

**POLICE REGULATION (FALSE SECURITY ALARMS)
AMENDMENT ACT 1989 No. 46**

NEW SOUTH WALES



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**POLICE REGULATION (FALSE SECURITY ALARMS)
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Act No. 46, 1989

An Act to amend the Police Regulation Act 1899 to enable charges to be imposed for responses by members of the police force to certain false security alarms. [Assented to 15 May 1989]

Police Regulation (False Security Alarms) Amendment 1989

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Police Regulation (False Security Alarms) Amendment Act 1989.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Police Regulation Act 1899 No. 20

3. The Police Regulation Act 1899 is amended by inserting after section 35 the following sections:

Charges payable for false security alarms

35A. (1) If, within any period of 28 days, a member of the police force (whether or not the same member) responds on more than one occasion to false alarms from the same security device installed in respect of a building (not being a dwelling), the Commissioner is entitled to payment by an owner of the building of the prescribed charge for each occasion (except the first).

(2) For the purposes of this section, an alarm shall be taken to be a false alarm unless the owner of the building establishes that it was not a false alarm.

(3) The rules under this Act may specify the matters which the Commissioner is to take into account in determining who is to pay the Commissioner the prescribed charge when there is more than one owner of the building.

(4) In this section—

“building” includes part of a building;

“owner”, in relation to a building, means—

- (a) the owner of the building; or
- (b) the occupier of the building;

“prescribed charge” means \$200 or such other amount as may be prescribed by the rules.

Crown bound by s. 35A

35B. Section 35A binds the Crown in right of New South Wales and, in so far as the legislative power of Parliament permits, the Crown in all its other capacities.

Recovery of charges

35C. The Commissioner may recover an amount payable under section 35A as a debt in a court of competent jurisdiction.

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Waiver or reduction of charges

35D. The Commissioner or a person authorised by the Commissioner, at the discretion of the Commissioner or the person, may refund or waive any charge paid or payable under section 35A or reduce any charge so payable by such proportion as the Commissioner or person thinks fit.

*[Minister's second reading speech made in—
Legislative Council on 12 April 1989
Legislative Assembly on 19 April 1989]*