

AIR FORCE AMENDMENT ACT 1976

No. 138 of 1976

An Act relating to the establishment of an Air Training Corps.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:—

Short title,
&c.

1. (1) This Act may be cited as the *Air Force Amendment Act 1976*.¹

(2) The *Air Force Act 1923*² is in this Act referred to as the Principal Act.

Commence-
ment.

2. (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.¹

(2) Sections 3 and 4 shall come into operation on a date to be fixed by Proclamation.

3. The Principal Act is amended by inserting after section 7 the following section:—

Air
Training
Corps.

“8. (1) There is hereby established a body to be known as the Air Training Corps.

“(2) The Air Training Corps shall consist of—

- (a) persons appointed in accordance with the regulations to be officers in that body;
- (b) persons appointed in accordance with the regulations to be instructors in that body; and
- (c) subject to sub-sections (5) and (6), persons who volunteer, and are accepted, in accordance with the regulations as cadets in that body.

“(3) A person appointed to be an officer or instructor in the Air Training Corps does not become a member of the Air Force by virtue of that appointment.

“(4) A cadet in the Air Training Corps is not a member of the Air Force.

“(5) A person is not entitled to volunteer, or to be accepted, as a cadet unless he—

- (a) has attained such age as is prescribed; and
- (b) has not attained the age of 20 years.

“(6) A person ceases to be a cadet when he attains the age of 21 years or such lower age as is prescribed.

“(7) The regulations may make provision for and in relation to the organization, maintenance, regulation, control and discipline of the Air Training Corps, and, in particular, for and in relation to—

- (a) the periods and conditions of service of members;
- (b) the promotion of members;
- (c) the pay and allowances, including travelling allowances, of members;
- (d) the medical and dental treatment of members; and
- (e) the provision of travelling facilities for members.

“(8) In sub-section (7), ‘member’ means an officer, instructor or cadet in the Air Training Corps.

“(9) Subject to the regulations and to the directions of the Minister, the Chief of the Air Staff shall administer the Air Training Corps.”

4. (1) In this section—

“Air Training Corps” means the body that is established by section 8 of the Principal Act as amended by this Act;

“previous body of cadets” means the body of cadets that was established by Part VIIIA of the Air Force Regulations.

Transitional provisions.

(2) A person who, immediately before the date of commencement of this section, was a cadet in the previous body of cadets—

- (a) becomes, on that date, a cadet in the Air Training Corps; and
- (b) has, on that date, the same rank in the Air Training Corps as he had, immediately before that date, in the previous body of cadets,

and his service and training in the previous body of cadets shall, for all purposes, be taken into account as if it were service and training in the Air Training Corps.

5. At any time after this Act receives the Royal Assent and before the date fixed under sub-section 2 (2), regulations may be made under the Principal Act as amended by this Act as if section 3 of this Act had come into operation, but regulations so made shall not come into operation before that date.

Making of Regulations.

NOTES

1. Act No. 138, 1976; assented to 2 December 1976.
2. Act No. 33, 1923, as amended. For previous amendments *see* Act No. 74, 1939; No. 12, 1941; No. 80, 1950; No. 15, 1952; No. 73, 1956; No. 94, 1964; No. 50, 1965; No. 216, 1973 (as amended by No. 20, 1974); and No. 96, 1975.