



Police Integrity Commission Regulation 2013

under the

Police Integrity Commission Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Integrity Commission Act 1996*.

BARRY O'FARRELL, MP
Premier

Explanatory note

The object of this Regulation is to remake, without substantial alteration, the *Police Integrity Commission Regulation 2006*, which is to be repealed by section 10 (2) of the *Subordinate Legislation Act 1989* on 1 September 2013.

This Regulation:

- (a) prescribes certain countries so that police officers of those countries may be seconded or otherwise engaged to assist the Police Integrity Commission and may be designated as approved former police officers for the purposes of the *Police Integrity Commission Act 1996 (the Act)*, and
- (b) ensures that staff of the Inspector of the Police Integrity Commission who are employed under section 92 (2) of the Act are entitled, as a minimum standard, to recreation and extended leave entitlements that are commensurate with those available to members of staff of the Inspector who are employed under the *Public Sector Employment and Management Act 2002*.

This Regulation deals with matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

This Regulation is made under the *Police Integrity Commission Act 1996*, including sections 10 (4) and (7), 92 (6) and 143 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Police Integrity Commission Regulation 2013*.

2 Commencement

This Regulation commences on 1 September 2013 and is required to be published on the NSW legislation website.

Note. This Regulation replaces the *Police Integrity Commission Regulation 2006* which is repealed on 1 September 2013 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Police Integrity Commission Act 1996*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Police officers of other countries

For the purposes of section 10 (4) and (7) of the Act, the following countries are prescribed:

- (a) any country that is, or was, a member of the Commonwealth of Nations,
- (b) any country that is, or was, a member of the European Union,
- (c) the Special Administrative Region of the People's Republic of China known as Hong Kong,
- (d) the United States of America.

5 Leave entitlements for non-Public Service staff of PIC Inspector

(1) In this clause:

employee of the Commission means a member of staff of the Commission who is employed under Chapter 1A of the *Public Sector Employment and Management Act 2002* in the Government Service to enable the Commission to exercise its functions.

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Clause 6

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employee of the Inspector means a member of staff of the Inspector who is employed under section 92 (2) of the Act.

- (2) An employee of the Inspector has the following entitlements with respect to leave:
 - (a) an entitlement to extended leave that is commensurate with the entitlement of an employee of the Commission under clauses 1, 2, 3 and 8 of Schedule 3 to the *Public Sector Employment and Management Act 2002*,
 - (b) an entitlement to the accrual of paid recreation leave that is commensurate with the entitlement of an employee of the Commission under subclause 77.1 of the *Crown Employees (Public Service Conditions of Employment) Award 2009*.
- (3) Nothing in subclause (2):
 - (a) prevents an employee of the Inspector from being provided with leave entitlements that are more favourable to the employee than those referred to in that subclause, and
 - (b) affects any entitlements to recreation or extended leave that have been accrued by an employee of the Inspector before the commencement of this clause.
- (4) For the purposes of section 92 (6) of the Act, section 143 (2) (a) of the Act applies to a member of staff of the Inspector who is employed under section 92 (2) of the Act as if a reference in that provision to the staff of the Commission was a reference to a member of any such staff of the Inspector.

6 Savings provision

Any act, matter or thing that had effect under the *Police Integrity Commission Regulation 2006* immediately before the repeal of that Regulation continues to have effect under this Regulation.