

EXPLANATORY STATEMENT



STATUTORY RULES 1983 NO 130

ISSUED BY THE AUTHORITY OF THE MINISTER FOR DEFENCE
DEFENCE (VISITING FORCES) REGULATIONS (AMENDMENT)

Section 8 and Part III of the Defence Acts Amendment Act 1981 repeal Parts III and IV of the Defence (Visiting Forces) Act 1963 and remake the provisions as a new Part IXA of the Defence Act 1903. The provisions concerned relate to the forces of other countries. They deal with attachment of personnel and mutual powers of command between Australian forces and those forces, as well as the treatment of absentees without leave from those forces.

This Statutory Rule, together with associated amendments to the Defence Force Regulations, transfers from the Defence (Visiting Forces) Regulations to the Defence Force Regulations matters prescribed for the purposes of the above-mentioned provisions.

Regulation 2 of the Statutory Rule amends regulation 4 of the Defence (Visiting Forces) Regulations by substituting a revised list of countries which are declared to be Commonwealth countries for the purpose of the Defence (Visiting Forces) Act. The new list accords with the countries to be declared in the Defence Force Regulations for the purposes of the new Part IXA of the Defence Act.

Regulation 3 of the Statutory Rule omits from regulation 5 a reference to sub-section 25(2) of the Defence (Visiting Forces) Act, one of the provisions transferred to the Defence Act.

Regulations 4, 5 and 6 repeal regulations 5A, 7 and 8 of the Defence (Visiting Forces) Regulations

and omit Form 1 of the Schedule, all provisions transferred to the Defence Force Regulations.

The Statutory Rule comes into operation on 15 August 1983, the date from which sections 8 and Part III of the Defence Acts Amendment Act 1981 will be proclaimed to commence.

S.R. 132/83