

# SAORSTAT EIREANN.

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## BILLE POILINEACHTA BHAILE ATHA CLIATH, 1924. DUBLIN POLICE BILL, 1924.

*Mar do ritheadh ag Dáil Eireann.*

*As passed by Dáil Eireann.*

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# SAORSTAT EIREANN.

BILLE POILINEACHTA BHAILE ATHA CLIATH, 1924.  
DUBLIN POLICE BILL, 1924.

## BILL

*entitled*

5

AN ACT TO MAKE PROVISION FOR THE BETTER ADMINISTRATION OF THE DUBLIN METROPOLITAN POLICE AND FOR THAT AND OTHER PURPOSES TO AMEND THE LAW RELATING TO THE SAID POLICE.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTAT EIREANN AS FOLLOWS:— 10

Definitions.

1.—In this Act—

the expression “the Commissioner” means the Commissioner of the Dublin Metropolitan Police;

the expression “the Assistant Commissioner” means the Assistant Commissioner of the Dublin Metropolitan Police; 15

the expression “the Accounting Officer” means the public officer to whom the duty of preparing the appropriation account in relation to the Dublin Metropolitan Police is for the time being assigned by the Minister for Finance; 20

the expression “the Minister” means the Minister for Justice.

Change of style and title of Chief Commissioner.

2.—From and after the passing of this Act the Chief Commissioner of the Dublin Metropolitan Police shall be styled and known as the Commissioner of the Dublin Metropolitan Police.

Appointment of Commissioner.

3.—(1) From and after the passing of this Act the Commissioner shall be appointed and may at any time be removed by the Executive Council. 25

(2) The appointment of William R. E. Murphy to be Chief Commissioner of the Dublin Metropolitan Police is hereby confirmed as on and from the 5th day of May, 1923, subject to his making and subscribing before a Peace Commissioner a declaration in the form contained in the First Schedule to this Act, and subject to the qualifications that from and after the passing of this Act his style and title shall be Commissioner of the Dublin Metropolitan Police, and that the provisions of this Act relating to the Commissioner shall apply to him. 30 35

Appointment of Assistant Commissioner.

4.—(1) From and after the passing of this Act the Assistant Commissioner shall be appointed by the Executive Council.

(2) The person now holding the office of Assistant Commissioner, and any person hereafter appointed to that office may at any time be removed from that office by the Executive Council. 40

Powers of Commissioner and duties and functions of Assistant Commissioner.

5.—(1) From and after the passing of this Act the general direction and control of the Dublin Metropolitan Police shall, subject to regulations made by the Minister under this Act, be vested in the Commissioner.

(2) From and after the passing of this Act the duties and functions of the Assistant Commissioner shall be to assist the Commissioner in the direction and control of the Dublin Metropolitan Police and to exercise such functions in that behalf as the Commissioner shall, subject to regulations made by the Minister under this Act, assign to him. 45 50



(3) If and whenever after the passing of this Act the Commissioner is temporarily absent or is incapacitated by illness from performing his duties, or the office of Commissioner is vacant, the Minister may authorise the Assistant Commissioner to exercise or perform, during such absence incapacity or vacancy, all or any of the powers and duties of the Commissioner.

6.—(1) No person appointed before the passing of this Act to be an officer or other member of the Dublin Metropolitan Police shall be capable of holding that office, or acting in any way therein after the expiration of one month from the passing of this Act unless he has before the passing of this Act taken the oath for the time being required by law to be taken by officers or other members (as the case may require) of the Dublin Metropolitan Police, or shall before the expiration of the said month make and subscribe before a Peace Commissioner a declaration in the form contained in the First Schedule to this Act.

Declaration to be made by members of the Dublin Metropolitan Police.

(2) No person appointed after the passing of this Act to be an officer or other member of the Dublin Metropolitan Police shall be capable of holding that office or acting in any way therein until he shall have made and subscribed before a Peace Commissioner a declaration in the form contained in the First Schedule to this Act.

7.—(1) Whenever the Minister is satisfied, on the advice of or after consultation with the Commissioner of the *Gárda Síochána* and after consultation with the Commissioner of the Dublin Metropolitan Police, that in order to meet an existing or anticipated disturbance or other special circumstances or otherwise for the better enforcement of law it is necessary or expedient to employ members of the Dublin Metropolitan Police on police duties outside the Police District of Dublin Metropolis, the Minister may by order authorise and direct so many of the members of the Dublin Metropolitan Police to be employed in assisting the *Gárda Síochána* in such places or areas in *Saorstát Éireann* outside the Police District aforesaid as he may specify in such order.

Employment of Dublin Metropolitan Police outside the Police District of Dublin Metropolis.

(2) It shall be the duty of every member of the Dublin Metropolitan Police employed outside the Police District aforesaid to act in conjunction with or in substitution for the *Gárda Síochána* in the place or area in which they are so employed, and for that purpose such members of the Dublin Metropolitan Police are hereby authorised and required to perform such duties and exercise such powers as are by law imposed on or vested in members of the *Gárda Síochána* of equivalent rank in that place.

(3) The Minister may at any time by order make regulations to govern the relative duties, responsibilities, and precedence of members of the Dublin Metropolitan Police and the *Gárda Síochána* whenever members of each of those forces are employed on police duties in the same place or area, whether within or outside the Police District aforesaid.

8.—(1) The Minister may, subject to the approval of the Executive Council, make regulations in relation to all or any of the matters following, that is to say:—

Power of Minister to make regulations.

- (a) the admission, appointment, and enrolment, of members of the Dublin Metropolitan Police;
- (b) the promotion, retirement, degradation, dismissal, and punishment of members of the Dublin Metropolitan Police;
- (c) the duties of the several ranks of the Dublin Metropolitan Police;
- (d) the maintenance, training, discipline, and efficiency of the Dublin Metropolitan Police;
- (e) any other matter or thing relating to the internal management of the Dublin Metropolitan Police.



(2) All orders and regulations made under section 5 of the Dublin Police Act, 1836, and in force at the commencement of this Act, may be amended or revoked by regulations made under this section, and until so revoked, and subject to any such amendment, shall continue in force notwithstanding the repeal of the said section 5. 5

Abolition of office of accountant.

9.—(1) The office of Accountant to the Commissioners of the Dublin Metropolitan Police created by Section 7 of the Dublin Police Act, 1859, and in which by that Act were consolidated the offices of Receiver and Secretary to the Commissioners aforesaid and the office of Supervisor of Taxes, is hereby abolished. 10

(2) All lands, buildings, tenements, and hereditaments and the fixtures and fittings therein, and all furniture and chattels in the nature of furniture, which immediately before the passing of this Act were vested in the accountant aforesaid in his capacity as such accountant shall forthwith upon the passing of this Act and without any conveyance become and be vested in the Commissioners of Public Works for Ireland for all the estate and interest for which the same were respectively held by the accountant aforesaid. 15 20

(3) All moneys, securities for moneys, investments, and other property (except such property as is transferred by the foregoing sub-section) and also all debts and other choses-in-action which immediately before the passing of this Act were vested in or owing to the accountant aforesaid in his capacity as such accountant shall forthwith upon the passing of this Act become and be vested in the Accounting Officer as defined in this Act but subject where necessary to transfer in the books of any company, bank, or corporation. 25

(4) All fines, penalties, duties, fees, and other moneys which are required, directed, or authorised by any enactment in force immediately before the passing of this Act to be paid to the accountant aforesaid shall from and after the passing of this Act be paid to the Accounting Officer. 30

(5) The Accounting Officer is hereby required, directed, or authorised (as the case may be) to make after the passing of this Act every or any payment which the accountant aforesaid is by any enactment in force immediately before the passing of this Act required, directed, or authorised to make. 35

Adaptation of certain enactments.

10.—(1) From and after the passing of this Act the references in Section 58 of the Dublin Police Act, 1842, to the Receiver of the Police District shall be construed as references to the Accounting Officer as defined by this Act, and the said Section 58 shall have effect accordingly. 40

(2) From and after the passing of this Act every reference to or mention of the Commissioner of Police of Dublin Metropolitan contained in Section 66 of the Local Government (Ireland) Act, 1898, or in any order made under or in furtherance of the provisions of that section shall be construed as a reference to or mention of the Minister for Justice, and the said Section 66 and every such order as aforesaid shall have effect accordingly. 45 50

Reinstatement of certain members of the Dublin Metropolitan Police.

11.—(1) If the Minister shall within three months after the passing of this Act certify in writing under his hand that any member of the Dublin Metropolitan Police—

(a) resigned or was dismissed from that police force before the 11th day of July, 1921, and 55

(b) was on or before the 7th day of November, 1923, serving as a member of the Defence Forces of Saorstát Eireann, and



(c) was reinstated in the said police force before or within three months after the passing of this Act, and  
 (d) was so reinstated on the ground that he resigned or was dismissed as aforesaid solely for political reasons,  
 5 such member of the said police force shall, during the period between his said resignation or dismissal and his said reinstatement, be deemed to have been absent on leave without pay, and shall for the purpose of increment of pay and for the purpose of pension be entitled to add such period to such periods of  
 10 service before such resignation or dismissal and after such reinstatement as he is otherwise entitled to reckon for those purposes.

(2) Sub-sections (2), (3), and (4) of section 3 of the Superannuation and Pensions Act, 1923 (No. 34 of 1923) shall apply  
 15 to any member of the Dublin Metropolitan Police in respect of whom a certificate is given under this section with the substitution of such certificate for a certificate under the said section 3.

12.—(1) It shall be lawful for the Commissioner or for any other member of the Dublin Metropolitan Police not being of  
 20 lower rank than Inspector nominated for that purpose by the Commissioner, or for any person nominated for that purpose by the Minister to hold an inquiry and to examine on oath into the truth of any charge or complaint of neglect or violation of duty preferred against any member of the Dublin Metropolitan  
 25 Police, and also by summons under his hand to require the attendance of any witness at such inquiry.

Inquiry into charges against members of the Dublin Metropolitan Police.

(2) Any person who, having been duly summoned under the foregoing sub-section to attend as a witness at any such inquiry, shall neglect or refuse to attend at such inquiry, or shall refuse  
 30 to give evidence thereat shall be liable on summary conviction to a fine not exceeding twenty pounds, or to imprisonment with or without hard labour for a period not exceeding three months.

13.—The several Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third  
 35 column of that Schedule.

Repeals.

14.—This Act may be cited as the Dublin Police Act, 1924.

Short title.

## FIRST SCHEDULE.

### Form of Declaration.

“ I ..... do solemnly and sincerely  
 40 “ before God declare and affirm and my word and honour pledge  
 “ that I will be faithful to the utmost of my ability in my  
 “ employment by the Executive Council of Saorstát Eireann in  
 “ the office of ..... in the Dublin  
 “ Metropolitan Police and that I will render good and true  
 45 “ service and obedience to Saorstát Eireann and its constitution  
 “ and government as by law established, without favour or  
 “ affection, fear, malice or ill-will, and that I will see and cause  
 “ the peace to be kept and preserved, and that I will prevent  
 “ to the best of my power all offences against the same, and  
 50 “ that while I shall continue to hold the said office, I will to the  
 “ best of my knowledge discharge all the duties thereof faithfully  
 “ fully according to law, and that I do not now belong and that  
 “ I will not while I hold the said office, join, belong, or subscribe  
 “ to any political society whatsoever, or to any secret  
 55 “ society whatsoever.”



SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
6 & 7 Will. IV. c. 29.	The Dublin Police Act, 1836.	Sections 2, 5, 10, 11, 13 to 17, 19, 33, 44.
7 Will. IV. & 1 Vic. c. 25.	The Dublin Police Act, 1837.	Section 11.
22 & 23 Vic. c. 52.	The Dublin Police Act, 1859.	Section 2, Section 4 from the words "or in his absence" to the end of the sec- tion, Sections 5 and 7.







Saorstát Éireann.

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BILLE POILINEACHTA BHAILE ATHA  
CLIATH, 1924.

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BILLE

*dá ngairmtear*

Acht chun forálacha do dhéanamh chun Póilín-  
cacht chathrach Bhaile Atha Cliath do  
riara níos fearr agus chun na críche sin  
agus chun crícheanna eile an dlí a  
bhaineas leis an bPóilíncaht san do leasú.

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*Rithle ag Dáil Éireann, 18adh Meitheamh,*  
1924.

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Saorstát Éireann.

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DUBLIN POLICE BILL, 1924.

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BILL

*entitled*

An Act to make provision for the better ad-  
ministration of the Dublin Metropolitan  
Police and for that and other purposes to  
amend the law relating to the said Police.

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*Passed, by Dáil Éireann, 18th June, 1924.*

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