

Defence Portfolio Regulations Amendment (Aid to Civilian Authorities) Regulations 2000 (No. 1) 2000 No. 263

EXPLANATORY STATEMENT

STATUTORY RULES 2000 No. 263

Issued by the Authority of the Minister for Defence

Defence Act 1903

Defence Portfolio Regulations Amendment (Aid to Civilian Authorities) Regulations 2000 (No. 1)

Subsection 124(1) of the *Defence Act 1903* (the Defence Act) provides that the Governor-General may make Regulations prescribing all matters required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for the good governance of the Defence Force. The *Defence Force Regulations 1952* made under the Act prescribe such matters as the command of the Defence Force when acting together, defence areas, defence practice areas and redress of grievances. The Regulations apply to the Navy, Army and Air Force.

The Defence Legislation Amendment (Aid to Civilian Authorities) Act 2000 (the Amending Act) confers on members of the Australian Defence Force particular powers in certain circumstances. The Amending Act inserts Part IIIAAA of the Defence Act which enables the Australian Defence Force to be called out to protect a Commonwealth interest or a State or Territory against domestic violence which is beyond the capability of that State or Territory.

This Statutory Rule enables the call out of the Australian Defence Force in situations other than pursuant to Part IIIAAA of the Act. Where powers under Division 2 or Division 3 or both in Part IIIAAA are not appropriate for the purposes of a call out, the Statutory Rule applies.

The Statutory Rule repeals Part V of the *Australian Military Regulations 1927* and Part IX of the *Air Force Regulations 1927* and will include a new Part 3 in the *Defence Force Regulations 1952*. This means that the Statutory Rule applies equally to the Navy, Army and Air Force.

This Statutory Rule commences on Gazettal.