

STATUTORY RULES.

1962. No. 68.

REGULATIONS UNDER THE DEFENCE ACT 1903-1956.*

I, THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Defence Act* 1903-1956.

Dated this *thirteenth*

day of *August*, 1962.

FRANK MCGRAW

Administrator.

By His Excellency's Command,

Ed. J. O'CRAMON

Minister of State for the Army.

AMENDMENTS OF THE AUSTRALIAN MILITARY REGULATIONS.†

1. Regulation 132 of the Australian Military Regulations is amended by omitting sub-regulation (1.).
2. Regulation 140 of the Australian Military Regulations is amended—
 - (a) by omitting sub-regulation (1.) and inserting in its stead the following sub-regulation:—

“(1.) Subject to this regulation, a soldier of the Permanent Forces, other than a soldier of the Regular Army Reserve may elect to re-engage to serve for a further period of either six years or three years from the expiration of the period of his original engagement or subsequent re-engagement and, if—

 - (a) he so elects;
 - (b) his re-engagement is approved; and
 - (c) he is medically fit,

the soldier shall, with all convenient speed, be re-engaged to serve for the period elected by him.”;

Officers on the Reserve of Officers to report addresses. Period of re-engagement.

*Notified in the *Commonwealth Gazette* on *9th August*, 1962.

† 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, 144, 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, 59, 60, 85, 114, 166, 179, 211, 231, 289, 333, 334, 350, 417, 477, 506, 508, 521, 522, 555 and 556; 1943, Nos. 17, 68, 72, 126, 174, 199, 200, 219, 244, 245, 246, 249 and 258; 1944, Nos. 1, 39, 69, 71, 72, 114, 120, 122, 154 and 164; 1945, Nos. 6, 19, 38, 42, 68, 94, 111, 141 and 195; 1946, Nos. 72, 113, 114, 116 and 150; 1947, Nos. 25 and 59; 1948, Nos. 40, 59, 65 and 79; 1949, Nos. 55 and 68; 1950, Nos. 10, 21, 29, 64 and 65; 1951, Nos. 20, 56, 125, 149 and 152; 1952, Nos. 8, 60, 68 and 69; 1953, No. 87; 1954, Nos. 113, 117 and 118; 1955, No. 7, 31 and 55; 1956, Nos. 52, 102 and 115; 1957, No. 56; 1958, Nos. 31, 32 and 85; 1959, Nos. 22 and 30; 1960, No. 25; and 1961, No. 42.

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(b) by omitting from sub-regulation (1A.) the words "other than the Australian Regular Army";

(c) by inserting after sub-regulation (1A.) the following sub-regulation:—

"(1B.) Except as provided in sub-regulation (11.) of this regulation, a soldier of the Permanent Forces shall not be re-engaged for a period that will expire after he attains the age of fifty-five years.";

(d) by omitting from sub-regulation (2.) the words "either of the last two preceding sub-regulations" and inserting in their stead the words "this regulation"; and

(e) by omitting sub-regulation (6.) and inserting in its stead the following sub-regulation:—

"(6.) A voluntarily enlisted soldier of the Citizen Forces may, at any time not later than thirty days before the expiration of his then current engagement or re-engagement, elect to re-engage for a further period of one year or such shorter period as will expire—

(a) in the case of a male soldier who is a bandmaster, drum major or bandsman—on the day on which he will attain the age of fifty-five years; or

(b) in any other case—on the day on which he will attain the age of forty-eight years,

and, if his Commanding Officer approves and the soldier is medically fit, the soldier shall, with all convenient speed, be so re-engaged."

3. Regulation 190 of the Australian Military Regulations is amended by omitting the word "soldier" (first occurring) and inserting in its stead the words "soldier, other than a soldier of the Regular Army Reserve,". Certificate of discharge.

4.—(1.) Regulation 278A of the Australian Military Regulations is amended by omitting from sub-regulation (1.) the form of declaration and inserting in its stead the following form:— Investigation of absence without leave, &c.

"DECLARATION OF INVESTIGATING OFFICER AS TO ABSENCE WITHOUT LEAVE.

Unit of absentee

Surname of absentee

No.

Rank

Christian names of absentee

I, [here insert the number, rank, name and unit of the investigating officer], declare as follows:—

1. Pursuant to orders received from my Commanding Officer, I have investigated the alleged absence without leave from his duty of [here insert the number, rank and name of the absentee], in this declaration referred to as the absentee.

2. I have inspected the relevant roll book and have interviewed the undermentioned persons, each of whom has given me information from his personal knowledge, which I have no reason to disbelieve, relating to the alleged absence of the absentee:—

[here insert the numbers, ranks and names of the persons interviewed].

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3. I am satisfied that the absentee has been absent without leave from his duty since _____ hours on the _____ day of _____, 19____, and is still so absent.

4. I have inspected the record of issues to the absentee and have interviewed the undermentioned persons, each of whom has given me information from his personal knowledge, which I have no reason to disbelieve, relating to alleged deficiencies in the items issued to the absentee:—

[here insert the numbers, ranks and names of the persons interviewed].

5. I am satisfied—

(a) that the absentee is deficient in the items set out in column 1 of the Schedule to this declaration; and

(b) that the unexpired value of each item so set out is the amount set out in column 2 of that Schedule opposite to that item.

THE SCHEDULE.

Column 1. Item.	Column 2. Unexpired value.

Declared before me this _____ day of _____, 19____.

Signature of investigating officer.

Signature of person before whom the declaration is made."

(2.) Regulation 278A of the Australian Military Regulations is amended by inserting after sub-regulation (1.) the following sub-regulations:—

"(1A.) A declaration under the last preceding sub-regulation may be made before an officer.

"(1B.) An officer, whether on war service or not, who wilfully makes a false statement in a declaration under sub-regulation (1.) of this regulation is guilty of an offence and, upon conviction, is liable to penalties as prescribed by regulation 215 of these Regulations."

By Authority: A. J. ARTHUR, Commonwealth Government Printer, Canberra.