



Statutory Rules

1979 No. 1

242/

REGULATIONS UNDER THE DEFENCE ACT 1903*

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

Dated this Seventh
day of November 1979.

ZELMAN COWEN

Governor-General

By His Excellency's Command,

J. E. McLoay
MINISTER OF STATE FOR ADMINISTRATIVE SERVICES
FOR AND ON BEHALF OF THE

Minister of State for Defence

AMENDMENTS OF THE AUSTRALIAN MILITARY REGULATIONS†

1. Regulation 265 of the Australian Military Regulations is
amended by adding at the end thereof the following sub-regulation:

Review of
convictions
and
sentences by
a superior
authority

“(5) Where a superior authority has reviewed a sentence under
sub-regulation (3) or (4) and has substituted a less severe sentence
for the sentence originally imposed, the less severe sentence has effect
as if it had been imposed on the day on which the original sentence
was imposed by the commanding officer.”.

2. Regulation 344 of the Australian Military Regulations is
amended by adding at the end thereof the following sub-regulation:

Adaptation
of section
57 of the
Army Act

“(3) For the purpose of its application to the Army whether on
war service or not, section 57 of the Army Act shall be read as if
sub-section (5) were omitted and the following sub-section substituted:

“(5) The provisions of this Act with respect to an original sen-
tence apply to a sentence imposed by way of mitigation,
remission or commutation.”.

* Notified in the *Commonwealth of Australia Gazette* on 1979.
† Statutory Rules 1927 No. 149 as amended to date. For previous amendments see footnote † to Statutory
Rules 1979 No. 20 and see also Statutory Rules 1979 Nos. 20, 30, 169 and 170.

15 have been

242/

No.

/

Australian Military Regulations

1979

2

3. Regulation 770 of the Australian Military Regulations is Authority amended by omitting from paragraph (d) of sub-regulation (1) to disclose “an officer” and substituting “a person”.