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Police Regulation Act 1958

VICTORIA POLICE FORCE

DETERMINATION NO. 377 (INTERIM) OF THE POLICE SERVICE BOARD

The Police Service Board, in pursuance of the powers in that behalf conferred by the *Police Regulation Act 1958*, hereby makes the following Determination (that is to say):

1. The Determination No. 179 of the Police Service Board of 14 December 1971, and published in the *Government Gazette* of 25 January 1972, as amended is hereby further amended as follows:

- 1.1 In the Preamble to the said Determination—By deleting the Table of Contents therein and substituting therefor a new Table as follows:

"TABLE OF CONTENTS

DIVISION	I—Definitions and Preliminary. Paragraphs 1–6.
DIVISION	II—Salaries and Commuted Penalty Loadings and Rates. Paragraphs 7–8.
DIVISION	III—Allowances, Penalty Payments and Other Special Rates.
Sub-Division	I —Special Duties Allowances. Paragraphs 9–15.
Sub-Division	II —Uniform Allowances. Paragraphs 16–19.
Sub-Division	III —Civilian Clothing Allowances. Paragraphs 20–20A.
Sub-Division	IV —Light Allowance. Paragraph 21.
Sub-Division	V —Higher Duties Rates. Paragraphs 22–24.
Sub-Division	VI —Performance of Shift Work and Duty Performed on Saturday, Sunday or a Public Holiday—Penalty Rates. Paragraphs 25–28D.
Sub-Division	VIA—Recall to Duty from Rest Day or Recreational Leave—Penalty Rates. Paragraphs 29–30.
Sub-Division	VII—Overtime — Penalty Rates. Paragraphs 31–41.
Sub-Division	VIIA—Stand By On Call and Available for Duty—Penalty Rates. Paragraphs 41A–41J.
Sub-Division	VIII—Travelling and Incidental Expenses Allowances. Paragraphs 42–62A.
Sub-Division	IX —Kilometre Rates. Paragraphs 63–69.
Sub-Division	X —Revoked (Police College—see Sub-Divisions I and VIII).

Sub-Division XI —Remote Districts Allowances.
Paragraph 71.

DIVISION IV—Hours of Duty and Overtime. Paragraphs 72–81.

DIVISION V—Leave.

Sub-Division I —Recreational Leave. Paragraphs 82–84A.

Sub-Division II —Sick Leave. Paragraphs 85–117.

Sub-Division IIA—Maternity and Paternity Leave. Paragraphs 117A–117B.

Sub-Division III —Anzac Day. Paragraphs 118–119.

DIVISION VI—Government Premises. Paragraphs 120–128."

1.2 In paragraph 3—

By deleting the whole of the paragraph and substituting a new paragraph as follows:

"3. No member shall be entitled to receive, in respect of duties performed by him as a member of the Force or in respect of any associated expenses arising therefrom any salary, penalty payments or allowances other than those provided in this Determination."

1.3 In paragraph 7—

By deleting the preamble thereto and subparagraphs (a), (b) and (c) thereof and substituting therefor the new preamble and subparagraphs (a), (b) and (c) as follows:

"7. Save for other Commuted Penalty Rates prescribed elsewhere in this Determination 179 the salaries and Commuted Penalty Loadings and Rates to be paid to members designated in this paragraph shall be in accordance with the following scales:

SCALES OF ANNUAL SALARIES AND COMMUTED PENALTY LOADINGS AND RATES

(a) OFFICERS

(1)	(2)	(3)	(4)	(5)
Rank	Base Salary	Commuted Penalty Loading (Overtime and Recall)	Commuted Penalty Loading (Weekends, Public Holidays, Shift Work and Stand-by)	Total Salary
	\$	\$	\$	\$
Commander	36 884	3 947	2 102	42 933
Chief Superintendent	33 670	3 603	1 919	39 192
Superintendent	31 463	3 367	1 793	36 623
Chief Inspector	28 524	3 052	1 626	33 202
Inspector	27 758	2 970	1 582	32 310

Notes:

A The amounts prescribed in Columns (2), (3), (4), and (5), above, are derived from Columns (11), (12), (13) and (14) of Part I. of the Fourth Schedule to this Determination.

B For equivalent amounts operative at earlier periods subsequent to 5 September 1981, see Columns (3), (4), (5), (6), (7), (8), (9) and (10) of Part I. of the Fourth Schedule to this Determination.

(b) SUB-OFFICERS

(1)	(2)	(3)
		<i>Commutated Penalty Rates (Weekends, Public Holidays and Shift Work)</i>
<i>Rank</i>	<i>Base Salary</i>	
	\$	\$
Senior Sergeant	23 500	3 055
Sergeant	21 005	2 731

(c) SENIOR CONSTABLES AND CONSTABLES

(1)	(2)	(3)
		<i>Commutated Penalty Rates (Weekends, Public Holidays and Shift Work)</i>
<i>Rank</i>	<i>Base Salary</i>	
	\$	\$
Senior Constables—		
During 12th year of service and after ..	18 969	2 466
During 7th–11th years of service ..	18 609	2 419
During 5th and 6th years of service ..	18 406	2 393
During 3rd and 4th years of service ..	18 194	2 365
During 1st and 2nd years of service ..	17 983	2 338
Constables—		
During 7th year of service and after ..	17 161	2 231
During 5th and 6th years of service ..	16 976	2 207
During 3rd and 4th years of service ..	16 626	2 161
Probationary Constables—		
(c) To end of 2nd year of service ..	15 750	2 048
(b) During Extended Training ..	14 500	1 885
(a) During Recruit Training ..	13 973	1 816

1.4 In paragraph 8—

By deleting paragraph 8 and substituting therefor the following paragraph:

“8. The salaries to be paid to members designated in this paragraph shall be in accordance with the following scale:

SCALE OF ANNUAL BASE SALARIES

Police Cadets

	<i>Base Salary</i>
	\$
Single Cadet at eighteen years	9 223
Single Cadet on joining Recruit Training Squad	11 598
Married Cadet on joining Recruit Training Squad	12 128

1.5 In paragraphs 9–15, inclusive—

By deleting, wherever occurring, the rates shown in table “A” and substituting therefor, wherever occurring, the corresponding new rates shown in table “B”.

“ TABLE ‘A’ (Present Rates)	TABLE ‘B’ (Corresponding New Rates)
\$	\$
.35	.37
.43	.46
.67	.72
.74	.79
.82	.88
.84	.90
.88	.94
.91	.97
.94	1.01
1.00	1.07
1.03	1.10
1.08	1.16
1.12	1.20
1.17	1.25
1.24	1.33
1.31	1.40
1.38	1.48
1.40	1.50
1.47	1.57
1.55	1.66
1.56	1.67
1.62	1.73
1.68	1.80
1.75	1.87
1.81	1.94
1.84	1.97
1.85	1.98
1.91	2.04
1.92	2.05
1.98	2.12
2.00	2.14
2.05	2.19
2.12	2.27
2.20	2.35
2.24	2.40
2.27	2.43
2.30	2.46
2.35	2.51
2.40	2.57
2.42	2.59
2.49	2.66
2.57	2.75
2.69	2.88
2.80	3.00
2.85	3.05
2.91	3.11
3.14	3.36
3.23	3.46
3.39	3.63
3.45	3.69
3.61	3.86
3.67	3.93
4.28	4.58
4.34	4.64
5.05	5.40
5.38	5.76
5.91	6.32
6.04	6.46
6.45	6.90
7.53	8.06”

1.6 In paragraph 11 (e) (ii) (A)—

By deleting the expression “exceeds the salary”
and substituting therefor the expression “exceeds
the base salary”.

- 1.7 In paragraph 11 (f) (i)—
By deleting the expression “exceeds the salary” and substituting therefor the expression “exceeds the base salary”.
- 1.8 In paragraph 11 (g) (i)—
By deleting the expression “exceeds the salary” and substituting therefor the expression “exceeds the base salary”.
- 1.9 In paragraph 12 (c) (iv) (B)—
By deleting the expression “exceeds the salary” and substituting therefor the expression “exceeds the base salary”.
- 1.10 In paragraph 12 (c) (iv) (D)—
By inserting the expression “under the Award” between the expressions “per annum applicable” and “to his year” where the said expressions appear in each of sub-paragraphs (ii)–(vi), inclusive, thereof.
- 1.11 In paragraph 12 (c) (v) (B)—
By deleting the expression “exceeds the salary” and substituting therefor the expression “exceeds the base salary”.
- 1.12 In paragraph 12 (c) (v) (C)—
By inserting the expression “under the Award” between the expressions “per annum applicable” and “to his year” where the said expressions appear in each of sub-paragraphs (ii)–(vi), inclusive, thereof.
- 1.13 In paragraph 13 (e) (iv) (B)—
By deleting the expression “exceeds the salary” and substituting therefor the expression “exceeds the base salary”.
- 1.14 In Sub-Division V of Division III—
By deleting the whole of the Sub-Division and substituting therefor:

“SUB-DIVISION V—RATES PAYABLE TO MEMBERS
PERFORMING HIGHER DUTIES

22. (a) Whenever a member is authorized by the Chief Commissioner or the Officer in Charge of the District to perform temporarily the duties of a rank or position higher than his own for a period or periods of 7 continuous days, two of which may be rest days, he shall be paid, for the period or periods during which he is or was performing such higher duties, the base salary, together with such penalty payments (commuted or otherwise) and allowances, if any (but excluding any higher or additional uniform allowance appropriate to the higher rank or position), as are attached to the higher rank or position.

Provided that, where the said higher rank or position has attached to it incremental scales of base salary, allowances or penalty payments (commuted or otherwise) according to the number of years served by a member in that rank or position, a member so performing the duties of that

higher rank or position shall be paid, as above, at the rate or rates attached to the first year of service in that higher rank or position.

(b) If the Chief Commissioner or the Officer in Charge of the District, in any particular case, is satisfied that it was not practicable to obtain such authority before the higher duties were performed and that those higher duties were in fact reasonably performed by a member he may authorize payment for the performance of those higher duties.

(c) The Chief Commissioner may prescribe the form on which applications for such authority may be made, and issue any orders necessary to implement the provisions of this paragraph.

23. If a member performing duties of a rank or position higher than his own is absent from duty, either on recreational or sick leave, such leave shall not be deemed to interrupt the period of performance of such duties, if such member returns to the same duties on the expiration of his leave.

24. A member who is promoted to brevet rank shall be paid the salary, allowances and penalty payments (commuted or otherwise) applicable to the substantive rank to which he is promoted."

1.15 In Sub-Division VI—

By deleting the whole of the Sub-Division and substituting therefor a new Sub-Division VI as follows:

**"SUB-DIVISION VI—PENALTY RATES FOR THE
PERFORMANCE OF SHIFT WORK AND DUTY
PERFORMED ON SATURDAY, SUNDAY OR A PUBLIC
HOLIDAY AND FURTHER PENALTY RATES INCIDENTAL
THERE TO**

25. Subject to the provisions of this Sub-Division every member shall, in addition to his base salary, allowances and other penalty payments (commuted or otherwise) be paid penalty rates for duty performed by him in the following categories:

- (a) *Night Shift* consisting of duty performed on any shift commencing at or after 4 p.m. and before 2 a.m.
- (b) *Afternoon Shift* consisting of any shift commencing at or after 1 p.m. and before 4 p.m.
- (c) *Saturdays, Sundays and Public Holidays* consisting of any duty performed—
 - (i) between midnight on Friday and midnight on Saturday;
 - (ii) between midnight on Saturday and midnight on Sunday; and
 - (iii) on the holidays prescribed from time to time by section 71 of the *Public Service Act 1974* or on any holiday proclaimed by the Governor in Council as a Public Holiday for the whole of Victoria and published in the *Government Gazette*.

26: *Definitions*—In and for the purposes of this Sub-Division, but subject to the further provisions of this Sub-Division, the following definitions shall apply:

“*Night Shift*” as expressed in paragraph 25 (a), above;

“*Saturday*” as expressed in paragraph 25 (c) (i), above;

“*Sunday*” as expressed in paragraph 25 (c) (ii), above;

“*Public Holiday*” as expressed in paragraph 25 (c) (iii), above; and

“*Base Salary*” means the base salary payable per annum, as prescribed by paragraph 7 of this Determination, to a member who is eligible to receive any penalty payment under this Sub-Division, or any higher rate of base salary payable to such a member while performing the duties of a rank higher than his own pursuant to paragraphs 22–24 of this Determination, but exclusive of all other allowances and penalty payments (commuted or otherwise) pursuant to this Determination.

27. (a) *Night Shift*—A member not above the rank of Senior Sergeant who performs duty on a night shift, shall, in addition to his base salary, allowances and other penalty payments (commuted or otherwise), receive, for each such period of duty, a payment equivalent to twenty-one per centum of the daily base salary of a Senior Constable who is in his twelfth year of service and after, such latter rate of salary being calculated for this purpose on a seven day per week basis.

(b) A member above the rank of Senior Sergeant who performs duty on a night shift, shall in addition to his base salary, allowances and other penalty payments (commuted or otherwise), receive for each such period of duty, a payment equivalent to twenty-one per centum of the daily base salary of a Chief Inspector, such latter rate of salary being calculated for this purpose on a seven day per week basis.

Provided that in sub-paragraph (b), above, the annual base salary of a Chief Inspector for the period from, and including 6 September 1981 and up to, and including, 20 February 1982, shall be taken as being that set out in Part I, Column (3) of the Fourth Schedule to this Determination.

28. (a) *Afternoon Shift*—A member not above the rank of Senior Sergeant who performs duty on an afternoon shift shall, in addition to his base salary, allowances and other penalty payments (commuted or otherwise), receive for each such period of duty, a payment equivalent to sixteen per centum of the daily base salary of a Senior Constable who is in his twelfth year of service and after, such latter rate of salary being calculated for this purpose on a seven day per week basis.

(b) A member above the rank of Senior Sergeant who performs duty on an afternoon shift, shall, in addition to his base salary, allowances and other penalty payments (commuted or otherwise) receive, for each such period of duty, a payment equivalent to sixteen per centum of the daily base salary of a Chief Inspector, such rate of salary being calculated for this purpose on a seven day per week basis.

28A. *Commuted Penalty Rates*—A member not above the rank of Senior Sergeant shall, in addition to his base salary, allowances and other penalty payments (commuted or otherwise) be paid a further thirteen per centum of his base salary by way of annual Commuted Penalty Rates for the performance by him of duty on Weekends, Public Holidays and Shift Work.

28AA. *Commuted Penalty Loadings—Officers*—An officer up to and including the rank of Commander shall in addition to his base salary, allowances and other penalty payments (commuted or otherwise) be paid a further 5·7 per centum of his base salary by way of annual Commuted Penalty Rates for the performance by him of duty on Weekends, Public Holidays, Shift Work and on Stand By (expressed in Column (4) of paragraph 7 (a) of this Determination as a "Commuted Penalty Loading") cumulative upon any specific penalty payments for any form of duty provided elsewhere in this Determination to be paid to him as and when any of such forms of duty are performed by him.

Provided that:

- (a) The proportion of the aforesaid Commuted Penalty Loading of 5·7 per centum attributable to duty performed by him on Weekends, Public Holidays and on Shiftwork shall, in total, be taken as being 5·16 per centum of his base salary, and that attributable to duty performed on stand-by shall be taken as being 0·52 per centum of that salary; and
- (b) In this paragraph 28AA, the annual base salary for each of the ranks referred to therein shall, for the period from, and including, 6 September 1981 up to, and including, 20 February 1982, for the purposes of computation of the aforesaid Commuted Penalty Loading, to be taken as being the base salary set out in Part I, Column (3) of the Fourth Schedule to this Determination, and the sums set out in Part I, Column (5) of the said Fourth Schedule shall be the Commuted Penalty Loadings payable to each such member for the purposes of this paragraph 28AA according to the officer rank or ranks held by him over the period referred to in this proviso (b).

28B. Notwithstanding any other provisions of this Sub-Division a member of any rank who is required temporarily to perform the duties of a rank or position higher than his own and who is receiving the base salary, allowances and other penalty payments (commuted or otherwise) attached to that higher rank or position pursuant to paragraphs 22–24 hereof shall, during such period or periods, and in lieu of the penalty rates (commuted or otherwise) otherwise payable to him pursuant to this Sub-Division, receive the penalty rates (commuted or otherwise) appropriate to that higher rank or position pursuant to this Sub-Division:

Provided that the annual Commuted Penalty Rates or Loadings otherwise payable to him in his normal rank or position pursuant to paragraph 28A

or 28AA hereof shall be reduced by the amount proportionate to the period or periods during which he was performing such higher duties and receiving the higher rates applicable thereto.

28c. (a) *Excessive Night Shift*—A member not above the rank of Senior Sergeant who is required to work on any shift extending for five hours or more between 9.00 p.m. on one day and 7.00 a.m. on the following day for more than seven such shifts in any period of twenty-eight consecutive days shall, in addition to his base salary, allowances and any other penalty payments (commuted or otherwise), but in lieu of the penalty rate prescribed in paragraph 27 (a), above, receive payment at the rate of time and one half of his base salary for each such further shift beyond seven in the said period.

(b) *Overtime*—A member eligible to receive the penalty rate prescribed in sub-paragraph (a) of this paragraph shall, if he is eligible for, and works overtime pursuant to Sub-Division VII of this Determination as defined in paragraphs 31 and 32 thereof, for a period immediately prior to and leading into any shift attracting the aforesaid penalty rate or immediately after and in continuation of such a shift, receive in lieu of the respective rates in the various circumstances prescribed:

- (i) in paragraph 37 (1) (a) of this Determination, payment at a rate according to the formula:

$$\frac{\text{Fortnightly Salary}}{80} \times 2\frac{1}{2};$$

- (ii) in paragraph 37 (1) (b) of this Determination, payment at a rate according to the following formula:

$$\frac{\text{Fortnightly Salary}}{80} \times 2; \text{ or}$$

- (iii) in paragraph 37 (1) (c) of this Determination, payment at a rate according to the following formula:

$$\frac{\text{Fortnightly Salary}}{80} \times 2;$$

Provided that the provisions of paragraphs 37 (1) (d) and 37 (2) of this Determination shall apply.

(c) *Recall to Duty From Rest Day or Recreational Leave*—A member eligible to receive the penalty payment prescribed in sub-paragraph (a) of this paragraph, if he is recalled to duty pursuant to Sub-Division VIA of Division III of this Determination (i.e. from a rest day or from recreational leave), and if the duties then performed by him fall within the provisions of sub-paragraph (b) of this paragraph relating to qualification to receive higher rates for overtime in respect of work performed by him on any shift attracting penalty rates as prescribed in sub-paragraph (a) of this paragraph, shall receive payment and other benefits according to the provisions of Sub-Division VIA of Division III but, in respect of that overtime, at the rates prescribed in sub-paragraph (b) of this paragraph."

28b. (a) *Minimum Break Between Shifts*—The roster of shifts shall, as far as practicable, and except for breaks occurring in the quick change-over of or in any shift cycle, allow at least eight hours between the termination of one shift and the commencement of the next rostered shift.

(b) Should a member not above the rank of Senior Sergeant not be allowed such a minimum break, except on quick changeovers as referred to in sub-paragraph (a), above, such member shall, in addition to any penalty rate payable in respect of the shift following after that break, receive for that part of the last-mentioned shift which falls within the eight hour period next after the end of the last-preceding shift, payment therefor at the rate of time and one half of his base salary.

(c) *Shift Penalties and Overtime*—If, after working the shift attracting the additional penalty payment referred to in sub-paragraph (b), above, the member, on the direction of an Officer, continues to perform duty or resumes duty without having had a break of eight consecutive hours off duty after the said shift, he shall, for all duty performed by him after the said shift, until such time as he has had eight consecutive hours off duty, receive payment therefor at the following rates:

- (i) for work performed on Saturdays, Sundays and Public Holidays as defined in paragraphs 25 and 26 above, according to the following formula:

$$\frac{\text{Fortnightly Salary}}{80} \times 2\frac{1}{2};$$

- (ii) for work performed other than on the days referred to in sub-paragraph (c) (i), above, according to the following formula:

$$\frac{\text{Fortnightly Salary}}{80} \times 2;$$

Provided that for the purposes of this sub-paragraph (c):

- (i) "Fortnightly Salary" shall (*mutatis mutandis*) have the same meaning as that attributed to it in paragraph 37 (2) of this Determination.
- (ii) payment for duty performed pursuant to this sub-paragraph (c) and at the rates therein prescribed shall be in lieu of any payments for overtime for which a member may otherwise qualify under Sub-Divisions VIA and VII of Division III hereof, and in lieu of any penalty rates otherwise prescribed for the working of shifts pursuant to this Sub-Division VI; and
- (iii) when a member resumes duty in circumstances attracting the penalty payments provided for in this sub-paragraph (c) in circumstances in which such resumption constitutes a recall to duty pursuant to Sub-Division VIA or Sub-Division VII of Division III hereof the terms of the said Sub-Divisions shall apply for such period of recall save that the rates of pay provided for in this

sub-paragraph (c) shall be applicable for such period of recall to duty in lieu of the rates of payment provided therefor in paragraphs 29d and 37 (1) of the said Sub-Divisions respectively."

1.16 In paragraph 29d—

By deleting sub-paragraph (2) (a) and substituting therefor a new sub-paragraph (2) (a) as follows:

"(2) For the purposes of sub-paragraph (1) of this paragraph:

(a) "Fortnightly Salary" means the base salary of a member together with the allowances payable under paragraphs 9-15, inclusive, hereof or, where applicable, the higher base salary and allowances under the said paragraphs 9-15, payable pursuant to paragraphs 22-24 hereof, but shall not include the additional salary provided for in paragraph 84 hereof. Provided that:

(i) when a member performs duty upon recall from recreational leave and receives payment for such duty pursuant to this Sub-Division, and such duty is performed on a day or days which attract the additional salary pursuant to paragraph 84 hereof, he shall be entitled to receive or retain such additional salary in addition to any penalty payment received by him pursuant to this Sub-Division; and

(ii) that, while a member is temporarily performing the higher duties of a rank or position above the rank of Senior Sergeant and who is receiving the base salary, penalty payments and allowances attached to that higher rank or position pursuant to paragraphs 22-24 hereof, he shall not be eligible to receive payment for duty performed on recall pursuant to sub-paragraph (1) of this paragraph 29d, but during such a period shall be compensated therefor in like manner to that applicable to an Officer holding that higher rank or position.

(aa) *Commuted Penalty Loading—Officers:* A member above the rank of Senior Sergeant shall receive compensation for duty performed by him on recall from a rest day or from recreational leave in commuted form as a minor component of the total commuted penalty loading of 10.7 per centum of base salary for each rank as set out in paragraph 34A of Sub-Division VII, hereof."

1.17 In paragraph 31—

By deleting the whole paragraph and substituting therefor the following new paragraph:

“31. This Sub-Division shall not apply to:

- (a) A member above the rank of Senior Sergeant, except as provided for in paragraph 34A;
- (b) A Detective, except as provided for in paragraph 33;
- (c) A member appointed to a one-man station, except as provided for in paragraph 34; or
- (d) Interruption to a meal break to which the provisions of paragraph 78 of Division IV, hereof.”

1.18 In paragraph 33—

By deleting the whole paragraph and substituting therefor the following new paragraph:

“33. (1) *Commuted Overtime Penalty Rates—Detectives*—Detectives not above the rank of Senior Sergeant shall be paid Commuted Penalty Rates for overtime worked by them as follows:

Rank	Annual Rate \$
Sub-Officers	3170
Senior Constables and Constables	2653

(2) Such commuted payments shall be for all duty such members may perform in excess of eight hours on any working day or on a rest day or a day of recreational leave. However, they are calculated so as to exclude any duty so performed which is less than for a continuous period of half an hour. They shall be cumulative upon any allowances or other penalty payments (commuted or otherwise) to which such members may be entitled under the provisions of this Determination.”

1.19 In paragraph 34—

By deleting paragraph 34 and substituting therefor the following new paragraph:

“34. (1) *Commuted Overtime Penalty Rates—One Man Station*—A member appointed to a one-man station, shall, for the period of such appointment, be paid a commuted overtime penalty rate at the annual rate of \$1474.

(2) Such payment shall be in respect of any duty he may perform within his sub-district in excess of eight hours on any working day or on a rest day or a day of recreational leave. It shall be cumulative upon any allowances or other penalty payments (commuted or otherwise) to which he is entitled under the provisions of this Determination. However, such a member shall, in addition to the aforesaid commuted overtime penalty rate, be paid penalty rates for any overtime duty performed by him outside his sub-district, for which purpose all other provisions of this Sub-Division which are relevant shall apply.

(3) (a) A member who relieves a member appointed to a one-man station during any period for which the latter member is necessarily absent shall, while performing such duty, be paid, pro rata, the annual penalty rate provided for in, and in accordance with, sub-paragraph (1) above appropriate to the period of relieving duty so performed. Such relieving member shall, while performing duty outside the sub-district during any such period of relieving duty, further be entitled to receive payment for overtime duty in the manner provided for in the said sub-paragraph (2) above.

(b) The provisions of part (a) of this sub-paragraph (3) shall not apply to any period of relieving duty of less than fourteen days continuous duration."

1.20 Paragraph 34A—

By inserting immediately after paragraph 34 the following new paragraph:

"34A. *Commuted Penalty Loadings—Officers—* An Officer up to and including the rank of Commander shall, in addition to his annual base salary, allowances and other penalty payments (commuted or otherwise) be paid a further 10.7 per centum of his base salary by way of Commuted Penalty Rates (expressed in Column (3) of paragraph 7 (a) of this Determination as a "Commuted Penalty Loading") for the performance of overtime duty and (as a minor component thereof) for duty performed on recall to duty in circumstances provided for in this Sub-Division VII and Sub-Division VIA of Division III of this Determination.

Provided that, in this paragraph 34A, the annual base salary for each of the ranks referred to therein shall, for the period from, and including, 6 September 1981 up to, and including, 20 February 1982, for the purposes of computation of the aforesaid Commuted Penalty Loading, to be taken as being the base salary set out in Part I, Column (3) of the Fourth Schedule to this Determination, and the sums set out in Part I, Column (4) of the said Schedule shall be the Commuted Penalty Loadings payable to each such member for the purpose of this paragraph 34A according to the Officer rank or ranks held by him over the period referred to in this proviso."

1.21 In sub-paragraph (1) of paragraph 36—

By deleting the expression "a member to whom the provisions of paragraphs 33, 34 and 39 do not apply" and substituting therefor the expression "a member not above the rank of Senior Sergeant to whom the provisions of paragraphs 33, 34 or proviso (b) to sub-paragraph (2) of paragraph 37 do not apply".

1.22 In paragraph 37—

By deleting sub-paragraph (2) thereof and substituting therefor a new sub-paragraph (2) as follows:

"37.(2) For the purpose of sub-paragraph (1) of this paragraph, 'Fortnightly Salary' means the base salary of a member together with the

allowances payable under paragraphs 9-15 inclusive, hereof, or, where applicable, the higher base salary and allowances under the said paragraphs 9-15 payable pursuant to paragraphs 22-24 hereof, but shall not include the additional salary, provided for in paragraph 84 hereof for a member while on recreational leave.

Provided that—

- (a) when a member performs overtime duty on a day or days upon which he would otherwise have been on recreational leave and receives payment for such duty pursuant to this Sub-Division, and such duty is performed on a day or days which attract the additional salary pursuant to paragraph 84 hereof, he shall be entitled to receive or retain such additional salary in addition to any penalty payment received by him pursuant to this Sub-Division; and
- (b) while a member is temporarily performing the higher duties of a rank or position above the rank of Senior Sergeant and who is receiving the base salary, penalty payments and allowances attached to that higher rank or position pursuant to paragraphs 22-24 hereof, he shall not be eligible to receive payment for duty performed as overtime or on recall pursuant to sub-paragraph (1) of this paragraph 37, but, during such a period, shall be compensated therefor, pursuant to paragraph 34A hereof, in like manner to that applicable to an Officer holding that higher rank or appointment."

1.23 Paragraph 39—

By deleting the whole of paragraph 39.

1.24 In sub-paragraph (2) of paragraph 41A—

By deleting the definition of "Authorized Sub-Officer" and substituting therefor a new definition as follows:

"*Authorized Officer or Sub-Officer*" means an Officer or Sub-Officer authorized by a member superior in rank to him, generally or on particular occasions, to roster or otherwise direct or authorize a member to remain on call or available for resumption of duty as the case may be for a nominated period or periods. The expression extends to include an Officer or Sub-Officer who is not authorized in advance as above and who, in cases of emergency, being unable to obtain the authority of a member superior in rank to him in time to meet it, uses his initiative and directs or authorizes a member to stand by on call or available for duty.

Provided that in such circumstances the Officer or Sub-Officer acting as above shall, as soon as possible thereafter, advise a member superior in rank to him of the action he has taken and seek his approval thereof.

Provided, further, that should the aforesaid member superior in rank to him and who is so advised by him vary the direction or authorization given by such Officer or Sub-Officer the

member or members who have acted in compliance with the direction or authorization of that member superior in rank to him or them shall not be deprived of any penalty payment to which he or they have become entitled pursuant to this Sub-Division by virtue of his or their compliance with such direction or authorization prior to the time at which he or they are notified of the variation and is or are re-directed or re-authorized accordingly."

- 1.25 By deleting the definition of "Member" and substituting therefor a new definition as follows:

"*Member*" (except where otherwise specifically stated) means a member below the rank of Superintendent, but does not include a member in charge of a one-man station except when such a member in charge is rostered or otherwise directed to remain on call or available for duty in or in respect of an area outside the Sub-District in which his station is located, nor does it include an Officer who is, at the relevant time, authorized under paragraphs 22-24 of this Determination to perform the duties of an Officer of the rank of Superintendent or above and to receive therefor the higher base salary, penalty payments and allowances pursuant to the said paragraphs."

- 1.26 In sub-paragraph (1) of paragraph 41b—

By deleting the word "salary" and substituting therefor the expression "base salary".

- 1.27 In sub-paragraph (1) of paragraph 41d—

By deleting the word "salary" and substituting therefor the expression "base salary".

- 1.28 In sub-paragraph (3) of paragraph 41d—

By deleting the expression "(3) (b) (ii)" and substituting therefor the expression "(2) (b) (ii)".

- 1.29 Paragraph 41dA—

By inserting immediately after paragraph 41d a new paragraph as follows:

"41dA. *Commuted Penalty Rates—Officers—*
All Officers up to and including the rank of Commander shall, for the performance by them of Stand-by Duty of all kinds hereinbefore described, receive, as part of the total commuted penalty loading of 5.7 per centum of their base salaries as provided in paragraph 28AA of Sub-Division VI hereof, a commuted penalty rate of 0.52 per centum of their base salaries.

Provided that, in the case of Chief Inspectors and Inspectors, such commuted penalty payments shall be cumulative upon any penalty rates paid to them for Stand-by duty performed by them pursuant to paragraphs 41b-41e, inclusive, of this Sub-Division.

Provided, further, that the provisos to paragraph 28AA of Sub-Division VI hereof, shall apply to this paragraph."

1.30 In paragraph 84—

By deleting the whole paragraph and substituting therefor the following new paragraph:

“Pay when on Leave—84. In respect of recreational leave accruing after 31 December 1975:—

- (a) A member of and below the rank of Inspector shall, for each of the first four weeks of such leave, receive 117.5 per centum of his weekly base salary, together with such allowances and penalty payments (commuted or otherwise) applicable to the member as are referred to in paragraph 84A, hereof, and, for the balance of such leave he shall receive his weekly base salary together with the said allowances and penalty payments.
- (b) A member above the rank of Inspector shall, for each of the first four weeks of such leave, receive his weekly base salary together with a sum equal to 17.5 per centum of the weekly base salary from time to time of an Inspector, together with such allowances and penalty payments (commuted or otherwise) applicable to the member as are referred to in paragraph 84A, hereof, and, for the balance of such leave he shall receive his weekly base salary together with the said allowances and penalty payments.

Provided that a member who falls within the categories referred to in paragraph 83, and who is entitled to receive part only of the annual recreational leave in any calendar year, shall, in respect of the base salary component of his pay for that leave, receive an amount for each week calculated in accordance with sub-paragraphs (a) or (b), above, as applicable to him, proportionately according to his entitlement to such leave in that year so that salary in excess of his normal weekly base salary is paid in the ratio of 4:7 of that leave.”

1.31 In paragraph 122—

By deleting sub-paragraph (b) and substituting therefor a new sub-paragraph as follows:

“(b) Six per centum of the base salary of members who are Officers, and six per centum of the base salary of members other than Officers—

whichever is the lesser.”

1.32 In paragraph 123—

By deleting sub-paragraph (b) and substituting therefor a new sub-paragraph as follows:

“(b) Three per centum of the base salary of the member occupying such premises—

whichever is the lesser.”

1.33 In paragraph 127—

By deleting the expression “annual salary” and substituting therefor the expression “annual base salary”.

1.34 Fourth Schedule—

By inserting after the Third Schedule to Determination 179 a Fourth Schedule as follows:

"FOURTH SCHEDULE
SALARIES, PENALTY LOADINGS AND RATES
PURSUANT TO DETERMINATION 377 OF 6 AUGUST 1982*
PART I—OFFICERS

Rank	Salary as at 5.9.81	New Salary as at 6.9.81 (Change in and Identification of Penalty Loadings)			New Salary as at 21.2.82 (7.5 per cent Increase)			New Salary as at 21.2.82 (Further 7 per cent Increase)						
		Base Salary	Commutated Penalty Loading (Overtime & Recall) (10-7 percent)	Commutated Penalty Loading (Weekends, Holidays, Shiftwork & Stand-by) (5-7 percent)	Total Salary	Base Salary	Commutated Penalty Loading (Overtime & Recall) (10-7 percent)	Commutated Penalty Loading (Weekends, Holidays, Shiftwork & Stand-by) (5-7 percent)	Total Salary	Base Salary	Commutated Penalty Loading (Overtime & Recall) (10-7 percent)	Commutated Penalty Loading (Weekends, Holidays, Shiftwork & Stand-by) (5-7 percent)	Total Salary	
(1)		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Commander	35 592	32 066	3 431	1 828	37 325	34 471	3 688	1 965	40 124	36 884	3 947	2 102	42 933	
Chief Supt.	32 490	29 272	3 132	1 669	34 073	31 467	3 367	1 794	36 628	33 670	3 603	1 919	39 192	
Supt.	30 361	27 353	2 927	1 559	31 839	29 405	3 146	1 676	34 226	31 463	3 367	1 793	36 623	
Chief Insp.	27 525	24 798	2 653	1 413	28 864	26 658	2 852	1 520	31 030	28 524	3 052	1 626	33 202	
Inspector ..	26 785	24 132	2 582	1 376	28 090	25 942	2 776	1 479	30 197	27 758	2 970	1 582	32 310	
<hr/>														
All Officers														
Night Shift	9.17	14.25	..	..	..	..	..	..	..	16.40	..	..	..	..
Afternoon Shift	..	..	..	..	..	..	..	..	..	12.50 as from	13.6.82	..	..	..
<hr/>														
Chief Insp. and Insp.														
Stand-by Penalty Rates at														
same Rates as Sub-Officers														
and Below	..	..	..	..	..	..	..	..	..	..	.. as from	27.6.82	..	..

*NOTE—Parts 1 and 2 of this Fourth Schedule are to be taken only as explanatory of, and as serving, in some cases, to quantify the various salaries and penalty rates prescribed elsewhere in the body of Determination 179 as amended by Determination 377.

PART 2—SUB-OFFICERS AND BELOW

Rank	Salary and Commuted Penalty Rates as at 5.9.81		New Salary and Commuted Penalty Rates as at 21.2.82 (Increase of 7.5 per cent)		New Salary and Commuted Penalty Rates as at 21.2.82 (Further Increase of 1 per cent)	
	Salary	Commuted Penalty Rates (Weekends, Public Holidays and Shift Work)	Base Salary	Commuted Penalty Rates (Weekends, Public Holidays and Shift Work)	Base Salary	Commuted Penalty Rates (Weekends, Public Holidays and Shift Work)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Senior Sergeant	\$ 20 431	2 656	\$ 21 963	2 855	\$ 23 500	3 055
Sergeant	18 261	2 374	19 631	2 552	21 005	2 731
Senior Constables—						
12th year of service and after	16 491	2 144	17 728	2 305	18 969	2 466
7th–11th years of service	16 179	2 103	17 392	2 261	18 609	2 419
5th and 6th years of service	16 002	2 080	17 202	2 236	18 406	2 393
3rd and 4th years of service	15 818	2 056	17 004	2 211	18 194	2 365
1st and 2nd years of service	15 634	2 032	16 807	2 185	17 983	2 338
Constables—						
7th year of service and after	14 919	1 939	16 038	2 085	17 161	2 231
5th and 6th years of service	14 758	1 919	15 865	2 062	16 976	2 207
3rd and 4th years of service	14 454	1 879	15 538	2 020	16 626	2 161
Probationary Constables—						
(c) To end of 2nd year of service	13 693	1 780	14 720	1 914	15 750	2 048
(b) During Extended Training	12 606	1 639	13 551	1 762	14 500	1 885
(a) During Recruit Training	12 148	1 579	13 059	1 698	13 973	1 816
Single Cadet—						
at 18 years	8 019	..	8 620	..	9 223	..
on joining Recruit Training Squad	10 083	..	10 839	..	11 598	..
Married Cadet—						
on joining Recruit Training Squad	10 544	..	11 335	..	12 128	..
Members Other Than Cadets						
Night Shift	9.48	..	10.19	..	10.90	..
Afternoon Shift	7.22	..	7.76	..	8.30	..

DATES OF OPERATION

2. In this Determination 377 the amendments made in the sub-paragraphs hereof shown in Column (1) to the references to and paragraphs of Determination 179 shown in Column (2) shall come into operation on and from the dates shown, respectively, in Column (3) as follows:

(1) <i>Determination 377</i>	(2) <i>Determination 179</i>	(3) <i>Date of Operation</i>
Sub-paragraph	Preamble—	
1.1	Table of Contents	30 May 1982
	Paragraph—	
1.2	3	
1.3	7 (Preamble and 7 (a)–(c))	21 February 1982
1.4	8	" "
1.5	9–15	" "
1.15	28 (a)	30 May 1982
1.15	28 (b)	13 June 1982
1.15	28c	30 May 1982
1.15	28d	" "
1.18	33	21 February 1982
1.19	34	" "
1.24	41A (2)	27 June 1982
1.25	41A (2)	" "
1.30	84	30 May 1982
1.34	Fourth Schedule	" "

Dated 6 August 1982

N. A. VICKERY
A Judge of the County Court of Victoria
Chairman and Member of the
Police Service Board

G. DAVIDSON
Member of the Police Service Board

B. J. HARDING
Member of the Police Service Board

3. Having considered the opinion of the Police Service Board delivered to me pursuant to section 69 (2AD) of the *Police Regulation Act 1958* that the amendments made in the sub-paragraphs of this Determination 377 shown in Column (1) hereunder to the references to and paragraphs of Determination 179 shown in Column (2) should each have effect from 6 September 1981, as follows:

(1) <i>Determination 377</i>	(2) <i>Determination 179</i>	(3) <i>Date of Operation</i>
Sub-paragraph	Paragraph—	
1.6	11 (e) (ii) (A)	6 September 1981
1.7	11 (f) (i)	" "
1.8	11 (g) (i)	" "
1.9	12 (c) (iv) (B)	" "
1.10	12 (c) (iv) (D)	" "
1.11	12 (c) (v) (B)	" "
1.12	12 (c) (v) (C)	" "
1.13	13 (e) (iv) (B)	" "
1.14	22–24	" "
1.15	Heading	" "
	Paragraph—	
1.15	25–27	" "
1.15	28A	" "
1.15	28AA	" "
1.15	28B	" "
1.16	29D (2) (a)	" "
1.17	31	" "
1.20	34A	" "
1.21	36 (1)	" "
1.22	37 (2)	" "
1.23	39	" "

(1) <i>Determination 377</i>	(2) <i>Determination 179</i>	(3) <i>Date of Operation</i>
Sub-paragraph	Paragraph	6 September 1981
1.26	41B (1)	" "
1.27	41D (1)	" "
1.28	41D (3)	" "
1.29	41DA	" "
1.31	122 (b)	" "
1.32	123	" "
1.33	127	" "

Now I, pursuant to section 69 (2AE) of the said Act, hereby authorize the Board to make the said paragraphs as amended effective on and from the dates respectively set out in Column (3) above.

Dated 24 August 1982

RACE MATHEWS
Minister for Police and Emergency Services

4. Pursuant to the authority now vested in the Police Service Board by the Minister for Police and Emergency Services as endorsed above the Board who determines that the amendments made in the sub-paragraph of this Determination 377 shown in Column (1) to the references to and paragraphs of Determination 179 shown in Column (2) shall come into operation on and from the dates shown, respectively, in Column (3) as follows:

(1) <i>Determination 377</i>	(2) <i>Determination 179</i>	(3) <i>Date of Operation</i>
Sub-paragraph	Paragraph	6 September 1981
1.6	11 (e) (ii) (A)	" "
1.7	11 (f) (i)	" "
1.8	11 (g) (i)	" "
1.9	12 (c) (iv) (B)	" "
1.10	12 (c) (iv) (D)	" "
1.11	12 (c) (v) (B)	" "
1.12	12 (c) (v) (C)	" "
1.13	13 (e) (iv) (B)	" "
1.14	22-24	" "
1.15	Heading	" "
	Paragraph—	" "
1.15	25-27	" "
1.15	28A	" "
1.15	28AA	" "
1.15	28B	" "
1.16	29D (2) (a)	" "
1.17	31	" "
1.20	34A	" "
1.21	36 (1)	" "
1.22	37 (2)	" "
1.23	39	" "
1.26	41B (1)	" "
1.27	41D (1)	" "
1.28	41D (3)	" "
1.29	41DA	" "
1.31	122 (b)	" "
1.32	123	" "
1.33	127	" "

Dated 31 August 1982

G. DAVIDSON
Member of the Police Service Board

B. J. HARDING
Member of the Police Service Board