

[Act 1996 No 91]



New South Wales

Police Service Amendment (Commissioned Officers) Bill 1996

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

This Bill amends the *Police Service Act 1990* to provide for the appointment of non-executive commissioned police officers for 5-year terms with an entitlement to appointment for further terms unless an officer is unable to meet required standards of operational competence, discipline or integrity. The term of appointment for officers appointed before 1 January 1996 will date from 1 January 1996. The term of appointment for officers appointed between 1 January 1996 and the commencement of the new provisions will date from when the officer was appointed. Shorter periods of appointment will apply for officers whose balance of service to retirement is less than 5 years. The amendments will not apply to officers due to retire before 1 January 1997.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

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

Clause 3 gives effect to the amendments to the *Police Service Act 1990* as set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] inserts new Division 3A of Part 6 to provide that non-executive commissioned police officers (ie officers of or above the rank of inspector who are not senior executive officers) are to be appointed for a 5 year term of office with an automatic right to further 5 year terms until retirement, unless the Commissioner decides against a further term on the basis that the officer is unable to meet required standards of operational competence, discipline or integrity. If an officer's balance of service to retirement is less than 5 years, the period of appointment will be reduced to take the appointment up to the projected date of retirement.

Schedule 1 [2] and [3] make consequential amendments.

Schedule 1 [4] and [5] insert a savings and transitional regulation making power and provisions for current serving non-executive commissioned police officers to have an initial 5 year term of appointment back dated to 1 January 1996 (in the case of officers appointed before that date) or to the date of appointment (in the case of officers appointed between 1 January 1996 and the commencement of the new provisions). The amendments will not apply to officers due to retire before 1 January 1997.