

EXPLANATORY STATEMENT
STATUTORY RULES 1984 NO. 390
ISSUED BY THE AUTHORITY OF THE MINISTER FOR DEFENCE
AUSTRALIAN MILITARY REGULATIONS (AMENDMENT)

The Australian Military Regulations, made under the Defence Act 1903, provide for various matters relating to the administration of the Army, including the appointment of officers and chaplains, the granting of honorary rank and other personnel matters.

Since 1982, there has been an extensive review of legislative provisions relating to personnel administration in the Defence force. The objective has been to substantially reduce the volume of routine personnel matters requiring action by the Governor-General-in-Council, with the authority for formal action in such matters being transferred to the Minister for Defence or senior Service officers. This has aligned formal legislative authority more closely with practical responsibility for personnel matters.

Action so far has included extensive delegation of the Governor-General's powers, particularly in relation to the appointment and promotion of officers. The Defence Act, the Naval Defence Act and the Air Force Regulations have also been amended to vest various powers in the Minister or Chiefs of Staff with authority to further delegate the powers.

This Statutory Rule is part of a concluding stage in this exercise. The Statutory Rule amends various provisions of the Australian Military Regulations to transfer powers from the Governor-General. The table below identifies the provisions affected, briefly indicates their nature and states the authority in whom the power is proposed to be vested. In some cases, powers also remain exercisable by the Governor-General to accommodate cases relating to senior officers.

TABLE

Abbreviation: CGS - Chief of the General Staff

<u>Provision</u>	<u>Power Given</u>	<u>Authority to whom Power is Transferred</u>
76	To transfer or second officers between parts of the Army	CGS in addition to Governor-General
77	To post officers to appointments	CGS
83	To promote to honorary rank	Delegate of the Governor-General
192	To grant military title of Lieutenant to Warrant Officer Class 1 on retirement	CGS

<u>Provision</u>	<u>Power Given</u>	<u>Authority to whom Power is Transferred</u>
193	To withdraw grant under 192	CGS
595	To appoint Principal Chaplains	CGS

Saving Provision

Regulation 8 of the Statutory Rule is a saving provision to preserve action taken under amended regulations prior to amendment.

Commencement

The amendments have effect from the date of gazettal of the Statutory Rule.

S.R. 226/84