

STATUTORY RULES.

1942. No. 27.

REGULATIONS UNDER THE DEFENCE ACT 1903-1941.*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Defence Act* 1903-1941.

Dated this *Twenty-third*
day of *March*, 1943.

GOVERNOR-GENERAL
Governor-General.

By His Excellency's Command,

Purtoide
Minister of State for the Army.

AMENDMENTS OF ROYAL MILITARY COLLEGE REGULATIONS.†

1. Regulation 36 of the Royal Military College Regulations is repealed and the following regulation is inserted in its stead:—

“36.—(1.) For any offence against the Act or any regulation made thereunder, or for any offence against the Army Act committed on war service, the Commandant may, subject to this regulation, inflict on a cadet the following punishments:—

- (a) Expulsion from the College (subject to the requirements of regulation 31 of these Regulations);
- (b) Loss of one or more places in seniority on graduation;
- (c) Loss of marks;
- (d) Reduction to a lower grade or to the ranks;
- (e) Close custody not exceeding seven days;
- (f) Confinement to barracks not exceeding twenty-one days;
- (g) Stoppage of leave not exceeding eighty-four days;
- (h) Severe reprimand;
- (i) Reprimand;
- (j) Extra duty;
- (k) Extra drills;
- (l) Answering name at roll calls; and
- (m) Admonition:

Provided that—

- (i) the punishment of severe reprimand or reprimand may be inflicted only on a warrant or non-commissioned officer; and
- (ii) the punishment of close custody, confinement to barracks, extra drills, or answering name at roll calls shall not be inflicted on a warrant or non-commissioned officer.

* Notified in the *Commonwealth Gazette* on _____, 1943.
† Statutory Rules 1939, No. 7, as amended by Statutory Rules 1939, No. 94; and 1941, No. 24.

(2.) The Commandant may, by writing under his hand, delegate to the officer commanding the Corps of Staff Cadets any of his powers under this regulation (except the power to inflict the punishments specified in paragraphs (a), (b) and (c) of the last preceding sub-regulation), and may, in respect of any particular power so delegated, place such limitations on the exercise of that power by the delegate as he considers advisable. Any delegation made pursuant to this sub-regulation shall be revocable at will and no such delegation shall prevent the exercise of any power by the Commandant.

(3.) Subject to the provisions contained in sub-regulation (1.) of this regulation all or any one or more of the punishments specified in paragraphs (b) to (m) (inclusive) of sub-regulation (1.) of this regulation may be inflicted in respect of any one offence.

(4.) In the exercise of any powers delegated to him under sub-regulation (2.) of this regulation, the officer commanding the Corps of Staff Cadets may—

- (a) adjourn the case for the purpose of having the evidence in respect of the offence reduced to writing;
- (b) remand the case for trial by the Commandant; or
- (c) if he thinks that the offence is not so serious as to warrant remanding the case for trial by the Commandant, deal with the offence summarily.

(5.) The procedure on the hearing of a charge by the Commandant pursuant to this regulation, shall be the same as if he were a commanding officer.”.

2. Regulation 37 of the Royal Military College Regulations is repealed and the following regulation inserted in its stead:—

“37. The Commandant may delegate power—

- (a) to members of the Instructional Staff to inflict all or any of the punishments specified in paragraphs (g) to (m) (inclusive) of sub-regulation (1.) of regulation 36 of these Regulations; and
- (b) to warrant or non-commissioned officers of the Corps of Staff Cadets to inflict, when an officer, professor or lecturer is not present, the punishments specified in paragraphs (k) and (l) of that sub-regulation, or either of them,

Delegation of power to inflict minor punishments.

and may place such limitations on the exercise of the power so delegated as he considers advisable.”.

3. Regulation 47 of the Royal Military College Regulations is amended by inserting in sub-regulation (1.), after the word “Commandant”, the words “, or an officer authorized in that behalf by the Commandant,”. Adjustment of accounts.

4. Regulation 49 of the Royal Military College Regulations is amended by inserting in sub-regulation (2.), after the word “Commandant,”, the words “or by an officer authorized in that behalf by the Commandant,”. Travelling warrants.

5. Regulation 50 of the Royal Military College Regulations is amended by omitting the words "Commandant's permission" and inserting in their stead the words "permission of the Commandant or of an officer authorized in that behalf by the Commandant". Presents
forbidden.

6. Regulation 51 of the Royal Military College Regulations is amended by inserting, after the word "Commandant", the words ", or an officer authorized in that behalf by the Commandant,". Sports funds.

7. Regulation 52 of the Royal Military College Regulations is amended by inserting, after the symbols and figure "£5)", the words ", and an officer authorized in that behalf by the Commandant may charge to the account of a cadet an amount (not exceeding £2),".

8. Regulation 56 of the Royal Military College Regulations is repealed. Loss, damages,
&c.

9. Regulation 59 of the Royal Military College Regulations is amended— Repeal of
regulation 56.

- (a) by inserting in sub-regulation (1.), after the word "Commandant", the words ", or an officer authorized in that behalf by the Commandant"; and
- (b) by omitting the figure, letters and words "2nd District Base" (wherever occurring) and inserting in their stead the words "Head-quarters, New South Wales Lines of Communication Area".

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.