

NAVAL DEFENCE.

No. 14 of 1952.

An Act to amend the *Naval Defence Act*
1910-1949.

[Assented to 30th May, 1952.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate,
and the House of Representatives of the Commonwealth of
Australia, as follows :—

- 1.—(1.) This Act may be cited as the *Naval Defence Act* 1952.
- (2.) The *Naval Defence Act* 1910-1949* is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Naval Defence Act* 1910-1952.

Short title
and citation.

* Act No. 30, 1910, as amended by No. 16, 1911; No. 21, 1912; No. 45, 1918; No. 45, 1934; No. 35, 1948; and No. 72, 1949.

- Commencement.** 2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Parts.** 3. Section two of the Principal Act is amended by omitting the words "Part V.—Obligations in respect of Naval Training." and inserting in their stead the words "Part V.—Cadets."
- Definitions.** 4. Section three of the Principal Act is amended by inserting after the definition of "Naval establishment" the following definition :—
 " 'Native force' means a force consisting, or consisting mainly, of aboriginal inhabitants of a Territory of the Commonwealth ;".
- Application of Defence Act.** 5. Section five of the Principal Act is amended by omitting the words "and Parts IV. to XIV." and inserting in their stead the words " , Part IV. and Parts VI. to XI."
- Citizen Naval Forces.** 6. Section twenty-one of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section :—
 " (2.) The Naval Reserve Forces shall consist of—
 (a) officers and seamen who are not bound in time of peace to continuous naval service and are paid for their services as prescribed and of persons who, having been called up in accordance with the *National Service Acts* 1951 for service with the Citizen Naval Forces, are deemed to have been enlisted in those Forces ; and
 (b) members of the Naval Reserve Cadets."
- Naval Forces to be raised by voluntary enlistment.** 7. Section twenty-four of the Principal Act is amended by omitting the words "Except as provided in the Defence Act," and inserting in their stead the words "Except as provided by the *National Service Acts* 1951,".
8. After section twenty-four of the Principal Act the following section is inserted :—
- Native forces.** " 24A.—(1.) A native force raised in a Territory of the Commonwealth governed by the Commonwealth under a Trusteeship Agreement shall not be required to render service other than such service as is permitted under Article eighty-four of the Charter of the United Nations.
 (2.) The regulations may make provision for, and in relation to, the control, regulation and discipline of a native force, and may provide that the provisions of this Act shall apply to, and in relation to, the native force subject to such modifications, adaptations and exceptions as are prescribed."
- Discharge prior to expiration of period of service.** 9. Section twenty-nine of the Principal Act is amended by omitting from sub-section (3.) the words "undergoing training or liable to be trained in pursuance of the Defence Act" and inserting in their stead the words "rendering service in accordance with the *National Service Acts* 1951".

10. Section thirty-two of the Principal Act is amended by omitting from sub-section (1.) the words "such naval service as the regulations prescribe" and inserting in their stead the words "naval service in accordance with the *National Service Acts* 1951 or as prescribed by the regulations".

Service of
Citizen Forces.

11. Part V. of the Principal Act is repealed and the following Part inserted in its stead:—

"PART V.—CADETS.

"38.—(1.) There shall be a body of cadets which shall be known as the Naval Reserve Cadets and shall consist of persons under the age of eighteen years who volunteer, and are accepted, for training in that body.

Reserve of
cadets.

"(2.) The training and conditions of service of members of the Naval Reserve Cadets shall be as prescribed.

"39.—(1.) Subject to this section, the Naval Board may make arrangements, whether in association with the Navy League of Australia or otherwise, for the instruction and equipment of persons enrolled in the body of cadets raised by that League and known as the Australian Sea Cadet Corps.

Australian Sea
Cadet Corps.

"(2.) The regulations may prescribe all matters in relation to the organization of that Corps and the training and conditions of service of the members of the Corps and, in particular, may make provision for or in relation to—

- (a) payment to the League of an annual monetary grant in respect of each cadet who attains a prescribed standard of efficiency;
- (b) the issue of uniforms, equipment, stores and victuals for instructors and trainees;
- (c) provision of travelling facilities for, and the payment of travelling expenses of, instructors and trainees; and
- (d) the payment of instructors.

"(3.) If no provision or insufficient provision is made by the regulations in respect of a matter specified in the last preceding sub-section, provision in respect of that matter may, to the extent to which the regulations lack provision, be made by determination of the Naval Board."

12. After section forty-four c of the Principal Act the following sections are inserted:—

"44D.—(1.) Subject to the next succeeding section, a person shall not, in or at a naval canteen, camp or establishment, or on board a vessel of the Commonwealth Naval Forces, sell or supply intoxicating liquor—

Intoxicating
liquor.

- (a) to a person who is under the age of twenty-one years and is rendering service required by the *National Service Acts* 1951, except by direction of a duly qualified medical practitioner; or

(b) to any other person, except in accordance with such conditions as, subject to the approval of the Minister, the Naval Board determines.

“(2.) A person who is under the age of twenty-one years and is rendering service required by the *National Service Acts* 1951 shall not have intoxicating liquor in his possession in or at a naval canteen, camp or establishment or on board a vessel of the Commonwealth Naval Forces, except by direction of a duly qualified medical practitioner.

“(3.) A person other than a person to whom the last preceding sub-section applies shall not have intoxicating liquor in his possession in or at a naval canteen, camp or establishment or on board a vessel of the Commonwealth Naval Forces, except in accordance with such conditions as, subject to the approval of the Minister, the Naval Board determines.

“(4.) It is lawful for a person, in or at a naval canteen, camp or establishment, or on board a vessel of the Commonwealth Naval Forces, to sell, supply, or be in possession of, intoxicating liquor in accordance with conditions determined under this section, notwithstanding any provision of the law of a State or Territory of the Commonwealth.

Penalty: Twenty pounds.

Intoxicating
liquor not to
be supplied to
Naval Reserve
Cadets.

“44E. A person shall not sell or supply intoxicating liquor to a member of the Naval Reserve Cadets while he is in uniform, except by direction of a duly qualified medical practitioner.

Penalty: Twenty pounds.”

Regulations.

13. Section forty-five of the Principal Act is amended by inserting after paragraph (b) of sub-section (1.) the following paragraph:—

“(ba) the conditions of service and training of persons rendering service under the *National Service Acts* 1951;”
