**Air Force Amendment Act 1979**

**No. 134 of 1979**

An Act to amend the *Air Force Act* 1923.

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* 1979.

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

**Commencement**

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

(2) Sub-section 4(1) and section 6 shall come into operation on the day on which sub-section 6(1) of the *Defence Amendment Act* 1979 comes into operation.

**Application of DefenceAct**

**3.** Section 3 of the Principal Act is amended by adding at the end thereof the following sub-sections:

“(2) Subject to this Act, Part IIIa of the Defence Act applies to and in relation to the Air Force and the members of that Force.

“(3) In sub-section (2), a reference to this Act does not include a reference to the regulations.”.

**Air Training Corps**

**4.** (1) Section 8 of the Principal Act is amended by omitting paragraphs (a) to (e) (inclusive) of sub-section (7) and substituting the following paragraphs:

“(a) the periods and conditions of service of members, other than conditions of service with respect to which determinations under section 58b of the Defence Act may be made; and

“(b) the promotion of members.”.

(2) Section 8 of the Principal Act is amended by inserting in sub-section (9) “, to any determinations in force under section 58b of the Defence Act” after “regulations”.

**Formal amendments**

**5.** The Principal Act is amended as set out in the Schedule to this Act.

**Saving**

**6.** Notwithstanding the amendment made by sub-section 4(1), the regulations that were in force under the *Air Force Act* 1923 immediately before the date (in this section referred to as the “relevant date”) of commencement of this section (including any such regulations as amended by determinations made under section 12 of the *Defence Amendment Act* 1979) and any determinations, directions or approvals that were in force under those regulations immediately before the relevant date shall, to the extent that they are not inconsistent with the *Air Force Act* 1923 as in force on the relevant date, continue in force on and after the relevant date as if those regulations had been made under the last-mentioned Act as so in force.

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SCHEDULE Section 5

FORMAL AMENDMENTS

|  |  |  |
| --- | --- | --- |
| Provision Amended | Omit— | Substitute— |
| Section 2 (definition of “the Defence Act”) | 1903-1964  | 1903 |
|
| Section 2 (definition of “the Naval Defence Act”) | 1910-1964  | 1910 |
|
| Section 2 (definition of “this Act”) | the *Air Force Act 1*923-1964  | this Act |
|
| Section 4a  | three  | 3 |
| Section 4e  | *Defence Act* 1903-1965  | Defence Act |
| Sub-section 4h(3)  | the last preceding sub-section  | sub-section (2) |
| Sub-section 4h(4)  | twelve  | 12 |
|  | the last preceding sub-section  | sub-section (3) |
| Sub-section 4h(5)  | the last preceding sub-section  | sub-section (4) |