

STATUTORY RULES.

1944. No. 72.

REGULATIONS UNDER THE DEFENCE ACT 1903-1941.*

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* 1903-1941.

Dated this

nineteenth

day of

April

, 1944.

(SGD.) GOWRIE,

Governor-General.

By His Excellency's Command,

Frank Forde

Minister of State for the Army.

AMENDMENTS OF THE AUSTRALIAN MILITARY REGULATIONS.†

1. Regulation 120 of the Australian Military Regulations is amended— Transfer to
R. of O.

- (a) by omitting from paragraph (b) of sub-regulation (1) the words "or of" and inserting the words "the Australian Army Chaplains' Department," in their stead; and
- (b) by inserting in paragraph (b) of sub-regulation (2), before the words "Australian Army Medical Corps", the words "Australian Army Chaplains' Department, the".

2. Regulation 124 of the Australian Military Regulations is amended— Ages for
retirement.

- (a) by inserting in sub-regulation (1), after the words and figures—
"Australian Intelligence Corps—All ranks .. | 60 | .."
the words and figures—
"Army Chaplains' Department—
Subject to sub-regulation 4 of this
regulation, all classifications .. | 60 | ..";
and
- (b) by omitting from sub-regulation (4) the words "a chaplain" and inserting in their stead the words "a chaplain-general, the Senior Jewish Chaplain or a senior chaplain in a Military District".

* Notified in the *Commonwealth Gazette* on

1944.
† Statutory Rules 1927, No. 149, as amended by Statutory Rules 1928, Nos. 23, 28 and 126; 1929, No. 123; 1930, Nos. 26, 67 and 92; 1931, No. 13; 1932, Nos. 80, 87 and 125; 1933, Nos. 49 and 77; 1934, Nos. 26 and 80; 1935, Nos. 99 and 109; 1936, Nos. 21, 44 and 100; 1937, No. 45; 1938, Nos. 75, 90 and 93; 1939, Nos. 31, 51, 58, 115, 123, 134, 160 and 173; 1940, Nos. 2, 16, 29, 59, 150, 183, 184, 185, 186, 199, 237, 252, 272 and 273; 1941, Nos. 3, 4, 14, 43, 135, 153, 155, 205, 245, 246, 260 and 311; 1942, Nos. 35, 90, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 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995, 996, 997, 998, 999, 1000.

3. Regulation 215 of the Australian Military Regulations is amended—

- (a) by inserting in paragraph (a) of sub-regulation (1), after the word "rank" (wherever occurring), the words "or classification"; and
- (b) by inserting in paragraph (ii) of the proviso to sub-regulation (1), after the word "rank" (wherever occurring), the words "or classification".

4. Regulation 216 of the Australian Military Regulations is amended—

- (a) by inserting in sub-paragraph (i) of paragraph (a), after the word "rank", the words "or classification";
- (b) by inserting, after sub-paragraph (ii) of paragraph (c), the following sub-paragraph:—
 "(ija) As if in paragraph (3) there were inserted, after the word 'rank', the words 'or classification'";
- (c) by inserting in paragraph (16) inserted in the proviso to A.A. 44 by sub-paragraph (v) of paragraph (c), after the word "rank" (wherever occurring), the words "or classification", and by omitting the word "or" (fifth occurring).

Modifications
and adaptations
of A.A. 44.
(War service.)

5. The Australian Military Regulations are amended by inserting after regulation 266 the following regulation:—

"266A. For the purpose of its application to the Military Forces paragraph (a), relating to the case of an officer of sub-section (2) of A.A. 47 shall be read as if after the word 'rank' there were inserted the words 'or classification'".

Modification
of A.A. 47.

first occurring

Part

6. Regulation 268 of the Australian Military Regulations is amended by inserting in paragraph (i) of sub-regulation (4), after the word "rank", the words "or classification".

Powers of
prescribed
authority.

7. Regulation 319 of the Australian Military Regulations is amended by inserting at the end of paragraph (b) of sub-regulation (2) the following words "and, after the word 'rank' (wherever occurring) in the first paragraph, the words 'or classification' and, after the word 'ranks', the words 'or classification'".

Modification
of R.P. 47.

Part

8. Regulation 590 of the Australian Military Regulations is amended by omitting all the words from and including the words "serving on—" to the end of the regulation and inserting in their stead the words "appointed to that Department".

Constitution.

9. Regulations 591, 592 and 593 of the Australian Military Regulations are repealed and the following regulations inserted in their stead:—

"591.—(1) Only a person who is a minister of religion shall be eligible to be appointed a chaplain.

Appointments.

(2) A minister of religion shall not be appointed a chaplain or an officer transferred to the Australian Army Chaplains' Department, and a chaplain shall not be promoted, except on the recommendation of the appropriate chaplain-general, or, in the case of a minister of the Jewish faith, the Senior Jewish Chaplain.

(3) The examination to be passed to render a person eligible for first appointment as chaplain shall be such examination as is required to be passed to enable that person to be ordained or appointed a minister of religion.

"592.—(1) A chaplain shall be a commissioned officer of the Military Forces and shall wear badges of rank according with his classification, but shall not hold any rank other than that of chaplain. Status, precedence and command.

(2) Chaplains shall have precedence and command in accordance with A.M.L. 53.

"593. A minister of religion who has attained the age of fifty years shall not be eligible to be appointed as chaplain, 4th class." Age limits for appointment to 4th class.

10. Regulation 594 of the Australian Military Regulations is amended— Classes of chaplains.

(a) by inserting, in sub-regulation (1), after the word "chap-lains", the words "other than chaplains-general and the Senior Jewish Chaplain,";

(b) by omitting from sub-regulation (2) the word "The" (first occurring) and inserting in its stead the words "Subject to sub-regulation (5) of regulation 595, sub-regulation (2) of regulation 595A, sub-regulation (2) of regulation 595B and sub-regulation (3) of regulation 596 of these Regulations, the"; and

(c) by omitting sub-regulation (3).

11. Regulation 595 of the Australian Military Regulations is repealed and the following regulation inserted in its stead:—

"595.—(1) The Governor-General may appoint five chaplains-general. Chaplains-General.

(2) There shall be one chaplain-general for chaplains who are ministers of the Church of England or of a Church in communion with the Church of England, one chaplain-general for chaplains who are ministers of the Roman Catholic Church, one chaplain-general for chaplains who are ministers of the Presbyterian Church, one chaplain-general for chaplains who are ministers of the Methodist Church, and, for chaplains who are ministers of other Christian Churches, one chaplain-general, who shall be known as 'Chaplain-General, United Churches'.

(3) The appointment of chaplain-general, other than Chaplain-General, United Churches, shall not be conferred except upon the head in the Commonwealth of the Church concerned or a minister of religion recommended by that head or by the governing body of that Church in the Commonwealth.

(4) The Chaplain-General, United Churches, shall be a minister of religion of a Christian Church other than the Church of England, or a Church in communion with the Church of England, the Roman Catholic Church, the Presbyterian Church or the Methodist Church, selected and appointed as Chaplain-General, United Churches, by the Governor-General.

(5) The classification of chaplain-general shall for precedence correspond with the rank of Major-General."

12. Regulation 595A of the Australian Military Regulations is amended by omitting sub-regulation (3). Deputy chaplains-general.

13. After regulation 595A of the Australian Military Regulations the following regulation is inserted:—

“595B.—(1) The Governor-General may appoint a minister of Senior Jewish Chaplain. the Jewish faith to be Senior Jewish Chaplain.

(2) The classification of Senior Jewish Chaplain shall for precedence correspond with the rank of colonel.”.

14. Regulations 596, 597, 598, 599 and 599A of the Australian Military Regulations are repealed and the following regulation inserted in its stead:—

“596.—(1) The Governor-General may appoint five senior chaplains Senior chaplains and deputy senior chaplains. in each Military District, each of whom shall be severally appointed on the recommendation of his respective chaplain-general.

(2) If, in time of war, a senior chaplain in a Military District is the Head of his denomination in the State which forms the greater part of that Military District and is not on part or full-time duty, the Military Board, on the recommendation of the chaplain-general concerned, may appoint a deputy senior chaplain to act for him:

Provided that, if that senior chaplain becomes engaged on part-time or full-time duty, the appointment of his deputy senior chaplain shall be terminated by the Military Board forthwith.

(3) The classification of a deputy senior chaplain shall for precedence correspond with the rank of Major.

“597. The classification of a chaplain may, with the approval of the Advancement of classification. Military Board, be raised to a higher classification, upon the recommendation of his chaplain-general, or, in the case of a Jewish chaplain, on the recommendation of the Senior Jewish Chaplain, in time of peace, to fill an existing vacancy on a training establishment, or, in time of war, to fill an existing vacancy on an authorized war establishment.

“598.—(1) The classification of a chaplain may, with the consent Reduction of classification. of the Adjutant-General, be reduced to a lower classification at the request of that chaplain, and in any special circumstances may be reduced for such period as is specified by the Adjutant-General when consenting thereto.

(2) The classification of a chaplain may be reduced to a lower classification, with the consent of the Adjutant-General, upon the recommendation of his chaplain-general or a senior chaplain in a Military District, or, in the case of a chaplain of the Jewish faith, upon the recommendation of the Senior Jewish Chaplain.

“599.—(1) If a chaplain ceases to be a minister of his church or Termination of appointment. faith, or is, in the opinion of his chaplain-general, or, in the case of a chaplain of the Jewish faith, in the opinion of the Senior Jewish Chaplain, unsuited for the duties of a chaplain, his appointment may be terminated on the recommendation of that chaplain-general, or the Senior Jewish Chaplain, as the case may be.

(2) Subject to such exceptions in special cases as are made by the Military Board, the appointment of a chaplain who ceases to reside permanently in the Commonwealth shall be terminated.”.

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