



Statutory Rules

1976 No. 55

REGULATIONS UNDER THE DEFENCE ACT 1903-1975.*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Defence Act* 1903-1975.

Dated this fifth day of February, 1976.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

D. J. KILLEN
Minister of State for Defence.

AMENDMENTS OF THE ROYAL MILITARY COLLEGE REGULATIONS†

Commence-
ment.

1. These Regulations shall come into operation on 9 February 1976

2. After regulation 4 of the Royal Military College Regulations the following regulation is inserted:—

Delegations.

“4A. (1) The Minister or the Chief of the General Staff may, by writing signed by him, delegate to the Chief of Personnel, a person acting in that position or an officer who holds a rank in the Australian Army not below the rank of Brigadier any of his powers or functions under these Regulations, other than this power of delegation.

“(2) A delegation under sub-regulation (1) shall be revocable at will, and no delegation shall prevent the exercise of any power or function by the Minister or the Chief of the General Staff.”.

Amendments
of the Royal
Military College
Regulations.

3. The Royal Military College Regulations are amended as set out in the following table:—

Provision	Amendment
Regulation 2	Omit “the first Schedule to these Regulations”, substitute “Schedule 1”.
Regulation 3	Repeal.

* Notified in the *Australian Government Gazette* on 6 February 1976.

† Statutory Rules 1951, No. 40, as amended by Statutory Rules 1955, No. 76; 1957, No. 42; 1958, No. 84; 1960, Nos. 13 and 55; 1961, Nos. 40 and 101; 1962, No. 53; 1963, No. 146; 1964, No. 111; 1965, No. 159; 1966, Nos. 55 and 138; 1967, Nos. 12 and 117; 1969, No. 52; 1970, Nos. 53 and 184; 1971, Nos. 15, 51 and 130; 1972, No. 56; and 1973, No. 161.

Royal Military College Regulations

Provision	Amendment
Sub-regulation 4 (1)	<p>.. After the definition of " Administrative Staff ", insert the following definitions:—</p> <p>" ' Australian cadet ' means a cadet who was an Australian candidate;</p> <p>' Australian candidate ' means a candidate for admission as a student who is—</p> <p>(a) a British subject permanently resident in Australia; or</p> <p>(b) an Australian citizen; "</p> <p>Omit the definitions of " Commonwealth cadet " and " Commonwealth candidate ".</p> <p>Omit from the definition of " foreign student " the words " of these Regulations ".</p> <p>Omit the definitions of " normal entry " and " service entry " and substitute the following definitions:—</p> <p>" ' normal entry ' means admission as a student of an Australian candidate who is eligible for admission under sub-regulation 5 (1);</p> <p>' service entry ' means admission as a student of an Australian candidate who is eligible for admission under sub-regulation 5 (2); "</p> <p>Omit the definition of " the Military Board ".</p> <p>Omit from the definition of " the Selection Board " the words " sub-regulation (5) of regulation 8 of these Regulations ", substitute the words " sub-regulation 8 (5) ".</p>
Sub-regulation 4 (2)	<p>.. Omit " of these Regulations " (wherever occurring).</p>
Sub-regulation 5 (1)	<p>.. Omit " A Commonwealth ", substitute " An Australian ".</p> <p>Omit from paragraph (a) " Military Board ", substitute " Chief of the General Staff ".</p> <p>Omit from paragraph (c) " the thirtieth day of June ", substitute " 1 January ".</p> <p>Omit from paragraph (c) " seventeen ", substitute " 16½ ".</p> <p>Omit from paragraph (c) " twenty ", substitute " 19½ ".</p> <p>Omit from paragraph (d) " Military Board ", substitute " Chief of the General Staff ".</p> <p>Omit from paragraph (e) " sub-regulation (9) of regulation 8 of these Regulations ", substitute " sub-regulation 8 (9) ".</p>
Sub-regulation 5 (1A)	<p>.. Omit " Military Board ", substitute " Chief of the General Staff ".</p> <p>Omit " paragraph (d) of the last preceding sub-regulation ", substitute " paragraph (1) (d) ".</p> <p>Omit " the Board ", substitute " he ".</p>
Sub-regulation 5 (2)	<p>.. Omit " A Commonwealth ", substitute " An Australian ".</p> <p>Omit from paragraph (a) " twenty-seven ", substitute " 27 ".</p> <p>Omit paragraph (b).</p> <p>Omit from paragraph (c) " sub-regulation (12) of regulation 8 of these Regulations ", substitute " sub-regulation 8 (12) ".</p>
Regulation 6	<p>.. Repeal.</p>
Regulation 7	<p>.. Repeal.</p>
Sub-regulation 8 (1)	<p>.. Omit.</p>
Sub-regulation 8 (2)	<p>.. Omit " Commonwealth ", substitute " Australian ".</p> <p>Omit " the mainland of ".</p> <p>Omit " Australian Military Forces ", substitute " Australian Army ".</p>
Sub-regulation 8 (5)	<p>.. Omit " two other officers ", substitute " 2 other persons ".</p>
Sub-regulation 8 (5A)	<p>.. Omit " Military Board ", substitute " Chief of the General Staff ".</p>
Sub-regulation 8 (5B)	<p>.. Omit.</p>

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Provision		Amendment
Sub-regulation 8 (5c)	..	Omit.
Sub-regulation 8 (6)	..	Omit.
Sub-regulation 8 (7)	..	Omit.
Sub-regulation 8 (8)	..	Omit.
Sub-regulation 8 (10)	..	Omit.
Sub-regulation 8 (11)	..	Omit.
Sub-regulation 8 (13)	..	Omit.
Regulation 9	..	Omit " Commonwealth ", substitute " Australian ". Omit " two ", substitute " 2 ".
Sub-regulation 11 (1)	..	Omit.
Sub-regulation 11 (2)	..	Omit.
Sub-regulation 11 (4)	..	Omit.
Regulation 14	..	Omit " the Sixth Schedule to these Regulations ", substitute " Schedule 6 ".
Regulation 14A	..	Omit " the Seventh Schedule to these Regulations ", substitute " Schedule 7 ".
Sub-regulation 15 (1)	..	Omit " Military Board ", substitute " Chief of the General Staff ".
Sub-regulation 15 (3)	..	Omit " of these Regulations ".
Sub-regulation 15 (4)	..	Omit " Military Forces ", substitute " Army ".
Sub-regulation 16 (1)	..	Omit " Australian Military Forces ", substitute " Army ".
Sub-regulation 16 (2)	..	Omit " the last preceding sub-regulation ", substitute " sub- regulation (1) ".
Sub-regulation 19 (3)	..	Omit " the next succeeding sub-regulation ", substitute " sub- regulation (4) ".
Sub-regulation 20 (1)	..	Omit from paragraph (c) " Commonwealth ", substitute " Australian ". Omit from paragraph (ca) " sub-regulation (4) of regulation 19 of these Regulations ", substitute " sub-regulation 19 (4) ". Omit from paragraph (d) " Commonwealth ", substitute " Australian ". Omit from paragraph (d) " sub-regulation (4) of regulation 19 of these Regulations ", substitute " sub-regulation 19 (4) ". Omit from paragraph (g) " sub-regulation (4) of regulation 19 of these Regulations ", substitute " sub-regulation 19 (4) ". Omit from paragraph (g) " Commonwealth ", substitute " Australian ". Omit from paragraph (g) " Military Board ", substitute " Chief of the General Staff ".
Sub-regulation 20 (2)	..	Omit " the last preceding sub-regulation ", substitute " sub- regulation (1) ".
Sub-regulation 27 (1)	..	Omit, substitute the following sub-regulation:— " (1) Subject to sub-regulations (1A) and (2), the normal length of the course of instruction at the College is 4 years."
Sub-regulation 27 (1A)	..	Omit " three ", substitute " 3 ".
Sub-regulation 27 (2)	..	Omit " Military Board ", substitute " Chief of the General Staff ".

Royal Military College Regulations

Provision	Amendment
Sub-regulation 33 (1)	<p>Omit from paragraph (b) " Military Forces ", substitute " Army ".</p> <p>Omit from paragraph (c) " in the Military Forces ", substitute " at the Royal Military College ".</p> <p>Omit from paragraph (f) " Military Forces ", substitute " Army ".</p> <p>Omit from paragraph (j) " Military Forces ", substitute " Army ".</p> <p>Omit from paragraph (j) " those Forces ", substitute " the Army ".</p> <p>Omit from paragraph (k) " three ", substitute " 3 ".</p> <p>Omit from paragraph (m) " Military Board ", substitute " Chief of the General Staff ".</p> <p>Omit from paragraph (n) " Military Board ", substitute " Chief of the General Staff ".</p> <p>Omit from paragraph (n) " the Commonwealth ", substitute " Australia ".</p>
Sub-regulation 33 (2)	Omit " Military Board ", substitute " Chief of the General Staff ".
Sub-regulation 33 (4)	<p>Omit " Military Board ", substitute " Chief of the General Staff ".</p> <p>Omit " the last preceding sub-regulation ", substitute " sub-regulation (3) ".</p>
Regulation 34	Omit " A Commonwealth ", substitute " An Australian ".
Sub-regulation 37 (1)	<p>Omit from paragraph (e) " seven ", substitute " 7 ".</p> <p>Omit from paragraph (f) " Ten dollars ", substitute " \$10 ".</p> <p>Omit from paragraph (g) " twenty-one ", substitute " 21 ".</p> <p>Omit from paragraph (h) " eighty-four ", substitute " 84 ".</p>
Sub-regulation 37 (4)	<p>Omit " of this regulation ".</p> <p>Omit " paragraphs (a), (b) and (c) of that sub-regulation ", substitute " paragraphs (l) (a), (b) and (c) ".</p>
Sub-regulation 37 (6)	<p>Omit " of this regulation " (first occurring).</p> <p>Omit " paragraphs (b) to (n) (inclusive) of sub-regulation (1) of this regulation ", substitute " paragraphs (l) (b) to (n) (inclusive) ".</p>
Sub-regulation 37 (7)	Omit " of this regulation ".
Sub-regulation 38 (1)	<p>Omit from paragraph (a) " paragraphs (f) to (n) (inclusive) of sub-regulation (1) of the last preceding regulation ", substitute " paragraphs 37 (l) (f) to (n) (inclusive) ".</p> <p>Omit from paragraph (b) " paragraphs (l) and (m) of that sub-regulation ", substitute " paragraphs 37 (l) (l) and (m) ".</p>
Sub-regulation 38 (2)	Omit " the last preceding sub-regulation ", substitute " sub-regulation (1) ".
Sub-regulation 39 (1)	Omit " of these Regulations ".
Sub-regulation 39 (2)	Omit " of these Regulations ".
Sub-regulation 39A (1)	Omit " Australian Military Forces ", substitute " Australian Army ".
Sub-regulation 39A (2)	Omit " of these Regulations " (wherever occurring).

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Provision	Amendment
Sub-regulation 39A (2) —continued	Omit “ sub-regulation (1) of regulation 37 ”, substitute “ sub-regulation 37 (1) ”.
Sub-regulation 39A (3) ..	Omit “ the last preceding sub-regulation ”, substitute “ sub-regulation (2) ”.
	Omit “ sub-regulations (2), (3) and (6) of regulation 37 ”, substitute “ sub-regulations 37 (2), (3) and (6) ”.
	Omit “ of these Regulations ” (wherever occurring).
Sub-regulation 39A (5) ..	Omit “ Australian Military Forces ”, substitute “ Australian Army ”.
Sub-regulation 44B (1) ..	Omit “ the next succeeding sub-regulation ”, substitute “ sub-regulation (2) ”.
Regulation 60 ..	Omit “ Military Board ”, substitute “ Chief of the General Staff ”.
Sub-regulation 61 (1) ..	Omit “ Australian Military Forces ”, substitute “ Army ”.
Sub-regulation 61 (2) ..	Omit “ the last preceding sub-regulation ”, substitute “ sub-regulation (1) ”.
	Omit from paragraph (a) “ Australian Military Forces ”, substitute “ Army ”.
First Schedule ..	Omit the heading, substitute the following heading:— “ SCHEDULE 1 ”.
Third Schedule ..	Repeal.
Fourth Schedule ..	Repeal.
Sixth Schedule ..	Omit the heading— “ SIXTH SCHEDULE ”, substitute— “ SCHEDULE 6 ”.
	Omit “ COMMONWEALTH OF ”.
Seventh Schedule ..	Omit the heading— “ SEVENTH SCHEDULE ”, substitute— “ SCHEDULE 7 ”.
	Omit “ COMMONWEALTH OF ”.

Transitional.

4. A determination made before, and in force immediately before, the commencement of these Regulations for the purposes of the Royal Military College Regulations shall, after the commencement of these Regulations, have effect as if it had been made immediately after the commencement of these Regulations by the Chief of the General Staff for the purposes of the Royal Military College Regulations as amended by these Regulations.