

Australian Military Amendment Regulations 2002 (No. 1) 2002 No. 277

EXPLANATORY STATEMENT

Statutory Rules 2002 No. 277

Defence Act 1903

Australian Military Amendment Regulations 2002 (No. 1)

Issued by the authority of the Minister for Veterans' Affairs

Paragraphs 124 (1) (a) to (ac) of the *Defence Act 1903* provide that the Governor-General may make regulations in relation to enlistment, appointment, promotion, reduction in rank, retirement and discharge of members of the Defence Force, the transfer of members of the Defence Force, the training of members and the conditions of service of members.

This Statutory Rule forms part of a package which consolidates the existing regulations relating to personnel matters contained in service specific regulations, as well as some former provisions of the *Defence Act 1903* and the *Naval Defence Act 1910* into a single consolidated set of tri-service regulations contained in the *Defence (Personnel) Regulations 2002* (the Principal Regulations). The Principal Regulations were made in an interim form in March 2002. However, the *Defence (Personnel) Amendment Regulations 2002*, which form part of this package of regulation changes, have consolidated all of these personnel provisions into the one Statutory Rule.

The purpose of this Statutory Rule is to repeal those parts of the *Australian Military Regulations 1927* no longer required as a result of the commencement of the *Defence (Personnel) Amendment Regulations*, and to make consequential amendments to the remaining regulations.

The remaining regulations are largely those not dealing with personnel functions.

Regulation 1 names the Regulations as the *Australian Military Amendment Regulations 2002 (No. 1)*.

Regulation 2 provides that the Regulations commence on 1 December 2002.

Regulation 3 provides Schedule 1 to amend the *Australian Military Regulations 1927*.

The remaining items omit the provisions that are no longer required, make consequential drafting changes and retain the following provisions of these Regulations (which reinstate the substance of the current provisions):

Regulation 68 which lists the precedence of Corps; the only changes to the existing list are the insertion of the Australian Army Public Relations Service and the deletion of the Royal Australian Survey Corps.

Regulation 70 which provides for the ranking of consular service officers.

Regulation 72 which provides for the establishment of Divisions in the Australian Army.

Regulation 433 which deals with when a member can be medically examined. It updates the range of superior officers who can direct a member to attend an examination.

Regulations 803 which remakes regulations 803 and 804 (ie the offences relating to impersonation, false representation and assumption of a title of rank in the Australian Army). It also increases the penalty for the offence from \$20 to 10 penalty units (ie \$1100).