



Statutory Rules

1975 No. 30

REGULATIONS UNDER THE PAPUA NEW GUINEA (APPLICATION OF LAWS) ACT 1973.*

I, THE ADMINISTRATOR of the Government of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Papua New Guinea (Application of Laws) Act 1973*.

Dated this fourth day of March, 1975.

A. R. CUTLER
Administrator.

By His Excellency's Command,

W. L. MORRISON

Minister of State for Science for and on behalf of
the Minister of State for Foreign Affairs.

AMENDMENT OF THE PAPUA NEW GUINEA (APPLICATION OF LAWS) REGULATIONS†

1. These Regulations shall come into operation on 6 March 1975.

Commencement.

2. After regulation 16 of the Papua New Guinea (Application of Laws) Regulations the following regulation is added:—

“ 17. (1) The *Defence Act 1903-1973*, the *Naval Defence Act 1910-1973*, the *Air Force Act 1923-1973* and the *Courts-Martial Appeals Act 1955-1973* shall cease to have effect as part of the law of Papua New Guinea on and from the date of commencement of this regulation.

Application of
Defence
legislation.

“ (2) The Acts specified in sub-regulation (1) continue to apply on and after the date of commencement of this regulation as part of the law of Australia in relation to all members of the Australian Defence Force while they are in Papua New Guinea and in relation to powers of command (but not discipline) over members of the Papua New Guinea Defence Force established by or under a law of Papua New Guinea and members of the Australian Defence Force whenever those Forces are acting together.

“ (3) Persons who, immediately before the date of commencement of this regulation, were members of the Pacific Islands Regiment of the Australian Military Forces, being members within the meaning of the Military Financial (Pacific Islanders) Regulations and including members of the Australian Military

* Notified in the *Australian Government Gazette* on 5 March 1975.

† Statutory Rules 1973, No. 243, as amended by Statutory Rules 1974, Nos. 94, 120, 221 and 259.

Papua New Guinea (Application of Laws) Regulations

Forces who were attached to that Regiment for the purpose of being transferred on that date to the Papua New Guinea Defence Force by virtue of a law of Papua New Guinea, are, on that date, discharged from, and cease to be members of, the Australian Military Forces and may be transferred to the Papua New Guinea Defence Force under that law.

“(4) Persons who, immediately before the date of commencement of this regulation, were members of the Papua New Guinea Division of the Australian Naval Forces are, on that date, discharged from, and cease to be members of, the Australian Naval Forces and may be transferred to the Papua New Guinea Defence Force under a law of Papua New Guinea.

“(5) The Governor-General may, by instrument in writing—

- (a) for the purposes of the continued application of the provisions of the Acts specified in sub-regulation (1) as part of the law of Australia in relation to members of the Papua New Guinea Defence Force and members of the Australian Defence Force—declare when those Forces are acting together; and
- (b) for the purposes of the continued application of provisions of the Acts specified in sub-regulation (1) as part of the law of Australia in relation to the command over members of the Papua New Guinea Defence Force and members of the Australian Defence Force when those Forces are acting together—determine the relative ranks, seniority and precedence of those members.

“(6) The immunities conferred by section 70 of the *Defence Act 1903-1973* on members of the Australian Defence Force and vehicles used by members of that Force are conferred on members of the Papua New Guinea Defence Force while in Australia and vehicles used there by members of that Force.

“(7) The provisions of regulation 201 of the Australian Military Regulations have effect in relation to members of the Papua New Guinea Defence Force while in Australia as if—

- (a) references to the Military Forces were references to that Force; and
- (b) references to the Commonwealth were references to Papua New Guinea.”.