

# Naval Defence

## No. 14 of 1971

An Act to amend the provisions of the *Naval Defence Act 1910-1968* relating to Cadets, and to provide for certain incidental matters.

[Assented to 5 April 1971]

**B**E 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 1971*.

Short title  
and citation.

(2.) The *Naval Defence Act 1910-1968*\* 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 1910-1971*.

2.—(1.) Sections 1, 2 and 5 of this Act shall come into operation on the day on which this Act receives the Royal Assent.

Commence-  
ment.

(2.) Sections 3 and 4 of this Act shall come into operation on a date to be fixed by Proclamation.

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 Part V. of the Principal Act is repealed and the following Part inserted in its stead:—

### “ PART V.—CADETS.

“ 38.—(1.) There is hereby established a body to be known as the Naval Reserve Cadets.

Establishment  
and constitution  
of Naval  
Reserve Cadets.

“ (2.) The Naval Reserve Cadets shall consist of—

- (a) persons appointed in accordance with the regulations to be officers in that body;
- (b) persons appointed in accordance with the regulations to be instructors in that body; and
- (c) subject to sub-sections (5.) and (6.) of this section, persons who volunteer, and are accepted, in accordance with the regulations as cadets in that body.

“ (3.) A person appointed to be an officer or instructor in the Naval Reserve Cadets does not become a member of the Naval Forces by virtue of that appointment.

“ (4.) A cadet is not a member of the Naval Forces.

\* Act No. 30, 1910, as amended by No. 16, 1911; No. 21, 1912; No. 45, 1918; No. 45, 1934; No. 35, 1948; No. 72, 1949; No. 14, 1952; No. 93, 1964; No. 53, 1965; No. 93, 1966; and No. 24, 1968.

“(5.) A person is not entitled to volunteer, or to be accepted, as a cadet unless he—

- (a) has attained such age as is prescribed; and
- (b) has not attained the age of eighteen years.

“(6.) A person ceases to be a cadet when he attains the age of nineteen years.

“(7.) The regulations may make provision for or in relation to the organization, maintenance, regulation, control and discipline of the Naval Reserve Cadets and, in particular, for or in relation to—

- (a) the periods and conditions of service of members;
- (b) the pay and allowances, including travelling allowances, of members;
- (c) the medical and dental treatment of members; and
- (d) the provision of travelling facilities for members.

“(8.) In the last preceding sub-section, ‘member’ means an officer, instructor or cadet in the Naval Reserve Cadets.

Control and  
administration  
of Naval  
Reserve Cadets.

“39. Subject to the regulations, the Naval Board is charged with the control and administration of all matters relating to the Naval Reserve Cadets.”.

Transitional  
provision.

4.—(1.) In this section—

“the Naval Reserve Cadets” means the body of cadets that is established by the Principal Act as amended by this Act;

“the prescribed date” means the date fixed under sub-section (2.) of section 2 of this Act;

“the previous body of cadets” means the body of cadets that was established by the Principal Act.

(2.) A person who, immediately before the prescribed date, was a cadet in the previous body of cadets—

- (a) becomes, on the prescribed date, a cadet in the Naval Reserve Cadets; and
- (b) has, on the prescribed date, the same rank in the Naval Reserve Cadets as he had, immediately before the prescribed date, in the previous body of cadets,

and his service and training in the previous body of cadets shall, for all purposes, be taken into account as if it were service and training in the Naval Reserve Cadets.

Making of  
regulations.

5. At any time after this Act receives the Royal Assent and before the date fixed under sub-section (2.) of section 2 of this Act, regulations may be made under the Principal Act as amended by this Act as if section 3 of this Act had come into operation, but regulations so made shall not come into operation before that date.