

# STATUTORY RULES.

1947. No. 110.

REGULATIONS UNDER THE DEFENCE ACT 1903-1945.\*

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Defence Act* 1903-1945.

Dated this sixth day of August, 1947.

W. J. McKELL

Governor-General.

By His Excellency's Command,

CYRIL CHAMBERS

Minister of State for the Army.

## FINANCIAL (MILITARY) REGULATIONS.

### PART I.—PRELIMINARY.

1. These Regulations may be cited as the Financial (Military) Citation. Regulations.

2.—(1.) The Military Financial Regulations (being Statutory Rules 1935, No. 83, as amended by Statutory Rules 1935, Nos. 102 and 123; 1936, Nos. 1, 32, 62, 75, 98, 111, 122, 144 and 158; 1937, Nos. 1, 22, 29, 42, 71, 76, 96 and 113; 1938, Nos. 11, 15, 45, 76, 89, 96, 98 and 122; 1939, Nos. 82, 132, 133, 135 and 159; 1940, Nos. 39, 68, 76, 204, 211 and 253; 1941, Nos. 13, 30, 50, 109, 154, 216 and 306; 1942, Nos. 84 and 507; 1943, Nos. 152 and 157; 1944, Nos. 89, 110 and 170; and 1946, No. 73) are repealed. Repeal of Regulations.

(2.) The War Financial (Military Forces) Regulations (being Statutory Rules 1941, No. 218, as amended by Statutory Rules 1942, Nos. 136 and 347; 1943, No. 287; 1944, Nos. 65, 82, 111, 123 and 180; 1945, Nos. 29, 46 and 61; and 1946, No. 6) are repealed.

3. These Regulations are divided into Parts, as follows:—

Parts.

Part I.—Preliminary.

Part II.—Pay and Pay Allowances.

Part III.—Allotments.

Part IV.—Miscellaneous.

4. In these Regulations, unless the contrary intention appears— Definitions.

“date of embarkation”, in relation to a member, means—

- (a) the date upon which the member embarked on a ship or aircraft for service outside Australia, but shall not be deemed to refer to the embarkation of a

\* Notified in the *Commonwealth Gazette* on the 7th August, 1947.

member who, subsequently, disembarked in Australia from that ship or aircraft and did not proceed forthwith in the same or another ship or aircraft for service outside Australia;

(b) the date of appointment, enlistment, transfer or secondment of a member who at the time of his appointment, enlistment, transfer or secondment was not in Australia; or

(c) the date on which a member, if travelling otherwise than by ship or aircraft, entered a country outside Australia for service in that country;

“member” means—

(a) any person (other than a member of the Women's Services) appointed or transferred to, or enlisted in, or seconded for, service with, the Australian Imperial Force;\*

(b) any member of the Permanent Military Forces other than the Australian Imperial Force, the Corps of Staff Cadets or a Women's Service;

(c) any member of the Citizen Military Forces who has been appointed or enlisted for continuous military service;

“pay allowances” includes exchange allowance, marriage allowance, provision allowance, separation allowance, living-out allowance, allowance in lieu of rations or in lieu of quarters or tentage, retention of lodging allowance and any allowance payable under regulation 29 of these Regulations;

“prescribed authority” means the Minister or any person appointed by him in writing to be a prescribed authority for the purposes of these Regulations.

#### Delegations.

5.—(1.) The Minister may, by writing under his hand, delegate all or any of his powers and functions under these Regulations.

(2.) The Military Board may delegate to any officer all or any of its powers and functions under these Regulations.

(3.) Every delegation under this regulation shall be revocable at will, and no delegation shall prevent the exercise or performance of any power or function by the Minister or the Military Board, as the case may be.

(4.) A delegation under this regulation shall not lapse or be revoked by the Minister ceasing to hold office by death or otherwise or by reason of the powers or functions of the Military Board becoming vested in an officer to command the Military Forces in time of war.

#### Power of Minister to authorize expenditure.

6. The Minister may, with the concurrence of the Treasurer, authorize any expenditure not covered by these Regulations, provided that the necessary funds have been made available by parliamentary appropriation, or by the Treasurer in anticipation of parliamentary appropriation.

## PART II.—PAY AND PAY ALLOWANCES.

7.—(1.) The daily rates of pay and of incremental advancement Pay. by subdivisions for members of the Australian Military Forces shall be in accordance with the following table:—

Rank, Appointment or Classification.	Subdivisions.						Increments.
	1.	2.	3.	4.	5.	6.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Lieutenant-General ..	..	..	..	..	..	..	..
Major-General ..	..	..	..	..	..	..	..
Brigadier ..	..	..	..	..	..	..	..
Colonel ..	3 4 0	3 6 6	3 9 0	3 11 6	3 14 0	..	Biennial Increments
Lieutenant-Colonel ..	2 10 0	2 12 0	2 14 0	2 16 0	2 18 0	3 0 0	Biennial Increments
Major ..	1 19 0	2 1 0	2 3 0	2 5 0	2 7 0	..	Biennial Increments
Captain ..	1 9 0	1 12 0	1 15 0	..	..	..	Biennial Increments
Lieutenant ..	1 3 0	1 6 0	..	..	..	..	Biennial Increments
Warrant Officer, Class I.—							
Highest skilled	1 3 6	1 4 0	..	..	..	..	Biennial Increments
All others	1 2 0	1 2 6	..	..	..	..	Biennial Increments
Warrant Officer, Class II.—							
Highest skilled	1 2 6	1 3 0	..	..	..	..	Biennial Increments
All others	1 1 0	1 1 6	..	..	..	..	Biennial Increments
Staff Sergeants—							
Highest skilled	1 1 0	1 1 6	1 2 0	..	..	..	Biennial Increments
All others	0 19 6	1 0 0	1 0 6	..	..	..	Biennial Increments
Sergeants—							
Highest skilled ..	0 19 6	1 0 0	1 0 6	..	..	..	Biennial Increments
All others ..	0 18 0	0 18 6	0 19 0	..	..	..	Biennial Increments
Corporal—							
3 Star ..	0 17 0	..	..	..	..	..	..
2 Star ..	0 16 0	..	..	..	..	..	..
1 Star ..	0 13 0	..	..	..	..	..	..
Lance-Corporal—							
3 Star ..	0 16 0	..	..	..	..	..	..
2 Star ..	0 14 0	..	..	..	..	..	..
1 Star ..	0 11 6	..	..	..	..	..	..

4470.—2

Rank, Appointment or Classification.	Subdivisions.						Increments.
	1.	2.	3.	4.	5.	6.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Private—							
3 Star ..	0 15 0	..	..	..	..	..	..
2 Star ..	0 13 0	..	..	..	..	..	..
1 Star ..	0 11 0	..	..	..	..	..	..
Recruit—							
Adult ..	0 10 0	..	..	..	..	..	..
Minor ..	0 8 6	..	..	..	..	..	..

(2.) The subdivision of the table contained in sub-regulation (1) of this regulation applicable at the date of the commencement of these Regulations, to a member serving on that date, shall be determined in accordance with such conditions as are approved by the Military Board.

(3.) The classification of a member shall be determined in accordance with such conditions as are approved by the Military Board.

Good conduct  
increments.

8. Under such conditions as are approved by the Military Board, there may be paid to members of and below the rank of Corporal, after five years' service, good conduct increments of Sixpence per day and, after ten years' service, good conduct increments of One shilling per day.

Temporary or  
provisional  
rank.

9. A member who is granted temporary or provisional rank, appointment or classification shall, while holding that rank, appointment or classification, be paid the daily rate of pay, pay allowances and other allowances prescribed by these Regulations for the rank, appointment or classification which he holds temporarily or provisionally.

Honorary rank.

10. A member who is granted honorary rank shall be paid the daily rate of pay, pay allowances and other allowances prescribed by these Regulations for his temporary or provisional rank or, if he does not hold a temporary or provisional rank, for his substantive rank.

Exchange  
allowance.

11. A member shall be paid a daily exchange allowance in accordance with the following scale, on and after the date of embarkation of the member, and up to and including the date of his disembarkation in Australia upon his return to Australia:—

Rank, Appointment, Classification.						Rate.
<i>Officers.</i>						<i>s. d.</i>
Lieutenant-General	..	..	..	..	..	7 5
Major-General ..	..	..	..	..	..	6 1
Brigadier ..	..	..	..	..	..	4 10
Colonel ..	..	..	..	..	..	4 0
Lieutenant-Colonel	..	..	..	..	..	3 4
Major ..	..	..	..	..	..	2 10
Captain ..	..	..	..	..	..	2 2
Lieutenant ..	..	..	..	..	..	1 10

Rank, Appointment, Classification.	Rate.
<i>Other Ranks.</i>	
	<i>s. d.</i>
Warrant Officer, Class I. . . . .	1 5
Warrant Officer, Class II. . . . .	1 1
Staff Sergeant . . . . .	1 1
Sergeant . . . . .	1 0
Corporal . . . . .	0 11
Lance Corporal . . . . .	0 7
Private—	
3 Star . . . . .	0 10
2 Star . . . . .	0 9
1 Star . . . . .	0 7
Recruit . . . . .	0 6

Provided that a member of the British Commonwealth Occupation Force shall, on and after the date of his disembarkation in Japan and up to and including the date of embarkation of the member in Japan, be paid an exchange allowance of not less than One shilling per day.

12. Subject to these Regulations, a marriage allowance of Four shillings per day may be paid to a member— Marriage allowance.

(a) who, being married, maintains, in the opinion of a prescribed authority, normal domestic relationships with his wife; or

(b) who, being a widower, maintains, in the opinion of a prescribed authority, a home for the benefit of any child or children of his marriage under the age of eighteen years and receiving full-time education or under the age of sixteen years.

13. A provision allowance of Three shillings per day may be paid to a member who, being in receipt of marriage allowance, lives at his home or in married quarters. Provision allowance.

14. A separation allowance of Three shillings per day may be paid to a member who, being in receipt of marriage allowance, is required, by reason of his military duty, to live away from his home. Separation allowance.

15. Where a member, being in receipt of marriage allowance and separation allowance, is not provided with rations and quarters or tentage, living out allowance may be paid to him in accordance with the following scale:— Living out allowance to members in receipt of marriage and separation allowance.

Rank.	Rate per Day.
	<i>s. d.</i>
Any officer holding a rank not lower than Colonel . . . . .	9 6
Lieutenant-Colonel, Major . . . . .	8 0
Captain, Lieutenant . . . . .	7 0
Warrant Officer . . . . .	5 6
Staff Sergeant . . . . .	5 0
Corporal, Lance-Corporal, Private . . . . .	4 6

Provided that, in the case of a Warrant Officer, Staff Sergeant, Sergeant, Corporal, Lance-Corporal or Private, living out allowance may be paid at the rate of Six shillings per day under such conditions as are approved by the Military Board.

Living out allowance to members not in receipt of marriage allowance.

16. Where a member, not being in receipt of marriage allowance, is not provided with rations and quarters or tentage for any period, living out allowance may be paid to him at the rate of Six shillings per day for the first thirty days and thereafter at the rate of Four shillings and sixpence per day.

Living out allowance while on leave.

17.—(1.) Where a member, not being in receipt of marriage allowance, is granted leave of absence with pay for a period of not less than seventy-two hours, living out allowance may be paid at the rate of Four shillings and sixpence per day in respect of each complete period of twenty-four hours included in the period of leave.

(2.) For the purposes of this regulation, a period of less than seventy-two hours which includes nine normal meal periods shall be deemed to be seventy-two hours.

Allowance in lieu of rations or in lieu of quarters or tentage.

18.—(1.) A member, not being in receipt of marriage allowance, may, if he is not required, by reason of his military duty, to live away from his home, be paid an allowance of—

- (a) Three shillings per day for each day upon which he is supplied with quarters or tentage but not with rations; or
- (b) One shilling and sixpence per day for each day upon which he is supplied with rations but not with quarters or tentage.

(2.) A member, not being in receipt of a marriage allowance, may, on each occasion on which he is required, by reason of his military duty, to live away from home, be paid an allowance of—

- (a) Five shillings and sixpence per day for the first thirty days and thereafter Four shillings and sixpence per day for each day upon which he is supplied with quarters or tentage but not with rations; and
- (b) Three shillings and sixpence per day for the first thirty days and thereafter Two shillings and sixpence per day for each day upon which he is supplied with rations but not with quarters or tentage.

(3.) A member, being in receipt of marriage allowance and separation allowance, who is provided with quarters or tentage but not with rations, may be paid an allowance in accordance with the following scale:—

Rank.	Rate per Day.
	<i>s. d.</i>
Any officer holding a rank not lower than Colonel .. ..	7 0
Lieutenant-Colonel, Major .. ..	6 6
Captain, Lieutenant .. ..	6 0
Warrant Officer .. ..	5 6
Staff Sergeant, Sergeant .. ..	5 0
Corporal, Lance Corporal, Private .. ..	4 6

(4.) A member, being in receipt of marriage allowance and separation allowance, who is provided with rations, but not with quarters or tentage, may be paid an allowance in accordance with the following scale:—

Rank.	Rate per Day.
	<i>s. d.</i>
Any officer holding a rank not lower than Colonel .. .. .	5 0
Lieutenant-Colonel, Major .. .. .	4 0
Captain, Lieutenant .. .. .	4 0
Warrant Officer .. .. .	3 0
Staff Sergeant, Sergeant .. .. .	3 0
Corporal, Lance Corporal, Private .. .. .	2 6

(5.) A member referred to in sub-regulations (3.) and (4.) of this regulation who is provided with quarters or tentage but not with rations may be paid an allowance of not less than Five shillings and sixpence per day and any such member who is provided with rations but not with quarters or tentage may be paid an allowance of not less than Three shillings and sixpence per day.

(6.) The allowances provided for in this regulation shall be payable under such conditions as are approved by the Military Board.

19. Subject to such conditions as are approved by the Military Board, a member, being in receipt of living out allowance, who is absent from his usual place of lodging or accommodation, by reason of his military duty or his evacuation as a patient to hospital, may be paid, for a period not exceeding thirty days, an allowance of Two shillings and sixpence per day or the actual cost of retention of his place of lodging or accommodation, whichever is the lesser. Retention of lodgings allowance.

20. Where quarters are provided by the Commonwealth for a married member, a deduction shall be made from his pay in respect of each day during which he occupies those quarters of a sum equal to one-tenth of— Rent of married quarters.

- (a) the daily rate of pay under these Regulations, for the rank, appointment or classification of the member on each such day;
- (b) the amount of marriage allowance payable to the member; and
- (c) the amount of separation or provision allowance payable to the member.

21. The pay which may be drawn by a member while he is a patient in a military hospital or a convalescent in a convalescent home or depot may be restricted to such amounts within the member's credit as are fixed from time to time by the commanding officer of the military hospital or convalescent home or depot in which the member is a patient or convalescent. Restriction of pay of members in hospitals or convalescent homes or depots.

Forfeiture of pay.

22. When forfeiture of pay is imposed upon or incurred by any member, either by award of his commanding officer or court-martial, or as a consequence of undergoing sentence of penal servitude, imprisonment, detention or field punishment imposed upon him by any court or by his commanding officer or being absent without leave or while under any charge of which he is afterwards convicted, the amount of pay so forfeited shall include the whole of his pay and pay allowances in respect of each day of forfeiture.

Recovery of overpayments in respect of previous service.

23. Subject to such conditions as are approved by the Military Board, there may be deducted from the pay due to a member who previously served for any period subsequent to the sixth day of October, 1939—

(a) in the Australian Military Forces under a previous appointment or enlistment; or

(b) in any other part of the Defence Force, such sum or sums as could legally have been deducted from his pay if he had continued to serve in that part of the Defence Force in which he previously served.

Venereal disease.

24. Except under such conditions as are approved by the Military Board, a member shall forfeit one-third of his daily rate of pay and pay allowances for each day during which he is absent from duty suffering from acquired venereal disease.

Absence through illness, &c., for which member culpable.

25. A member who is absent from duty owing to illness, injury or wounds due to an action or conduct constituting an offence of which he is convicted by a civil court, court-martial or his commanding officer shall, if his commanding officer so directs, forfeit any pay and pay allowances otherwise payable to him in respect of the period of that absence from duty.

Leave without pay.

26. A member shall not be entitled to any pay or pay allowances in respect of any period for which he is granted leave without pay.

Minimum drawing rate.

27. Where a member's pay account is overdrawn in consequence of—

(a) any forfeiture of pay referred to in regulation 22, 24 or 25 of these Regulations; or

(b) the recovery of—

(i) any fine inflicted upon or sum of money ordered or awarded to be paid by, or stopped from the pay of a member, either by award of his commanding officer or by court-martial;

(ii) any sum or sums deducted from his pay pursuant to regulation 23 of these Regulations;

(iii) any overpayment of allotment, pursuant to regulation 34 of these Regulations; or

(iv) any amount agreed by the member to be deducted from his pay in respect of the loss or damage to Commonwealth property on issue to him,

the member shall, in respect of each day during which his account remains overdrawn, be entitled to draw, as an advance against future pay and pay allowances, an amount equal to—

(c) one-tenth of his daily rate of pay; or



- (d) (i) if he is serving in Australia—One shilling per day;  
or  
(ii) if he is serving outside Australia—One shilling in English currency per day,  
whichever is the greater:

Provided that a member shall not be entitled to an advance during any period during which he is undergoing sentence of penal servitude, imprisonment, detention or field punishment in custody, or is absent without leave.

28. Any assignment of, and any charge on, and every agreement to assign or charge any pay, allowance, gratuity or military reward payable to a member shall be void. Assignment of pay, &c., void.

29.—(1.) Notwithstanding anything contained in these Regulations and subject to such conditions as are approved by the Military Board, the following allowances may be paid to a member who was serving on the thirtieth day of June, 1947:— Allowances to members serving on 30th June, 1947.

- (a) Where the member continues to serve in the same rank, appointment or classification held by him on the thirtieth day of June, 1947—an allowance equal to the amount by which the W.F.R. rate payable to him on that date exceeds the F.M.R. rate payable to him in respect of the rank, appointment or classification;
- (b) Where the member at any time after the thirtieth day of June, 1947, serves in a rank, appointment or classification higher than that held by him on that date—an allowance during the period during which he serves in the higher rank, appointment or classification equal to the amount by which the W.F.R. rate payable to him on that date exceeds the F.M.R. rate payable to him in respect of the higher rank, appointment or classification; or
- (c) Where the member at any time after the thirtieth day of June, 1947, serves in a rank, appointment or classification lower than that held by him on that date—an allowance during the period during which he serves in the lower rank, appointment or classification equal to the amount by which the W.F.R. rate which would have been payable to him on that date, if he had held the lower rank, appointment or classification on that date exceeds the F.M.R. rate payable to him in respect of that rank, classification or appointment.

(2.) For the purposes of this regulation—

“F.M.R. rate”, in relation to a member to whom this regulation applies, means the total amount of—

- (a) his daily rate of pay under these Regulations;
- (b) the daily rate of any marriage allowance, provision allowance or separation allowance or living out allowance payable to him under these Regulations; and
- (c) in the case of a member who is not a contributor to the Commonwealth Superannuation Fund—One shilling and one penny per day;

“W.F.R. rate”, in relation to a member to whom this regulation applies, means the total amount of—

- (a) the daily rate of pay and pay allowances, except exchange allowance;
  - (b) the daily rate of dependants allowance (if any); and
  - (c) the daily rate of subsistence allowance (if any),
- payable to him or in respect of him on the thirtieth day of June, 1947, under the War Financial (Military Forces) Regulations.

Death or  
insanity of  
member.

30. In the event of the death or insanity of a member while serving, any moneys due to him shall be paid to the person legally entitled to administer the military estate of the member.

#### PART III.—ALLOTMENTS.

Allotments.

31. An allotment of pay may be made by a member to or for the benefit of any person approved by a prescribed authority or to any bank account or corporation approved by a prescribed authority:

Provided that the amount of pay remaining available for drawing by the member for his own use shall not be less than one-tenth of his daily rate of pay or One shilling per day, whichever is the greater.

Marriage  
allowance  
conditional on  
allotment.

32. Payment of marriage allowance shall not be made unless the member makes from his pay an allotment of not less than Thirteen shillings per day to his wife or to such other person as the prescribed authority approves.

Residence of  
allottee.

33.—(1.) If a person to, or for the benefit of, whom an allotment is made by a member resides outside Australia, payment of the allotment in the country where the allottee resides shall be subject to the approval of a prescribed authority.

(2.) Any payment of an allotment to a person who resides outside Australia shall be made in Australian currency or its equivalent in any other currency converted at the prevailing rate of exchange.

Recovery of  
overpayments  
of allotment.

34. Any overpayment of allotment to an allottee may be recovered from the pay due or to become due to the member by whom the allotment is made.

Member dying  
or being  
reported  
missing.

35. Where a member dies or is reported missing, there may be paid from the date of death or from the date on which the member is reported missing, such sum, not exceeding the amount of the allotment made by the member to such person, for such period and under such conditions as the Minister, with the concurrence of the Treasurer, approves.

#### PART IV.—MISCELLANEOUS.

Initial issue  
of uniform and  
clothing.

36. An initial free issue of uniform and clothing shall be made to each member in accordance with such scales of issue as the Military Board, with the concurrence of the Treasurer, authorizes.

Clothing  
maintenance  
allowance.

37.—(1.) Subject to sub-regulation (2.) of this regulation, a member shall be paid a clothing allowance of One shilling per day in respect of each day of his service.

(2.) Except under such conditions as are approved by the Military Board, clothing maintenance allowance shall be forfeited in respect of each day on which a member's daily rate of pay is forfeited.

**38.—**(1.) Subject to this regulation, a member (not being a contributor to the Commonwealth Superannuation Fund) who was serving on the thirtieth day of June, 1947, may, under such conditions as the Military Board determines, be paid a gratuity in respect of each year or part of a year of service at the rate of Twenty pounds per annum. Gratuity.

(2.) Gratuity shall not be payable in respect of any period of service before the first day of July, 1947.

(3.) A member who is appointed, seconded or transferred to the Permanent Military Forces shall not be eligible for gratuity after the date of his appointment, secondment or transfer.

---

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.