

**EXPLANATORY STATEMENT**

Statutory Rules No. 322,1988

**Defence Act 1903**

Defence Force Regulations (Amendment)

Issued by the authority of the Minister for Veterans' Affairs

Section 124 of the Defence Act 1903 (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters which are by the Act required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Under the Administrative Arrangements Order the Minister for Veterans' Affairs was assigned paragraph 124(1)(qba) of the Defence Act 1903 on 5 October 1976, and regulation 31 of the Defence Force Regulations is administered under that paragraph.

This regulation replaces the obsolete title of Secretary-General of the Anzac Agency of the Imperial War Graves Commission with the correct title, Director of Australian War Graves.

The Anzac Agency ceased to exist on 1 January 1975 when the Office of Australian War Graves was established to assume the responsibilities for war graves previously performed by the Anzac Agency.

Details of the regulation are set out below.

Change of Title under paragraph 124(1)(qba) of the Act

Paragraph 124(1)(qba) of the Act provides for the provision and maintenance of, and the execution of work in connection with, the graves of persons who have died while serving as members of the Defence Force or who died as a result of service as a member of the Defence Force.

Existing regulation 31 provides for the establishment and maintenance of cemeteries for the burial, exhumation and reinternment or other disposal of the bodies of members of the Defence Force who died while on service or as a result of service.

The amendment to existing regulation 31 substitutes the reference to "Secretary-General of the Anzac Agency of the Imperial War Graves Commission" with "Director of War Graves".