



Statutory Rules

1977 No. 1

206/

CADET FORCES REGULATIONS

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Statutory Rules

1977 No. *K*

206/

REGULATIONS UNDER THE DEFENCE ACT 1903, THE NAVAL
DEFENCE ACT 1910 AND THE AIR FORCE ACT 1923*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, hereby make
the following Regulations under the *Defence Act* 1903, the *Naval
Defence Act* 1910 and the *Air Force Act* 1923.

Dated this *twenty-seventh*
day of *October* 1977,

John F. Kerr
Governor-General

By His Excellency's Command,

(SAD) D. J. KIRKEN
Minister of State for Defence

CADET FORCES REGULATIONS

PART I—PRELIMINARY

1. These Regulations may be cited as the Cadet Forces Citation
Regulations.

2. In these Regulations, unless the contrary intention appears—

“cadet force” means the Naval Reserve Cadets, the Australian
Cadet Corps or the Air Training Corps;

Interpre-
tation

“chief of staff” in relation to a cadet force or a member of a
cadet force means the Chief of Staff administering that
cadet force under section 62 of the *Defence Act* 1903, sec-
tion 39 of the *Naval Defence Act* 1910 or section 8 of the
Air Force Act 1923, as the case may be;

“commanding officer” means the commanding officer of a unit;

“continuous training” means a period of continuous training of
not less than 2 days duration, at a camp or course of
instruction;

* Notified in the *Commonwealth of Australia Gazette* on

K 1977.

3 November

- “ day ” means a period of 24 hours;
- “ financial year ” means a period commencing on 1 July and ending on the following 30 June;
- “ instructor ” means an instructor in a cadet force;
- “ member ” means an officer, instructor or cadet in a cadet force;
- “ officer ” means an officer in a cadet force;
- “ Permanent Force ” means the Permanent Naval Forces, the Australian Regular Army or the Permanent Air Force;
- “ unit ” means one of the units into which a cadet force is divided by regulation 4.

3. (1) A chief of staff may delegate—

Delegation

- (a) in the case of the Chief of Naval Staff, to an officer of the Navy holding the rank of Lieutenant-Commander or a higher rank;
- (b) in the case of the Chief of the General Staff, to an officer of the Army holding the rank of Major or a higher rank;
or
- (c) in the case of the Chief of the Air Staff, to an officer of the Air Force holding the rank of Squadron Leader or a higher rank,

either generally or otherwise as provided in the instrument of delegation, all or any of his powers and functions under these Regulations, except this power of delegation.

(2) A power or function delegated under this regulation may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3) A delegation under this regulation is revocable at will and does not prevent the exercise of a power or the performance of a function by a chief of staff.

PART II—ORGANIZATION OF AND SERVICE IN A CADET FORCE

4. A cadet force is divided into units authorized by the chief of staff.

Organization of cadet forces

5. (1) The chief of staff may appoint as officers or instructors in a cadet force persons who are suitable to supervise and control the training programme for, and the activities of, cadets enrolled in a unit.

Appointment of officers and instructors

(2) A person shall not be appointed an instructor unless he has attained the age of 18 years and has not attained the age of 56 years.

(3) A person shall not be appointed an officer unless he has attained the age of 19 years and has not attained the age of 56 years.

6. The chief of staff may appoint an officer in a cadet force to be the commanding officer of a unit. Commanding officer of a unit

7. (1) For the purposes of paragraph 8 (5)(a) of the *Air Force Act* 1923, paragraph 62 (5)(a) of the *Defence Act* 1903 or paragraph 38 (5)(a) of the *Naval Defence Act* 1910, a person is not entitled to volunteer, or to be accepted, as a cadet unless he has attained the age of 13 years. Minimum and maximum ages for cadets

(2) For the purposes of sub-section 8 (6) of the *Air Force Act* 1923 or sub-section 62 (6) of the *Defence Act* 1903, a person ceases to be a cadet in the Australian Cadet Corps or the Air Training Corps when he attains the age of 20 years.

8. (1) A person may volunteer as a cadet by furnishing to the commanding officer an application in accordance with a form approved by the chief of staff. Acceptance and enrolment as a cadet

(2) The commanding officer may accept as a cadet in the cadet force a person who furnishes to him an application under sub-regulation (1).

(3) When the commanding officer accepts a person as a cadet under sub-regulation (2), the commanding officer shall enrol that person as a cadet in his unit.

9. A cadet is entitled to take part in the activities of the unit in which he is enrolled and to attend the training provided by that unit. Service of cadets

10. (1) The ranks in a cadet force shall be— Ranks

- (a) in the case of the Naval Reserve Cadets, as specified in Schedule 1;
- (b) in the case of the Australian Cadet Corps, as specified in Schedule 2; and
- (c) in the case of the Air Training Corps, as specified in Schedule 3.

(2) A rank specified in Schedule 1, 2 or 3—

- (a) is junior to each rank specified after it in the same, or specified in a subsequent, column of that Schedule; and
- (b) is senior to each rank specified before it in the same, or specified in a preceding, column of that Schedule.

(3) A person appointed under regulation 5 to be an officer or instructor holds, upon appointment, the rank specified in the instrument of appointment by the chief of staff having regard to the age and experience of the person and the vacancies in the establishment of the unit in which the person is to serve.

(4) A person accepted and enrolled under regulation 8 as a cadet in a cadet force holds, upon being accepted and enrolled, the most junior rank of cadet or the rank determined by the commanding officer.

11. (1) The chief of staff may promote a member of a cadet force. *Promotions*

(2) When exercising his power under sub-regulation (1), the chief of staff shall have regard to the age and length of service of the member and any recommendations concerning his promotion made to the chief of staff by the commanding officer of his unit or by the officer who is responsible, on behalf of the chief of staff, for the administration of the cadet force in the region where that unit is located.

12. (1) Subject to sub-regulation (2), an instructor or officer in a cadet force shall retire from the cadet force on attaining the age of 60 years. *Retirement of instructors and officers*

(2) Where a chief of staff considers that it is in the interest of the cadet force to do so, he may, with the consent of the instructor or officer concerned, extend the appointment of an instructor or officer beyond the age of 60 years—

- (a) for a period not exceeding 2 years; or
- (b) from time to time, for successive periods that do not exceed a total of 2 years.

13. (1) A cadet may furnish to the commanding officer of the unit in which he is enrolled a request in writing to be discharged under sub-regulation 14 (1) from the cadet force to which he belongs. *Resignation or request for discharge*

(2) An instructor or officer may resign from a cadet force by delivering to an officer of the Defence Force authorized in writing by the chief of staff for the purpose of this regulation a notice of his intention to resign from the cadet force.

(3) A resignation under sub-regulation (2) takes effect on the day immediately following the day on which the notice is received by the officer authorized for the purpose of this regulation or on such later day as is specified in the notice.

14. (1) Where the commanding officer receives from a cadet enrolled in his unit a request in writing under sub-regulation 13 (1), he shall discharge the cadet. *Discharge or termination of appointment*

(2) Subject to sub-regulation (3), a cadet may, at any time, be discharged, or the appointment of an instructor or officer may be terminated, by the chief of staff, for any of the following reasons:

- (a) that the member is unsuitable to be a member;
- (b) that the member's attendance at the activities and training programme of his unit has been unsatisfactory;
- (c) that the member is medically unfit;
- (d) in the case of a cadet—that the unit in which the member is enrolled or in which he is serving is to be or has been disbanded;
- (e) in the case of a cadet—where the unit in which the member is enrolled is located at a school, that the member has ceased to attend that school;
- (f) in the case of a cadet—that, upon his discharge, he will be appointed as an instructor or officer;
- (g) in the case of an instructor—that, upon the termination of his appointment, he will be appointed as an officer.

(3) A member shall not be discharged or have his appointment terminated for a reason specified in paragraph (2)(a), (b) or (c), unless he has been notified of that reason for the intended discharge or termination of appointment and been given an opportunity to contest it.

(4) A member who decides to contest his discharge or the termination of his appointment shall give notice of the grounds on which he will do so to the commanding officer of his unit—

- (a) not later than 28 days after he is notified of the reasons for the intended discharge or termination; or
- (b) within any further period that may be allowed by the chief of staff.

15. The uniforms to be worn by members, and the circumstances in which members are required or permitted to wear those uniforms, shall be as determined by the chief of staff, and may include uniforms lawful authority for the wearing of which by members has been given under sub-section 83 (3) of the *Defence Act 1903*.

Wearing of uniforms

PART III—ALLOWANCES

16. Where a cadet officer or a cadet under officer, while attending continuous training, is accommodated at the expense of the Commonwealth and is provided with a meal or meals at a mess, the Commonwealth shall pay to the mess the amount that the member would be required to pay in respect of rations purchased by the mess in excess of the ordinary scale of rations if he were a member of the Permanent Force that is responsible for the administration of the mess.

Supplementary mess charges

17. (1) An officer or instructor who has attended continuous training in a financial year, on one or more occasions, for a total period of not less than 3½ days, is entitled to the payment of continuous training allowance in respect of up to 7 periods of 24 hours into which that total period may be divided. Continuous training allowance

(2) Subject to regulation 20, the amount payable to a member in respect of each period of 24 hours referred to in sub-regulation (1) is an amount calculated in accordance with the formula—

$$\frac{A}{20}$$

where A is the prescribed amount applicable to the rank held by the member at the conclusion of that period of 24 hours.

(3) An amount payable to a member under this regulation in respect of a day shall be reduced by any amounts payable to that member in respect of that day—

- (a) under regulations 19 and 21 of the Naval Reserve Cadets Regulations as in force on that day; or
- (b) under regulation 5 of the Defence Force (Reserves) (Financial) Regulations.

18. (1) Subject to regulation 20, an allowance, to be known as home training allowance, is payable to an officer or instructor in respect of the months, not exceeding 10 in a financial year, in respect of which he is eligible for an allowance under sub-regulation (4). Home training allowance

(2) Subject to sub-regulation (3), home training allowance due to a member shall be paid on completion of a financial year.

(3) Where a member ceases to be a member during a financial year, home training allowance due to that member in respect of that financial year becomes payable when he ceases to be a member.

(4) A member is eligible for home training allowance in respect of a month in a financial year, if—

- (a) the member was an officer or instructor for the whole month;
- (b) the member attended not less than 50 per cent of the drills or parades held in that month in his unit that he was notified to attend, not being drills or parades which he attended during continuous training; and
- (c) the member attended not less than 75 per cent of the total number of drills or parades referred to in paragraph (b) held during the months of that financial year in respect of which the member would be eligible otherwise under this sub-regulation for home training allowance.

(5) The amount payable to a member by way of home training allowance in respect of a month is an amount calculated in accordance with the formula—

13A

—
200

where A is the prescribed amount applicable to the rank held by the member in that month.

(6) Where an officer or instructor is promoted in the course of a month, he shall for the purposes of sub-regulation (5) be treated as having held the higher rank at the commencement of the month.

(7) Where a member's appointment as an instructor is terminated in order that he may be reappointed as an officer, his service as a member shall be deemed not to have been interrupted and sub-regulation (6) applies in relation to his reappointment as if it were a promotion.

(8) The total amount payable to a member under this regulation in respect of the months in a financial year shall be reduced by the total amount payable to that member in relation to that financial year under regulation 18 of the Naval Reserve Cadets Regulations as in force on the earlier of the following days:

- (a) the last day of that financial year;
- (b) the last day before the repeal of the Naval Reserve Cadets Regulations.

19. (1) Subject to regulation 20, an allowance, to be known as administration allowance, is payable to an officer or instructor—

Adminis-
tration
allowance

- (a) who is not ordinarily required to attend drills or parades in respect of which he would be entitled to home training allowance; and
- (b) who performs duties connected with the administration, in a particular region, of a cadet force,

in respect of the months, not exceeding 10, in a financial year, in respect of which he is eligible for an allowance under sub-regulation (4).

(2) Subject to sub-regulation (3), administration allowance due to a member shall be paid on completion of a financial year.

(3) Where a member ceases to be a member during a financial year, administration allowance due to him in respect of that financial year becomes payable when he ceases to be a member.

(4) A member is eligible for administration allowance in respect of a month in a financial year if—

- (a) the member was an officer or instructor for the whole month;

- (b) the member attended for duty on not less than 50 per cent of the days in that month on which he was notified to attend at his regional headquarters for the performance of administrative duties; and
- (c) the member attended for duty on not less than 75 per cent of the total number of days in the months in respect of which he would be eligible otherwise under this sub-regulation for administration allowance.

(5) The amount payable to a member by way of administration allowance in respect of a month is an amount calculated in accordance with the formula—

$$\frac{A}{10}$$

where A is the prescribed amount applicable to the rank held by the member in that month.

(6) Where an officer or instructor is promoted in the course of a month, he shall, for the purposes of sub-regulation (5), be treated as having held the higher rank at the commencement of the month.

(7) Where a member's appointment as an instructor is terminated in order that he may be reappointed as an officer, his service as a member shall be deemed not to have been interrupted and sub-regulation (6) applies in relation to his reappointment as if it were a promotion.

20. (1) The total amount payable to an instructor or officer under regulations 17, 18 and 19 in respect of a financial year shall not exceed the prescribed amount for the rank that the member holds at the end of the relevant financial year or at the time in that financial year when he ceases to be a member.

Maximum total amount payable in a financial year under regulations 17, 18 and 19

(2) For the purposes of sub-regulation (1) and regulations 17, 18 and 19, the prescribed amount for a rank in column 2 of Schedule 4 in an item in that Schedule is the amount specified in column 3 of that Schedule in that item.

21. (1) Where an officer or instructor makes a journey in the interest of a Permanent Force necessitating his absence overnight from his normal place of residence, and the journey has been authorized by the chief of staff, there shall be payable to him in respect of that journey by way of travelling allowance—

Travelling allowance

- (a) if he is a member of the Air Training Corps—such amounts as would be payable to him under regulations 579 to 583 (inclusive) of the Air Force Regulations, if the journey were an authorized journey as defined in those Regulations and he were a member of the Air Force holding a rank not higher than that of Group Captain;

- (b) if he is a member of the Australian Cadet Corps—such amounts as would be payable to him under regulations 93 to 102 (inclusive) or regulation 108, as the case may be, of the Military Financial Regulations, if the journey were an authorized journey as defined in those Regulations and he were a member of the Army holding a rank not higher than that of Colonel; or
- (c) if he is a member of the Naval Reserve Cadets—such amounts as would be payable to him under regulations 200 to 204 (inclusive) of the Naval Financial Regulations, if the journey were an authorized journey as defined in those Regulations and he were a member of the Navy holding a rank not higher than that of Captain.

(2) The period of a journey to which sub-regulation (1) applies shall be the period from the time of the member's departure from his normal place of residence to the time of his return to that place.

(3) An amount payable to a member under this regulation in respect of the period of a journey shall be reduced by any amounts payable to that member in respect of that period under regulations 22 and 23, or under regulation 24, of the Naval Reserve Cadets Regulations as in force on the last day of that period.

22. Where an officer or instructor makes a journey in the interest of a Permanent Force which does not necessitate his absence overnight from his normal place of residence, and that journey has been authorized by the chief of staff, there shall be payable to him in respect of that journey, by way of meal and vehicle allowances—

Payment of
meal and
vehicle
allowances

- (a) if he is a member of the Air Training Corps—the amounts that would be payable to him under regulations 598, 605 and 606 of the Air Force Regulations if he were a member of the Air Force holding a rank not higher than that of Group Captain;
- (b) if he is a member of the Australian Cadet Corps—the amounts that would be payable to him under regulations 107 and 108 of the Military Financial Regulations if he were a member of the Army holding a rank not higher than that of Colonel; or
- (c) if he is a member of the Naval Reserve Cadets—the amounts that would be payable to him under regulations 196 and 211 of the Naval Financial Regulations if he were a member of the Navy holding a rank not higher than that of Captain.

PART IV—MISCELLANEOUS

23. (1) For the purposes of section 123AA of the *Defence Act* 1903 and section 44E of the *Naval Defence Act* 1910, the prescribed age is 18 years.

Intoxicating liquor not to be supplied to cadets in uniform who are under 18 years of age

(2) A person shall not sell or supply intoxicating liquor to a member of the Air Training Corps who is under the age of 18 years and is in uniform, except by direction of a duly qualified medical practitioner.

Penalty: \$40.

24. It shall not be necessary for a member by reason of any law of a State or Territory to obtain or have any licence or permission to possess, use or carry a rifle or other firearm, belonging to the Commonwealth, if that possession, use or carriage is necessary for his participation in the activities of the cadet force of which he is a member.

State or Territory gun licensing laws

25. In relation to the Australian Cadet Corps, the Naval Reserve Cadets, and members of the Citizen Air Force employed as officers or instructors in the Air Training Corps—

Application

- (a) regulations 16, 17, 18, 19, 20, 21 and 22 apply as if these Regulations had taken effect on 1 October 1976; and
- (b) a reference in those regulations to a financial year shall be read, in relation to the financial year that commenced on 1 July 1976, as a reference to the period that commenced on 1 October 1976 and ended on 30 June 1977.

Cadet Forces Regulations

SCHEDULE 1 Sub-regulation 10 (1)
RANKS IN THE NAVAL RESERVE CADETS

Column 1	Column 2	Column 3
Ranks of cadets	Ranks of instructors	Ranks of officers
Recruit Seaman Able Seaman Leading Seaman Petty Officer Cadet Officer	Seaman Able Seaman Leading Seaman Petty Officer Chief Petty Officer Warrant Officer	Sub-Lieutenant Lieutenant Lieutenant-Commander Commander

SCHEDULE 2 Sub-regulation 10 (1)
RANKS IN THE AUSTRALIAN CADET CORPS

Column 1	Column 2
Ranks of cadets	Ranks of officers
Cadet Lance Corporal Corporal Sergeant Staff Sergeant Warrant Officer Class 2 Warrant Officer Class 1 Cadet Under Officer	Lieutenant Captain Major Lieutenant-Colonel

SCHEDULE 3 Sub-regulation 10 (1)
RANKS IN THE AIR TRAINING CORPS

Column 1	Column 2	Column 3
Ranks of cadets	Ranks of instructors	Ranks of officers
Cadet Leading Cadet Corporal Sergeant Flight Sergeant Warrant Officer Cadet Under Officer	Aircraftman Leading Aircraftman Corporal Sergeant Flight Sergeant Warrant Officer	Pilot Officer Flying Officer Flight Lieutenant Squadron Leader Wing Commander

Cadet Forces Regulations

SCHEDULE 4

Sub-regulation 20 (2)

MAXIMUM TOTAL AMOUNT PAYABLE TO AN INSTRUCTOR OR OFFICER IN RESPECT OF A FINANCIAL YEAR BY WAY OF CONTINUOUS TRAINING, HOME TRAINING AND ADMINISTRATION ALLOWANCE

Column 1	Column 2	Column 3
Item	Rank	Prescribed amount in dollars
1	Commander Lieutenant-Colonel Wing Commander	860
2	Lieutenant-Commander Major Squadron Leader	740
3	Lieutenant (in the Naval Reserve Cadets) Captain Flight-Lieutenant	640
4	Sub-Lieutenant Lieutenant (in the Australian Cadet Corps) Flying Officer	560
5	Pilot Officer Warrant Officer	500
6	Chief Petty Officer Flight Sergeant	460
7	Petty Officer Sergeant	420
8	Corporal Leading Seaman	400
9	Leading Aircraftman Able Seaman	380
10	Aircraftman Seaman	360