



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 1258]

WEDNESDAY, DECEMBER 19.

[1951

POLICE REGULATION ACTS.

*At the Executive Council Chamber, Melbourne, the
eighteenth day of December, 1951.*

PRESENT:

His Excellency the Governor of Victoria.
Sir Albert Lind | Mr. Hyland.

REGULATIONS.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and in pursuance of the provisions of the Police Regulation Acts, doth hereby make the Regulations following, that is to say:—

CHAPTER 1.

PRELIMINARY.

1. (1) These Regulations may be cited as the "Police Citation Regulations 1951."
- (2) These Regulations are divided into Chapters as follows:— Division into
Chapters.
 - Chapter 1.—Preliminary.
 - Chapter 2.—Constitution.
 - Chapter 3.—Organization.
 - Chapter 4.—Duties of Police.
 - Chapter 5.—Candidates and Appointment to Service.
 - Chapter 6.—Discipline.
 - Chapter 7.—Police Classification Board.
 - Chapter 8.—Equipment.
 - Chapter 9.—Leave (Administration).
 - Chapter 10.—Prisoners.
 - Chapter 11.—Property in Possession of Police.
 - Chapter 12.—Badges, Medals, etc.
 - Chapter 13.—Transfers.
 - Chapter 14.—Exchange Officers.
 - Chapter 15.—Charges for Police Services.
 - Chapter 16.—Record Sheets.
 - Chapter 17.—Illness.
 - Chapter 18.—Pensions.
 - Chapter 19.—Duty and Leave.
 - Chapter 20.—Examinations and Promotions.
 - Chapter 21.—Long Service Leave.

Repeal of
existing
regulations.

2. (1) The Regulations made by the Governor in Council which came into force on the first day of October, 1947, and are known as the "Police Regulations" together with all amendments and additions thereto are hereby revoked.

(2) Such revocation shall not affect any right obligation or liability accrued or any penalty or punishment incurred or any appointment made or anything done or required to be done in pursuance of the Regulations hereby revoked or any of them prior to the commencement of these Regulations or any investigation or proceeding in relation thereto.

Definition of
terms.

3. (1) In the construction of these Regulations, unless inconsistent with the context or subject-matter—

"Chief Commissioner."

"Chief Commissioner" means the Chief Commissioner of Police for the time being.

"Member of the Force."

"Member of the Force" applies to every person employed in the Force.

"Officer."

"Officer" includes the Chief Commissioner, the Inspecting Superintendent, and any Superintendent, Chief Inspector, or Inspector.

"Officer in charge of a station."

"Officer in charge of a station" includes any member of the Force of whatever rank or grade who is for the time being, in fact, in charge of a police station.

"Property."

"Property" includes money.

"Service."

"Service" means the service of the Police Force of Victoria.

"Sub-officer."

"Sub-officer" includes sergeant and senior constable.

"Superior Officer."

"Superior Officer" includes any member of the Force superior in rank or senior in rank, with respect to any other member, and any member specially or generally authorized by the Chief Commissioner to act as if he were superior in rank or senior in rank to such other member.

"The Act."

"The Act" means the *Police Regulation Act 1928* together with any Act amending the same or cited therewith.

"The Force."

"The Force" means officers and other members of the Police Force of Victoria whether employed upon land or upon water.

"The Regulations."

"The Regulations" means the Regulations made under the Act.

Forms.

(2) In the Regulations any reference to a form in a schedule shall include a reference to a form to the like effect.

Application
of Acts
Interpretation
Acts.

4. The provisions of the Acts Interpretation Acts shall with such adaptations as are necessary apply to and in respect of the interpretation of the Regulations.

CHAPTER 2.

CONSTITUTION.

Rank and
grades.

1. The Police Force is divided into the following ranks and grades:—

Officers.

- (i) Chief Commissioner.
- (ii) Inspecting Superintendent.
- (iii) Superintendents.
- (iv) Chief Inspectors.
- (v) Inspectors.

Sub-Officers and Constables.

- (i) Sergeants.
- (ii) Senior Constables.
- (iii) First Constables.
- (iv) Constables.

Seniority.

2. Members of the Force are vested with authority and hold responsibility in the above order of rank, and according to seniority of promotion or appointment in the respective ranks.

3. Where two officers or sub-officers are appointed to the same rank on the same date, the order of their seniority shall be determined by the date on which they were appointed to the rank previously held by them. Where appointments made on the same date.

4. Where two or more officers or sub-officers are performing duty with any unit, the function of command is to be exercised by the senior officer or sub-officer who is present, except in cases where an officer or sub-officer has been specially detailed for the duty when the function of command will be exercised by the officer or sub-officer so detailed. Function of command.

CHAPTER 3.

ORGANIZATION.

1. (1) The State of Victoria shall be divided into the following Police Districts, each having its Headquarters Station at the place respectively set out hereunder:— Police Districts.

District.	Head-quarters Station.
Melbourne	Russell-street.
Bourke	Flemington.
Central Highlands	Ballarat.
Gippsland	Warragul.
Mallee	Swan Hill.
Upper Goulburn	Benalla.
Loddon	Bendigo.
Yarra	Malvern.
Barwon	Geelong.
Corangamite	Warrnambool.
Wimmera	Horsham.
East Gippsland	Sale.
Flinders	St. Kilda.
Glenelg	Hamilton.
Goulburn	Shepparton.
Upper Murray	Wangaratta.

(2) For the purposes of these Regulations the Criminal Investigation Branch, the Traffic Control Branch and the Police Depot shall be deemed to be Police Districts, and the officers respectively controlling such Branches and Depot shall be deemed to be officers controlling a Police District, except that the officer controlling the Police Depot shall be an Inspector or such other officer as the Chief Commissioner from time to time appoints to the position. C.I.B., Traffic Control Branch, and Depot deemed Police Districts.

2. Each District shall be under the control of a Superintendent.

3. For convenience of administration, any Police District may be organized in Divisions and any officer of police may be appointed in charge of a Division. Officer in charge. Divisions.

4. Each District may be divided into sub-districts with a sub-officer or constable in charge according to the strength of the Force at each particular place. The offices and precincts of sub-districts shall be known as Police Stations. Sub-districts.

5. A list of the various Districts and sub-districts shall be published in the first issue of the *Police Gazette* in January of each year. List of districts and stations.

CHAPTER 4.

DUTIES OF POLICE.

The Chief Commissioner.

1. The Chief Commissioner shall adopt every means in his power to cause all members of the Force under his control to discharge their duties both to the Government and the public satisfactorily and efficiently. Chief Commissioner responsible for efficiency.

2. The Chief Commissioner shall issue standing orders and instructions as to the methods and policy of the Police Force and, within the limits of his authority, shall approve expenditure, the ordering of supplies, the renting of premises for police purposes, the acceptance of outside appointments, the formation or abolition of stations, the increase or reduction of strength in Districts, Divisions, or sub-districts and all orders and general instructions issued to members of the Force. Policy to be directed by Chief Commissioner.

Inspecting Superintendent.

- Rank and command.** 3. The Inspecting Superintendent, except where an Acting Chief Commissioner other than the Inspecting Superintendent is appointed by the Governor in Council, is the officer next in authority to the Chief Commissioner.
- Authority.** 4. He shall assist the Chief Commissioner in the superintendence and control of the Force and shall undertake such duties as the Chief Commissioner may from time to time direct.
- Appointment.** 5. The appointment of the Inspecting Superintendent will be made by the Governor in Council, and the provisions of the Regulations relating to promotion and appointment shall not apply to such appointment.
- Duties.** 6. The Inspecting Superintendent will rank senior to other superintendents and supervise their work. He shall see that all complaints by members of the public are properly and impartially investigated, bring under the notice of the Chief Commissioner the conduct and efficiency of members of the Force, and, where trifling irregularities exist, take every opportunity of pointing out to members of the Force the proper method of performing their duty. He shall devote as much time as possible to the general welfare of members of the Force.

Superintendents.

- Superintendent to control district.** 7. A Superintendent shall be appointed as officer in charge of each Police District, and shall superintend and control the members of the Force in his District in accordance with the Act, Regulations, Standing Orders, and departmental directions, subject to the direction and approval of the Chief Commissioner.
- Prevention of crime, &c.** 8. He shall be responsible for the prevention of crime, the detection of criminals, and the general preservation of peace and good order in his District.
- Police requirements.** 9. He shall make himself acquainted with the various stations in his District and their requirements generally, and shall from time to time grant immediate police protection to any locality that may require it if the peace of such locality would in his opinion be endangered by the delay consequent upon his referring the matter to the Chief Commissioner.
- Applications for new stations.** 10. He shall report on applications for the forming of new police stations, and shall furnish information on the subject.
- Beats and patrols.** 11. He shall make a proper division of such cities towns boroughs or shires as may be in his District into beats and patrols, according to requirements, and shall issue the necessary instructions for the proper working of such beats and patrols.
- Inspection of men.** 12. He shall inspect all Officers, sub-officers, and constables at least once in each year and on such additional occasions as may be possible, and maintain discipline within his command. He shall see that members of the Force are correct in appearance, behaviour and dress, and generally shall satisfy himself that the requirements of the Regulations are complied with.
- Inspection of stations, &c.** 13. He shall inspect barracks, stations, quarters, stables, paddocks, horses, vehicles, arms, clothing, appointments and equipment of the Force under his charge as frequently as possible but at least once in each year. He shall see that the station property and equipment are in good order and complete, that troop horses and vehicles are properly cared for, that lockups are clean and secure, that stables are attended to, and that the premises generally are in a clean and tidy condition.
- Knowledge of regulations and instructions.** 14. He shall see that all members of the Force are well acquainted with the Regulations, that they regularly peruse and make themselves acquainted with the contents of the *Police Gazette*, and that they copy therefrom into their note books extracts of such portions as they are more particularly interested in or as touch the performance of their duties, and that they note in the same manner the particulars of crime reports forwarded to their stations for circulation.

15. He shall cause the members of the Force under his control to be instructed, when they have cases to bring before the Courts, how to obtain evidence and conduct the cases, so as to present the particulars to the magistrates as justly, clearly and intelligently as possible. Court procedure.
16. He shall report promptly to the Chief Commissioner the occurrence in the District of any event of public importance, especially such events as affect the public peace, or any important crime. Important events to be reported to Chief Commissioner.
17. In times of unusual political agitation he shall arrange for the attendance at political meetings of a sufficient number of police to meet requirements. Political meetings.
18. He shall pay strict and constant attention to economy and wherever he sees any means of reducing expense or promoting the utility of the Force under his charge he shall communicate his views to the Chief Commissioner. Economy.
19. He shall encourage all members of the Force under his control to submit views and suggestions for the improvement of the Service and its relations with the public. Improvement of service and relations with public.
20. When visiting stations he shall ascertain if the members of the Force have any complaints to make, and if they have he shall take the necessary steps to have such complaints investigated. Complaints from members of the Force.
21. He shall inquire into all complaints made by or against members of the Force in his District and shall deal promptly with them in the proper manner. He shall maintain personal control as far as possible and ensure that members of the Force are not charged when the offence is of a trifling nature and can be properly dealt with by censure by a superior. Complaints against members of the Force.
22. He shall by frequent personal intercourse make himself acquainted with the character, temper, conduct, and fitness for promotion of every member of the Force under his command, and make recommendations for promotion as prescribed by or under the Act. Characters, &c., of members.
23. He shall in clear and explicit terms direct members of the Force under him in the performance of their duties, and immediately inform them in respect of fresh instructions issued. Issue of instructions.
24. He shall see that all books are regularly and properly kept, correspondence and accounts properly attended to, and returns forwarded punctually. Keeping of books.
25. He shall be held responsible for a careful scrutiny of all estimates, accounts and vouchers connected with the Force under him. Vouchers will be supported and authenticated by his certificate of approval in each case. Expenditure.
26. He shall take care that all accounts, returns, reports and other official documents are drawn up and completed with accuracy, precision, and neatness and transmitted punctually at the proper time. Correspondence.
27. He shall in cases of emergency exercise the powers and authorities conferred upon him without awaiting or asking instructions. Exercise of authority.
28. He shall be held responsible for failure to maintain peace and good order or for failure to act in such manner as the occasion may demand for the preservation thereof. Responsibility.
29. He shall take a sympathetic interest in the welfare of the members of the Force in health and in sickness, and an active interest in their recreations. When the exigencies of the Service permit he shall grant facilities for the purpose of healthy recreation as by reason of the nature of their duties members of the Force are precluded from partaking in the recreational activities of the community. Therefore it must be the special care of the Superintendent that those under him are afforded all reasonable facilities for recreation, but so as not to interfere with police duty or inflict hardship on other members of the Force. Interest in police welfare.

Prosecutions
in trivial
cases.

30. He shall see that the utmost discretion is used in dealing with petty offences either by arrest or summons, and look closely into charges and reports to prevent any harsh, unreasonable or unjustifiable prosecutions or arrests.

Chief Inspectors and Inspectors.

Duties of
chief
inspectors
and
inspectors.

31. Chief Inspectors and Inspectors shall be directly responsible to their Superintendents for the supervision and control of the members of the Force placed immediately under their charge, and all matters in relation thereto.

Instructions
from Super-
intendents.

32. They shall carry out instructions received from Superintendents, whom they shall assist in all matters of duty and discipline.

To keep in
touch with
subordinates.

33. The instructions relating to Superintendents shall apply generally to Chief Inspectors and Inspectors. They shall keep in close and continual touch with subordinates and endeavour to ascertain the character, capabilities and fitness for promotion of police under their charge.

Sub-Officers.

Duties of
sub-officers.

34. A sub-officer shall be responsible for the conduct and appearance of the constables placed under his command. He shall watch over their conduct and report without delay any irregularity, breach of duty or act of misconduct they may commit. He shall exercise effective control over members of the Force placed under him as far as possible without recourse to higher authority.

Neatness, &c.

35. He shall show an example of neatness in his dress and appointments, and of perfect cleanliness in his person and quarters.

To exercise
authority.

36. He shall, when called upon to act upon his own initiative, without waiting for instructions from his superiors give orders and instructions to his subordinates promptly and without hesitation. Ability to deal with cases of emergency which cannot be foreseen demonstrates the capacity of a sub-officer and his suitability for higher responsibilities.

To give help
and advice to
subordinates.

37. While supporting the dignity of his rank and avoiding undue familiarity, he should yet be on good terms with those under him; and he should cultivate a feeling of mutual trust and reliance which will lead constables to appeal to him for help and advice whenever they are in need of it.

Knowledge of
capacity of
subordinates.

38. The proper performance of police duty depends to a very large extent upon sub-officers. A sub-officer should know the capabilities and peculiarities of constables, and whether they can be depended upon to do their duty efficiently, or are in need of constant supervision.

Duties of
sub-officer in
charge of
station.

39. If in charge of a station a sub-officer shall be responsible for the state of the barracks and quarters, of the arms, ammunition, appointments, and every article of Government property on charge to the station.

Distribution
of duties.

40. In the distribution of the duties of the station, he must be perfectly impartial, and must keep a return of the duties performed by himself and the men under him.

Inspection,
&c.

41. He shall inspect minutely parties or individuals going on duty; and if under arms on special duty he shall see that they are properly supplied with ammunition before they go out; and he shall note in the occurrence book the hour of their despatch and their return, the state in which they return, the quantity of ammunition consumed (if any), the state of the horses (if any of the party be mounted), the condition and appearance of vehicles if employed, and all circumstances connected with the particular duty on which they have been employed of which a record may appear necessary.

42. If any constable reports himself as unable, from illness, to attend any parade or to perform any duty, the sub-officer shall note the circumstances in the occurrence book and submit a report thereon for the information of the Chief Commissioner.

Procedure
when
constable
reports sick.

43. He shall make an immediate report of any man who absents himself from any parade or duty, or from his quarters at night.

Absent from
duty.

44. In country districts he shall not absent himself from his station except on duty or leave, or by permission or direction of the officer in charge of the District, Division or station (as the case requires). In the metropolitan districts he shall not be absent from his sub-district during his shift of duty without permission from the Officer in charge of the Division or District. If he is absent from his station at any time, he shall ensure that definite and adequate arrangements are made for the work and supervision of the station and sub-district.

Absence from
station.

45. When on section duty a sub-officer shall visit the men as frequently as possible during each term of duty. He shall note carefully the manner in which the constables work their beats or patrols, and shall report promptly any neglect of duty coming under his notice. Where a sub-officer gives strict attention to section duties, men on beats and patrols will be alert, watchful and attentive.

Section duty.

46. A sub-officer shall report his visits to constables on beats. If he does not speak to the constable on beat he shall not record the meeting as a visit.

Visits of
beats to be
reported.

47. Should a constable not be found on that part of his beat where he should be, it is the duty of the sub-officer to work the beat against the constable until found, or until it is quite certain that he is not upon the beat.

Beat to be
worked against
missing
constable.

48. If a constable is found committing a breach of duty or act of misconduct, the sub-officer shall inform him at once of his offence and of his intention to report the matter. Should the constable make any explanation, admission or denial, it is the duty of the sub-officer to record it in his note book at the time. He should also note in his book the time at which the offence was committed, and any other particulars necessary to enable him to report clearly and intelligently the circumstances.

Sub-officer
to inform
constable of
his intention
to report him

Constables.

49. Constables shall be held responsible for the proper discharge of the duty upon which they are placed.

To discharge
duty.

50. Although under the control of sub-officers, they have frequently to act upon their own responsibility, and must do so with intelligence, discretion, courtesy and good temper.

To act on own
responsibility.

51. A constable shall always be alert to prevent crime and protect the public, and report promptly any circumstance which appears to affect the public peace or safety, or anything likely to produce danger or public inconvenience.

Prevention
of crime.

52. He shall not when on duty enter into conversation with any person whatever, except on matters relating to his duty, and when asked his name, number or station by any person on any reasonable occasion, he shall immediately give them.

To supply
name and
number when
requested.

53. He must be energetic, active, temperate and honest, and shall discharge his duty on all occasions independently, uprightly, conscientiously and without fear or favour.

To be
energetic, &c.

54. He must cultivate a disciplined demeanour, obey promptly the orders of his officers and sub-officers, and treat all law-abiding citizens with full courtesy and consideration.

Courtesy.

55. Although a constable is legally responsible for his own acts and may, therefore, decline to obey such orders as are manifestly illegal, still it is so important that orders should, as a rule, be promptly obeyed without demur, that unnecessary or even improper orders, provided they do not involve any legal responsibility, should be complied with on the spot and remonstrance or complaint reserved until afterwards.

Orders of
superiors to
be promptly
obeyed.

Absence of
sub-officer
from station.

56. Constables returning to their stations and finding the sub-officer unaccountably absent should note the fact in the occurrence book, and should the absence extend beyond eight hours the Officer in charge of the District shall be at once informed.

Application
of instructions
relating to
sub-officers.

57. The instructions relating to sub-officers shall, so far as applicable, apply to first constables and constables who have control or supervision of members of the Force.

CHAPTER 5.

CANDIDATES AND APPOINTMENT TO SERVICE.

Candidates.

Conditions of
appointment.

1. Candidates for appointment as members of the Force shall be appointed in accordance with the provisions of the Act and the Regulations, and upon appointment (whether probationary or final) shall be liable to Police Force discipline and control and shall devote their time and energy to the Service.

Applications
for
appointment.

2. Every candidate for appointment as a member of the Force shall lodge an application with the Officer in Charge of the Police Depot, St. Kilda-road, Melbourne, and the necessary forms of application shall be obtainable at the Police Depot, and at each police station.

Medical
certificate.

3. Every application for appointment as a member of the Force shall be accompanied by a certificate from a legally qualified medical practitioner to the effect that the candidate is not suffering from any constitutional, organic, or other disability likely to render him unfit for duty as a member of the Force, but such certificate shall not exempt such candidate from further medical examination at the Police Depot.

Age and
height.

4. Every male candidate for appointment as a member of the Force shall have attained his nineteenth birthday, and at the time of his appointment—

(a) shall not have attained his twenty-seventh birthday; or

(b) being a person—

(i) entitled to preference as a discharged member of the Forces under any law of the Commonwealth or of the State, or

(ii) who served as a member of the Naval, Military, or Air Forces of His Majesty or of any of His Majesty's dominions or of any of the services or bodies auxiliary to any of those Forces during the war which commenced in the year One thousand nine hundred and thirty-nine,

shall not have attained his thirty-third birthday—
and shall be at least five feet nine inches in height.

Weight and
chest
measurements.

5. The weight and chest measurements of a male candidate shall be in accordance with the following scale:—

Height.	Minimum Weight (Stripped).	Minimum Expiration.	Minimum Inspiration.
5 ft. 9 in.	10 st. 8 lb.	35.5 in.	38 in.
5 ft. 10 in.	10 st. 12 lb.	35.9 in.	38.4 in.
5 ft. 11 in.	11 st. 3 lb.	36.2 in.	38.7 in.
6 ft. 0 in.	11 st. 9 lb.	36.5 in.	39 in.
6 ft. 1 in.	12 st. 2 lb.	37 in.	39.5 in.

Candidates
for Shrine
Guard.

6. The provisions of clauses 4 and 5 of this chapter shall not apply to a male candidate for special guard duty at the Shrine of Remembrance and at State Government House who in any war in which His Majesty has been engaged served outside Australia with the naval military or air forces of the Commonwealth. But any member of the Police Force appointed pursuant to the provisions of this clause shall, if required by the Chief Commissioner, perform general police duties.

Police-
women.

7. (1) Every candidate for appointment as a policewoman—

(a) shall be at the time of her appointment unmarried, or a widow with no young children dependent upon her;

(b) shall be not less than 5 feet 4 inches in height;

(c) shall have attained her twenty-fifth birthday and at the time of her appointment shall not have attained her thirty-fifth birthday.

(2) A policewoman will not be eligible to continue in the Force after her marriage unless the Governor in Council sanctions her continuance in the Force in any special case or class of case which appears warranted in the public interest.

8. A candidate for appointment as a member of the Force shall not be considered for selection unless he or she can produce satisfactory evidence that he or she has gained the Merit Certificate issued by the Education Department of Victoria, an approved equivalent, or a higher qualification. Every candidate who has fulfilled the preliminary requirements and has the requisite educational qualifications shall be called upon to undergo an entrance examination which shall consist of the following:—

Entrance examination.

(a) A group intelligence test of approved standard.

(b) A written examination in the following subjects:—

Practical English, composition, spelling, handwriting, reading, punctuation, elementary arithmetic, and general knowledge.

(c) A medical examination by the Government Medical Officer.

9. Where a male candidate in the first instance applies at a country police station, the officer in charge shall—

Preliminary examinations in country districts.

(a) supply the candidate with all necessary information;

(b) advise him that he must have obtained the Merit Certificate issued by the Education Department of Victoria, an approved equivalent, or a higher qualification, and that it would be necessary to obtain documentary evidence of the fact;

(c) inform him that satisfactory testimonials as to his character are required;

(d) if he is an apparently suitable candidate, ascertain his correct height, weight, and chest measurements, advise him to obtain a medical certificate in accordance with clause 3 of this Chapter, and furnish him with an application form to be filled in and forwarded to the Officer in charge of the Police Depot.

10. Every candidate who has passed the entrance examination prescribed by clause 8 hereof shall be presented for personal interview and final selection before a Board of Selectors, consisting of the Chief Commissioner, the Officer in charge of the Police Depot, and a member of the Instructional Staff of the Police Depot. The Board shall take account of personality, demeanour, initiative, and general suitability in conjunction with the personal history of the candidate.

Final selection—Board of selectors.

11. Candidates chosen by the Board of Selectors shall be registered in order of the qualifications they possess for service in the Force, and shall be called for service as required, provided they are favorably reported on by the police and fulfil the requirements of the Act. Every selected candidate shall, when called upon by the Chief Commissioner, furnish a properly certified extract of his or her birth entry from some official register of births or other satisfactory evidence of age, and be subject to a further medical examination before appointment.

Registration of selected candidates.

12. Any candidate making a false statement to the Government Medical Officer or to the Board of Selectors or any other responsible officer with a view to obtaining admission to the Force shall be liable to have his or her name removed from the list of selected candidates, and, if appointed to the Force prior to the discovery of such false statement, shall be liable to termination of service as not having been properly appointed.

False statements.

13. The name of a candidate selected for appointment to the Force may be removed from the list on discovery of any misconduct which, in the opinion of the Chief Commissioner, disqualifies such candidate from admission to the Force.

Removal of names from list.

14. A candidate for appointment as a member of the Force who has served in any other Police Force or Government Department shall produce a discharge therefrom or, if such discharge cannot be produced, a certified statement of service.

Candidates from other Departments, &c.

Mounted
police.

15. Every applicant for appointment to the mounted police shall be not more than 11 stone 7 pounds in weight, and shall pass a riding test to the satisfaction of the Officer in charge of the Police Depot. Every candidate who complies with the foregoing provisions of this clause and is otherwise suitable shall have his name placed on a list for appointment as a mounted constable as required.

Reports on
candidates.

16. As a very high standard of character is required of every candidate for appointment as a member of the Force, members of the Force shall give all necessary assistance in selecting and recommending men of the required type, and they must report promptly to their officers any information of an unfavorable nature which may come to their knowledge concerning any such candidate.

Probationary Service.

Appointment
on probation.

17. Every first appointment to the Force shall be made on probation for such period, not exceeding twelve calendar months, as the Chief Commissioner determines.

Report on
efficiency to
be submitted.

18. Not less than one month before the expiration of the probationary term of service of any member of the Force, the Officer in charge of any Police District to which such member has during such period been appointed shall report in writing to the Chief Commissioner upon the service, conduct, and efficiency of such member.

Confirmation
of
appointment.

19. Upon the receipt of such report or reports (as the case may be), and after causing to be conducted such examinations (if any) as he thinks fit, the Chief Commissioner may, in his discretion—

- (a) confirm such member of the Force in his appointment;
or
- (b) terminate his appointment.

CHAPTER 6.

DISCIPLINE.

Offences Against Discipline.

Acts of
misconduct.

1. Any member of the Force commits a breach of duty or act of misconduct if he is guilty of:—

- (a) Discreditable conduct, that is to say, if he acts in a disorderly manner, or any manner prejudicial to discipline or likely to bring discredit on the reputation of the Force or unbecoming a member of the Force.
- (b) Insubordinate or oppressive conduct, that is to say, if he—
 - (i) is insubordinate by word, act or demeanour; or
 - (ii) is guilty of oppressive or tyrannical conduct towards an inferior in rank; or
 - (iii) uses obscene, abusive or insulting language to any other member of the Force; or
 - (iv) wilfully or negligently makes any false complaint or statement against any member of the Force; or
 - (v) assaults any other member of the Force; or
 - (vi) withholds any complaint or report against any member of the Force.
- (c) Disobedience to orders, that is to say, if he disobeys, or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise (including the Regulations, the Standing Orders, and Determinations of the Police Classification Board).
- (d) Neglect of duty, that is to say, if he—
 - (i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as a member of the Force; or
 - (ii) idles or gossips while on duty; or

- (iii) fails to work his beat in accordance with orders, or sleeps on beat or other duty, or leaves his beat, point, or other place of duty to which he has been ordered, without due permission or sufficient cause; or
 - (iv) by carelessness or neglect permits a prisoner to escape; or
 - (v) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice; or
 - (vi) fails to report any matter which it is his duty to report; or
 - (vii) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge; or
 - (viii) omits to make any necessary entry in any official document or book; or
 - (ix) neglects, or without good and sufficient cause omits, to carry out any instructions of the Police Medical Officer or, while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty.
- (e) Falsehood or prevarication, that is to say, if he—
- (i) knowingly makes or signs any false statement in any official document or book; or
 - (ii) wilfully or negligently makes any false, misleading or inaccurate statement; or
 - (iii) without good and sufficient cause destroys or mutilates any official document or record or alters or erases any entry therein.
- (f) Breach of confidence, that is to say, if he—
- (i) divulges any matter which it is his duty to keep secret; or
 - (ii) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
 - (iii) without proper authority communicates to the public press, or to any unauthorized person, any matter connected with the Force; or
 - (iv) without proper authority shows to any person outside the Force any book or written or printed document the property of the Government, the Police Department, the Police Force or any other Department; or
 - (v) makes any anonymous communication to the Chief Commissioner or any superior officer; or
 - (vi) without proper authority canvasses the Chief Commissioner or any Minister of the Crown or any officer of the Chief Secretary's Department with regard to any matter concerning the Force; or
 - (vii) signs or circulates any petition or statement with regard to any matter concerning the Force, except through the proper channel of correspondence to the Chief Commissioner or in accordance with the constitution of the Victoria Police Association.

- (g) Corrupt practice, that is to say, if he—
- (i) receives any bribe; or
 - (ii) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity, or fails to account satisfactorily, if called upon by the Chief Commissioner to do so, for any money or property in his possession, or received by him otherwise than in his official capacity; or
 - (iii) directly or indirectly solicits or receives any gratuity, present, reward, subscription or testimonial, without the approval of the Governor-in-Council; or
 - (iv) places himself under pecuniary obligation to any person who is directly or indirectly interested in any premises licensed for sale of liquor, or who holds a licence concerning the granting or renewal of which the Police may have to report or give evidence; or
 - (v) improperly uses his character and position as a member of the Force for his private advantage; or
 - (vi) in his capacity as a member of the Force, signs, writes or gives, without the approval of the Chief Commissioner, any testimonial of character or recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind; or
 - (vii) without the approval of the Chief Commissioner, supports an application for the grant of a licence of any kind.
- (h) Unlawful or unnecessary exercise of authority, that is to say, if he—
- (i) without good and sufficient cause makes any unlawful or unnecessary arrest; or
 - (ii) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty; or
 - (iii) is uncivil to any member of the public.
- (i) Malingering, that is to say, if he feigns or exaggerates any sickness or injury with a view to evading duty.
- (j) Absence without leave or being late for duty, that is to say, if he without reasonable excuse is absent without leave from, or is late for, parade, court, or any other duty.
- (k) Uncleanliness, that is to say, if he while on duty or while off duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing or appointments.
- (l) Damage to clothing or other articles supplied, that is to say, if he—
- (i) wilfully or by carelessness causes any waste, loss or damage in respect of any article of clothing or appointment, or in respect of any book, document, or other property of the Government or of the Police Force, issued to him, or used by him or entrusted to his care; or
 - (ii) fails to report any loss or damage as above, however caused.
- (m) Drunkenness, that is to say, if he is unfit for duty through drink.
- (n) Drinking on duty, or soliciting drink, that is to say, if he—
- (i) without the consent of his superior officer, drinks, or receives from any other person, any intoxicating liquor while he is on duty, or brings liquor into barracks; or

- (ii) demands, or endeavours to persuade, any other person to give him or to purchase or obtain for him, any intoxicating liquor while he is on duty.
- (o) Entering licensed premises, &c., while on duty, that is to say, if he enters, while on duty, any premises licensed under the Licensing Acts, or any other premises where liquor is stored or distributed, when his presence there is not required in the execution of his duty, or if he keeps a house for the sale of liquor either in his own or in any other name or is directly or indirectly interested in any such house.
- (p) Improper conduct, that is to say, if he—
 - (i) lends money to any superior or borrows money or accepts presents from any inferior; or
 - (ii) owns or has any direct or indirect interest in a racehorse or racing dog or any horse or dog intended to be used for racing; or
 - (iii) carries on any trade, business or profession, or accepts any other remunerative employment without proper authority; or
 - (iv) without proper authority possesses a firearm for his own protection or uses a firearm when on duty.
- (q) Illegality, that is to say, if he is guilty of an offence punishable on conviction, whether summarily or on indictment, or connives at or is knowingly an accessory to any offence against discipline under this clause.

2. Officers and sub-officers shall report promptly any member of the Force, irrespective of his rank, guilty of any breach of duty or act of misconduct against the discipline of the Force.

Breach of discipline to be reported.

3. Such report shall be made in writing promptly after the alleged occurrence; otherwise it may not be received and considered unless good reason is shown for the delay.

Reports to be in writing.

4. If a member of the Force is accused of any breach of duty or act of misconduct the Chief Commissioner, or the Officer in charge of the District, shall cause such accusation to be investigated by an Officer, and if as a result of such investigation or otherwise the Chief Commissioner or the Officer in charge of the District has reasonable cause to believe that such member of the Force has committed a breach of duty or act of misconduct, a charge shall be preferred against him.

Investigation of misconduct.

5. All charges against members of the Force shall be reduced to writing, and signed by the person bringing such charge.

Charges to be in writing.

6. Only one breach of duty or act of misconduct shall be alleged in each charge.

One offence.

7. When a member of the Force is found in a drunken condition or is charged with any breach of duty or act of misconduct, the Officer in charge of the District or Division, or any superior officer for the time being acting for or on behalf of such Officer in charge, may direct that such member so found or charged be confined to barracks for any period not exceeding six hours.

Confinement to barracks.

Police Discipline Board.

8. The stipendiary magistrate nominated by the Governor in Council to act as a member of the Police Discipline Board shall be appointed for a period of three years, and shall be eligible for re-appointment.

Chairman.

9. Should such stipendiary magistrate for any cause whatsoever cease to act as a member of the Police Discipline Board or be unable by reason of absence from duty or incapacity by illness or other temporary cause to carry out his duties as a member of the said Board, the Governor in Council may nominate and appoint another stipendiary magistrate to act as a member of the said Board for the remainder of the term for which the first-mentioned stipendiary magistrate was appointed to be a member of such Board or during his absence or incapacity (as the case may require).

Substitute chairman.

Member. 10. The Superintendent nominated by the Chief Commissioner to act on the said Board shall be appointed for a period of three years, and shall be eligible for re-appointment.

Substitute member. 11. (1) Should such Superintendent for any cause whatsoever cease to act as a member of the Police Discipline Board or be unable by reason of absence from duty or incapacity by illness or other temporary cause to carry out his duties as a member of the said Board, the Chief Commissioner may nominate and the Governor in Council may appoint another Superintendent to act as a member of the said Board for the remainder of the term for which the first-mentioned Superintendent was appointed to be a member of such Board or during his absence or incapacity (as the case may require).

(2) Where a member of the Force who is stationed in a district under the control of the Superintendent who is a member of the Police Discipline Board is charged with a breach of duty or act of misconduct which is dealt with by the said Board, the Chief Commissioner shall nominate and the Governor in Council may appoint some other Superintendent to act on the said Board in place of the first-mentioned Superintendent for the purpose of hearing such charge.

Procedure.

Notice of charge. 12. (1) Where any member of the Force is charged with a breach of duty or act of misconduct he shall also be served with a notice in the form contained in the First Schedule to this Chapter, requiring him to plead to such charge within seven days from the date of service of such notice upon him, and also to state whether though denying the truth of the charge he desires to have the charge dealt with by the Chief Commissioner, and not by the Police Discipline Board. If no reply is received within the time stated the member shall be regarded as having denied the truth of the charge.

(2) Where any member of the Force cannot be found in Victoria so as to enable him to be charged with any breach of duty or act of misconduct or to enable any notice referred to in sub-clause (1) of this clause to be served on him, he shall be deemed to be sufficiently charged or (as the case requires) served with such notice if a copy of the charge or notice is posted to him in a registered letter addressed to his last known address in Victoria and a notification of the fact of such posting is advertised in the *Government Gazette*.

Fixing hearing. 13. The charge to be dealt with by the Police Discipline Board shall be forwarded to that Board, which shall appoint a date and place for the hearing of such charge.

Notice of hearing. 14. At least seven days before the date appointed for the hearing of the charge the Secretary of the Board shall forward notice in writing thereof to the Chief Commissioner and to the member charged, at his station or at his last known place of residence in Victoria.

Place of hearing. 15. The most convenient place shall be selected for the hearing of the charge, but generally the place selected should be in the District in which the member of the Force is stationed.

Closed or open court. 16. The room or place in which a charge against a member of the Force is investigated shall not be or be deemed to be an open Court, and the Chairman shall have a discretion as to the persons to be admitted during the hearing. The Police Discipline Board may at any time direct that an inquiry shall be open to the public.

Defence by friend. 17. Where a member of the Force is charged with a breach of duty or act of misconduct he may be assisted in his defence at the inquiry by another member of the Force hereinafter described as "friend," and thus avoid the expense of engaging counsel.

Conduct of defence. 18. Such member of the Force, and also his "friend" shall conduct the defence with strict observance of the deference and respect which are required of them by these Regulations in their intercourse with a superior officer.

Counsel. 19. Such member, at his own expense, may be represented by counsel at the inquiry by the Police Discipline Board.

20. Before taking evidence in any case the chairman shall cause the charge to be read, and call upon the member of the Force to plead to such charge, and cause him to write his plea in the column provided in the charge sheet, and also sign his name in the same column.

Plea to charge.

21. The Police Discipline Board shall have the same power to amend charges as that possessed by a Court of Petty Sessions in regard to informations for offences.

Amending charge.

22. Where a charge is amended by the Police Discipline Board, the member of the Force charged shall be furnished with a copy of such amended charge, if he applies for it, and sufficient time shall be allowed him to prepare his defence to the charge as amended. For this purpose the hearing shall be adjourned, if necessary.

Notice of amended charge.

23. When inquiring as to the truth of any such charge the Police Discipline Board shall follow as nearly as possible the practice and procedure adopted in Courts of Petty Sessions.

Rules of procedure.

24. The Police Discipline Board shall cause all evidence at an inquiry to be taken down in writing in the form of depositions or question and answer. At the conclusion of a witness's evidence, if it has been taken down in longhand, it shall be read over to him and signed by him, but if such evidence has been taken down in shorthand it need not be read over to him unless he signifies his desire that it be done, but he shall sign his name on the last page of the shorthand notes of his evidence. The Police Discipline Board shall cause a jurat to be added and signed by the chairman.

Recording evidence.

25. Where a member of the Force is charged with a breach of duty or act of misconduct he may cross-examine witnesses brought against him, and may give evidence on his own behalf, in which case his attention shall, prior to his giving such testimony, be drawn to section 431 of the *Crimes Act* 1928, and he shall be asked if he still desires to give evidence.

Cross-examination and evidence by member charged.

26. An accused member of the Force giving evidence on his own behalf may be asked any question in cross-examination, notwithstanding that it would tend to incriminate him as to the offence charged, but shall not be required to answer any question tending to show that he has committed, or has been convicted of, or been charged with, any offence other than that with which he is then charged, or is of bad character, unless—

Incriminating evidence, &c.

- (a) he has personally or by his counsel or "friend" asked questions of the witnesses for the prosecution with a view to establishing his own good character; or
- (b) he has given evidence of his good character; or
- (c) the nature or conduct of the defence is such as to involve imputations on the character of a prosecutor or the witnesses for the prosecution; or
- (d) he has given evidence against any other person charged with the same offence.

27. If a member of the Force desires to make a statement in lieu of or in addition to sworn evidence on his behalf in answer to a charge brought against him, he shall be permitted to do so, and such statement shall be taken down in writing and signed by the defendant.

Statement by member charged.

28. Any member of the Force may call evidence as to character; but, if he elects to do so, the prosecutor may, in reply to such witnesses, produce evidence of former convictions and unfavourable entries on the record sheet of the accused.

Evidence as to character.

29. Except as provided in the last preceding clause, the record sheet of the member of the Force who is charged with a breach of duty or act of misconduct, shall not be produced for the inspection of the Police Discipline Board until after it is satisfied as to the truth of the charge.

Production of member's record sheet.

30. If a member of the Force who is charged with a breach of duty or act of misconduct supplies to the Officer in charge of the District the names and addresses of witnesses whom he desires to call to give evidence on his behalf, reasonable steps shall be taken by the said Officer in charge to procure the attendance of such witnesses.

Witnesses for defence.

- Prosecuting officer.** 31. The prosecuting officer at any inquiry by the Police Discipline Board as to the truth of any charge shall assist the Board to reach just conclusions, and for that purpose may examine and cross-examine all witnesses to elicit and place before the Board all facts connected with the charge, whether in favour of or against the member of the Force against whom the charge has been laid.
- Witnesses' fees.** 32. The fees and expenses payable to witnesses shall be those that apply in Courts of Petty Sessions.
- Charges heard by Chief Commissioner, &c.** 33. The Chief Commissioner or the Superintendent or Inspector nominated by the Chief Commissioner to hear charges shall follow as nearly as possible the procedure hereinbefore provided to be followed by the Police Discipline Board.
- Who may be nominated by Chief Commissioner to hear charges.** 34. No officer shall be so nominated if such officer—
 (a) is the prosecutor or a witness for the prosecution; or
 (b) investigated the charges before the holding of the inquiry; or
 (c) prepared the brief of the case for the prosecution; or
 (d) has perused or dealt with the file relating to the charges; or
 (e) has a personal interest in the case.
- Notice of appeal.** 35. Notice of appeal, under section sixty-four of the *Police Regulation Act 1928*, as re-enacted by section twenty-two of the *Police Regulation Act 1946*, shall be given in the form contained in the Second Schedule to this Chapter, or to the like effect.
- Costs on appeal.** 36. When costs are awarded to or against an appellant they shall be those that apply in County Courts.

FIRST SCHEDULE.

To..... Constable. No.

You have been charged with a breach of duty [or act of misconduct]. I shall be pleased to receive from you a notice, in writing, as to whether or not you deny the charge.

If you do not deny the charge you may state any mitigating circumstances relating thereto. This may be done in writing or, if you desire, you may make representations to the Chief Commissioner in person.

If you deny the truth of the charge you may, if you desire, have it dealt with by the Chief Commissioner and not by the Police Discipline Board. In that event the matter may be heard by the Chief Commissioner, or by an officer nominated by him.

You will please detach the bottom portion of this form and, after striking out the clauses which do not apply, forward it, within seven days from the date of service of this notice upon you, to the Officer in Charge of your District.

Station
Date

Officer in Charge,
.....District.

* (a) I do not deny the truth of the charge of breach of duty [or act of misconduct] made against me, and—

- (i) I attach a statement of mitigating circumstances.
- (ii) I desire to appear before the Chief Commissioner to make personal representations to him.

* (b) I deny the truth of the charge of breach of duty [or act of misconduct] made against me, and—

- (i) I desire to have the charge dealt with by the Chief Commissioner, and not by the Police Discipline Board.
- (ii) I desire to have the charge dealt with by the Police Discipline Board.

* Strike out clauses which do not apply.

SECOND SCHEDULE.

To the Registrar,
County Court, Melbourne,
and to
The Chief Commissioner of Police.

I, A.B. of Police, hereby give you notice that I am aggrieved (state grievance), and that pursuant to the provisions of section sixty-four of the *Police Regulation Act 1928*, as re-enacted by section twenty-two of the *Police Regulation Act 1946*, it is my intention to appeal to a Judge of County Courts against (set out matter appealed against), and that the grounds of such appeal are (set out grounds of appeal) of all which you are hereby required to take notice.

Dated at this day of 19

(Signed)

A.B.

Appellant.

CHAPTER 7.

POLICE CLASSIFICATION BOARD.

1. In this Chapter—

- "Extraordinary election" means an election to fill an extraordinary vacancy. Interpretation.
"Extraordinary election."
- "Nomination day" means the day appointed on or before which all candidates for any election must be nominated. "Nomination day."
- "Polling day" means the last day appointed at any election for the delivery of ballot-papers by voters to the Returning Officer. "Polling day."
- "Schedule" means schedule to this Chapter. "Schedule."

2. The Governor in Council may from time to time appoint some fit and proper person to be the Returning Officer to conduct every election of a member to represent the Police Force on the Police Classification Board. Returning Officer.

3. The Returning Officer may, by writing under his hand, appoint some person to be the Substitute Returning Officer to assist the Returning Officer or to act for him in his absence, and may in like manner appoint such other persons as he may deem fit to assist him as Poll Clerks in the conduct of elections. Substitute Returning Officer and poll clerks.

4. The Returning Officer, the Substitute Returning Officer, and every Poll Clerk, upon entering upon any of their duties, shall make a statutory declaration in accordance with Form A in the Schedule. Statutory declaration by officials.

5. Every extraordinary election shall be held within a period of ten weeks after the occurrence of the vacancy. Time for extraordinary elections.

6. The Minister shall give notice in the *Police Gazette* of every election. In such notice the polling day (which shall be not less than six weeks after the publication of such notice), the nomination day (which shall be not less than two weeks after such publication), the name of the Returning Officer and the place where he will receive nominations shall be specified. Notice of election.

7. (1) In order that any person may become or be a candidate at any election, he shall before Twelve o'clock noon on the nomination day deliver or cause to be delivered to the Returning Officer, who shall if required give a receipt for it, a nomination paper in accordance with Form B in the Schedule, naming such person as a candidate at the election, and signed by not less than twenty persons entitled to vote at the election for which the candidate is nominated, and having at the foot thereof a statement under the hand of the person so nominated that he consents to such nomination. Nominations

(2) No person who has not been so nominated shall be or be deemed to be a candidate at any election.

8. Any person nominated may, by written notice addressed to the Returning Officer, withdraw his consent to his nomination at any time not later than Twelve o'clock noon on the nomination day, and such person shall be considered as not having been nominated, and the Returning Officer shall thereupon omit the name of such person from the ballot-papers. Retirement of candidate.

9. If, before polling day, a candidate dies he shall be considered as not having been nominated and, if there is only one remaining candidate, the Returning Officer shall by notice in the *Police Gazette* and in the *Government Gazette* declare such remaining candidate duly elected and forward a copy of such notice to the Minister; if there are two or more remaining candidates, the Returning Officer shall delete from the ballot-papers the name of such deceased candidate and the number placed opposite his name, and each such ballot-paper shall thereupon be given effect to as if the numbers opposite the names of the remaining candidates were altered to the appropriate numbers indicated by the voter's order of preference in respect of such remaining candidates. Death of candidate.

10. After Twelve o'clock noon on the nomination day, the Returning Officer shall, in respect of every contested election, announce the full name of each candidate nominated and shall cause notice thereof to be published in the *Police Gazette*. Contested elections.

- Roll of voters.** 11. (1) Within seven days after the nomination day the Chief Commissioner of Police shall supply the Returning Officer with a roll of all persons entitled to vote at the election, together with an envelope addressed to each such person.
- (2) No person who is not a member of the Police Force on the nomination day shall be eligible to vote at any election.
- Uncontested elections.** 12. If there is only one candidate duly nominated at any election, the Returning Officer shall by notice in the *Police Gazette* and in the *Government Gazette* declare such candidate duly elected and shall forward a copy of such notice to the Minister.
- Poll and distribution of ballot-papers.** 13. If at any election two or more candidates have been duly nominated, a poll shall be taken, and the Returning Officer shall promptly cause ballot-papers to be printed in accordance with Form C in the Schedule, and shall, not later than the fourteenth day before polling-day, send by post, or cause to be delivered, to each voter, one of such ballot-papers duly signed or initialled by the Returning Officer or at his direction by the Substitute Returning Officer or a Poll Clerk, together with an open return-envelope bearing the Returning Officer's name and address.
- Preferential voting.** 14. (1) A voter shall mark his ballot-paper by placing the number 1 opposite the name of the candidate for whom he votes as his first preference, and shall give contingent votes for all the remaining candidates by placing the numbers 2, 3 and 4 (and so on as the case requires) opposite their names, so as to indicate by such numerical sequence the order of his preference.
- (2) Where there are only two candidates a ballot-paper shall be valid if marked in any way which in the opinion of the Returning Officer indicates the voter's first preference only.
- Polling and collection of votes.** 15. (1) When the voter has marked his vote on the ballot-paper, he shall place it in the addressed return-envelope, and he shall sign his name and state his rank and register number (if any) on the face of such return-envelope, and stamp and post it, or deliver it or cause it to be delivered, to the Returning Officer in time to reach the Returning Officer not later than Four o'clock in the afternoon of the polling day.
- (2) Any ballot-paper which is not enclosed in an envelope with the voter's signature and the other specified particulars thereon, or in respect of which the directions in accordance with Form C in the Schedule have not been substantially complied with, or which is forwarded through the post without the postage thereon being fully prepaid, or which is received from a person whose name is on the roll of voters, but who has ceased to be a member of the Police Force before the polling day, shall not be counted at the scrutiny.
- (3) The decision of the Returning Officer as to the validity or invalidity of any vote or ballot-paper shall be final.
- Lost and spoilt, &c., ballot-papers.** 16. Upon a voter making and transmitting to the Returning Officer a declaration that he has not received a ballot-paper, or that the ballot-paper received by him has been lost, spoilt, or destroyed, and that he has not already voted, the Returning Officer may issue a new ballot-paper to such voter.
- Scrutineers.** 17. Each candidate at any election shall be entitled to appoint, in writing, one scrutineer to be present during the scrutiny. Each scrutineer shall, before he acts as such, make and sign before the Returning Officer a declaration in the like form to that which the Returning Officer and other officers employed in the conduct of the election are required to make and sign.
- Scrutiny of votes.** 18. As soon as practicable after the close of the poll, the Returning Officer or the Substitute Returning Officer, with the assistance of any Poll Clerk duly appointed, and in the presence of such scrutineers as are present, shall—
- (a) produce unopened all return-envelopes received up to the close of the poll;
 - (b) examine each envelope and, if it is properly signed and otherwise complies substantially with the provisions herein contained, accept the vote for further scrutiny;
 - (c) place the envelopes containing accepted votes on a table face downwards, so that the signatures of the voters shall not be visible;

- (d) open each such envelope, withdraw the ballot-paper contained therein and, without inspecting the vote or permitting any other person to do so, deposit the ballot-paper in a ballot-box;
- (e) when all such envelopes have been opened and the ballot-papers withdrawn therefrom and deposited in the ballot-box, open the ballot-box and count the votes.
19. The Returning Officer may from time to time adjourn the scrutiny to a day and hour fixed by him and notified to the scrutineers. Adjournment of scrutiny.
20. Subject to the provisions contained herein, the mode of conducting each election, and the method of counting the votes and ascertaining the result, shall be in accordance with the provisions of the law for the time being regulating elections for the Legislative Assembly, so far as they can be made applicable, *mutatis mutandis*. Count of votes.
21. (1) If on any count two or more candidates have an equal number of votes and one has to be declared defeated, the Returning Officer shall decide by lot which candidate shall be declared defeated. Equal votes.
- (2) In the case of equality between two candidates in a final count, the Returning Officer shall decide by lot which candidate shall be declared elected.
22. (1) At any time before the gazettal of the result of any election, as hereinafter provided, the Returning Officer may, if he thinks fit, on the written request of any candidate setting forth the reasons for the request, or may, of his own motion, make a recount of the votes. Recounts.
- (2) If the Returning Officer refuses on the request of a candidate to make a recount of the votes, the candidate may, in writing, appeal to the Minister to direct a recount, and the Minister may, as he thinks fit, either direct a recount or refuse to direct a recount.
23. At the conclusion of every election, the Returning Officer shall by notice in the *Police Gazette* and in the *Government Gazette* declare the result of the election, and shall forward a copy of such notice to the Minister. Publication of result.
24. The Returning Officer shall, at the expiration of seven days after publication in the *Police Gazette* and in the *Government Gazette* of the result of any election, cause all ballot-papers and envelopes used at such election to be destroyed. Disposal of papers.
25. (1) The foregoing provisions of this Chapter shall, with such adaptations as are necessary, apply to any election of a deputy. Election of deputy.
- (2) The counting of the votes and the ascertainment of the result of any election of a deputy shall not proceed until after the result of any concurrent election of a member has been ascertained.
- (3) In any case where a person has been elected as a member and has also been nominated as a candidate for election as a deputy, he shall cease to be regarded as a candidate for the election of a deputy, and in the ascertainment of the result of the election of such deputy, the Returning Officer shall follow the same procedure as is provided in clause 9 of this Chapter.
26. (1) The chairman of the Police Classification Board shall be entitled to receive travelling expenses at the rate and subject to the conditions applicable to a Judge of County Courts. Travelling expenses of members of Board.
- (2) Each member of the Police Classification Board (other than the chairman) shall respectively be entitled to receive travelling expenses at the rate of One pound per day, subject to the conditions prescribed from time to time by Regulations of the Public Service Board relating generally to travelling allowances of officers of the Public Service:
- Provided that where the Chief Secretary is satisfied that the actual and necessary expenditure incurred by any such member of the Board when travelling exceeds the travelling expenses hereinbefore in this sub-clause prescribed, such additional amount may be granted as the Chief Secretary determines.
27. The Police Association is approved as a body by which representations may be made to the Police Classification Board in relation to salaries and wages and conditions of service in the Police Force. Representations by Police Association.

SCHEDULE.

FORM A.

Police Classification Board Election.

Declaration by Electoral Official.

I (a) do hereby solemnly declare that I will faithfully and impartially according to the best of my skill and judgment, exercise and perform all the duties reposed in or required of me as Returning Officer (or Substitute Returning Officer, Poll Clerk, Scrutineer) in connexion with the present election of a Member (or Deputy Member) of the Police Classification Board; and I do further solemnly promise and declare that I will not at such election(s) attempt to ascertain how any person shall vote or has voted and that, if in the discharge of my said duties at or concerning such election(s) I learn how any person has voted, I will not by word or act directly or indirectly divulge or discover, or aid in divulging or discovering, the same.

Signature

Declared before me this day of 19

(a) Here insert full name.

FORM B.

Police Classification Board.

Nomination Form.

To the Returning Officer.

We, the undersigned persons entitled to vote at the present Police Classification Board election, do hereby nominate (a) for the office of (b) of the said Board.

Dated this day of
(c) (Signature) (Rank) (Register Number)

I (d) of (e) being a member of the Police Force, hereby consent to the above nominations.

Signature

Rank

Register Number

(a) and (d) Here insert the full Christian or other name or names and the surname.

(b) Insert "Member" or "Deputy Member" as the case may be.

(c) The signatures and other specified particulars of at least twenty (20) nominators must be inserted.

(e) Insert postal address.

FORM C.

Police Classification Board.

Ballot-Paper.

ELECTION OF A MEMBER OR DEPUTY MEMBER (AS THE CASE MAY BE).

Candidates' Names.

Initials of
Returning
Officer,
Substitute
Returning
Officer, or
Poll Clerk.

Directions.

The voter must mark his ballot-paper by placing the number 1 opposite the name of the candidate for whom he votes as his first preference, and must give contingent votes for all the remaining candidates by placing the numbers 2, 3, and 4 (and so on as the case may require) opposite their names, so as to indicate by such numerical sequence the order of his preference.

He must fold his ballot-paper so that his vote will not be seen on the envelope being opened, enclose it in the addressed return-envelope, sign the envelope, state thereon the name of his Station or Branch, and stamp and post or deliver it (or cause it to be delivered) to the Returning Officer to reach him not later than Four o'clock in the afternoon of the day of

CHAPTER 8.

EQUIPMENT.

1. Articles of Government property in accordance with the following particulars shall be supplied to members of the Force. Equipment supplied by Government.

Mounted Police.

Particulars.

- 1 First aid book.
 - 1 File, Acts of Parliament.
 - 12 Rounds, ammunition, revolver or pistol.
 - 1 Baton.
 - 1 Belt, Sam Browne, tan.
 - 1 Bit.
 - 1 Bridle.
 - 1 Breastplate.
 - 1 Brush, dandruff.
 - 1 Brush, horse.
 - 1 Certificate of identity.
 - 1 Curb.
 - 1 Currycomb.
 - 1 Girth.
 - 1 Pair handcuffs, with key.
 - 1 Hoof-pick.
 - 1 Police Manual (Regulations, Determinations and Standing Orders).
 - 1 Police Manual (Paul's).
 - 1 Motor Car Act Regulations.
 - 1 Nose Bag.
 - 1 Note Book.
 - 1 Parchment certificate.
 - 1 Pocket Directory.
 - 1 Revolver or automatic pistol (with case).
 - 1 Saddle.
 - 1 Pair spurs, bush, with straps.
 - 1 Pair stirrup irons.
 - 1 Pair stirrup leathers.
 - 1 Pair boots, black, field pattern.
 - 3 Cloak straps.
 - 1 Cloak.
 - 1 Overcoat, navy-blue waterproof.
 - 1 Card Case.
 - 1 Set mounts for white helmet (sub-officers and constables).
 - 1 Badge with service number (for helmet or cap).
 - 1 Rug
 - 2 Pillowslips
 - 2 Pairs sheets
 - 2 Blankets
- } For unmarried members required to occupy Government quarters or barracks.

Foot Police.

- 1 First-aid Book.
 - 1 File, Acts of Parliament.
 - 1 Motor Car Act Regulations.
 - 1 Baton.
 - 1 Pair handcuffs, with key.
 - 1 Police Manual (Regulations, Determinations and Standing Orders).
 - 1 Police Manual (Paul's).
 - 1 Note Book.
 - 1 Overcoat, navy-blue waterproof.
 - 1 Parchment Certificate.
 - 1 Pocket Directory.
 - 1 Certificate of Identity.
 - 1 Card Case.
 - 1 Set mounts for white helmet (sub-officers and constables).
 - 1 Badge with service number (for helmet or cap).
 - 1 Rug
 - 2 Pillowslips
 - 2 Pairs sheets
 - 2 Blankets
- } For unmarried members required to occupy Government quarters or barracks.

Women Police.

- 1 Book, First Aid.
- 1 File, Acts of Parliament.
- 1 Motor Car Act Regulations.
- 1 Police Manual (Regulations, Determinations and Standing Orders).
- 1 Police Manual (Paul's).
- 1 Note Book.
- 1 Parchment Certificate.
- 1 Pocket Directory.
- 1 Certificate of Identity.
- 1 Badge with service number for cap } If required to main-
- 1 Overcoat, blue material, cloth } tain uniform.

Special Branches.

Members of the following Special Branches will be supplied with additional items of equipment as specified hereunder. In the event of transfer to other duties these articles are to be promptly returned to the Depot Store.

Wireless Patrol.

- 2 Dust Coats.
- 1 Overcoat, blue material cloth.

Traffic Control Branch.

- 1 Pair Gloves, knitted, white, seamless.
- 1 Pair Sleeve Slips, white, cloth.
- 1 Pair Sleeve Slips, white, rubber.
- 1 Pair Gaiters, Black, rubber, buttoned at side of boot.

Mobile Traffic Section.

- 2 Dust Coats, short.
- 1 Pair Gloves, leather, driving.
- 1 Overcoat, blue material cloth.

If required to perform duty on motor cycles—

- 1 Overcoat, rubber (for side-car passenger).
- 1 Suit, motor cycle overalls, waterproof (for driver).

Transport Branch.

- 1 Overcoat, blue material cloth.
- 2 Dust Coats.
- 1 Pair Gloves, leather, driving.
- 2 Pairs Overalls, engineer's.

Motor Testing Police.

- 2 Dust Coats.
- 1 Overcoat, blue material cloth.

River Patrol.

- 2 Pairs Overalls, engineer's.

Motor Car or Motor Cycle Duty.

If a member of the Force is using his own motor car or motor cycle on police duty—

- 2 Dust Coats.

Free issue
items to be
part of
equipment.

2. All the above items will form portion of the equipment of the respective members of the Force, and, unless satisfactorily explained, any loss, damage, or deficiency shall be debited against the pay of the member concerned.

Return of
old articles.

3. When new articles of equipment are supplied the old articles shall, except in cases of deficiency, be returned to the Depot Store.

Loss to be
reported.

4. Any member of the Force losing an article of his equipment shall report such loss at once and have such article replaced from the Depot. Replacement of the article by private purchase is prohibited.

Deductions
from pay
for articles
replaced.

5. Where it has become necessary to deduct from the pay of a member of the Force the price of any articles replaced, full particulars shall be sent to the Accounts Branch, Chief Commissioner's Office, so that the necessary deductions may be made.

6. The equipment of members of the Force (mounted or foot) shall remain in their charge while they remain in the Force. If a mounted constable is transferred to foot duty, his mounted equipment shall be handed in and foot equipment obtained, and similar action shall be taken when a foot constable is transferred to mounted duty. Procedure on transfer from one branch to another.

7. (1) When a member of the Force is promoted to the rank of inspector he shall return to the Depot Store the following items of his equipment:— Equipment to be returned on promotion or transfer to C.I.B.

- 1 Baton.
- 1 Pair Handcuffs, with key.
- 1 Badge with service number (for helmet or cap).
- 1 Overcoat or Cloak or both (if held).
- 1 Card Case.

(2) When a sub-officer or constable of the uniform branch is transferred to the Criminal Investigation Branch for detective duty he shall return his badge with service number (for helmet or cap) to the Depot Store.

8. (1) The articles of equipment shall be properly branded, and shall be accurately entered, with all distinctive marks, on the parchment certificate which is issued to the member of the Force. Branding and entries on parchment certificates.

(2) All entries on or delineations from the parchment certificate respecting articles issued or withdrawn from use shall be signed (or initialled) and dated by the Officer in charge of the District or some person authorized by him.

(3) The entry of any subsequently issued Act of Parliament shall be by reference to the number of the Act.

9. When a member ceases to be a member of the Force, the equipment on issue to him shall be taken or sent by him at once to the Depot Store. On the death of a member the Officer in charge of the District shall be responsible for ensuring the collection of his equipment and the transmission thereof to the Depot Store. Retirement.

10. Officers shall inspect the equipment of all members of the Force under their charge periodically, and see that each article is in order and properly stamped or accounted for. Inspection.

11. The items referred to in clause 1 of this Chapter as issuable to unmarried members shall be returned to the Depot Store on marriage, on leaving the service, or when no longer required to occupy Government quarters or barracks. Rugs, &c., of unmarried members.

12. Any rug or other article of bedding returned to the Depot Store shall be in a clean condition, otherwise it shall be washed at the expense of the member concerned or responsible for taking it over. Articles to be kept clean.

13. (1) Such firearms as may be considered necessary by the Chief Commissioner shall be kept at each police station, and at the headquarters of each Branch of the Force throughout the State. Firearms.

(2) The officer in charge of a station, or of the headquarters of a Branch of the Force, may at his discretion issue a firearm to any member of the Force who is under his control and who is about to commence a tour of duty, and any firearm so issued shall be returned to the said officer in charge by the member of the Force upon completion of his tour of duty.

(3) At each police station and at the headquarters of each Branch of the Force a record of the issue and return of firearms shall be kept by the officer in charge, who shall when issuing any firearm, examine the same and shall upon the return thereof again examine it and record the condition of the firearm at that time, together with particulars of the ammunition expended (if any).

CHAPTER 9.

LEAVE (ADMINISTRATION).

- Superintendents' leave.** 1. Superintendents' leave of absence and the proposed arrangement of duties during their absence shall be submitted in advance to the Chief Commissioner for approval.
- Superintendent may grant leave to all under his control.** 2. Chief Inspectors, Inspectors, sub-officers, first constables and constables may be granted leave by their District Superintendents, who shall in every case before granting leave satisfy themselves that proper arrangements have been made for carrying on the duties of members of the Force concerned during their absence.
- Leaving State.** 3. No member of the Force while on leave of absence shall be permitted to leave the State of Victoria without the written approval of the Chief Commissioner.
- Members liable to recall.** 4. Members of the Force while on leave of absence are liable for duty in any case of emergency which may arise and come under their notice, and they are liable to be recalled for duty during the currency of the leave of absence granted to them.
- Leave without pay.** 5. Leave of absence without pay may be granted by the Chief Commissioner in addition to the annual recreation leave of absence, but only in cases of sickness or death of a near relative of the member applying or for other grave and urgent reasons.
- Care of Government property, &c.** 6. Members of the Force going on leave of absence shall provide for the proper care at stations in their charge of all Government property for the safety and effectiveness of which they are responsible.
- Members visiting London.** 7. Members of the Force going to London on leave of absence shall place their services at the disposal of the Agent-General for Victoria in connexion with any matter relating to the State.
- Equipment.** 8. Members of the Force going on leave shall not take any part of their arms or appointments or any Government horse or vehicle with them without the approval of the Officer in charge of the District.
- Absence from district or station.** 9. (1) No Officer shall absent himself from his District, except on duty, without leave duly granted or permission from the Officer in charge of the District. The Officer in charge of the District shall not without leave or by permission of the Chief Commissioner absent himself from the District except on duty.
- (2) A member of the Force other than an officer in charge of a station shall not leave his station or sub-district, except on duty or with the permission (whether given generally or in the particular case) of the officer in charge of the station. In the case of an officer in charge of a station the permission of the Officer in charge of the District, or an Officer authorized by him, must be obtained.
- (3) The provisions of this clause shall not apply to a member of the Force when—
- (a) travelling daily between his residence and place of duty; or
- (b) travelling outside his District, Division or sub-district while off duty or on his weekly rest day if he has made reasonable arrangements to enable him to be contacted in case of emergency.
- Address on leave.** 10. Every member of the Force applying for leave of absence must state the address at which communication can be made during his absence, and any change of address must be notified immediately.
- Applications for leave.** 11. (1) Application must be made upon the printed form provided for that purpose, and approval thereto will include authority for absence from station or sub-district.
- (2) Except in cases of emergency, applications for leave must be made in reasonable time to allow adjustments of duties to be made.

12. Members of the Force who obtain leave of absence shall return to their stations on the expiry thereof, and report to the officer or sub-officer next in command over them. Returning from leave.

13. Members of the Force absent without leave shall forfeit all pay for the period of absence in addition to any other punishment that may be inflicted. Absence without leave.

14. Officers in charge of Districts may grant permission to members of the Force under their control to leave their District or sub-district for a few hours (when circumstances permit) without deduction from the annual leave of absence due to such members. Leave for short periods.

15. Any member of the Force in charge of a station leaving such station on duty which involves a probable or certain absence exceeding one hour shall leave with the person in charge or on the office table a short statement in writing setting forth the nature of the duty, locality to which proceeding and probable duration of absence. Statement to be left by members in charge of stations.

CHAPTER 10.

PRISONERS.

1. Immediately after a charge is entered against a prisoner, it shall be the duty of the arresting member of the Force carefully to search such prisoner and in the case of a charge for an offence to remove all property found upon him, and to note and compile such items of identification of the prisoner and his property as are necessary. In the case of known or suspected criminals charged with felony, the boots and socks should be removed temporarily and searched. Searching of prisoners.

2. It is the responsibility of both the watch-house-keeper and the arresting member of the Force to see that no prisoner whatsoever retains in his possession anything with which he might effect his escape from the watch-house or lock-up, or any weapon, implement, poison, matches or other article with which he might cause mischief or injury to himself, harm to others or damage to property; and every prisoner whether held for a criminal or a civil matter shall be searched for this purpose. Removal of instruments for escape, &c.

3. (1) The searching of male prisoners shall be carried out under the supervision of the watch-house-keeper. Who to search males and females.

(2) The searching of female prisoners, when necessary, shall be carried out by a matron, policewoman or other female searcher in a well-lighted room or cell. The watch-house-keeper or his assistant and the arresting member of the Force should be in readiness to assist the female searcher if called upon.

(3) Where the services of a female searcher (other than a matron or policewoman) are utilized, she shall be entitled to a fee of 7s. 6d.

4. (1) A record of all money or property found in possession of a prisoner at the time of arrest, even if known or believed to have been stolen, shall be entered in the watch-house book in the columns provided for the purpose, and also upon inventory forms in duplicate, by the watch-house-keeper. Care shall be taken that the entries in the watch-house book and on the inventory forms in all cases agree. Record of property of prisoners.

(2) The various columns in the watch-house book should be strictly entered up. Where there is no money, the word "nil" should be written across the columns. Where there is no property, the word "none" should be written across the column. Valuable property should be distinctively described. The numbers of gold and silver watches shall also be entered in the book.

5. (1) The watch-house book and inventory forms shall in each case be signed by the arresting member of the Force and by the watch-house-keeper immediately after the charge is laid. In cases where female prisoners are searched, the inventory forms shall also be signed by the matron, policewoman or other female searcher who searched such prisoner. Watch-house book to be signed.

(2) Every person so required to sign shall, before signing, see that the property taken from the prisoner is correctly entered.

(3) Duplicate inventory forms shall be prepared and signed in all cases whether the prisoner has property or not.

Property of
prisoners
coming into
the hands of
police after
arrest.

6. Money or property belonging to a prisoner which comes into the hands of the Police after the prisoner has been locked up shall be entered upon separate inventory forms in duplicate; and an entry, setting forth shortly the time when and the circumstances under which such money or property came into the hands of the Police, shall be made on the face of each such last-mentioned inventory forms and signed by the member of the Force into whose hands such money or property came. If the prisoner has been removed to gaol to serve a sentence, the property shall be despatched to the gaol as soon as practicable and one of the inventory forms, duly receipted by the gaoler, shall be filed with other property receipts relating to the prisoner.

Lunatic
prisoners.

7. So far as may be possible, the instructions herein in reference to inventory forms for prisoners' property shall apply in the case of lunatics, but a lunatic's signature shall not be required.

Prisoners to
sign property
sheet.

8. Prisoners if capable must sign the inventory forms before being locked up.

Illiterate
prisoners.

9. If a prisoner is unable to write, the contents of the inventory forms shall be read over to him and his mark obtained in place of a signature. Such mark shall be witnessed by some person other than the arresting member of the Force.

Recalcitrant,
drunken
prisoners, &c.

10. (1) If a prisoner is a lunatic or refuses or is too drunk to sign the inventory forms, an entry to that effect shall be made on the forms by the watch-house-keeper.

(2) When a drunken prisoner is sufficiently sober, he shall be informed by the watch-house-keeper of what money and property was found upon him when searched at the watch-house. If he does not dispute the correctness of the inventory, he shall then be invited to sign the same, and to write in the date and hour of making such signature.

Objections by
prisoners.

11. If a prisoner objects to signing the inventory form on any serious grounds, the watch-house-keeper shall at once furnish a report on the subject to the Officer in charge of the Division or District, and, if an Officer is available, an Officer shall be called in at once.

Transfer of
prisoners to
other
stations.

12. Where prisoners are to be transferred from one station to another for trial, the inventory of property shall be made in triplicate, and one copy thereof shall after being dealt with in the manner hereinafter appearing be filed at the primary station, one copy shall be filed at the station where the prisoner is dealt with, and one at the gaol.

Receipts
to be given
for prisoners
and property.

13. Where a prisoner is arrested at one station and sent to another station to be dealt with, the member of the Force in charge of the watch-house at the latter station shall take over such prisoner, together with his money and property, and shall give receipts for such prisoner, money and property.

Receipts for
property to
be given on
inventory
forms.

14. The receipt for money and property shall be given upon one of the three inventory forms, all of which must be brought with the prisoner, and the receipt for the prisoner shall be obtained upon one of the forms provided for the purpose. The property shall, when possible, be handed over in the presence of the prisoner. The other two inventory forms shall be retained until the prisoner is finally dealt with.

Property of
convicted
prisoners to
be forwarded
to gaol.

15. If such prisoner is convicted and sent to gaol, one of the inventory forms retained as aforesaid shall be lodged at the gaol with the property, and the gaoler's receipt for such property shall be obtained on another such form which shall then be filed at the station where the prisoner was convicted.

16. The Penal and Gaols Department will not accept as prisoners' property partly consumed bottles of wine or beer. Such bottles shall be listed on the prisoner's property sheets when such prisoner is charged; but if the prisoner's property is removed to gaol they shall be destroyed and an entry to that effect made on the property sheets.

Partly
consumed
liquor.

17. If the prisoner is bailed, discharged or allowed at liberty upon a suspended sentence, his property shall be handed over to him, and his receipt taken on one of the inventory forms. Such receipt shall be filed where the prisoner is finally dealt with.

Property of
prisoners
discharged
from custody.

18. If the prisoner is dealt with at the place where he is arrested, his property shall remain at the station until it can be conveniently forwarded to the gaol in which he has been confined. There shall, however, be no unnecessary delay in forwarding such property, and whenever possible it shall be forwarded with the prisoner and by the hands of his escort.

Property to
be forwarded
to gaol with-
out delay.

19. (1) Care shall be taken to obtain and file in proper order receipts for all property (including money) handed over to prisoners or their representatives.

Filing of
receipts.

(2) Receipts shall be obtained for all prisoners sent from one station to another or to a gaol. Gaol receipts for prisoners shall be filed at the stations from which such prisoners are last sent.

20. Property taken from a prisoner at a watch-house shall remain in charge of the watch-house-keeper until the prisoner has been dealt with or released on bail.

Property to
remain at
watch-house
until prisoner
dealt with.

21. (1) Where a prisoner remanded from a watch-house to a gaol had in his possession at the time of his arrest small articles of property which are required for personal use (e.g., reading glasses, toothbrush, or pipe) such property, together with any small sum of money the prisoner may have had at the time of arrest, may be forwarded to the gaol with the prisoner provided there is no dispute as to the ownership of the property.

Property of
prisoners on
remand to
gaol and on
return to
watch-house.

(2) A separate inventory form in duplicate shall be prepared and handed with the property to the gaoler, who will receipt one copy which shall then be returned to the watch-house and filed with other papers relative to the prisoner.

(3) The original inventory form in duplicate shall show what property has been forwarded to the gaol.

(4) When a prisoner is returned from gaol to the watch-house to appear before the Court, he shall be searched. Any property found in his possession shall be shown on the original inventory forms, and the signature of the prisoner to the additional entries shall be obtained.

22. When a prisoner without property is sent to a gaol "nil" sheets must be sent with him.

Nil returns.

23. (1) Orders given by prisoners for payment of money or delivery of property must be in writing and shall only be complied with by watch-house-keepers in cases where there is no reason to suspect that such money or property or any portion thereof was stolen, embezzled or otherwise illegally obtained by such prisoner or by others. Where there is any doubt, such orders must be submitted with a report of the facts to the Officer in charge of the Division or District.

Orders for
payment of
money
belonging to
prisoners.

(2) Each order given by a prisoner for payment of money must bear the appropriate duty stamp duly cancelled by him.

24. Where property which has been entered on inventory forms has to be removed from the watch-house for identification or other purpose, or because it is stolen or belongs to some other person, the member of the Force who takes such property shall give a receipt on one of the inventory forms and shall cause such property to be entered in the Station Property Book. The property receipt shall be handed to the watch-house-keeper to be attached to the appropriate inventory form.

Property
removed
from
watch-house.

- Order of court to be noted. 25. If an order of the Court has been made in reference to any property taken from the prisoner, a note of that fact embodying the order shall be made upon one of the inventory forms.
- Arresting member to see that property is handed to prisoner. 26. When a prisoner is discharged by any Court, the arresting member of the Force shall proceed with such discharged prisoner to the local Police station or watch-house and there see the property (if any) handed over.
- Receipts to be numbered. 27. All receipts shall be numbered and filed in consecutive order, and reference thereto shall be entered in the watch-house books.
- Lock-ups and detention rooms. 28. The provisions of this Chapter shall with such adaptations as are necessary extend and apply also to and in respect of station lock-ups and detention rooms, and to all members of the Force who have charge of prisoners whether such members are appointed as watch-house-keepers or not.
- Standing Orders. 29. Careful attention must be given to all Standing Orders relating to prisoners.

CHAPTER 11.

PROPERTY IN POSSESSION OF POLICE.

- Property book to be kept. 1. (1) A book shall be kept at C.I. Divisions and at each police station and elsewhere as directed by the Officer in charge of any District for the purpose of recording therein particulars of all property coming into the lawful possession of the Police, except such as is entered upon the property sheets of prisoners.
- (2) The member of the Force in charge of any place where any such book is kept or some person authorized by him shall be responsible for entering therein particulars of such property.
- All property to be entered in book. (3) On no account must property which has come into the possession of the Police be handed over to any claimant until particulars have been entered in the property book.
- Particulars to be shown. 2. The entries in the book shall show the date on which the property came into the hands of the Police, the name of the person (if any) from whom it was taken or received, the circumstances relating to the taking or reception of such property, the name and register number of the member of the Force taking or receiving the same, the circumstances of the disposal, and any other particulars necessary for the purpose of making a full and complete record.
- Property found and handed to police. 3. (1) When property is found by any person and handed over to the Police, such property shall be carefully checked or counted (as the case may require) in the presence of the person who has handed it over.
- Particulars of finder. (2) The full name and address of the finder is to be taken, together with particulars as to the place where the property was found.
- (3) If the property is handed over in the street, the member of the Force receiving it shall hand it in at his station at the first opportunity.
- (4) Every effort shall be made by the police to trace the rightful owner of all property so handed over, whether in the street, at a police station, or at any other place.
- Unclaimed property. 4. (1) When property which has been found and handed to the Police is not claimed (either by the rightful owner or the finder) at the expiration of three months, it shall be treated as unclaimed property, and a record thereof shall be shown on the return of unclaimed property which is forwarded in duplicate to the Superintendent's office at the end of every quarter.
- Efforts to find owners of property. (2) A member of the Force finding property in any circumstances shall make every effort to trace the rightful owner. If at the expiration of three months the property is not claimed a record thereof shall be placed on the list of unclaimed property.
- Return to rightful owner. 5. (1) When any property in the possession of the Police is claimed by any person appearing to be the rightful owner, the officer in charge of the station may hand the property over if he is satisfied that ownership is proved and on the claimant signing the book in the place set apart for the purpose.

(2) In doubtful cases instructions shall be obtained from the Officer in charge of the District before the property is handed over.

6. When any such property is claimed by the finder, a full report shall be submitted to the Officer in charge of the District, who shall, before giving instructions regarding disposal, ascertain from the Officer in charge of the Information Bureau if any similar property has been reported stolen. Disposal to finder.

7. When any such property is claimed by any person appearing to be the rightful owner or by the finder, the member of the Force to whom the claim is made shall forthwith submit a report (additional to any report hereinbefore referred to) direct to the Property Steward or other member of the Force in whose custody such property then is, so that such property shall not be sold or otherwise disposed of pending settlement of the claim. Protection from sale, &c., of claimed property.

8. In all cases where property is handed over to claimants by Police, a full receipt and indemnity against further action in respect of such property shall be obtained from the person to whom it is so handed over. Indemnity.

9. In all cases where lost property or property suspected of having been stolen or unlawfully obtained comes into the hands of the Police, a receipt shall be issued or sent to the finder (if any). Where the owner or the address of the owner is unknown, reports intimating that the owner of such property is required to communicate with the Police shall be circulated and supplementary reports shall be circulated when the property has been disposed of. Lost and stolen property.

10. The Officer in charge of each District shall furnish to the Chief Commissioner at the end of every quarter a list in duplicate of all unclaimed property which has been in the hands of the Police for more than three months, and the Chief Commissioner shall thereupon arrange for such property to be sold by auction. The lists shall in every case show the approximate value of the goods. Lists of unclaimed property to be forwarded quarterly.

11. (1) When property suspected of having been stolen or unlawfully obtained comes into the hands of the Police and the rightful owner is not found within six months of the conviction of the offender an application shall be made to the Court of Petty Sessions for an order that such property be sold. Suspected property.

(2) On the making of any such order a list of the property shall be forwarded in duplicate to the Officer in charge of the District for transmission to the Chief Commissioner, who shall thereupon arrange for the disposal of the property.

(3) If in a prosecution relating to property suspected of having been stolen or unlawfully obtained the defendant is not convicted, the property shall be dealt with as disputed or (as the case requires) unclaimed property.

12. (1) When any order is made by a Court of Petty Sessions regarding the disposal of property (including confiscated liquor) which is in the hands of the Police, it will not be necessary to furnish a receipt to the Clerk of Petty Sessions for such property. Procedure on order by court for disposal of property.

(2) After the order has been made, a certified extract from the court register of the proceedings shall be obtained from the Clerk of Petty Sessions.

(3) When, afterwards, the property has been disposed of by sale or otherwise, the certificate shall be attached to the file and forwarded to the headquarters office for checking purposes.

(4) In cases where the property is forwarded to the headquarters office for disposal, a receipt for it shall be issued from the property receipt book at that office.

13. In every case in which liquor is confiscated the court shall be asked to direct that such liquor be sold by auction, and on such direction being given the liquor shall be sent to the Licensing Inspector's Office, Little Bourke-street, Melbourne, and particulars thereof immediately forwarded through the usual channel to the Chief Commissioner, who shall thereupon arrange for the sale of the liquor. Confiscated liquor.

- Perishable property.** 14. When property of a perishable nature comes into the hands of the Police a report shall be submitted at once through the usual channel for the information of the Officer in charge of the District, who shall give the necessary instructions regarding disposal.
- Bicycles.** 15. (1) Bicycles which have come into the possession of the police and which are unclaimed after the period set out hereunder shall be forwarded to the Property Steward, Russell-street:—
- | <i>Location of Police Station</i> | <i>Period.</i> |
|--|----------------|
| (a) Within a radius of 13 miles from the Post Office situated at the corner of Bourke and Elizabeth streets, Melbourne | 3 weeks. |
| (b) Outside such radius | 3 months. |
- (2) In every instance a report, indicating that full inquiries with a view to tracing the owner of the bicycle have been made at the station and from the maker of the bicycle, shall be attached to the "Owner Required" report when it has been returned from the District Superintendent's Office. Such first-mentioned report, together with the "Owner Required" report, shall be transmitted through the District Office to the Officer in Charge, Melbourne District, at the time the bicycle is forwarded to the Property Steward.
- Disposal of weapons.** 16. (1) In all cases where pistols or other weapons have come into the possession of the Police, a report setting out the particulars must be forwarded, with the weapons, to the Officer in charge of the District.
- Receipts.** (2) The Officer in charge of the District shall at the end of each week forward the weapons and the weekly firearms return (in duplicate) to the Officer in Charge, Scientific Section, Melbourne.
- Property found in trains, trams, &c.** 17. Where any property in the possession of the Police has been found in any vehicle of or on the premises of any public transport authority that authority shall be notified to enable collection by an official of the authority (after signing the necessary receipt and indemnity) for disposal in accordance with the law relating to such authority.
- Duties of Property Steward.** 18. It is the duty of the Property Steward at Russell-street, Melbourne, to take charge of all property coming into the lawful possession of the Police at Russell-street (including C.I. Branch Headquarters) whether such property was first brought in to Russell-street or has been forwarded from some other station or place, but excepting any property entered on the property sheets of prisoners. The Property Steward shall enter particulars thereof in a book to be provided for the purpose.
- Property required for identification, &c.** 19. If any property is subsequently required for identification or other purposes, a receipt must be given for it by the member of the Force into whose possession it passes, and it must be returned to the officer in charge of the station or the Property Steward when no longer required.
- Receipts and audit.** 20. In order that an effective check can be kept on unclaimed property, receipts shall be given and obtained and kept for audit purposes of all such property passing through the hands of the Police. When unclaimed or confiscated property is forwarded from stations or district offices to Melbourne for disposal by the Government auctioneer or otherwise, a receipt for it shall be given by the officer to whom it is handed over or despatched.
- Inspection of property books.** 21. Officers when inspecting stations shall examine carefully the property books and ensure that all property has been accounted for and that the incomplete items are brought forward at the time of inspection. They shall certify as to the correctness or otherwise of the entries and sign their names in the book under such certificate.
- Care of property.** 22. Members of the Force must be careful in handling property in the possession of the Police and must take all reasonable precautions to safeguard such property from damage not only at the police station but also while in court for use as an exhibit or in transit.

CHAPTER 12.

BADGES, MEDALS, ETC.

Valour Badge.

1. When a member of the Force performs any act of Police duty of conspicuous merit, involving exceptional bravery, he may be awarded the Valour Badge by the Chief Commissioner, and, upon such award, such member shall be entitled to have the initials V.B. added after his name in all official documents and publications. Award of badge.
2. The badge shall be awarded upon the particular merit of each case, and whenever it is sought the fullest details and evidence should be submitted for the consideration of the Chief Commissioner. Full details to be submitted.
3. Unnecessary acts of recklessness dictated by bad or rash judgment shall not constitute a valid claim for the Valour Badge. Recklessness.

The King's Police and Fire Services Medal.

4. (1) Members of the Force shall report for the information of the Chief Commissioner any action by another member of the Force or any other person which appears to be deserving of consideration in connexion with the award of the decoration known as "The King's Police and Fire Services Medal". Award of medal.
- (2) Under a Royal Warrant dated the twentieth day of August, 1940, the said medal may be awarded to persons who have either performed acts of exceptional courage and skill or exhibited conspicuous devotion to duty as members of a recognized Police or Fire Service in any part of His Majesty's Dominions.
5. It is competent for His Majesty to cancel and annul the award to any person of the Decoration, and thereupon his name shall be erased from the Register of persons upon whom the Decoration has been conferred. Every person to whom the Decoration is awarded is required, before receiving it, to enter into an agreement to return the medal if his name is erased as aforesaid. Withdrawal of decoration
6. The Regulations made pursuant to the provisions of the said Royal Warrant prescribe the qualifications for the grant of the medal as follows:— Conditions of award.
 - (a) Conspicuous gallantry in saving life and property, or in preventing crime or arresting criminals, the risks incurred being estimated with due regard to the obligations and duties of the officer concerned.
 - (b) A specially distinguished record in administration or detective service, or other Police service of conspicuous merit.
 - (c) Success in organizing Police or Fire Services, or in maintaining their organization under special difficulties.
 - (d) Special services in dealing with serious or wide-spread outbreaks of crime or public disorder, or fire.
 - (e) Valuable political and secret services.
 - (f) Special services to Royalty and Heads of States.
 - (g) Prolonged service, but only when distinguished by very exceptional ability and merit.

Wearing of Medals.

7. When military decorations or medals are worn by members of the Force they shall be placed in a horizontal line or lines on the left breast, either suspended from a single bar (the buckle of which should not be visible) or stitched to the tunic or jumper. The riband shall not exceed one inch in length unless the number of clasps require it to be longer. When the ribands only are worn they shall be attached to the tunic or jumper and must be half an inch in length. Medals shall be worn by members in uniform entitled to wear them when ordered on ceremonial occasions, but at all other times ribands only shall be worn by such members. Places where decorations are to be worn.
8. When worn, medals awarded for bravery by the Royal Humane Society and others shall also be worn on the left breast. Royal Humane Society.
9. When worn, badges obtained for efficiency in First Aid shall be worn on the left arm near the shoulder. First aid.
10. The Valour Badge or riband shall be worn immediately after all decorations or medals awarded by the Sovereign. Valour badge

CHAPTER 13.

TRANSFERS.

Members
liable to
immediate
transfer.

1. In order to maintain the discipline and efficiency of the Police Force members of the Force are liable to immediate transfer to any part of the State of Victoria.

Applications
for transfer.

2. A member of the Force may apply for transfer from one district or station to another district or station, or from one branch of the Service to another branch or from general to special duty.

Filling of
vacancies.

3. (1) In every case where a position becomes vacant within the Force the Chief Commissioner shall, within twenty-eight days of such vacancy occurring, cause an advertisement of the said vacancy to be published in the *Police Gazette* to afford eligible members of the Force a reasonable opportunity to apply therefor.

(2) Such advertisement shall contain a date on or before which applications for transfer to such vacancy may be made to the Chief Commissioner, and a summary of the duties of and the appropriate qualifications relating to the vacancy.

(3) Every applicant for transfer to an advertised vacancy shall apply therefor by application in writing on the form provided through the usual channel setting forth concisely—

(a) his claims, qualifications, stations where he has served, and length of time served at each;

(b) any ill-health or the necessity for a change of climate urged in support of any such application, with a supporting medical certificate attached (where a medical certificate has been submitted and the applicant for transfer has not been successful in his application, it shall not be necessary for a fresh medical certificate to be forwarded on any future application within a period of twelve months thereafter, but reference to such medical certificate shall be recorded on subsequent applications within such period);

(c) in the case of a married man applying for such a transfer involving the occupation of Government quarters, the number of members of the family residing with him, and the age of the children;

(d) whether he has any near relatives residing in the sub-district to which he desires a transfer.

(4) Such vacant position shall be filled by transferring thereto the member of the Force—

(a) who is in the rank or grade advertised;

(b) who has applied for such vacancy in the manner hereinbefore provided; and

(c) who is selected by the Chief Commissioner as being suitable and qualified for the position.

(5) The name of the member so selected shall be published in the *Police Gazette*.

Appeal.

4. (1) Any member of the Force who feels aggrieved by the failure of the Chief Commissioner to select him for transfer to any vacant position advertised in the *Police Gazette* for which he has applied may appeal in accordance with this clause to the Police Classification Board, but no such appeal shall delay or affect the transfer of the member of the Force selected pending the determination of the appeal.

(2) Notice in writing of such appeal shall be lodged by the appellant with the Secretary of the Police Classification Board within ten days of the notification in the *Police Gazette* of the intended transfer as to which he is aggrieved, and such notice shall state the ground of the appeal.

(3) A copy of every such notice of appeal shall be delivered by the appellant to the Chief Commissioner within the same period of ten days.

(4) The time and place for the hearing of the appeal shall be fixed by the Chairman of the Police Classification Board, and notice thereof shall be given by the Police Classification Board to the Chief Commissioner and the appellant.

(5) The appellant shall be entitled to appear before the Police Classification Board in person, and if he so desires to be represented by another member of the Force who may examine witnesses and address the Board.

(6) The Police Classification Board shall hear and determine the matter, and for that purpose the Chairman of the Board may exercise any of the powers of a judge of county courts sitting as chairman of general sessions.

(7) The Police Classification Board shall allow the appeal only if satisfied the appellant—

(a) is more suitable and better qualified for the position than; or

(b) is of equal suitability and qualification as and is senior to—

the member of the Force selected for transfer by the Chief Commissioner.

(8) Upon the Police Classification Board allowing or dismissing an appeal, it shall report its decision in writing to the Chief Commissioner of Police, and to every member of the Force concerned.

(9) The decision of the Police Classification Board shall be final and shall be given effect accordingly.

5. When submitting applications for transfer, members of the Force in charge of stations and Divisional Officers, where applicable, will record opinions of efficiency and good conduct or any other matter which may assist in determining the suitability or otherwise of the applicant for the position sought.

Reports by officers in charge of stations, &c.

6. If there is no applicant or no suitable applicant for a vacant position, a suitable member of the Force who is not an applicant may be appointed by the Chief Commissioner.

Vacancies may be filled without applications.

7. Members of the Force selected for transfer shall not take as an instruction to prepare for transfer the notification in the *Police Gazette* that their applications have been successful, but shall wait until directly instructed to move by their superior officers.

Members not to proceed on transfer until instructed.

8. Members of the Force holding any positions whatever in connexion with other Government Departments or public authorities shall, when about to be transferred, notify the responsible officers of such Departments or authorities, and, where possible, submit to them the names of their successors.

Other Departments to be notified.

9. When a member of the Force has been transferred, the file dealing with such transfer, after such member has reached the station to which he has been transferred, shall be endorsed with the date of his arrival and a statement as to whether such member will occupy quarters or not. In any case where a member occupied quarters and by transfer will not continue to occupy them, the date he vacated the quarters shall be inserted on the file. Transfer files shall in all cases be returned immediately.

Correspondence relating to transfers.

10. (1) To expedite the necessary adjustments, and to avoid, as much as possible, overpayments and underpayments in the pay of members of the Force transferred from one station to another, that portion of a transfer file which is sent to the station to which a member of the Force is to be transferred will have a printed form attached headed "Notice of Transfer".

Notice of transfer.

(2) The particulars on this form must be filled in by the officer in charge of the station immediately on the arrival of the member transferred. The form will then be detached from the file and forwarded, without delay, direct to the Pay Branch, Chief Commissioner's Office, Melbourne. The transfer file will then be completed and returned through the usual channels.

Particulars to be entered on form.

11. Provision is made on the form for notification of change of address for pay purposes consequent upon the transfer, and these particulars must also be filled in by the officer in charge of the station, who should see that the member of the Force concerned is acquainted with the procedure, and that the address supplied is in accordance with his wishes. If no change is required a brief minute to that effect must be made. Only changes of address not due to official transfers are to be notified on Form 47.

Change of address.

Transfers to be effected within one month. 12. (1) When notification of transfer has been published in the *Police Gazette*, the Officer in charge of the District shall see that such transfer is effected within one month of the date on which it is ordered.

Reports to be submitted when instructions are not complied with. (2) In any instance where it is necessary to depart from this instruction, a full report of the circumstances shall be submitted forthwith for the information of the Chief Commissioner. Only in very unusual circumstances will approval be given for any variation of this instruction.

Transfer expenses. 13. (1) When a member of the Force is on transfer from one station to another and he is entitled to have transfer expenses paid by the Department, the Railways (including Railway road motor vehicles) must be used for cartage of his furniture where such facilities are available.

Removals within metropolitan area. (2) Arrangements are to be made with the Supervisor, Road Motor Transport, Batman-avenue, Melbourne, in all cases where a member of the Force is on transfer to or from the metropolitan area or from one suburban station to another, and consignment notes, not requisitions, are to be used.

Road transport. (3) If for any special reason a member of the Force desires to use road transport in lieu of rail, he must apply for permission through the Officer in charge of his District, but in no circumstances shall he incur expenditure in this regard without having first ascertained that the necessary authority has been obtained.

Claims for road cartage. (4) Any claim for reimbursement of road cartage between a country residence and the nearest railway station must be submitted on a L.2A Form through the District office.

Procedure when member is not entitled to claim expenses. (5) Should any member of the Force who is not entitled to reimbursement of transfer expenses wish to have his furniture conveyed by rail to or from the metropolitan area, or from one suburban station to another, he may do so and use consignment notes for the cartage, but he must immediately submit a report of the circumstances to the Chief Commissioner's Office through the usual channels. The Department will settle the claim and then call upon the member of the Force to refund the amount.

CHAPTER 14.

EXCHANGE OFFICERS.

Members of the Force from other States may be appointed. 1. (1) Notwithstanding anything contained in these Regulations, the Chief Commissioner may, in pursuance of any arrangement for temporary exchange of officers, appoint any member of the Police Force of any other State of the Commonwealth of Australia or of the Dominion of New Zealand to be a member of the Police Force of Victoria. Such member may be sworn in and shall thereupon be charged with the duties set forth in his oath of office. He shall for the purposes of discipline be a member of the Police Force of Victoria until his appointment is terminated, and may be referred to as an "exchange officer".

(2) Any such appointment shall be for a limited time, and may be at any time terminated by the Chief Commissioner.

(3) Any exchange officer so appointed shall not, except for the purposes of discipline, be deemed to be a member of the Police Force of Victoria, and shall not personally be entitled to any pay or allowances from the Department which, however, in respect of the payment thereof, may act as agent for the Police Force of the State or Dominion in whose employment such member is permanently employed.

Subject to regulations. 2. Any such exchange officer so appointed shall be deemed to be subject to the provisions of these Regulations, except in so far as the same are inconsistent with any Act or Regulations of the State or Dominion in which he is permanently employed.

Members performing duties in other States. 3. Any member of the Police Force of Victoria whilst performing duties in any other State or Dominion in pursuance of any such arrangement for the temporary exchange of officers shall be deemed to be continuing in the employment of the Police Force of Victoria, and shall, until recalled, perform his duty under the superintendence of, and obey all lawful orders of, the officers under whom he may be placed. He shall be subject to the Regulations of the Police Force of the State or Dominion in which he is serving, except where such Regulations are inconsistent with the Police Regulation Acts, these Regulations, or the orders of the Government of the State of Victoria.

CHAPTER 15.

CHARGES FOR POLICE SERVICES.

1. The services of police applied for by promoters of entertainments, sports, &c., for duty within a place where payment is made for admission shall be charged for as follows:—

Scale of charges for police services.

Foot Police—8s. per man per hour or portion thereof, including time spent going from and returning to his station.

Mounted Police—10s. per man per hour or portion thereof, including time spent going from and returning to his station.

Motor Car or Motor Cycle Police—15s. per hour or portion thereof, including time spent going from and returning to his station.

2. The services of police applied for by Government Departments, municipalities, corporations, banks, firms, &c., for escorting or guarding money or valuable property shall be charged for as follows:—

Escorting money or valuable property.

Foot Police—20s. per man for the first two hours or portion thereof and thereafter an additional charge of 10s. for each hour or portion thereof, including time spent in going from and returning to station.

Mounted Police—25s. per man for the first two hours or portion thereof and thereafter an additional charge of 12s. 6d. for each hour or portion thereof, including time spent in going from and returning to station.

Motor Car or Motor Cycle Police—35s. per man for the first two hours or portion thereof and thereafter an additional charge of 17s. 6d. for each hour or portion thereof, including time spent in going from and returning to station.

3. No charge shall be made for Police necessary to regulate traffic or to perform usual Police duties outside any place of entertainment.

Regulation of traffic.

4. Any member of the Force who is summoned to give evidence in any Court in any civil case or on behalf of the defence in any criminal case shall, before entering the witness box, claim from the party calling him his wages and other expenses incurred. If the time spent in going to, attending, and returning from Court is less than four hours, wages for half a day shall be claimed. If the period exceeds four hours, wages for a full day shall be collected. But in no case shall the liberty of any person who is charged with a criminal offence be endangered by reason of the fact that he is unable to pay the expenses of the members of the Police Force who are summoned to give evidence.

Expenses of attendance at court.

5. When a member of the Force is summoned to give evidence in any such case, a report setting out the nature of the evidence to be given, and any information available as to the financial position of the person who has caused the summons to be issued, shall be submitted to the Officer in charge of the District who shall decide whether or not expenses are to be claimed.

Officer in charge of district to decide if expenses are to be claimed.

6. Where sufficient time is not available to obtain instructions from the Officer in charge of the District, the member of the Force concerned shall exercise his own discretion as to whether or not expenses shall be claimed, and shall afterwards report the facts to the Officer in charge of the District.

Member to exercise discretion.

CHAPTER 16.

RECORD SHEETS.

1. A record shall be kept of the conduct and service of every member of the Force below the rank of Superintendent.

Record sheet.

2. On the appointment of any person to the Force, his name and other particulars shall be entered on one of the prescribed forms by the Office in charge of the Police Depot, a copy of which document and a copy of each subsequent entry thereon shall be forwarded to the Chief Commissioner; and the record thus commenced shall accompany the member of the Force from one

Record to accompany member from one district to another.

District to another. It shall be kept in the office of the Officer in charge of the District, who shall be responsible for the completeness and accuracy of the record for the period during which the member is under his command.

Entries to be in proper form.

3. Strict attention shall be paid to instructions relative to the entries which it is intended should be made on these "records of conduct and service", for it is important, not only that the entries on a member's sheet should be in proper form, but that when taken together they shall present the means of forming, so far as practicable, a fair and just estimate of the member's character and service.

Dates to be shown.

4. The date of appointment to any particular grade or rank of the service which is entered upon the sheet shall be that from which the member of the Force was actually appointed to that grade or rank.

Particulars of marriage to be recorded.

5. (1) A person who is married when appointed to the Force shall on his appointment report such fact. If a member of the Force marries after his appointment he shall forthwith report particulars of the marriage. In either case the marriage certificate shall be produced when the report is made and shall be returned to the member after perusal by the Officer in charge of the District, who shall also report to the Chief Commissioner particulars of the date and place of the marriage, to whom the member was married and the number of the certificate in the marriage register.

(2) The marital status of each member of the Force shall be recorded on his record sheet.

(3) Similar action under both sub-clause (1) and sub-clause (2) shall be taken on the termination of the marriage of any member of the Force, whether by death or divorce.

Transfers.

6. The record sheet shall contain a record of every instance in which the member of the Force is transferred from one station to another, and also the circumstances of such transfers.

Station to be shown.

7. Where the transfer is to another District, the Officer in charge of the District from which the transfer is made shall state in the record the District to which the member is going, and the Officer to whose District the member of the Force is transferred shall complete the record by giving the name of the station.

Particulars of discharge.

8. It is not intended that the portion of the sheet "Particulars of discharge, dismissal, or death" shall contain more than a statement of the manner in which the member left the Force, e.g. :—

Superannuated on _____, having attained the age of 60 years.

Superannuated on _____ on account of bodily infirmity.

Discharged on resignation on _____

Discharged by order of the Police Discipline Board on _____

Dismissed by order of the Police Discipline Board on _____

Died at { his home
Hospital } on _____
Police Hospital

(Signed) _____ Superintendent of Police.

Certificate of discharge.

9. (1) On leaving the Police Force members shall be granted a certificate showing their rank, period of service, and reasons for leaving, together with a personal description. A certificate showing the rank and period of service of a deceased member shall be supplied to the next of kin upon request.

(2) In the case of ex-members who rejoin, the former certificate shall be permanently retained by the Officer in charge of the Police Depot, and upon ultimate retirement a new certificate denoting the periods of service shall be given.

(3) Certificates of discharge shall show the cause of leaving the Force in one of the following ways :—

(a) Completion of service.

(b) Injuries received.

(c) Infirmity of body.

(d) Probation not confirmed.

(e) Resignation.

(f) Discharge.

(g) Dismissal.

(4) The Chief Commissioner may insert any entry as to conduct which he feels justified in recording, but certificates issued in cases of (a) to (f) in sub-clause (3) are generally endorsed with one of the following entries:—

Exemplary.

Very good.

Good.

Generally good.

(5) No entry as to conduct under case (f) need be given by the Chief Commissioner, but the following entry, as the service of the ex-member warrants, may be recorded: "Generally good up to date of incident leading to discharge".

(6) No reference to conduct shall be made under case (g).

(7) If a certificate is lost or mislaid, a duplicate can only be issued by authority of the Chief Commissioner upon production of proof of the loss.

(8) The Chief Commissioner is the only authority to whom reference may be made as to the conduct and character of any individual while a member of the Force. When ex-police members refer to any member of the Force for a character or testimonial, the inquiry must be submitted to the Chief Commissioner through the usual channels.

10. (1) In any circumstance where a member of the Force displays unusual moral or physical courage, or shows exceptional tact and skill in dealing with a difficult case, unusual zeal, energy, and perseverance in following it up, and judgment and discretion generally in conducting it to a conclusion, the Officer in charge of the District shall, if he considers the conduct of such member justifies a commendatory entry being placed on his record sheet, cause a report giving full particulars to be furnished to the Chief Commissioner, and shall attach any files relating to the case. Favourable entries.

(2) The Chief Commissioner shall inquire into the merits of each case and, if satisfied that the conduct of the member merits a favourable entry, shall cause such entry to be made accordingly. If not so satisfied he shall notify the Officer in charge of the District in which the member is stationed. Action by Chief Commissioner.

11. (1) When an adverse entry is made on a record sheet relating to conduct or efficiency the member of the Force concerned shall be furnished with a copy of such adverse entry. Adverse entries.

(2) If an Officer shortly to retire decides to place an adverse entry on a record sheet the member of the Force concerned shall be notified in sufficient time to enable him to seek a redress of grievance should he so desire.

12. Particulars of private rewards which members of the Force are allowed to receive shall not be entered on their record sheets. Rewards.

13. When an Officer who is in charge of a District is transferred from or finally leaves such District from any cause, he may, if in a position to do so, make an entry on the record sheet of any member of the Force stationed in such District, giving his personal opinion of the character and efficiency of any such member. No such entry shall be made in cases where the Officer concerned has not had an opportunity of forming a correct estimate of the capacity of men in the District. Entry to be made by officer in charge when leaving district.

14. In any case where a member of the Force is transferred to another District, or from any cause severs his connexion with the Force, the Officer in charge of the District shall make an entry on the record sheet of the member concerned, giving dates and particulars. Entry to be made when member is transferred to another district.

15. When a member of the Force has been suspended and is found guilty of the offence in respect of which he was suspended the Officer in charge of the District shall on the face of the member's record sheet under the heading "Transfers" enter the date and period of the suspension. Entry when suspended member found guilty.

16. The record sheets of all members who die or are discharged (on resignation or otherwise) or dismissed from the Force shall be completed without delay and forwarded to the office of the Chief Commissioner, to be there filed for reference. Completed sheets to be forwarded to Chief Commissioner.

17. When a member of the Force is transferred from one District to another, the Officer in charge of the District to which he is transferred shall see that the member's record of conduct and service contains the required entries.

Officer in charge to see that proper entries are made.

18. Members of the Force shall be permitted to read their record sheets at convenient times on application to the Officer in charge of the District.

Members to be permitted to peruse sheets.

19. (1) Particulars of fines imposed upon members of the Force for breaches of duty or acts of misconduct shall be entered on their record sheets. The Chief Commissioner shall decide as to whether the particulars of any penalty imposed upon a member of the Force in a Court of justice should be entered on his record sheet.

Fines to be recorded.

(2) A record of charges upon which members of the Force have been "cautioned" or "reprimanded" shall not be entered upon their record sheets.

Reprimands not to be recorded.

20. The Officer in charge of the District concerned shall make a suitable entry on the record sheets of members of the Force who are awarded military distinctions, the Police Valour Badge, the King's Police Medal, the Royal Humane Society's Medal or Certificate, the First-aid Medal or Certificate, or any other distinction.

Awards for valour, &c.

21. In connexion with these entries, Officers in charge of Districts shall observe the following instructions:—

How entries are to be made.

On the first page in the personal description portion of the record sheet, a brief entry shall be made under the heading "Remarks", thus:—

Police Valour Badge (date of award).

A similar method shall be followed in regard to the other distinctions mentioned, and the wording may be reduced. For the Royal Humane Society's distinction, the entry opposite "Remarks" shall be—

R.H.S. Medal (date of award),

and the same method shall be adopted in connexion with military or other awards gained.

On the inside of the record sheet, under the heading "Conduct and efficiency", the Officer in charge of the District shall make a suitable entry containing a condensed statement of the act or acts for which the distinction was awarded.

CHAPTER 17.

ILLNESS.

Visit by sub-officer.

1. (1) On receipt of a notification that any member of the Force is ill and unfit for duty, the officer in charge of the station to which such member is attached shall cause such member to be visited by a sub-officer or, in the case of the first mentioned member being a policewoman, by the senior policewoman or a policewoman authorized by her. As soon as practicable after such visit, a report giving particulars as to the condition of the member of the Force so visited shall be submitted by the sub-officer, senior policewoman or policewoman by whom such visit is made.

(2) A member of the Force who has reported sick shall remain at his residence so that he may be so visited.

Injury or illness attributable to duty (see Determination No. 12, clause 9).

2. If a member of the Police Force fails to furnish any report required to be furnished by any Determination of the Police Classification Board for the time being in force in respect of a claim to have sustained injury or contracted illness directly attributable to his duty, any subsequent claim for such injury or illness to be regarded as "on duty" shall not be recognized unless reasons satisfactory to the Chief Commissioner and the Chief Secretary can be advanced for the delay. No claim for an injury or illness to be regarded as "on duty" shall be entertained in any case where the member concerned has sustained such injury or contracted such illness through his own unauthorized, illegal or improper acts.

3. In the case of a sudden illness of a member of the Force whilst on duty, he shall report either to the officer in charge of the relief, the member in charge of the section or station, or the member in charge of the adjoining beat, or some other appropriate member and, if unfit to continue working, shall, if able, proceed to the station and report his condition. Sudden illness.

4. If a member fails to comply with the provisions of the previous clause, an excuse that he was absent from his beat or other duty through illness shall not be accepted without proof, the onus of which shall be upon such member. Failure to report.

5. All cases of serious illness or dangerous injuries to members of the Force shall be reported for the information of the Chief Commissioner by Officers in charge of Districts immediately the facts are ascertained by them. Serious illness to be reported to Chief Commissioner.

6. (1) Any member of the Force under the rank of inspector attending the Police Hospital shall be subject to a deduction from his pay of fourteen shillings per day as an in-patient and three shillings per day as an out-patient. Hospital stoppages (see Determination No. 12, clause 19).

(2) Any member of the Force of or above the rank of inspector attending the Police Hospital shall be subject to a deduction from his pay of one pound per day as an in-patient and five shillings per day as an out-patient.

7. All stoppages of pay on account of illness shall be deducted in the office of the Chief Commissioner from the pay of the member of the Force concerned. Stoppages of pay.

CHAPTER 18.

PENSIONS.

1. In this Chapter, unless inconsistent with the context or subject-matter— Definitions.

"Pensioner" means a person to whom a pension has been granted under the provisions of the Act. "Pensioner."

"Retired member of the Force" includes a member of the Force who is permitted under the provisions of clause 3 of this Chapter to make an application for a pension or gratuity prior to his retirement. "Retired member of the Force."

"Schedule" means the schedule to this Chapter. "Schedule."

Applications for Pensions, Gratuities, and Allowances.

2. An application for a pension, gratuity, or allowance shall be signed by the applicant, and shall be made to the Chief Commissioner of Police in the form of a statutory declaration under the provisions of Division 4 of Part IV. of the *Evidence Act* 1928. Applications.

3. A member of the Force who has been informed that he is about to be retired may, not more than two calendar months before the date on which it is intended to retire him, make an application for a pension or gratuity, notwithstanding that he is still a member of the Force. Retiring members.

4. An application by a retired member of the Force for a pension or gratuity shall be made in accordance with Form 1 in the Schedule. Retired member.

5. An application by a widow of a former member of the Force for a pension or gratuity shall be made in accordance with Form 2 in the Schedule. Widow.

6. An application by a mother or guardian of the children of a former member of the Force for an allowance or gratuity shall be made in accordance with Form 3 in the Schedule. Mother or guardian.

7. An application by a dependant of a former member of the Force for a gratuity shall be made in accordance with Form 4 in the Schedule. Dependant.

8. On receipt of an application for a pension, gratuity, or allowance, the Chief Commissioner shall examine such application. If it appears to him that on any material point the evidence is insufficient for the just determination of the application he shall cause to be made such further investigation as appears to him desirable, and may, for the purposes of such investigation, examine the applicant or any other person on oath. Inquiries into applications.

Certificate of
Secretary to
Department.

9. For the purposes of investigation of any such application, a certificate under the hand of the Secretary to the Police Department, in accordance with Form 5 in the Schedule, relating to—

- (a) the age of the member of the Force;
- (b) the date of his appointment to the Force;
- (c) the number of years he has actually served;
- (d) the rate of salary paid to him;
- (e) the reason of his retirement; or
- (f) any other matter relating to his service in the Force—

and stating that the information contained in such certificate has been obtained from the records of the Police Department shall be prima facie evidence of the correctness of the statements contained therein.

Special
pensions.

10. When an application is made for a special pension, the Chief Commissioner shall fully investigate the circumstances in which injury was received.

Medical
examination.

11. (1) If the application is made under the provisions of section 43 of the Act and if the Chief Commissioner considers that a further medical examination is desirable, he shall notify the applicant, in accordance with Form 6 in the Schedule, to appear before the Medical Board at a time and place to be stated in such notice in order to be medically examined.

(2) The Medical Board shall medically examine the applicant at such time and place or at such other time or place as the Board shall then determine, and shall forthwith after such examination forward a medical certificate to the Chief Commissioner.

Copy to
applicant.

(3) Forthwith on the receipt of any medical certificate the Chief Commissioner shall send a copy thereof to the applicant.

Papers to be
forwarded to
Super-
annuation
Board.

12. On the completion of such investigations as appear to him desirable, the Chief Commissioner shall forward such application to the Police Superannuation Board, together with—

- (a) all the documents relating to his investigations;
- (b) medical certificate (if any) of the Medical Board;
- (c) the medical certificate (if any) given by the independent Board appointed under sub-section (8) of section 48 of the Act;
- (d) the certificate of approved service required by sub-section (2) of section 47 of the Act (if so required); and
- (e) his report on the application.

Notice of
decision of
Board to be
sent to
applicant.

13. When any recommendation of the Police Superannuation Board is approved by the Governor in Council, the Chief Secretary shall cause notice thereof to be given to the Chief Commissioner, and the Chief Commissioner shall forthwith send to the applicant notice in writing in accordance with Form 7 in the Schedule informing him of the result of his application.

Further
investigation.

14. At any time after the receipt of any application under the Act, the Police Superannuation Board may require the Chief Commissioner to make any further investigations on any matter relating to such application.

Medical
Board.

15. When a pension is granted on the ground of incapacity for the performance of duty, the Police Superannuation Board may at any time call upon the pensioner to appear before the Medical Board in order to be medically examined.

Approved Service and Deductions from Service for Sickness, Misconduct, and Neglect of Duty.

Deductions
from service.

16. Any deductions from service which may be made under the provisions of section 47 of the Act shall be made by the Chief Commissioner.

17. (1) In ascertaining what is the approved service of a member of the Force for the purposes of section 47 of the Act, the Chief Commissioner may deduct from the actual service of such member such period as to him may seem just in respect of—

- (a) sickness, where such sickness is feigned or simulated or arises from carelessness, recklessness, improper or vicious conduct, excessive indulgence in alcohol, improper, illegal or immoral practices; and
- (b) misconduct (for the purposes of this clause "misconduct" shall include the breaches of duty and acts of misconduct set out in Chapter 6 of these Regulations).

(2) No such deduction shall exceed the period (including any period during which such member of the Force is suspended from duty) during which such member is absent from duty on account of such sickness or misconduct or shall be made in respect of any sickness or misconduct unless such member of the Force has been duly found guilty thereof under the Act.

18. When a member of the Force is under the Act found guilty of any sickness or misconduct, the Officer in charge of the Police District in whose charge such member is shall send to the Chief Commissioner the depositions and all other papers relating to the proceedings, including a certified extract or certificate of the decision of any Court, Board, Officer or other appropriate Tribunal, together with a full report of the circumstances of the case; and the Chief Commissioner upon the receipt thereof may, subject to the Act, make such deduction from the service of such member as in his discretion he thinks just.

19. The notice of deduction required to be given by sub-section (3) of section 47 of the Act may be given in accordance with Form 8 in the Schedule, and shall give particulars of such deduction and of the grounds thereof, and shall state the name of the superior officer (if any) whose act prevents the reckoning of any period as approved service, and the nature of such act.

20. The certificate of approved service required by sub-section (2) of section 47 of the Act may be given by the Chief Commissioner in accordance with Form 9 in the Schedule.

21. For the purposes of any application under this Chapter, the production to the Police Superannuation Board of a certificate under the hand of the Secretary to the Police Department relating to the period or periods deducted from the service of any particular member of the Force shall be prima facie evidence of the correctness of the particulars stated therein.

Payment of Pensions, Gratuities, and Allowances.

22. A person to whom a gratuity has been granted shall render his account, in accordance with Form 10 in the Schedule, to the Chief Commissioner of Police.

23. Every person rendering such an account shall sign the declaration set out on the particular form of account applicable to his case.

24. Subject to this Chapter, the General Regulations respecting public accounts under the *Audit Act* 1928 shall apply to the payment of accounts for pensions, gratuities, and allowances, and for the return of rateable deductions under the Act.

Appeals against Acts of Superior Officers which Prevent the Reckoning of any Period as Approved Service.

25. Where an act of a superior officer, not being the Chief Commissioner, prevents any member of the Force from reckoning any period of actual service as approved service, he may, subject to this Chapter, appeal to the Chief Commissioner against such act.

26. The appellant shall, within fourteen days after notice of deduction has been given to him, send to the Chief Commissioner notice in writing, in accordance with Form 11 in the Schedule, of his intention to appeal and of the grounds of such appeal.

- Hearing of appeal.** 27. On receipt of such notice of appeal, the Chief Commissioner shall appoint a time and place, being not more than 28 days from the date of such receipt, for the hearing of the appeal, and shall send to the appellant, to the person laying the charge (if any), and to the superior officer whose act is questioned, notice thereof in writing, in accordance with Form 12 in the Schedule, so as to reach them at least seven days before the time so appointed.
- Determination of appeal.** 28. At such time and place, or at such other time or place to which he may then adjourn the hearing of the appeal, the Chief Commissioner shall hear and determine such appeal, and shall forthwith after such determination notify his decision in writing to the appellant, to the person laying the charge (if any), and to the superior officer.
- Investigation of appeals.** 29. The Chief Commissioner shall inquire into the matter of the appeal without regard to legal forms and solemnities, and shall be directed by the best evidence procurable, whether the same is such evidence as the law requires or admits in other cases or not, and it shall be lawful for the Chief Commissioner to receive or reject, as he deems fit, any evidence that may be tendered.
- Witnesses may be called.** 30. The appellant, the person laying the charge (if any), and the superior officer whose act is questioned, may, on the hearing of such appeal, call such material witnesses as they desire. The appellant may be represented by counsel, but no costs of employing counsel shall be allowed on any appeal.
- Costs may be allowed against appellant.** 31. If in the opinion of the Chief Commissioner the appeal has been made vexatiously and without any reasonable probability of success, he may order the appellant to pay such costs as in his discretion he may fix, but not exceeding the actual costs of the person laying the charge (if any) and his witnesses, and of the superior officer and his witnesses on such appeal.
- When person laying charge may be ordered to pay costs.** 32. No order for costs shall be made against the person laying the charge (if any) or against the superior officer; except that, if the Chief Commissioner is satisfied that the person laying the charge (if any) or the superior officer acted maliciously and without reasonable and probable cause, he may direct him to pay the appellant such costs as in his discretion he may fix.
- Expenses of witnesses.** 33. In any case the Chief Commissioner may direct that the costs of any witnesses called on any appeal be paid by the Police Department on the same scale as costs are paid to witnesses in criminal cases heard before Courts of Petty Sessions.
- Costs may be deducted from pay.** 34. When any costs are ordered to be paid by a member of the Force, such costs may be deducted from any salary, pension, gratuity, or rateable deductions which may be due to him.

Appeals against Opinions of the Medical Board.

- Appeals against decision of Medical Board.** 35. When any person is dissatisfied with the opinion of the Medical Board on any medical question arising under the provisions of section 48 of the Act, he may, subject to these Regulations, appeal to an independent Board as provided by the Act.
- Certificate of Board.** 36. The Medical Board shall forthwith after the completion of any medical examination send its medical certificate to the Chief Commissioner, who shall forthwith forward such certificate to the Police Superannuation Board as to the further medical examination of such person.
- Copy to be sent to member concerned.** 37. Where for the purpose of section 48 of the Act any person is medically examined by the Medical Board, the Chief Commissioner shall forthwith on receipt of the medical certificate send a copy thereof to such person.
- Notice of appeal.** 38. The appellant shall, within fourteen days after he has received such copy of the medical certificate, send to the Chief Commissioner notice in writing, in accordance with Form 13 in the Schedule, of his intention to appeal and of the grounds of such appeal. The Chief Commissioner shall forthwith send notice of such appeal to the Chief Secretary.

39. Within 28 days after receipt by him of such notice the Chief Secretary shall duly appoint an independent Board of three legally qualified medical practitioners in accordance with subsection (8) of section 48 of the Act, and shall notify the Chief Commissioner of such appointment. Independent Board.

40. The Chief Commissioner shall send to the appellant notice of the time and place appointed (being not more than 28 days after the appointment of such independent Board) for his further medical examination. Such notice shall be in accordance with Form 14 in the Schedule. Notice of examination by Board.

41. At such time and place, or at any other time or place to which such independent Board shall then adjourn the examination, such independent Board shall medically examine the appellant and give its decision thereon in the form of a medical certificate, and shall forthwith send such medical certificate to the Chief Commissioner. Examination and certificate.

42. It shall be the duty of the appellant to attend at the time and place appointed and, if he is a serving member of the Force, he shall be given such leave as may be necessary to enable him to attend. He shall submit himself to any medical examination which the independent Board may desire to make or may direct to be made. Appellant to attend before Board.

43. The Chief Commissioner shall forthwith send a copy of such medical certificate to the appellant, and shall forward such medical certificate to the Police Superannuation Board. Copy of certificate to be sent to appellant.

44. Where the independent Medical Board certifies in its certificate that an appeal made to it under these Regulations is made vexatiously and without any reasonable probability of success, and that such lack of reasonable probability of success must, in its opinion, have been known to the appellant, the Chief Commissioner may order the appellant to pay such reasonable costs of the independent Medical Board as in his discretion he may fix, and such costs may be deducted from any salary, pension, gratuity, or rateable deductions which may be due to the appellant. Vexatious appeals.

SCHEDULE.

FORM 1.

Police Regulations.

Application by Retired Member of the Force for Pension or Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, I may be granted such ordinary pension, special pension, or gratuity as I may be by law entitled to receive.

Name of applicant in full.

Full postal address.

Rank and number on retirement.

Give date and place of your birth.

On what date were you appointed to the Force?

On what date were you retired from the Force?

On what date are you due to retire from the Force?

What was the cause of your retirement?

Do you apply for an ordinary pension, special pension, or a gratuity?

If you apply for a special pension, what is the nature of the injury you have received, and the circumstances thereof?

Do you claim that such injury was accidental or non-accidental? (See section 39 (2) of the Act.)

Declaration.

I, _____ of _____, in the State of Victoria, _____, the above-named applicant, do solemnly and sincerely declare that the statements made by me in answer to the above questions are true and correct in every particular, that I honestly believe myself to be entitled to the payment of a pension or gratuity, and that I have not rendered myself liable to a forfeiture of pension by reason of any breach of the provisions of section 51 of the *Police Regulation Act 1928*.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this _____ day of _____, in the year of our Lord One thousand nine hundred and _____

J.P.

FORM 2.

Police Regulations.

Application by Widow of Member of the Force for Pension or Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, I may be granted such widow's ordinary pension, special pension, or gratuity, as I may be by law entitled to receive.

Name of applicant in full.

Full postal address.

What was your husband's full name?

Give his rank and number (if any).

On what date was he appointed to the Force?

When and where did he die?

What was the cause of his death?

At the time of death, was he serving in the Force?

If not, give date of his retirement.

At the time of death, was he in receipt of a pension? If so, give particulars.

When and where were you married to him?

Were you living with him at the time of his death?

If not, how much did the above-named member of the Force contribute towards your support during the past twelve months?

Do you apply for an ordinary pension, special pension, or gratuity?

If you apply for a special pension, do you claim that the injury from which your husband died was non-accidental? (See section 39 (2) of the Act.)

Declaration.

I, _____ of _____, in the State of Victoria, _____, the above-named applicant, do solemnly and sincerely declare that the statements made by me in answer to the above questions are true and correct in every particular, that I honestly believe myself to be entitled to the payment of a pension or gratuity, and that I have not rendered myself liable to a forfeiture of pension or gratuity on account of misconduct, or by reason of any breach of the provisions of the *Police Regulation Act 1928*.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this _____ day of _____, in the year of our Lord One thousand nine hundred and _____

J.P.

FORM 3.

Police Regulations.

Application on Behalf of the Children of a Deceased Member of the Force for an Allowance or Gratuity.

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, such allowance or gratuity may be granted to the under-mentioned children as they may by law be entitled to receive, and I further apply that such allowance or gratuity be paid to me for the use and benefit of such children.

Full name of applicant.

Full postal address.

Are you the mother or guardian of the under-mentioned children?

What was the full name of the father of the under-mentioned children?

Give his rank and number (if any).

On what date was he appointed to the Force?

When and where did he die?

What was the cause of his death?

At time of death, was he serving in the Force? If not, give date of his retirement.

At time of death, was he in receipt of a pension? If so, give particulars.

Do you apply for an allowance or gratuity in respect of such children?

State in respect of the children—

Full Name of Child.	Date of Birth.	Place of Birth.	Where Living at Present.	Full Maiden Name of Mother.
1st Child				
2nd Child				
3rd Child				
4th Child				

Declaration.

I, _____ of _____, in the State of Victoria, _____, the above-named applicant, do solemnly and sincerely declare that the statements made by me in answer to the above questions are true and correct in every particular, that I honestly believe the said children to be entitled to the payment of an allowance or gratuity, and that if an order is made for the payment to me of any such allowance or gratuity, I will carefully and conscientiously administer the same for the sole use and benefit of the said children.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

Applicant.

Declared before me at _____ day of _____ in the State of Victoria, this _____, in the year of our Lord One thousand nine hundred and _____

J.P.

*FORM 4.**Police Regulations.**Application by Dependant of Deceased Member of the Force for a Gratuity.*

To the Chief Commissioner of Police,

Sir,—I have the honour to apply that, under the provisions of the *Police Regulation Act 1928*, I may be granted such gratuity as I may be by law entitled to receive.

Name of applicant in full.

Full postal address.

Occupation.

Give the date and place of your birth.

What was the full name of the member of the Force in respect of whose services this application is made?

Give his rank and number (if any).

State your relationship to him.

On what date was he appointed to the Force?

When and where did he die?

What was the cause of his death?

At the time of death, was he serving in the Force?

If not, give the date of his retirement.

At the time of death, was he in receipt of a pension? If so, give particulars.

To what extent were you dependent on such member of the Force?

How much per week are you earning now? (If earning, give name and address of employer; if not earning, give reason thereof.)

By whom were you employed during the last twelve months?

How much did you earn during the last twelve months?

How much did each of your children (if any) contribute to your support during the last twelve months?

How much did the above-named member of the Force contribute to your support during the last twelve months?

Do you keep a shop, or lodginghouse, or boardinghouse, or conduct a business of any kind, or have you an interest in any shop or business?

What is the nature of the same, and what net income did you receive therefrom during the last twelve months?

Has any one agreed to maintain you in whole or in part, or to make any payments to you in consideration of property you have transferred?

During the last twelve months, did you receive free board or free lodging, or both? (State which received, for how long received, and from whom received.)

What other income have you received during the last twelve months? (Include rents, dividends, interests, and any other income. The nature and the amount of the income in each case should be stated.)

What house and land property do you own?

Where is it situated?

What is the nature of the title?

What is its full capital value?
 Is any of the property mortgaged or otherwise encumbered?
 Have you a share or interest in any other property?
 What is the nature and value of such property?
 Do you own live stock, furniture, vehicles, or any other personal property?
 (Give particulars and value of each article.)
 Have you any money in any bank, savings bank, building society, or
 other financial institution? (State names, addresses, and amounts.)
 Is your life assured? (If so, state name of company, policy number,
 amount, and age at which amount payable, and state by whom the
 premiums are paid.)
 Have you any money or property not previously disclosed? (Give
 full particulars of any such property.)
 What property have you disposed of during recent years?

Declaration.

I, _____ of _____ in the State
 of Victoria, _____, the above-mentioned applicant, do
 solemnly and sincerely declare that the statements made by me in answer
 to the above questions are true and correct in every particular, that I
 honestly believe myself entitled to the payment of a gratuity, and that
 I have not rendered myself liable to a forfeiture of gratuity on account
 of misconduct, or by reason of any breach of the provisions of the *Police
 Regulation Act 1928*.

And I make this solemn declaration conscientiously believing the same
 to be true, and by virtue of the provisions of an Act of the Parliament
 of Victoria rendering persons making a false declaration punishable
 for wilful and corrupt perjury.

Applicant.

Declared before me at _____ in the State of Victoria, this
 _____ day of _____, in the year
 of our Lord One thousand nine hundred and _____

J.P.

FORM 5.

*Police Regulations.**Certificate of the Secretary to the Police Department.*

I, _____, Secretary to the Police
 Department of the State of Victoria, do hereby certify that, according
 to the records of the Police Department, the following particulars of the
 age and service of the under-mentioned member of the Police Force of
 the State of Victoria are true and correct:—

Full name of member.

He was born on the _____ day of _____, 19 _____.

(Then set out any of the following):—

He was appointed to the Force on the _____ day of _____, 19 _____.

He has actually served in the Force for a period of _____.

He was retired on the _____ day of _____, 19 _____.

He died on the _____ day of _____, 19 _____.

His annual rate of pay at the time of retirement (or death) was _____.

The average annual rate of his pay during the three years immediately
 preceding his retirement (or death) was _____.The reason of his retirement was _____ (or any
 other matter relating to his service in the Force.)

And I certify that the information contained in this certificate has
 been obtained from the records of the Police Department.

Given under my hand this _____ day of _____, 19 _____.

Secretary to the Police Department.

FORM 6.

*Police Regulations.**Notice to Applicant to Attend Before the Medical Board.*

To

Take notice that you are required to attend at the hour of _____
 o'clock in the _____ noon, on the _____ day of _____,
 19 _____, before the Medical Board, in order to
 be medically examined.

Dated the _____ day of _____, 19 _____.

Chief-Commissioner of Police.

FORM 7.

Police Regulations.

Notice to Applicant of Result of Application for Ordinary or Special Pension or Children's Allowance.

To

Take notice that the investigation and consideration of your application dated the _____ day of _____, 19____, for _____, has now been completed.

Your application has been refused; or

You have been granted—

an ordinary pension;

a special pension;

an allowance for each of the children, A.B., C.D., and E.F., at the rate of £ _____ per annum, dating from the _____ day of _____, 19____.

A "Not Negotiable" cheque for the amount due will be forwarded to you every fortnight direct from the Pensions Office, State Treasury, Melbourne, which office, as well as the local police, should be notified of any change in your address.

Chief Commissioner of Police.

Notice to Applicant of Result of Application for gratuity.

When gratuity is granted, this form is to be used:—

To

You have been granted a gratuity of £ _____, to be paid to you forthwith, or in the following manner:—

(Set out manner of payment ordered.)

Please sign enclosed account for £ _____ where marked in pencil, and return it to me as soon as possible.

Dated this _____ day of _____, 19____.

Chief Commissioner of Police.

FORM 8.

Police Regulations.

Notice of Deduction.

To

Take notice that, for the purpose of ascertaining your approved service under the provisions of section 47 of the *Police Regulation Act 1928* I have deducted from your actual service the period from the _____ day of _____ to the _____ day of _____, both days inclusive. The grounds on which I have made such deduction are as follow:—

(If arising through the act of a superior officer, add these words):—

You are prevented from reckoning such period as approved service by reason of the act of your superior officer (rank and name) whereby he (here set out the nature of the act)

Dated the _____ day of _____, 19____.

Chief Commissioner of Police.

FORM 9.

Police Regulations.

Certificate of Approved Service.

I,

_____, being the Chief Commissioner of Police for the Police Force of the State of Victoria, do hereby certify, for the purposes of section 47 of the *Police Regulation Act 1928*, that the approved service of A.B., formerly a member of the Police Force of the said State, is a period of _____ years and upwards, and that such period of approved service has been a period of diligent and faithful service on the part of the said A.B.

Given under my hand the _____ day of _____, 19____.

Chief Commissioner of Police.

FORM 10.

Police Regulations.

Victoria Police.

Payable at Pay Office, Victoria.
Treasury Register Number Treasury Voucher Number

POLICE GRATUITY.

Police Regulation Act 1928.

Financial Year , 19 .

The Government of Victoria,

Dr. to

Amount of gratuity granted me . . . : :

Total (pounds, shillings, and pence) . . . : :

Declaration.

I, *formerly a member of the Police Force of the State of Victoria, the widow of formerly a member of the Police Force of the State of Victoria, a dependant of , formerly a member of the Police Force of the State of Victoria:
*the mother of guardian

and the children of , formerly a member of the Police Force of the State of Victoria, do hereby declare that I am entitled to payment of the above-mentioned gratuity, and that I have not rendered myself liable to a forfeiture thereof by reason of any breach of the provisions of the *Police Regulation Act 1928*.

* Strike out what is inapplicable.

The claimant to sign here

Address

Date 19 .

I certify to the best of my knowledge and belief, after due inquiry, that the foregoing account is true and correct in every particular.
Chief Commissioner of Police,

19 .

Certifying Officer.

Received on the day of , 19 .
from Esquire, the sum of pounds
shillings pence, in full payment of the above account.

Witness to payment and signature

FORM 11.

Police Regulations.

Notice of Appeal Against an Act of a Superior Officer which Prevents the Reckoning of any Period of Service as Approved Service.

To the Chief Commissioner of Police.

Take notice that, in accordance with the provisions of the *Police Regulation Act 1928*, and the Regulations thereunder, I intend to appeal to you against the under-mentioned act of my superior officer (rank) (name) which prevents me from reckoning as approved service the period from the day of 19 , to the day of 19 , both days inclusive.

The act against which I appeal is as follows:—

(Here set out fully the act complained of, and the circumstances thereof.)

The grounds on which I make this appeal are as follow:—

(Here set out fully the grounds of appeal.)

My full name is

My number is

My rank is

My station is

Dated this

day of , 19 .
Appellant.

FORM 12.

Police Regulations.

Notice of Time and Place of Hearing Appeal Against Act of Superior Officer.

Take notice that I have appointed the day of , 19 , at the hour of o'clock in the noon, at , for the hearing of an appeal by against an act of his superior officer which prevents him from reckoning the period from the day of 19 , to the day of 19 , both days inclusive, as approved service.

Dated this day of , 19 .
Chief Commissioner of Police.

To the appellant.
To the above-named superior officer.

(or)
To the person laying the charge (if any).

FORM 13.

Police Regulations.

Notice of Appeal Against Opinion of the Medical Board.

To the Chief Commissioner.

Take notice that, in accordance with the provisions of the *Police Regulation Act 1928*, and of the Regulations thereunder, being dissatisfied with the opinion of the Medical Board on the under-mentioned medical question, I intend to appeal to an independent Board of three legally qualified medical practitioners, to be appointed for the purpose by the Honorable the Chief Secretary.

The opinion with which I am dissatisfied is as follows:—

The grounds on which I make this appeal are as follow:—

My full name is

My full postal address is

(If still in the Force)

My number is

My rank is

My station is

Dated the _____ day of _____, 19 _____
Appellant.

FORM 14.

Police Regulations.

Notice of Time and Place of Medical Examination Before an Independent Board.

Take notice that an independent Board of three legally qualified medical practitioners appointed for the purpose by the Honorable the Chief Secretary, will proceed to medically examine you on the day of _____, 19 _____, at the hour of _____ o'clock in the _____ noon, at _____, at which time and place your attendance is required.

Chief Commissioner of Police.

To _____ the Appellant.

CHAPTER 19.

DUTY AND LEAVE.

1. Sub-officers in charge of stations shall ensure that the time and days off due under any Determination of the Police Classification Board for the time being in force are granted to the members of the Force under their charge in their proper order. Time off shall not be allowed to accumulate, but shall be taken within one month whenever possible. The Officer in charge of the District shall ensure that all arrears of time off and days off are taken as early as possible.

Sub-officers to grant time off (see Determination No. 7).

2. When circumstances require the services of all police in any District time and days off may remain in abeyance until the return of normal conditions, when they may be resumed in the order of those who were first entitled thereto when the suspension took place.

Time and days off may be suspended in exceptional circumstances.

3. Sub-officers in charge of stations shall keep a record of all time and days off due to members of the Force. The record shall be open for inspection at any reasonable time by any member attached to the station.

Record of time and days off to be kept.

4. (1) Immediately upon the completion of escort or other duty by any members of the Force they shall report themselves to the member of the Force in charge of the place where the duty is completed and shall, unless extraordinary circumstances supervene, be instructed by him to return by the most economical means. Members in charge of stations must exercise intelligent discretion when considering the return of a man to his station, and shall allow a reasonable time for rest, meals, &c. If seven hours have elapsed between the time of starting and the time of reporting his arrival, the constable should not be compelled to return to his station until the following day. If the escorting member is senior to the member in charge of the station at which he reports, he will be responsible for his return to his station within a reasonable time.

Escort duty, &c.

(2) Members of the Force travelling on duty from the country to Melbourne or suburbs may report at the police station which is most convenient, having regard to all the circumstances.

- Quarterly report to be submitted. 5. At the end of each quarter a report must be submitted by members in charge of sub-districts to the Officer in charge of the District setting out the time off and days off due to the men at the station.
- Transfers. 6. When a member of the Force has received notice of transfer to another station, all time off and days off due to him will be granted to him before the date of transfer, unless the Officer in charge of the District to which he is transferred approves of it being carried over to that District. If any time off or days off is carried over, particulars of such time off or days off shall be endorsed on the document known as the "Transfer Clearance" form.
- Officers to inspect record. 7. Officers when inspecting stations are to inspect the records of time off and days off due to members, and when any breach of the regulations in this Chapter is detected, a report is to be submitted to the Officer in charge of the District.
- Financial year. 8. For the purposes of annual leave the year shall be deemed to commence on the 1st July, and terminate on the 30th June following.
- Leave not taken to lapse. 9. Save in exceptional or extraordinary circumstances and with the approval of the Chief Commissioner, leave of absence not taken in the year in which it is due shall lapse.

CHAPTER 20.

EXAMINATIONS AND PROMOTIONS.

- Definitions. 1. In this Chapter, unless inconsistent with the context or subject-matter:—
 'Officer' means the Inspecting Superintendent, or any Superintendent, Chief Inspector, or Inspector.
 'Officer in charge of a District' includes every Officer who for the time being is in charge of a Police District, and also includes the Officers in Charge of the Criminal Investigation Branch, Traffic Control Branch, Information Bureau, and Police Depot.
- Retention examination. 2. A constable shall, before the completion of his probationary service, pass the retention examination hereinafter described, failing which he shall be discharged from the Force.
- Subjects. 3. The retention examination shall be conducted by means of written examinations upon the following subjects:—
 (a) The educational subject of English up to the standard of the proficiency certificate issued by the Education Department of Victoria:
 Provided that any member of the Force who is the holder of such certificate or higher qualifications approved by the Chief Commissioner shall be deemed to have passed this subject.
 (b) Elementary law and police duties as set out in a syllabus approved of by the Chief Commissioner after consultation with the examiner.
- Conduct of examination. 4. The retention examination shall be conducted by the examiners appointed for the purpose by the Chief Commissioner. Each examiner shall direct the work of the examination conducted by him and fix the duration thereof, and shall allot marks for such examination. Any candidate who secures at least 60 per centum of the maximum number of marks in each examination for which he is required to sit shall be deemed to have passed the examination.
- Notification of results. 5. After each retention examination the examiners shall furnish to the Chief Commissioner a list giving the examination number of each candidate who has passed the retention examination. A list of the names, together with the examination numbers of members of the Force who have passed the examination, shall be published in the *Police Gazette*, and the result of such examination shall be entered on the record sheet of each successful candidate.
- Members not to apply for promotion. 6. Except as hereinafter provided, members of the Force shall not apply either directly or indirectly for promotion, nor use or solicit political or other influence to obtain it.
- Rights of members. 7. Subject to the provisions of this Chapter a member of the Force shall be entitled as of right to present himself for the examinations prescribed herein.

8. To be eligible for promotion to the rank of first constable a member of the Force must have — Promotion to first constable.

- (a) completed five years' service in the Force; and
- (b) passed the theoretical examination prescribed in clause 11 of this Chapter.

Provided that a constable who has not passed that examination may, after the completion of ten years' service, be promoted to the rank of first constable, if the Chief Commissioner is of opinion that his conduct and efficiency warrant such promotion.

9. To be eligible for promotion to the rank of senior constable a member of the Force must have passed the theoretical examination prescribed in clause 11 of this Chapter, and a practical examination in the duties of a senior constable of police. Promotion to senior constable.

10. To be eligible for promotion to the rank of sergeant a member of the Force must have passed the theoretical examination prescribed in clause 11 of this Chapter, and a practical examination in respect of the duties of a sergeant of police. Promotion to sergeant.

11. (1) The theoretical examination for promotion to the rank of sub-officer shall be an examination in respect of theoretical law. Examination for sub-officer.

(2) Any member of the Force may present himself for the theoretical examination prescribed in this clause after the completion of two years' service in the Force.

12. To be eligible for promotion to the rank of Officer a member of the Force must have passed the educational and practical examinations prescribed in clause 13 of this Chapter. Promotion to Officer.

13. (1) The examinations for promotion to the rank of Officer shall be:— Examinations for Officer.

- (a) A written examination in the educational subjects of Arithmetic, English, Civics, and Geography up to the standard of the Intermediate Certificate issued by the University of Melbourne:

Provided that any member of the Force whose name does not appear in the list of those who have passed such examination, and who has secured a pass in not less than two of the prescribed subjects, may present himself at any subsequent examination in respect of the remaining subject or subjects for which he did not secure a pass. If at any subsequent examination he secures a pass in the remaining subject or subjects he shall be deemed to have passed the examination in the above-mentioned educational subjects:

Provided further that any member of the Force who—

- (i) is the holder of an Intermediate Certificate issued by the University of Melbourne; or
- (ii) has proved to the satisfaction of the Director of Education that such member has reached an educational standard equivalent to the Intermediate Certificate of the University of Melbourne,

shall be deemed to have passed the said examination in respect of educational subjects. For the purposes of this clause, any certificate signed by the Director of Education in that behalf shall be conclusive evidence that the member named in the certificate has reached an educational standard equivalent to the Intermediate Certificate of the University of Melbourne.

Provided further that, where prior to the tenth day of July, 1951, a member of the Force who had not passed the prescribed examination in educational subjects and who was not the holder of an Intermediate Certificate issued by the University of Melbourne had been permitted to present himself for practical examination and had passed such practical examination, then notwithstanding anything contained in clause sixteen of these Regulations, he shall not be again required to pass the practical examination if, within six months after the aforesaid date, he proves to the satisfaction of the Director of Education that he has reached an educational standard equivalent to the Intermediate Certificate issued by the University of Melbourne.

(b) A practical examination in respect of the police duties of an Officer.

(2) Any member of the Force may present himself for such educational examination after he has completed twelve months' service in the Force.

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| Practical examinations before promotion. | 14. Unless otherwise specially provided, no member of the Force shall be promoted to any rank or grade below the rank of Superintendent until he has passed the practical examination qualifying him for such rank or grade. |
| Theoretical examination to be passed before practical examination. | 15. No member of the Force shall be permitted to present himself for practical examination for any rank or grade until he has passed the theoretical examination for such rank or grade or the prescribed equivalent, and has reached the rank or grade next below that for which he is a candidate:

Provided that where there are not sufficient qualified members in the next lower rank or grade to fill all vacancies, the Chief Commissioner may permit qualified members in a lower rank or grade to present themselves for practical examination. |
| Age limit for Superintendent. | 16. No member of the Force shall be promoted to the rank of Superintendent after he attains his fifty-seventh birthday. |
| Eligibility for Chief Inspector. | 17. No member of the Force shall be promoted to the rank of Chief Inspector unless he will be eligible in accordance with the last preceding clause for promotion to Superintendent. |
| Appointment of examiners. | 18. The examinations prescribed in Clauses 9, 10, 11, and 13 of this Chapter shall be conducted by one or more examiners (hereinafter referred to as the "examiner") appointed for that purpose by the Chief Commissioner. |
| Practical examinations | 19. The practical examinations in respect of police duties shall be conducted in such manner as will, in the opinion of the examiner, test the knowledge of candidates in the duties of and their suitability for the rank or grade to which promotion is sought. |
| Questions. | 20. Without affecting the generality of the last preceding clause, the examiner may at any such examination put oral questions or set written exercises dealing with practical police problems, the conduct of cases in court, and such other matters dealing with practical police duties as he considers necessary. |
| Qualifications. | 21. In conducting practical examinations the examiner shall have due regard to the personality and demeanour of candidates, and to their suitability for higher rank. |
| Dates of examination. | 22. The examinations prescribed in this Chapter shall be held at least once in every calendar year on such date or dates as the Chief Commissioner determines after consultation with the examiner concerned; and such date or dates shall be notified in the <i>Police Gazette</i> at least ten weeks before the day fixed for the holding of the examination in question. |
| Syllabus of examinations. | 23. The Chief Commissioner after consultation with the examiner concerned shall approve of a syllabus in respect of each examination and shall cause each syllabus to be published in the <i>Police Gazette</i> as soon as practicable after the preparation thereof. |
| Conduct of examinations. | 24. The examiner shall direct and conduct the work of the respective examinations, fix the duration thereof and be responsible for the conformity of the examination papers to the appropriate syllabus. The examiner shall allot marks for each examination and any candidate who secures at least 60 per centum of the maximum number of marks shall be deemed to have passed the examination. After each examination the examiner shall furnish to the Chief Commissioner a list giving the examination number of each candidate who has passed the examination. A list of names together with the examination numbers of members of the Force who have passed the examination shall be published in the <i>Police Gazette</i> and the result of such examination shall be entered on the record sheet of each successful candidate. |

25. The examiner shall in respect of any examination make memoranda as material for a report which shall, upon a request be furnished to the Chief Commissioner, or to an unsuccessful candidate so far as relates to such candidate. Report by examiners.

26. The Chief Commissioner shall arrange for suitable persons to conduct courses of lectures or to give instruction by correspondence to enable candidates to prepare themselves for the various examinations. Before such lectures are held the Chief Commissioner shall prescribe such text-books, papers or other documents as are considered necessary for reference purposes. Lecture courses.

27. Prior to the first day of February in each year the Chief Commissioner shall by notice in the *Police Gazette* intimate the number of vacancies in each rank or grade in the Force (above the rank of first constable) which he estimates it will be necessary to fill during the twelve months commencing on the first day of July next following, and also the number of applications he is prepared to receive from qualified members of the Force to attend the practical examination for promotion to a higher rank. Notice of vacancies and limits on applications.

28. Within the limits imposed by the last preceding clause and subject to the provisions of Clause 15 of this Chapter any member of the Force who has passed the theoretical examination qualifying him for promotion shall be entitled to submit an application to attend a practical examination. Eligibility for practical examination.

29. A member of the Force who desires to present himself for any prescribed examination (other than the retention examination) shall, through the Officer in charge of his District, make a written application in that behalf to the Chief Commissioner at least twenty-eight days before the day on which the examination will be held. Applications to attend examinations.

30. Before the holding of any examination the Chief Commissioner shall— Allotment of examination numbers.

(a) allot a number to each candidate; and

(b) furnish the examiner concerned with a list of the numbers (but not names) which he has so allotted.

31. Any candidate sitting for an examination shall be regarded as on duty on the day on which such examination is held. Examination regarded as duty.

32. Except with the express consent of the Chief Commissioner no member of the Force shall be permitted to present himself for any examination after he has failed to secure a pass at such examination upon his third attempt. Restriction on attendance.

33. When a vacancy occurs in any rank or grade within the Force such vacancy shall be filled by the promotion thereto of a member who is in the rank or grade next below that in which the vacancy occurs. If at any time there are not sufficient qualified members in such lower rank or grade to fill all vacancies promotions may to the extent necessary be made from qualified members in a lower rank or grade. Filling of vacancies.

34. In the promotion of any member of the Force consideration shall be given first to relative efficiency and, in the event of equality of efficiency of two or more members, then to relative seniority. In this clause "efficiency" means special qualifications and fitness (including physical fitness) to bear the responsibilities of the higher rank, together with merit, diligence and good conduct. Considerations in promotions.

35. Whenever any vacancy occurs in any rank or grade within the Force the Chief Commissioner shall, in accordance with the last preceding clause, consider the claims of duly qualified members of the Force, and within ten days of such vacancy occurring shall publish in the *Police Gazette* the name of the Selection of members for promotion.

member of the Force selected for promotion to such vacancy, or where the promotion is to be made by the Governor in Council the name of the member he proposes to recommend for such promotion. The Chief Commissioner shall not make the said promotion or submit the said recommendation until any appeal in accordance with this Chapter has been determined.

Special
promotions.

36. Notwithstanding anything in this Chapter, the Chief Commissioner, where in his opinion specially meritorious service has been rendered by any member of the Force, may appoint such member to the rank of first constable or senior constable, and may recommend such member to the Governor in Council for promotion to the rank of sergeant or inspector without regard to the fact that such member has not previously passed any examination. But where any member so promoted has not previously passed the prescribed qualifying examinations, he shall hold brevet rank only and shall not be eligible for promotion to substantive rank until he passes the prescribed qualifying examinations.

Examinations
for police-
women.

37. To enable policewomen to qualify for promotion, appropriate examinations shall be held at such times as the Chief Commissioner directs and the provisions of this Chapter (with any necessary modifications and alterations) shall apply thereto.

Credit for
examinations
already
passed.

38. Any member of the Force who, before the coming into operation of these Regulations, had passed or was deemed to have passed any practical or theoretical examination or examination in educational subjects for promotion to any rank or grade shall be deemed to have passed the corresponding practical or theoretical examination or examination in educational subjects prescribed by this Chapter for such rank or grade or any rank or grade corresponding therewith.

Appeals.

39. (1) Any member of the Force who feels aggrieved by the failure of the Chief Commissioner to select him for promotion or (as the case may be) recommend him for promotion by the Governor in Council may appeal in accordance with this clause to the Police Classification Board.

(2) Notice in writing of such appeal shall be lodged by the appellant with the Secretary of the Police Classification Board within ten days of the notification in the *Police Gazette* of the intended promotion as to which he is aggrieved, and such notice shall state the ground of the appeal.

(3) A copy of every such notice of appeal shall be delivered by the appellant to the Chief Commissioner within the same period of ten days.

(4) The time and place for the hearing of the appeal shall be fixed by the Chairman of the Police Classification Board, and notice thereof shall be given by the Police Classification Board to the Chief Commissioner and the appellant.

(5) The Police Classification Board shall hear and determine the matter, and for that purpose the Chairman of the Board may exercise any of the powers of a judge of county courts sitting as chairman of general sessions.

(6) In determining any such appeal the Police Classification Board shall be guided in its decision by the provisions of clause 34 of this Chapter.

(7) The Police Classification Board may dismiss or allow any appeal, and shall report its decision in writing to the Chief Commissioner of Police and to every member of the Force concerned.

(8) The decision of the Police Classification Board shall be final and shall be given effect to accordingly.

CHAPTER 21.

LONG SERVICE LEAVE.

1. In the computation of the period of service which entitles ^{Computation} a member of the Force to be granted long-service leave pursuant ^{of "Service."} to the Police Regulation Acts—

(a) there shall be included—

(i) subject to paragraph (b) of this clause, where his service is not continuous, the aggregate of all periods of his service; or

(ii) any period during which the said member may have been absent on leave granted pursuant to these regulations or on sick leave granted pursuant to any determination of the Police Classification Board;

(b) there shall not be included any period of service—

(i) prior to his having voluntarily left any employment referred to in clause two hereof or having been dismissed therefrom from causes within his own control:

Provided that a member of the Force who terminated his employment for the purpose of taking up other employment referred to in clause two hereof shall not be deemed to have voluntarily left his employment; or

(ii) prior to his absence from any such employment for any continuous period of five years or more other than on such leave as the Minister determines or by reason of retirement on account of ill-health.

2. Subject to the provisions of the next preceding clause, it is hereby declared that for the purposes of this chapter, service of a ^{Service in} member of the Force shall include any period or periods of ^{other} ^{Government} ^{Departments,} ^{etc.} service—

(a) in the Public Service of Victoria;

(b) in the Railways Service as defined by the *Railways (Furlough) Act 1951*;

(c) under the Forests Commission, the Country Roads Board or the State Rivers and Water Supply Commission;

(d) in the teaching service of the Education Department;

(e) under the Heatherton Sanatorium Board;

(f) under the Council of Agricultural Education;

(g) under the *Milk and Dairy Supervision Act 1928* or any corresponding previous enactment;

(h) under the *Vermin and Noxious Weeds Act 1928* or any corresponding previous enactment;

(i) in the service of, or employment under, the Council of a Technical School;

(j) in the service of the Special Constabulary Force 1923;

(k) as an officer or employee or as a member of a class of officers or employees to whom or to which the provisions of the *Public Service Act 1946* or any corresponding previous enactment have been declared not to apply;

(l) under the Melbourne and Metropolitan Tramways Acts;

(m) under the State Electricity Commission Acts;

(n) under the Commonwealth Public Service Acts;

(o) in the service of any other Australian State, wherein payment is made by the Crown; or

(p) service with the land sea and air forces of any part of the King's dominions during the war which commenced in the year One thousand nine hundred and fourteen or during the war which commenced in the year One thousand nine hundred and thirty-nine or any continuation thereof.

Computation
of Pay.

3. (1) Where a member of the Force is granted long-service leave with pay, such pay shall be computed in the same manner as if he had remained on duty during the period of any such leave.

(2) Where a member of the Force or the legal personal representative of any deceased member of the Force is granted pay in lieu of the whole or part of any long-service leave to which such member of the Force is or was entitled, the amount of such pay shall be computed in accordance with the following formula:—

$$\frac{\text{Completed years of service}}{20} \times \frac{\text{Annual pay}}{2}$$

(3) "Completed years of service" means the completed years of service of a member of the Force computed in accordance with clause one hereof.

And the Honorable Keith Dodgshun, His Majesty's Chief Secretary for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,

Clerk of the Executive Council.