

Defence (Prohibited Words and Letters) Regulations 2000 (No. 1) 2000 No. 41

EXPLANATORY STATEMENT

STATUTORY RULES 2000 No. 41

Issued by the Authority of the Minister for Veterans' Affairs

Defence Force Act 1903

Defence (Prohibited Words and Letters) Regulations 2000 (No. 1)

Paragraph 124(1)(nc) of the *Defence Act 1903* ("the Act") provides that the Governor-General may make Regulations to prohibit the use of, among other things, (except as prescribed) a word or group of letters which is descriptive or indicative of part of the Naval, Military or Air Forces or a service or body of persons associated with the defence of Australia.

The *Defence (Prohibited Words and Letters) Regulations* ("the Principal Regulations") provide that certain words and groups of letters cannot be used in connection with a trade, business, calling or profession or by an organisation or body of persons without the consent of the Minister. The Schedule to the Regulations identifies the prohibited words and letters: Part 1 for the Navy, Part 2 for the Army and Part 3 for the Air Force. The purpose of the Regulations is to prevent the unauthorised use of certain words or letters by businesses so as to imply the appearance of a legitimate association with the Australian Defence Force when this is not the case.

The Statutory Rule adds to the list of words contained in Part 2 of the Schedule, "Australian Army", being the generic title used to refer to various components of the Army. Its inclusion in the list enables a greater degree of control over its use in circumstances where the person or business using the words may bring the Army or the Australian Defence Force into disrepute or imply an incorrect association with the Defence Force.

The Statutory Rule also clarifies that conditions may be imposed on the grant of permission to use a word or group of letters. The amendment puts it beyond doubt that the Minister may grant his or her consent to use a word or certain letters subject to conditions.

The Statutory Rule commences on Gazettal.