



New South Wales

Police Amendment Regulation 2022

under the

Police Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Act 1990*.

PAUL TOOLE, MP
Minister for Police

Explanatory note

The object of this Regulation is to amend the *Police Regulation 2015* for the following purposes—

- (a) to make it clear that the reasons notified for a decision on the review of a promotion decision made on integrity grounds must not disclose the existence, nature or content of ongoing criminal, professional standards or Law Enforcement Conduct Commission investigations,
- (b) to allow the Commissioner of Police to charge fees for the following services—
 - (i) providing police event information in relation to an insurance claim or a motor vehicle accident,
 - (ii) providing information about criminal proceedings commenced against a person,
- (c) to increase the charge payable for police responding to false security alarms,
- (d) to update the form of oaths and affirmations to refer to the King,
- (e) to update a reference to the King's Birthday public holiday.

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1 Name of Regulation

This Regulation is the *Police Amendment Regulation 2022*.

2 Commencement

This Regulation commences as follows—

- (a) for Schedule 1[11]—on 1 January 2023,
- (b) otherwise—on the day the Regulation is published on the NSW legislation website.

Schedule 1 Amendment of Police Regulation 2015

[1] Clauses 7(1) and 141(1)

Omit “our Sovereign Lady the Queen” wherever occurring.

Insert instead “our Sovereign Lord the King, His heirs and successors according to law,”.

[2] Clauses 7(1) and 141(1)

Omit “Her Majesty’s” wherever occurring. Insert instead “His Majesty’s”.

[3] Clause 32, heading

Insert “—the Act, s 73” after “person”.

[4] Clause 32

Insert after clause 32(2)—

- (2A) However, for subclause (2), the reasons for the decision must not disclose the existence, nature or content of the following—
- (a) an ongoing criminal investigation, without the approval of the Commissioner,
 - (b) an ongoing investigation under the Act, Part 8A, without the approval of the Commissioner,
 - (c) an ongoing investigation under the *Law Enforcement Conduct Commission Act 2016*, Part 6, without the approval of the LECC Chief Commissioner.

[5] Clause 105 Entitlement to annual leave

Omit “Queen’s Birthday” from clause 105(6). Insert instead “King’s Birthday”.

[6] Clause 144, heading

Omit “under section 208”. Insert instead “—the Act, s 208”.

[7] Clause 144(1) and (2)

Omit “(including a public authority or local council)” wherever occurring.

[8] Clause 144(1)(c)

Insert after clause 144(1)(b)—

- (c) the provision to the person of COPS event information in relation to an insurance claim or a motor vehicle accident.

[9] Clause 144(1A)

Insert after clause 144(1)—

- (1A) The Commissioner is entitled to demand from an employer fees and charges the Commissioner may from time to time determine for a criminal charge notification service provided by the NSW Police Force to the employer for ongoing checks for criminal proceedings commenced against a person employed by the employer.

[10] Clause 144(3)

Insert in alphabetical order—

COPS event information means information relating to an event stored in the Computerised Operational Policing System database maintained by the NSW Police Force.

employer includes a person, public authority or local council that engages a person in any of the following capacities—

- (a) as a paid or unpaid employee,
- (b) as a self-employed person or as a contractor or subcontractor,
- (c) as a volunteer.

[11] Clause 144A

Insert after clause 144—

144A Charges payable for false security alarms—the Act, s 209

For the Act, section 209(4), definition of ***prescribed charge***, the prescribed amount is \$1,600.