



# **Defence Legislation Amendment (Flexible Career Practices) Act 2000**

**No. 113, 2000**



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**An Act to amend legislation relating to defence, and  
for related purposes**

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## An Act to amend legislation relating to defence, and for related purposes

[Assented to 5 September 2000]

The Parliament of Australia enacts:

### 1 Short title

This Act may be cited as the *Defence Legislation Amendment  
(Flexible Career Practices) Act 2000*.

### 2 Commencement

- (1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

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- (2) If this Act does not commence under subsection (1) within the period of 6 months beginning on the day on which it receives the Royal Assent, it commences on the first day after the end of that period.

### **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

### **4 Application of amendments**

The amendments made by items 3, 4, 5, 8, 9 and 11 of Schedule 1 do not apply in relation to appointments made before the commencement of this Act.

## **Schedule 1—Amendments**

### ***Defence Act 1903***

#### **1 Subsection 10B(1)**

Omit “Colonel”, substitute “Lieutenant-Colonel”.

#### **2 At the end of section 10C**

Add:

- (2) An officer of the Army on a permanent appointment may volunteer to convert the appointment to an appointment for a specified period, and the Chief of Army may, by instrument in writing, convert the appointment accordingly.

#### **3 At the end of paragraphs 17(2)(a), (b) and (ba)**

Add “or”.

#### **4 After paragraph 17(2)(c)**

Insert:

- (ca) the officer has not completed a period of service that, under a determination of the Chief of Army, the officer is required to complete in respect of the officer’s initial appointment as an officer; or

#### **5 Subsection 27AA(3)**

After “17(2)(c)”, insert “or (ca)”.

#### **6 After section 37**

Insert:

#### **37A Conversion of enlistment to fixed period**

- (1) A soldier who is enlisted until attaining retiring age may volunteer to convert the enlistment to enlistment for a fixed period.
- (2) If the offer is accepted, the enlistment is converted accordingly, by force of this subsection.

***Naval Defence Act 1910***

**7 At the end of section 11**

Add:

- (2) An officer on a permanent appointment may volunteer to convert the appointment to an appointment for a specified period, and the Chief of Navy may, by instrument in writing, convert the appointment accordingly.

**8 At the end of paragraphs 13(2)(a), (b) and (ba)**

Add “or”.

**9 After paragraph 13(2)(c)**

Insert:

- (ca) the officer has not completed a period of service that, under a determination of the Chief of Navy, the officer is required to complete in respect of the officer’s initial appointment as an officer; or

**10 Subsection 13A(1)**

Omit “Captain”, substitute “Commander”.

**11 Subsection 17B(3)**

After “13(2)(c)”, insert “or (ca)”.

**12 After section 26**

Insert:

**26A Conversion of enlistment to fixed period**

- (1) A sailor who is enlisted in the Navy until attaining retiring age may volunteer to convert the enlistment to enlistment for a fixed period.
- (2) If the offer is accepted, the enlistment is converted accordingly, by force of this subsection.



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*[Minister's second reading speech made in—  
House of Representatives on 7 June 2000  
Senate on 29 June 2000]*

(89/00)