

EXPLANATORY STATEMENT

STATUTORY RULES 1983 NO 284

ISSUED BY THE AUTHORITY OF THE MINISTER FOR DEFENCE

AIR FORCE REGULATIONS (AMENDMENT)

The Air Force Regulations, made under the Air Force Act 1923, prescribe various matters relating to the administration of the Air Force.

This Statutory Rule provides a framework for new policies relating to the promotion of officers in the Air Force:

- . adoption of a formalised system of courses of instruction and in-service training as a prerequisite to promotion;
- . allowance by way of provisional promotion for cases of officers who have been unable to complete requisite courses (eg because of overseas service) but should not otherwise lose promotion in competition with their peers.

Regulation 65 of the Air Force Regulations provides for the promotion of officers. Under regulation 65, the Chief of the Air Staff may determine the periods that officers are required to serve in specified ranks or in specified parts of the Air Force before they are eligible for promotion. The Chief of the Air Staff may also exempt a particular officer from compliance with such a determination.

In making a determination or granting an exemption under regulation 65, the Chief of the Air Staff is required by sub-regulation 65(3) to have regard to:

- a. the time required for officers to gain sufficient skill, experience or other qualification to be suitable for promotion;
- b. the career advancement needs of officers; and
- c. the need to ensure the availability of an adequate supply of officers suitable for promotion to particular ranks in particular parts of the Air Force.

Regulation 2 of this Statutory Rule amends regulation 65 to enable the Chief of the Air Staff to determine the successful completion of a designated course of study as an additional prerequisite for officer promotion.

The following two factors are substituted in sub-regulation 65(3) for the existing paragraph (a) as factors that the Chief of the Air Staff is required to take into account when making a determination:

- a. the skills and experience required for the proper performance of duties in particular ranks or in particular parts of the Air Force; and

- b. the most appropriate means (that is, whether through service in a particular rank or in a particular rank in a particular part of the Air Force, or completion of a particular course of study, or a combination of both) and the time required for officers to acquire those skills or that experience.

Regulation 3 of this Statutory Rule inserts a new regulation 65AA to enable the Governor-General provisionally to promote an officer who has not successfully completed a course of study designated under regulation 65 as a pre-requisite to promotion. The Chief of the Air Staff is able to confirm such a promotion if the officer completes the designated course of study within 2 years.

There is provision for the Governor-General to cancel the provisional promotion of an officer who has not completed a required course of study within a period of 2 years. Where this happens, any period of service in the higher rank to which an officer has been provisionally promoted is deemed to be service in his lower substantive rank.

Sub-regulation 65AA(6) enables a person to whom the Governor-General, in pursuance of regulation 45A, has delegated his power under regulation 45 to promote officers of the Air Force to exercise the power vested in the Governor-General by regulation 65AA. That provision

is designed to avoid the necessity for a separate delegation of the Governor-General's powers in relation to provisional promotion.

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

S.R. 168/83