

1990-91-92

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

(Presented and read a first time, 9 November 1992)

(SENATOR CHAMARETTE)

A BILL

for

An Act relating to conscientious objection to certain Defence service

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title etc.

1. This Act may be cited as the *Defence (Conscientious Objection) Act 1992*.

5 Commencement

2. This Act commences on the day on which it receives the Royal Assent.

Member of Defence Force not to be guilty of offence in certain cases

3.(1) If:

- 10 (a) a member of the Defence Force is or is to be assigned to active service in a particular armed conflict; and
- (b) the member's conscientious beliefs do not allow the member to serve in that conflict;

15 the member is not to be required to serve in that conflict, and the member is not guilty of an offence or of a breach of discipline merely because the member refuses to serve in that conflict.

(2) A decision by a person as to whether or not subsection (1) applies to a member of the Defence Force is not a decision to which paragraph (a) or (b) of Schedule 2 to the *Administrative Decisions (Judicial Review) Act 1977* applies.

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