

Queensland



**POLICE SERVICE
ADMINISTRATION
AMENDMENT BILL 2002**



POLICE SERVICE ADMINISTRATION AMENDMENT BILL 2002

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2002

A BILL

FOR

**An Act to amend the *Police Service Administration Act 1990*, and for
other purposes**

The Parliament of Queensland enacts—

1

PART 1—PRELIMINARY

2

Clause 1 Short title

3

This Act may be cited as the *Police Service Administration Amendment Act 2002*.

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PART 2—AMENDMENT OF POLICE SERVICE ADMINISTRATION ACT 1990

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Clause 2 Act amended in pt 2

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This part amends the *Police Service Administration Act 1990*.

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Clause 3 Insertion of new s 5.17

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Part 5, after section 5.16—

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insert—

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‘5.17 Withdrawal of services

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‘(1) An officer must not—

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(a) withdraw from his or her duties, whether as a constable or otherwise, unless authorised by—

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(i) this Act; or

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(ii) a regulation; or

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(iii) the commissioner; or

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(b) engage in conduct that, if engaged in by 2 or more officers, would be a strike as defined under the *Industrial Relations Act 1999*.

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Maximum penalty—100 penalty units.

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‘(2) Subsection (1) has effect for all officers, and in particular has effect despite section 5.15(b) and the *Industrial Relations Act 1999*.’

‘(3) It is declared that an authorisation mentioned in subsection (1)(a) can not authorise an officer to engage with another or other officers in conduct mentioned in subsection (1)(b).’.

Clause 4 Amendment of pt 11, hdg

Part 11, heading, after ‘TRANSITIONAL’—

insert—

‘AND VALIDATION’.

Clause 5 Insertion of new s 11.3

After section 11.2—

insert—

‘11.3 Withdrawal of services always prohibited

‘(1) It is declared that section 5.3 of the *Police Service Administration Regulation 1990* as in force before the commencement of this section was, at all times after its making and before the commencement, as valid and effective as it would have been if—

(a) it had been enacted in this Act when the regulation was made; and

(b) it had been expressed to have effect despite any other law, in particular the Industrial Law.

‘(2) In this section—

“Industrial Law” means—

(a) the *Industrial Relations Act 1990* as it was in force from time to time; or

(b) the *Workplace Relations Act 1997* as it was in force from time to time; or

(c) the *Industrial Relations Act 1999*.’.

**PART 3—AMENDMENT OF POLICE SERVICE
ADMINISTRATION REGULATION 1990**

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Clause 6 Regulation amended in pt 3

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This part amends the *Police Service Administration Regulation 1990*.

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Clause 7 Omission of s 5.3 (Withdrawal of services)

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Section 5.3—

6

omit.

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