

**POLICE AND SUPERANNUATION LEGISLATION
(AMENDMENT) BILL 1990**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Police Service Bill 1990.

The object of this Bill is to amend various Acts relating to the police and police superannuation as a consequence of the proposed establishment of the Police Service of New South Wales.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a proclaimed day or days.

Clauses 3 and 4 are formal provisions which give effect to the Schedules of amendment of Acts.

SCHEDULE 1 - AMENDMENT OF ACTS RELATING TO POLICE

Schedule 1 contains the following amendments:

Anti-Discrimination Act 1977. Consequential amendment.

Attachment of Wages Limitation Act 1957. The amendment removes a reference to the Police Force as a consequence of the enactment of an equivalent provision in the proposed Police Service Act 1990 (s. 96).

Bail Act 1978. Consequential amendment.

Freedom of Information Act 1989. Consequential amendments.

Industrial Arbitration Act 1940. consequential amendments.

Interpretation Act 1987. The amendments provide definitions of "police officer", "Police Service" and "Police Force" for the interpretation of legislation to take account of the proposed Police Service.

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Law Reform (Vicarious Liability) Act 1983. Consequential amendments.

Ombudsman Act 1974. Consequential amendment.

Police Department (Transit Police) Act 1989. Consequential amendments. The transit police are not to be included in the Police Service.

Police Offences Act 1901. Consequential amendment.

Police Regulation (Allegations of Misconduct) Act 1978. Consequential amendments. The Act is to continue to apply to members of the Police Service who are police officers.

Police Regulation (Appeals) Act 1923. Consequential amendments. Appeals to the Government and Related Employees Appeal Tribunal for certain police officers and administrative officers are to be preserved.

Public Sector Management Act 1988. Consequential amendments. Provision is made to extend the Premier's functions for management reviews etc. of Departments and other public authorities to the Police Service.

Security (Protection) Industry Act 1985. Consequential amendments.

State Emergency and Rescue Management Act 1989. Consequential amendments. Proposed section 60A (relating to police powers to evacuate persons in emergencies) re-enacts section 7B of the Police Regulation Act 1899.

Statutory and Other Offices Remuneration Act 1975. The amendments extend to police senior executive officers the provisions of the Act for the determination by the Tribunal of the total remuneration packages of public sector senior executive officers.

Workers Compensation Act 1987. Consequential amendment.

**SCHEDULE 2 - AMENDMENT OF ACTS RELATING TO POLICE
SUPERANNUATION**

Schedule 2 contains the following amendments relating to police superannuation:

Police Association Employees (Superannuation) Act 1969. Consequential amendments.

Police Regulation (Superannuation) Act 1906. The amendments:

- (a) make consequential changes to preserve the superannuation entitlements of members of the Police Force who are contributors to the Police Superannuation Fund;
- (b) make special arrangements for any such contributor who becomes a member of the Police Service Senior Executive Service (the arrangements are similar to those applying to public service senior executive officers and enable a contributor to continue in the Police Superannuation Fund, preserve their benefit in that Fund or transfer the amount of a preserved benefit to the Public Sector Executives Superannuation Scheme);
- (c) increase pensions payable to former members of the Police Force (or their spouses) who were retired before 31 December 1971 because they were hurt on duty.

Public Sector Executives Superannuation Act 1989. The amendments provide that police senior executive officers are eligible (in addition to other public sector

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senior executive officers) to join the Public Sector Executives Superannuation Scheme (an "accumulation-based" superannuation scheme).

State Authorities Non-contributory Superannuation Act 1987.

State Authorities Superannuation Act 1987.

Superannuation Act 1916.

The amendments to the above Acts make consequential changes to extend the provisions relating to public sector senior executive officers to police senior executive officers.
