

## PEACE OFFICERS.

### No. 12 of 1925.

An Act to provide for the appointment of Peace Officers and for other purposes.

[Assented to 2nd September, 1925.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title.

1. This Act may be cited as the *Peace Officers Act 1925*.

Power to  
appoint Peace  
Officers.

2.—(1.) The Attorney-General may appoint, or may authorize the appointment of, so many Peace Officers, of such ranks or grades, as he deems necessary for the preservation of the peace throughout the Commonwealth.

(2.) Such Peace Officers shall hold office during the pleasure of the Attorney-General, and shall have all such powers privileges and immunities and be liable to all such duties and responsibilities as are conferred or imposed upon them or upon any constable or other officer of police by or under any law of the Commonwealth or as are possessed by any constable or other officer of police either under the common law or by virtue of any law in force in that part of the Commonwealth in which they exercise their powers.

(3.) Peace Officers appointed in pursuance of this section shall be appointed at such remuneration as the Governor-General thinks fit, and the Consolidated Revenue Fund is to the necessary extent hereby appropriated accordingly.

Oath to be  
taken by Peace  
Officers.

3.—(1.) No person appointed to be a Peace Officer shall be capable of holding that office or of acting in any way therein until he has taken and subscribed the following oath :—

I, A.B., do swear that I will well and truly serve Our Sovereign Lord the King in the office of Peace Officer, without favour or affection, malice or ill-will, for the period of  
from this date, and until I am legally discharged,  
that I will seek and cause His Majesty's peace to be kept and preserved, and that I will prevent to the best of my power, all offences against the same, and that, while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.

(2.) Such oath shall be administered by a Justice of the Peace, and shall in all cases be subscribed by the person taking the oath, and when so taken and subscribed shall be forwarded to the Secretary to the Attorney-General's Department by the Justice before whom the oath was taken.

4. Every person taking and subscribing any such oath shall be deemed to have thereby entered into a written agreement and be thereby bound to serve His Majesty as a Peace Officer from the day on which the oath has been taken and subscribed until he is legally discharged :

Oath equivalent to agreement.

Provided that—

- (a) No such agreement shall be set aside, cancelled or annulled for want of reciprocity ; and
- (b) Such agreement may be cancelled at any time by the lawful discharge, dismissal or other removal from office of any such person, or by the resignation of any such person accepted by the Attorney-General or other person having the power to appoint Peace Officers.

5. Any person, not being a Peace Officer, who personates or passes himself off as a Peace Officer or wears or displays any uniform or badge of a Peace Officer, or any colorable imitation thereof, or any uniform or badge, so closely resembling any uniform or badge of a Peace Officer as to be likely to deceive, shall be guilty of an offence.

Penalty for personating Peace Officers.

Penalty : Fifty pounds or imprisonment for three months.

6.—(1.) No Peace Officer shall be at liberty to resign his office or to withdraw from the duties thereof unless expressly authorized so to do by the Attorney-General or the person thereto authorized in writing by the Attorney-General, or unless he gives to the Attorney-General or the authorized person three months' notice in writing of his intention to so resign or withdraw.

Three months' notice of resignation shall be given.

(2.) Any Peace Officer who so resigns or withdraws without such previous permission or notice shall be guilty of an offence.

Penalty : Fifty pounds or imprisonment for three months.

7.—(1.) When any Peace Officer is dismissed, or ceases to hold his office, all powers and authorities vested in him shall immediately cease.

Powers and authorities to cease upon dismissal or resignation.

(2.) Any Peace Officer so dismissed or ceasing to hold office who does not forthwith deliver over all accoutrements, clothing or other property supplied to him for the execution of such office, or in his custody by virtue thereof, to some person appointed by the Attorney-General, shall be guilty of an offence.

Penalty : Fifty pounds or imprisonment for three months.

8. The Attorney-General may, at any time and on such terms and conditions as he thinks fit, appoint, or authorize the appointment of, such special Peace Officers as are in his opinion necessary or

Power to appoint special Peace Officers.

expedient to be appointed, and all such special Peace Officers shall, during the continuance of their appointment, be Peace Officers under this Act.

**Regulations.**

9. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or are necessary or convenient to be prescribed for giving effect to this Act, and in particular—

- (a) for the general government and discipline of Peace Officers ;
  - (b) providing for the protection of Peace Officers in respect of any acts done in pursuance of their duties or in obedience to instructions received by them ; and
  - (c) prescribing penalties not exceeding Fifty pounds or imprisonment for a period not exceeding three months for any contravention of any regulation.
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