

REPUBLIC OF NAURU

**NAURU POLICE FORCE ACT 1972
POLICE (AMENDMENT) REGULATIONS 1975**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. The principal Regulations
3. Amendment of regulation 5 of the principal Regulations
4. Repeal and replacement of regulation 11 of the principal Regulations
5. Addition of a new regulation 16A to the principal Regulations

IN EXERCISE of the powers conferred on me by section 50 of the Nauru Police Force Act 1972, I hereby make the following Regulations-

TITLE

1. These Regulations may be cited as the Police (Amendment) Regulations 1975.

THE PRINCIPAL REGULATIONS

2. In these Regulations "the principal Regulations" means the Police Regulations 1972.

AMENDMENT OF REGULATION 5 OF THE PRINCIPAL REGULATIONS

3. Regulation 5 of the principal Regulations is amended -

(a) by inserting therein the brackets and figure "(1)" before the words "The provisions"; and

(b) by adding thereto the following new paragraph (2) -

"(2) Notwithstanding the provisions of subsection (1) of section 45 of the Public Service Act 1961-1975, for the purpose of calculating the number of days in any period of recreation leave no Saturday, Sunday or public holiday forming part of that period shall be taken into account."

REPEAL AND REPLACEMENT OF REGULATION 11 OF THE PRINCIPAL REGULATIONS

4. Regulation 11 of the principal Regulations is repealed and replaced by the following new regulation 11-

"INQUIRY INTO DISCIPLINARY OFFENCES

11. (1) Where the Director has reason to believe that a police officer is liable to be punished under section 36 of the Act, he shall, subject to the provisions of the next following paragraph, conduct a formal inquiry into the matter and the provisions of regulations 12, 13, 14, 15 and 16 shall apply to that inquiry.

(2) Notwithstanding the preceding paragraph, where the Director considers in any case that it is unlikely that, if a disciplinary offence has been committed, a punishment other than one or more of the punishments specified in sub-paragraphs (iii), (iv) and (v) of paragraph (m) of subsection (1) of section 36 of the Act or in paragraphs (a) and (b) of subsection (3) of that section will require to be imposed, he may conduct an informal inquiry into the matter and the provisions of regulation 16A shall apply to that inquiry:

Provided that a punishment other than the punishments referred to in this paragraph shall not be imposed unless a formal inquiry has been conducted in accordance with the preceding paragraph."

ADDITION OF A NEW REGULATION 16A TO THE PRINCIPAL REGULATIONS

5. The following new regulation 16A is added to the principal Regulations -

"INQUIRY INTO MINOR DISCIPLINARY OFFENCES

16A. Where the Director holds an informal inquiry under the provisions of paragraph (2) of regulation 11, he shall -

(a) notify in writing the police officer concerned of the disciplinary offence which that officer is alleged to have committed and invite him to state in writing whether he admits or denies that he committed it and any facts which he considers are relevant to the issue of guilt or to punishment;

(b) take into account any statement made under the preceding sub-paragraph, any other statement or written record made by that police officer, any written statements made by any other person for the purposes of the inquiry, any facts of which the Director has personal knowledge and of which he has made a written record and any written record made by any police officer in the course of his duties;

(c) record in writing, with brief notes of his reasons therefor, his decision as to the officer's guilt; and

(d) if he finds that a disciplinary offence has been committed and considers that a punishment should be imposed, impose forthwith one or more of the punishments referred to in paragraph (2) of regulation 11 and make a written record thereof."

MADE this 17th day of October, 1975.

J.D. Audoa
Minister for Justice
