



Cadet Forces Amendment Regulations 2007 (No. 1)¹

Select Legislative Instrument 2007 No. 93

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Defence Act 1903*, the *Naval Defence Act 1910* and the *Air Force Act 1923*.

Dated 26 April 2007

P. M. JEFFERY
Governor-General

By His Excellency's Command

PETER LINDSAY
Parliamentary Secretary to the Minister for Defence

1 Name of Regulations

These Regulations are the *Cadet Forces Amendment Regulations 2007 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Cadet Forces Regulations 1977*

Schedule 1 amends the *Cadet Forces Regulations 1977*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 3

substitute

3 Delegation

- (1) A service chief mentioned in an item in Table 1 may delegate all or any of his or her powers and functions under regulations 5, 14 and 17 to a delegate mentioned in the item.

TABLE 1 DELEGATION FOR REGULATIONS 5, 14 AND 17

Item	Service Chief	Delegate
1	Chief of Navy	(a) an officer of the Navy or the Australian Navy Cadets of the rank of Lieutenant-Commander or above (b) an Australian Public Service employee of the Department of Defence of Executive Level 1 or above

TABLE 1 DELEGATION FOR REGULATIONS 5, 14 AND 17

Item	Service Chief	Delegate
2	Chief of Army	(a) an officer of the Army or the Australian Army Cadets of the rank of Captain or above (b) an Australian Public Service employee of the Department of Defence of Australian Public Service 6 or above
3	Chief of Air Force	(a) an officer of the Australian Air Force or the Australian Air Force Cadets of the rank of Squadron Leader or above (b) an Australian Public Service employee of the Department of Defence of Executive Level 1 or above

(2) A service chief mentioned in an item in Table 2 may delegate all or any of his or her powers and functions under the following provisions to a delegate mentioned in the item:

- (a) regulation 6;
- (b) subregulation 8 (3);
- (c) subregulation 8 (4);
- (d) regulation 11;
- (e) regulation 15.

TABLE 2 DELEGATION FOR REGULATIONS 6, 11 AND 15 AND SUBREGULATIONS 8 (3) AND (4)

Item	Service Chief	Delegate
1	Chief of Navy	(a) any member of the Navy of the rank of Petty Officer or above (b) any officer or instructor of the Australian Navy Cadets of the rank of Petty Officer or above (c) an Australian Public Service employee of the Department of Defence of Australian Public Service 5 or above
2	Chief of Army	(a) any member of the Army of the rank of Warrant Officer Class Two or above

TABLE 2 DELEGATION FOR REGULATIONS 6, 11 AND 15 AND SUBREGULATIONS 8 (3) AND (4)

Item	Service Chief	Delegate
		(b) any officer or instructor of the Australian Army Cadets of the rank of Corporal or above
		(c) an Australian Public Service employee of the Department of Defence of Australian Public Service 5 or above
3	Chief of Air Force	(a) any member of the Australian Air Force of the rank of Warrant Officer or above
		(b) any officer or instructor of the Australian Air Force Cadets of the rank of Warrant Officer or above
		(c) an Australian Public Service employee of the Department of Defence of Australian Public Service 5 or above

Note In accordance with section 34AB of the *Acts Interpretation Act 1901*:

Where an Act confers power on a person or body (in this section called the **authority**) to delegate a function or power:

- (a) the delegation may be made either generally or as otherwise provided by the instrument of delegation;
- (b) the powers that may be delegated do not include that power to delegate;
- (c) a function or power so delegated, when performed or exercised by the delegate, shall, for the purposes of the Act, be deemed to have been performed or exercised by the authority;
- (d) a delegation by the authority does not prevent the performance or exercise of a function or power by the authority.

[2] Schedule 1*substitute***Schedule 1 Ranks in the Australian Navy Cadets**

(subregulation 10 (1))

Item	Ranks of cadets	Ranks of instructors	Ranks of officers
1	Cadet Recruit	Seaman (ANC)	Acting Sub-Lieutenant (ANC)
2	Cadet Seaman	Able Seaman (ANC)	Sub-Lieutenant (ANC)
3	Cadet Able Seaman	Leading Seaman (ANC)	Lieutenant (ANC)
4	Cadet Leading Seaman	Petty Officer (ANC)	Lieutenant-Commander (ANC)
5	Cadet Petty Officer	Chief Petty Officer (ANC)	Commander (ANC)
6	Cadet Chief Petty Officer	Warrant Officer (ANC)	Captain (ANC)
7	Cadet Warrant Officer		
8	Cadet Midshipman		

Note 1 The above table must be read together with regulation 10.*Note 2* In the above table (ANC) means Australian Navy Cadets.

[3] Schedule 2*substitute***Schedule 2 Ranks in the Australian Army Cadets**

(subregulation 10 (1))

Item	Ranks of cadets	Ranks of instructors	Ranks of officers
1	Cadet Recruit	Recruit (AAC)	Second Lieutenant (AAC)
2	Cadet	Private (AAC)	Lieutenant (AAC)
3	Cadet Lance Corporal	Lance Corporal (AAC)	Captain (AAC)
4	Cadet Corporal	Corporal (AAC)	Major (AAC)
5	Cadet Sergeant	Sergeant (AAC)	Lieutenant-Colonel (AAC)
6	Cadet Staff Sergeant	Staff Sergeant (AAC)	Colonel (AAC)
7	Cadet Warrant Officer Class Two	Warrant Officer Class Two (AAC)	
8	Cadet Warrant Officer Class One	Warrant Officer Class One (AAC)	
9	Cadet Under Officer		

Note 1 The above table must be read together with regulation 10.

Note 2 In the above table (AAC) means Australian Army Cadets.

[4] Schedule 3*substitute***Schedule 3 Ranks in the Australian Air Force Cadets**

(subregulation 10 (1))

Item	Ranks of cadets	Ranks of instructors	Ranks of officers
1	Cadet	Aircraftman (AAFC) or Aircraftwoman (AAFC)	Pilot Officer (AAFC)
2	Leading Cadet	Leading Aircraftman (AAFC) or Leading Aircraftwoman (AAFC)	Flying Officer (AAFC)
3	Cadet Corporal	Corporal (AAFC)	Flight Lieutenant (AAFC)
4	Cadet Sergeant	Sergeant (AAFC)	Squadron Leader (AAFC)
5	Cadet Flight Sergeant	Flight Sergeant (AAFC)	Wing Commander (AAFC)
6	Cadet Warrant Officer	Warrant Officer (AAFC)	Group Captain (AAFC)
7	Cadet Under Officer		

Note 1 The above table must be read together with regulation 10.

Note 2 In the above table (AAFC) means Australian Air Force Cadets.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.