

POLICE REGULATION.

No. 23 of 1963.

AN ACT to amend the *Police Regulation Act 1898*.

[2 May 1963.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Police Regulation Act 1963*.

(2) The *Police Regulation Act 1898*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section fifty A of the Principal Act is amended —

(a) by omitting paragraphs II and III of subsection (2) thereof and substituting therefor the following paragraphs:—

“ II One shall be a person, not being a police officer, nominated by the Minister; and

“ III One shall be a person selected by the Minister from a list of three persons submitted to the Minister by the governing body of the Association.”;

(b) by omitting from subsection (3) thereof the words “the Commissioner or” (twice occurring);

(c) by omitting subsection (10) thereof and substituting therefor the following subsection:—

“(10) There shall be a substitute member of the Board who shall be appointed by the Governor on the nomination of the Association.”; and

(d) by omitting from subsection (11) the words “one of the substitute members” and inserting therefor the words “the substitute member” and by omitting all words after the word “made” (first occurring) to the end of the subsection.

3 Section fifty B of the Principal Act is amended by omitting sub-paragraph (d) of paragraph II of subsection (1) thereof.

4 Section fifty D of the Principal Act is amended—

(a) by inserting after subsection (6) thereof the following subsections:—

Short title
and citation.

The Police
Disciplinary
Board.

Vacation
of office.

Appeals

“(6A) On determining an appeal under this section, the Board may uphold the appeal in whole or in part, or may dismiss the appeal, and may make such orders as it may consider necessary or desirable for the purpose of giving effect to its decision.

“(6B) Without prejudice to the generality of subsection (6A) of this section, on the determination of an appeal under this section, the Board may make any one or more of the following orders, namely:—

- (a) An order that the position, rank, or rate of pay to which the appellant was reduced by the Commissioner shall be a higher or lower position, rank, or rate of pay than that to which the appellant was so reduced;
 - (b) An order that the amount of any fine imposed on the appellant by the Commissioner be increased or reduced; and
 - (c) An order that the amount of the pay that the Commissioner directed should be forfeited by the appellant be increased or decreased.”; and
- (b) by omitting from paragraph II of subsection (11) thereof the words “(4), and (6)” and substituting therefor the words “and (4)”.

5—(1) On the date of the commencement of this Act, the member of the Police Disciplinary Board appointed pursuant to paragraph II of subsection (2) of section fifty A of the Principal Act and the substitute member appointed on the nomination of the Commissioner shall each cease to hold office and as soon as practicable after that date the Board shall be reconstituted in accordance with the provisions of that section (as amended by this Act).

Transitory provisions.

(2) Where before the date referred to in subsection (1) of this section the Board commenced the hearing of an appeal under section fifty D of the Principal Act and at that date had not finally determined that appeal, the Board as reconstituted may continue the hearing of, and determine, that appeal and may, for that purpose, consider and take into account any evidence taken by the Board before its reconstitution; and any decision or order of the Board made on the determination of such an appeal has the same effect in all respects as if the hearing of the appeal had not commenced until after the reconstitution of the Board.

6—(1) On and after the date of the reprinting of the Principal Act—

Adaptation of amendments to reprint of Principal Act.

- (a) this Act is to have effect subject to the modifications specified in subsection (2) of this section: and

- (b) the Principal Act, as amended by this Act, shall be construed accordingly.
- (2) On and after the date referred to in subsection (1) of this section—
- (a) section two of this Act is to have effect as if—
 - (i) from paragraph (a) thereof the symbol “II” (twice occurring) were omitted and the symbol “(b)” were substituted therefor, in each case;
 - (ii) from that paragraph the symbol “III” were omitted and the symbol “(c)” were substituted therefor; and
 - (iii) from paragraph (d) thereof the symbol “I” were omitted and the symbol “(a)” were substituted therefor;
 - (b) section three of this Act is to have effect as if the symbols “(d)” and “II” were omitted therefrom and the symbols “(iv)” and “(b)”, respectively, were substituted therefor;
 - (c) section four of this Act is to have effect as if from paragraph (b) thereof the symbol “II” were omitted and the symbol “(b)” were substituted therefor; and
 - (d) section five of this Act is to have effect as if from subsection (1) thereof the symbol “II” were omitted and the symbol “(b)” were substituted therefor.

(3) The Principal Act and this Act are, by force of this subsection, amended to such extent as may be necessary to give effect to the foregoing provisions of this section.

(4) Subject to this section, the provisions of this Act remain in full force and effect as if this section had not been enacted.

CONVEYANCING AND LAW OF PROPERTY.

No. 24 of 1963.

AN ACT to amend the *Conveyancing and Law of Property Act 1962*. [2 May 1963.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title
and citation.

1—(1) This Act may be cited as the *Conveyancing and Law of Property Act 1963*.

(2) The *Conveyancing and Law of Property Act 1962* is in this Act referred to as the Principal Act.