

Queensland



Subordinate Legislation 1993 No. 482

Police Service Administration Act 1990

POLICE SERVICE ADMINISTRATION (REVIEW OF DECISIONS) AMENDMENT REGULATION (No. 1) 1993

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Short title

1. This regulation may be cited as the *Police Service Administration (Review of Decisions) Amendment Regulation (No. 1) 1993*.

Amended regulation

2. The *Police Service (Review of Decisions) Regulation 1990* is amended as set out in this regulation.

Replacement of s.1 (Short title)

3. Section 1—

omit, insert—

‘Short title

‘1. This regulation may be cited as the *Police Service Administration (Review of Decisions) Regulation 1990*.’.

Replacement of ss.4–6

4. Sections 4 to 6—

omit, insert—

‘Definitions

‘4. In this regulation—

“party to a review” means—

- (a) the officer who applied for the review; or
- (b) if the review is about the appointment of an officer to a police officer position (whether on promotion or transfer)—the officer appointed to the position; or
- (c) if the review is about disciplinary action—the officer who took the action; or
- (d) if the review is about another kind of decision—the officer who made the decision; or

- (e) the officer nominated by the Commissioner to assist a Review Commissioner;

“Review Commissioner” means a Commissioner for Police Service Reviews.

‘Appointment etc. of secretary

‘5.(1) The Chairperson of the Criminal Justice Commission may appoint a person as secretary to the Review Commissioners.

‘(2) The secretary must, on receiving an application for review of a decision—

- (a) take the action necessary to have a Review Commissioner review the decision; and
- (b) give the parties to the review written notice of the application.

‘Further decisions open to review

‘6. For the purposes of section 9.3(1)(e) of the Act, a decision to appoint an officer as a staff member under section 8.3 of the Act is a decision open to review under Part 9 of the Act.

‘Application for review

‘6A.(1) An officer may start a review of a decision open to review by making written application to the secretary for a review of the decision.

‘(2) The application must be made within 14 days after the officer receives written notice of the decision.

‘(3) An officer who is an unsuccessful applicant for appointment to a police officer position is taken to have received written notice of the decision on the day the selection of an officer for appointment to the position is notified in the *Queensland Police Gazette*.

‘Commissioner to stay certain decisions

‘6B. If—

- (a) the Commissioner decides to transfer an officer to a position; and
- (b) because of the transfer, the officer has to change the officer’s place of residence; and
- (c) an officer applies for a review of the decision;

the Commissioner must stay the decision until the Commissioner decides under section 9.5 of the Act to proceed with the transfer or revoke the decision.

‘Representation of officer who made decision

‘6C. In a review, an officer may appear as the representative of the officer who took the action or made the decision under review.’.

Omission of s.9 (Delegation)

5. Section 9—

omit.

ENDNOTES

- 1. Made by the Governor in Council on 16 December 1993.
- 2. Notified in the Gazette on 17 December 1993.
- 3. Laid before the Legislative Assembly on . . .
- 4. The administering agency is the Department of Police.