



# Defence (Personnel) Amendment Regulations 2011 (No. 1)<sup>1</sup>

**Select Legislative Instrument 2011 No. 59**

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I, PROFESSOR MARIE BASHIR, AC, CVO, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Defence Act 1903*.

Dated 12 May 2011

MARIE BASHIR  
Administrator

By Her Excellency's Command

WARREN SNOWDON  
Minister for Defence Science and Personnel

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**1 Name of Regulations**

These Regulations are the *Defence (Personnel) Amendment Regulations 2011 (No. 1)*.

**2 Commencement**

These Regulations commence on 1 June 2011.

**3 Amendment of *Defence (Personnel) Regulations 2002***

Schedule 1 amends the *Defence (Personnel) Regulations 2002*.

**Schedule 1 Amendments**

(regulation 3)

**[1] After regulation 9**

*insert*

**9A Compulsory retirement age for certain officers**

- (1) This regulation applies to a member if the member's rank, immediately before 1 June 2011, was:
- (a) Rear Admiral in the Permanent Navy; or
  - (b) Major General in the Regular Army; or
  - (c) Air Vice-Marshal in the Permanent Air Force.

*Note* The compulsory retirement age for these ranks was changed on 1 June 2011 by the amendment of these Regulations.

- (2) Despite regulation 9, the member's compulsory retirement age is the compulsory retirement age set out in Schedule 1 unless the member makes an election to retain the retirement age (the *former retirement age*) that was applicable to the member immediately before 1 June 2011.
- (3) The election must be given to the Chief of the member's Service before the member reaches the former retirement age.

- (4) If the member makes an election to retain the member's former retirement age, the member's compulsory retirement age is:
- (a) the former retirement age; or
  - (b) a greater retirement age imposed in accordance with these Regulations before the member reaches the member's former retirement age.

**[2] Paragraphs 113 (2) (a) and (b)**

*substitute*

- (a) member of a court martial;

**[3] Schedule 1, item 10**

*omit*

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*insert*

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**[4] Schedule 1, item 11**

*omit*

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*insert*

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**[5] Schedule 1, item 12**

*omit*

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*insert*

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.