

STATUTORY RULES.

1940. No. .

REGULATIONS UNDER THE NAVAL DEFENCE ACT 1910-1934.*

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 *Naval Defence Act 1910-1934*.

Dated this *Tenth*
day of *September*, 1940.

By His Excellency's Command,

A. S. Cameron Governor-General.

Minister of State for the Navy.

AMENDMENTS OF THE NAVAL ESTABLISHMENTS REGULATIONS.†

1. After regulation 7 of the Naval Establishments Regulations, the following regulation is inserted:—

“7A.—(1) No person shall be appointed to be an officer in any naval establishment unless— Eligibility for appointment as officer.

- (a) he is a natural-born or naturalized British subject;
- (b) he produces within such time as is specified by the Naval Board—
 - (i) a properly certified extract from an official register of births, or other satisfactory evidence of age, and
 - (ii) a certificate by a medical practitioner, registered within the Commonwealth and approved by the Naval Board, certifying in answer to such questions as the Naval Board directs, that he is of sound bodily health and free from physical defects; and
- (c) he makes and subscribes an oath or affirmation in accordance with the form in the First Schedule to these Regulations.

(2) Notwithstanding anything contained in sub-paragraph (ii) of paragraph (b) of the last preceding sub-regulation, a returned soldier may be appointed to be an officer in a naval establishment, although

* Notified in the *Commonwealth Gazette* on , 1940.—Eighth amendment.

† Statutory Rules 1936, No. 107, as amended by Statutory Rules, 1937, Nos. 16, 52 and 63; 1938, No. 10; 1939, Nos. 3, 19 and 85.

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not free from physical defects due to active service, if it is certified by a medical practitioner, registered within the Commonwealth and approved by the Naval Board, that the returned soldier is free from such physical defects as would incapacitate him for the efficient discharge of the duties of the position to which he desires appointment:

Provided that if, in addition, the medical practitioner certifies that any physical defect of the returned soldier is liable to prevent the continuance of efficient service up to the age of 60 years, the returned soldier shall not, if appointed, be deemed to be an employee within the meaning, and for the purposes, of the *Superannuation Act 1922-1937*."

2. Regulation 91 of the Naval Establishments Regulations is amended by omitting from sub-regulation (2) the words "*vide pro forma* in Appendix A" and inserting in their stead the words "in accordance with the Second Schedule to these Regulations". Period of apprenticeship.

3. The Naval Establishments Regulations are amended by omitting the word and letter "APPENDIX 'A'", appearing after regulation 101, and inserting in their stead the following words and Schedule:—

"THE SCHEDULES.

The Schedules.

THE FIRST SCHEDULE.

Regulation 7A.

OATH.

I, A.B., do swear that I will be faithful and bear true allegiance to the King, and will loyally as in duty bound uphold the Constitution of the Commonwealth of Australia established under the Crown of the United Kingdom. So Help Me God!

AFFIRMATION.

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to the King, and will loyally as in duty bound uphold the Constitution of the Commonwealth of Australia established under the Crown of the United Kingdom.

"THE SECOND SCHEDULE."

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