor.

Inquiries as to conduct of Police.

XVIII. It shall be lawful for such Chief Commissioner of Police, Inspector, or other person nominated as aforesaid, to issue a summons or summonses requiring all such persons as shall be named therein to appear before him at a place and time to be therein appointed to give evidence as to all matters and things known to any such person respecting any charge or complaint preferred against any member of the Police Force as to any neglect or violation of duty in his office, and all persons duly summoned as aforesaid who shall not attend at the time or place named in such summons, or attending, shall refuse to be sworn, or being sworn shall refuse to give evidence or to answer all such questions as may be legally demanded of them, shall forfeit and incur such penalty, not exceeding five pounds, as the said Chief Commissioner of Police, Inspector, or other person holding such enquiry may direct and adjudge.

Witnesses on such Inquiries.

XIX. If any person not being a member of the Police Force shall have in his possession any arms or ammunition, or any article of clothing, accoutrements, or appointments supplied to any Member of the Force, and shall not be able satisfactorily to account for his possession thereof, or shall put on or assume the dress, name, designation, or description of any Member of the Force or of any Class of such Members, or shall give or offer or promise to give any bribe, recompence, or reward, or shall make any collusive agreement with any Member of the Force to induce him in any way to neglect his duty, or conceal or connive at any act whereby any such rule, order, or regulation in force in the said Colony may be evaded, every such person so offending, and whether such offer be accepted or performed or not, shall in addition to any other punishment to which he may be liable for such offence, forfeit for every such offence, on summary conviction before any two Justices of the Peace, any sum not exceeding fifty pounds, such penalty to be applied in aid of the Police Reward Fund provided in this Act.

Penalty for personating Constables, &c.

XX. If any question shall arise as to the right of the Chief Commissioner of Police or other Officer, or Member of the Police Force to hold or execute his office, common reputation shall to all intents and purposes be deemed sufficient evidence of such right; and it shall not be necessary to have or produce any written appointment or any oath, affidavit, and other document or matter whatsoever in proof of such right.

Repute to be evidence of appointment.

XXI. There shall be deducted from the pay and salary of the several persons appointed under this Act, the sum of ten pence for every twenty shillings of such pay and salary, which sums so deducted shall be invested in the names of such persons and in such manner as may be directed by His Excellency the Lieutenant-Governor, with the advice and consent of the Executive Council; and the interest and dividends thereof, if any, or so much of the same as may be required for the purposes hereinafter mentioned, shall be invested in like manner, and accumulate so as to form a fund, to be called, "The Police Superannuation Fund," and such fund shall be applied as occasion may require for the payment of such superannuation or retiring allowances or gratuities, as may be ordered or appointed by the said Lieutenant

Superannuation Fund.

tenant-Governor, under the powers hereinafter given to him, to be charged on the said fund or payable thereout; and an account shewing the receipts, disbursements, and investments of such fund shall be published annually in the *Government Gazette*.

Officers, how Superannuated.

XXII. Upon the petition of any Chief Commissioner of Police, or other Officer, or Member of the Police Force, who shall have been appointed under this Act or the Act hereby repealed, (and in case of any Chief Constable, Sergeant, Cadet, or Constable, upon such recommendations and certificates as the Lieutenant-Governor shall require,) it shall be lawful for the Lieutenant-Governor to order and direct, that any such Chief Commissioner of Police, Officer, Constable, or Member of the Police Force shall be superannuated, and shall receive such yearly allowance, remuneration, superannuation, or gratuity, and upon such conditions and not exceeding such proportion as to age, length of service, and other circumstances as hereinafter mentioned and provided for; and thereupon such person shall cease to hold such office, and every such allowance, remuneration, superannuation, or gratuity shall be chargeable upon and paid out of the said Police Superannuation Fund, so far as the same shall be adequate to the discharge thereof, together with the several allowances, remunerations, superannuations, and gratuities, previously charged and made payable out of the said fund.

Conditions of Superannuation.

XXIII. The conditions and proportions of such allowance, remuneration, or superannuation shall be as follows: that is to say, where any person applying for the same shall have served with diligence and fidelity for ten years, and less than fifteen years, it shall be lawful to grant him by way of superannuation, an annual sum not exceeding one-half the salary of his office; if above fifteen years and less than twenty years, any such sum not exceeding two-thirds of such salary; if above twenty years and less than twenty-five years, any such sum not exceeding three-fourths of such salary, and if above twenty-five years any such sum not exceeding the whole of such salary: Provided that it shall not be lawful to grant any such allowance, compensation, remuneration, or superannuation where any person applying for the same shall be under fifty-five years of age, unless as hereinafter provided, or upon certificate from some legally qualified medical practitioner duly appointed in that behalf by the Government, that such person is incapable from infirmity of mind or body to discharge the duties of his office. Provided that if such salary shall have varied during any of the years of such service the average of the different rates shall be deemed to be the salary by which the amount of any such annual sums shall be estimated: Provided also, that if any person shall be disabled by any wound or injury received in the actual execution of the duty of his office, it shall be lawful to grant him such yearly allowance or remuneration as may in the opinion of the Lieutenant-Governor be proportioned to the nature of the injury received without reference to the length of his age or service, Provided that such allowance or remuneration shall in no case exceed the whole of such salary; and that in calculating the period for which any such person has served, the time he may have served in the Police of the said Colony, previous to the passing of this Act shall be reckoned: Provided also, that the widow of any Officer or other Member of the Police Force shall be entitled to receive one-half of such annual sums yearly allowances or remunerations, respectively as her husband, if living, could claim, and would be entitled to under the provisions aforesaid.

Proviso as to Persons disabled in the execution of Duty.

Gratuities in certain other cases.

XXIV. It shall be lawful for the Lieutenant-Governor to order that a gratuity not exceeding one month's pay for each year's service shall be paid to any Officer or other member of the Police Force who shall be duly certified to be unfit for service, and to have served with diligence and fidelity for any number of years not exceeding five, and a further gratuity not exceeding two month's pay for each year he shall have served exceeding five years and not exceeding ten years.

XXV. If

XXV. If any person to whom any allowance, compensation, remuneration, or superannuation shall have been granted under the provisions of this Act, shall refuse when called upon by any Magistrate or other Officer of the Peace to assist in the suppression of any Riot or breach of the peace, or in the apprehension of any offender, or shall be convicted of any felony, misdemeanor, or other disgraceful conduct, or shall have committed any fraud with respect to the claiming, obtaining, or receiving such allowance, compensation, remuneration, or superannuation, or shall conceal his enjoyment of the same for the purpose of evading the provisions of this Act, or shall assume a false name or make a false statement as to his place of residence for the same or any other fraudulent purpose, such person shall, in addition to any other punishment to which he may be by law liable, forfeit at the pleasure of the said Lieutenant-Governor the whole or any part of such allowance, compensation, remuneration, or superannuation.

Officers Superannuated &c. to assist in keeping the Peace &c.

XXVI. Whenever any penalty or forfeiture shall have been imposed by any Justices, under the provisions of this Act, and the person convicted shall not forthwith pay the same into the hands of the convicting Justice or Justices, it shall be lawful for such Justices to direct that such person be imprisoned in any Gaol or House of Correction in the said Colony, with or without hard labour as they shall think fit, for a period not exceeding two calendar months, if the penalty shall not exceed ten pounds, and for a period not exceeding four calendar months, if the penalty be above ten pounds and not exceeding twenty pounds, and for a period not exceeding six calendar months, if the penalty be above twenty pounds, and such person shall be detained and kept to hard labour accordingly, unless he shall sooner pay the penalty and costs.

Imprisonment in default of payment of penalties.

XXVII. In proceeding for any penalty or forfeiture under this Act, it shall not be necessary to lay or file any formal information, and every conviction or warrant of commitment shall be deemed valid and sufficient, in which the offence is set forth in the words of this Act, and no warrant of commitment for any such offence shall be held void by reason of any defect in such warrant, nor shall any person be entitled to be discharged out of custody on account of such defect provided it be alleged in such warrant that the said person has been convicted of such an offence; and provided it shall appear to the Court or Judge before whom such warrant is returned that such conviction proceeded upon good and valid grounds.

No formal information required.

XXVIII. All proceedings under this Act shall be had in a summary way, and the informer and parties interested may be admitted as witnesses, and no complaint, conviction, order, or other proceeding before or by any Justice or Justices under this Act shall be quashed or set aside, or be deemed void or insufficient for want of form only, or be removed or removable by *certiorari* or any other writ or process whatsoever into the Supreme Court of the said Colony.

Informer a competent witness.

XXIX. Any person ordered or adjudged to pay any fine, penalty, or forfeiture exceeding ten pounds, who shall feel himself aggrieved by the judgment of the Justices adjudicating, or before whom he was convicted, may appeal from any such judgment or conviction to the next Court of General Sessions of the Peace which shall be held nearest to the place where such judgment or conviction shall have been given or made, and the execution of every such judgment or conviction so appealed from shall be suspended in case such person shall, with one or more sufficient surety or sureties, immediately before such Justices, enter into a bond or recognizance to Her Majesty, Her Heirs and Successors in the penal sum of double the amount of such fine, penalty, or forfeiture, which bond or recognizance respectively such Justices are hereby authorized and required to take, and such bond or recognizance shall be conditioned to prosecute such appeal with effect, and to be forthcoming to abide the determination of the said Court of General Sessions, and to pay such costs as the said Court

Appeal to General Sessions.

Court shall award on such occasion, and such Court of General Sessions is hereby authorized and required to hear and determine the matter of the said appeal, and the decision of such Court shall be final between the parties to all intents and purposes.

Appropriation of penalties.

XXX. All fines imposed on any Constable or other Member of the Police Force under this Act, and all penalties or portions of penalties and damages awarded to any Member of the Police Force by any Justice or Justices of the Peace on summary conviction as the prosecutor of any information or otherwise, shall be paid to the Colonial Treasurer of the said Colony, to be by him applied and set apart towards a fund to be called "The Police Reward Fund," out of which shall be paid to the Chief Constables, Sergeants, Cadets, and Constables appointed under this Act, or to the widows of any such persons after their death, at the recommendation of any Court of Petty Sessions, or of the Chief Commissioner of Police, or any Inspector of Police, such rewards, gratuities, bounties, pensions, and other allowances as may be directed by any Rules or Regulations to be for that purpose from time to time established and promulgated by the Lieutenant-Governor and Executive Council of the said Colony; and an Account shewing the Receipts and Distributions of such Police Reward Fund shall be published annually in the *Government Gazette*.

For protection of Constables.

XXXI. When any action shall be brought against any member of the Police Force for any act done in obedience to the warrant of any Magistrate, such member shall not be responsible for any irregularity in the issuing of such warrant, or for any want of jurisdiction in the Magistrate issuing the same; and such member may plead the general issue and give such warrant in evidence, and upon producing such warrant and proving that the signature thereto, is the handwriting of the person whose name shall appear subscribed thereto, and that such person is reputed to be, and acts as a Magistrate possessing jurisdiction in the case, and that the act or acts complained of were done in obedience to such warrant, the Jury who shall try the said issue shall find a verdict for such member, and such member shall recover his costs of suit.

Magistrates, &c., appointed previous to the passing of this Act.

XXXII. All Police Magistrates, Magistrates, Superintendents of Police, or other persons having the management or control of the Constabulary or any portion of the Constabulary of the said Colony, and also all Inspectors of Police, Chief Constables, Constables, and other Peace Officers whosoever, appointed and acting at the time of the passing of this Act, shall, and they are hereby respectively authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several duties and offices with the like powers, privileges, and authorities, and subject to the like obligations, restrictions, liabilities, directions, and regulations, as heretofore, until it shall be notified by a notice, to be inserted in the *Government Gazette* by the Chief Commissioner of Police to be appointed under this Act, that the Constabulary Force for the said Colony or for any portion or district thereof named in such notice, is fully organized according to the provisions of this Act; and upon such notification the appointment and offices of all such Police Magistrates, Magistrates, Superintendents of Police, and other persons as aforesaid, appointed, or acting within any such district (other than such as shall have been appointed under this Act prior to such notification,) so far as the same shall relate to the supervision or control of the Constabulary Force, or any portion thereof, or be otherwise incompatible with the provisions of this Act, or any regulation made in pursuance thereof, and the appointments and offices of all Inspectors of Police, Chief Constables, Constables, and other peace officers whomsoever, appointed or acting within any such district (other than aforesaid) shall become and be void, and they shall severally discontinue acting under any Act, usage, or regulation now in force; and all houses, outhouses, appurtenances, horses, arms, accoutrements, saddles, bridles, clothing, books, papers, and appointments, articles, and things whatever, rented, held, or provided for

for the use and accommodation of the former Police Force, shall be applied, transferred, and employed and converted to the use and accommodation of the Constabulary Force so organized; and the right, property, and interest therein, shall immediately upon such notification, rest in the Chief Commissioner of Police for the time being, appointed under this Act.

XXXIII. So much of the following Acts of the Governor and Legislative Council of the Colony of New South Wales as in any manner relates to the appointment, control, or supervision of the Constabulary Force of the said Colony of Victoria, or is otherwise incompatible with the provisions of this Act, shall be and the same are hereby repealed, that is to say, an Act passed in the second year of the Reign of Her present Majesty Queen Victoria, intituled "*An Act for regulating the Police in the towns of Paramatta, Windsor, Maitland, Bathurst, and other towns respectively, and for removing and preventing nuisances and obstructions and for the better alignment of streets therein;*" and an Act passed in the eleventh year of the Reign of Her said Majesty Queen Victoria, intituled "*An Act to amend the Act for regulating the Police in the towns of Paramatta, Windsor, Maitland, Bathurst, and other towns respectively, and for removing and preventing nuisances and obstructions, and for the better alignment of streets therein.*"

Portions of certain Police Acts repealed.

2 Vict., No. 2.

11 Vict., No. 44.

XXXIV. The Act of the said Governor and Legislative Council of the said Colony of New South Wales, passed in the thirteenth year of Her present Majesty's Reign, intituled "*An Act to authorize the imposition of Fines on Members of the Police Force throughout the Colony of New South Wales, and to establish a Fund to be called the Police Reward Fund;*" and all regulations founded thereon is and are hereby repealed, and all sums of money now in the hands of the Colonial Treasurer for and in respect of the Police Reward Fund created by the said Act, and the Act first hereby repealed, shall be transferred to the Police Reward Fund named in this Act, and be dealt with and appropriated accordingly; and all sums of money at the credit of the Police Superannuation Fund created by the Act first hereby repealed, shall be transferred to the Police Superannuation Fund named in this Act, and be dealt with and appropriated accordingly; and all penalties incurred under the provisions of the Act first hereby repealed shall and may be recovered and appropriated as directed in this Act.

Police Reward Fund under former Acts, and Police Superannuation Fund, transferred.

XXXV. That in the interpretation of this Act the terms "Police Force" "Chief Commissioner" "Inspector" "Sub-Inspector" "Sergeant" "Constable" "Officer" and "Member" shall include and apply not only to the Force employed on Land but also to any Force employed upon Water and known as the Water Police and the provisions of this Act shall comprise extend and apply to the Water Police *mutatis mutandis* as fully as to the Police Force employed on Land.

Interpretation Clause of Act.