Australian Military Amendment Regulations 2002 (No. 1)'

Statutory Rules 2002 No. 2

I, PETER JOHN HOLLINGWORTH, 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.

Dated 14 NOV 2002 2002

PETER HOLLINGWORTH
Governor-General

By His Excellency’s Command

DANNA VALE
Minister for Veterans’ Affairs
1 Name of Regulations
These Regulations are the *Australian Military Amendment Regulations 2002 (No. 4).*

2 Commencement
These Regulations commence on 1 December 2002.

3 Amendment of *Australian Military Regulations 1927*
Schedule 1 amends the *Australian Military Regulations 1927.*

Schedule 1 Amendments
(regulation 3)

[1] Part 1, heading

*substitute*

Part 1 General

[2] Subregulation 3 (1)

*omit*

(1) In these regulations, and in the forms authorized by these regulations,

*insert*

In these Regulations, and in the forms authorised by these Regulations,

[3] Subregulation 3 (1), definition of *Active Army Reserve*

*omit*
[4] Subregulation 3 (1), definition of force
omit

[5] Subregulation 3 (1), definitions of His Majesty’s Forces, His Majesty’s Service and Inactive Army Reserve
omit

[6] Subregulation 3 (1), definition of salary
omit

[7] Subregulation 3 (1), definitions of superior officer and temporary rank
omit

[8] Regulation 12
omit
   Assistant Chief of the General Staff — Personnel
insert
   Director General Personnel — Army

[9] Part III, heading
substitute

Part 3   Command, precedence and Divisions

[10] Part III, Division 1, heading
omit
Regulations 64 to 193

substitute

68 Precedence of Corps

(1) The Corps in the Army are the Corps in the following list, set out in order of precedence:
   (a) the Corps of Staff Cadets;
   (b) the Royal Australian Armoured Corps;
   (c) the Royal Regiment of Australian Artillery;
   (d) the Royal Australian Engineers;
   (e) the Royal Australian Corps of Signals;
   (f) the Royal Australian Infantry Corps;
   (g) the Australian Army Aviation Corps;
   (h) the Australian Intelligence Corps;
   (i) the Royal Australian Army Chaplains Department;
   (j) the Royal Australian Corps of Transport;
   (k) the Royal Australian Army Medical Corps;
   (l) the Royal Australian Army Dental Corps;
   (m) the Royal Australian Army Ordnance Corps;
   (n) the Royal Australian Electrical and Mechanical Engineers;
   (o) the Royal Australian Army Educational Corps;
   (p) the Australian Army Public Relations Service;
   (q) the Australian Army Catering Corps;
   (r) the Royal Australian Army Pay Corps;
   (s) the Australian Army Legal Corps;
   (t) the Royal Australian Corps of Military Police;
   (u) the Australian Army Psychology Corps;
   (v) the Australian Army Band Corps;
   (w) the Royal Australian Army Nursing Corps;
   (x) the Women’s Royal Australian Army Corps.

(2) Units of the Army take precedence as follows:
   (a) the units of the Permanent Forces have precedence over the units of the Reserves;
(b) the units have precedence according to the order of their numerical succession;
(c) if units are not included in a numerical succession, the units have precedence according to the order in which the Commands to which they belong are specified in the instrument appointing Commands.

70 Consular service

Officers of the Consular Service rank with officers of the Army as follows:
(a) a Consul-General ranks with, but after, a Major-General;
(b) a Consul ranks with, but after, a Colonel;
(c) a Vice-Consul ranks with, but after, a Major;
(d) a Consular Agent ranks with, but after, a Captain.

72 Establishment of Divisions

The following Divisions are established in the Australian Army:
(a) the General Service Officer Division;
(b) the Prescribed Service Officer Division;
(c) the Specialist Service Officer Division.

[12] Part IIIA

omit

[13] Part IV, heading

substitute

Part 4 Deductions from salary

[14] Part IV, Division 3, heading

omit
[15] Part IV, Division 12, heading

_omit_

[16] Part VI, heading

_substitute_

Part 6  Medical examination and treatment

[17] Part VI, Division 2, heading

_omit_

[18] Regulation 433

_substitute_

433  Liability to be examined

(1) A member may be required at any time, by the member’s commanding officer or any other superior officer, to be medically examined.

(2) If the member is required to be medically examined, the member must:

(a) attend at the time and place directed by the officer who requires the examination; and

(b) submit to being examined; and

(c) give all information, and do anything, that the person who conducts the examination requires for the purpose of the examination.

[19] Part VI, Division 8

_omit_
Part 7  Particulars of service in the Australian Army Legal Corps

[21] Part VII, Division 6A, heading
*omit*

[22] Regulation 580, heading
*substitute*

580 Appointment and transfer to Standby Reserve of A.A.L.C.

[23] Subregulation 580 (1)
*after*
   in these Regulations
*insert*
   or the *Defence (Personnel) Regulations 2002*

[24] Subregulation 580 (1)
*omit*
   the Inactive Army Reserve.
*insert*
   the Standby Reserve.
[25] Subregulation 580 (2)

*omit*
thethe Inactive Army Reserve.

*insert*
the Standby Reserve.

[26] Subregulation 580 (3)

*afterafter*
in these Regulations

*insert*
or the *Defence (Personnel) Regulations 2002*

[27] Subregulation 580 (3)

*omit*
the Inactive Army Reserve

*insert*
the Standby Reserve

[28] Part VII, Division 8

*omit*

[29] Part X, heading

*substitutestatute*

**Part 10**

**Personal records**

[30] Part X, Division 4, heading

*omit*
[31] Subregulation 770 (1), definition of *authorizing officer*, paragraph (d)

*omit*

the Chief of Personnel.

*insert*

the Director General Personnel — Army.

[32] Part XI, heading

*substitute*

Part 11 Messes

[33] Part XI, Division 2, heading

*omit*

[34] Part XIII, heading

*substitute*

Part 13 Miscellaneous

[35] Part XIII, Division 1, heading

*omit*

[36] Regulation 801

*omit*
[37] Regulations 803 and 804

substitute

803 Personation, false representation and assumption of title

(1) A person is guilty of an offence if:
   (a) the person:
       (i) impersonates a member of the Australian Army; or
       (ii) falsely represents himself or herself to be a member of the Australian Army or a former member of the Australian Army; and
   (b) the person does so with intent to deceive.

   Penalty: 10 penalty units.

(2) To avoid doubt, for subregulation (1):
   (a) impersonation does not include conduct engaged in solely for satirical or other artistic purposes; and
   (b) false representation does not include conduct engaged in solely for satirical or other artistic purposes.

(3) A person commits an offence if the person assumes the title of a rank in the Australian Army that the person does not hold.

   Penalty: 10 penalty units.

(4) Subregulation (3) does not apply if the person has a reasonable excuse.

   Note A defendant bears an evidential burden in relation to the matter in subregulation (3) (see subsection 13.3 (3) of the Criminal Code).

[38] Schedule

omit
Notes
