

Department of Defence

DEFGRAM NO 574/2002

28 November 2002

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INTRODUCTION OF NEW DEFENCE (PERSONNEL) REGULATIONS 2002

On 01 December the Defence (Personnel) Regulations 2002 will come into effect. The new Regulations consolidate the personnel matters contained in the three single Service sets of regulations, and some former personnel provisions of the *Defence Act 1903* and *Naval Defence Act 1910* into a single consolidated set of tri-Service Regulations.

As a result, the Defence (Personnel) Regulations 2002 will now be the sole legislative source of authority for personnel matters such as appointments and enlistment, promotion, transfer and termination, resignation and discharge.

The regulations will simplify the personnel administration process and provide a standardised basis for personnel management across the three Services.

In addition to consolidating existing provisions, there are some new initiatives introduced into the Defence (Personnel) Regulations. These new initiatives include:

- the introduction of the concept of a provisional appointment, which will enable the Services to appoint or enlist a person on a provisional basis (ie on the basis that certain matters specified in a determination are to be completed within a specified time);
- an increase to 65 years of the maximum retirement age to which Permanent or Reserve members may be extended. (In addition, the compulsory retirement age for Army and Air Force Reserve members, ie the normal retirement age in the absence of an age extension, has been increased to age 60 years consistent with the current compulsory retirement age for Naval Reservists.); and
- a compulsory transfer to the Standby Reserve on completion of regular/permanent or active Reserve service obligations for personnel enlisting after 01 July 2003.

The new regulations also introduce six new categories of Reserve service, which are authorised from 01 December 2002. The categories are:

- High Readiness Active Reserve
- High Readiness Specialist Reserve
- Specialist Reserve
- Active Reserve
- Standby Reserve
- Other categories, as determined by a Service chief

These categories are options and do not have to be raised by the Services, with the exception of the Standby Reserve which must be raised by each Service. The Standby Reserve will have no training commitment but will be available for call out. When the regulations come into effect, all Reservists will be moved to one of the new categories. There will be different conditions of service attached to each category. Each Service is responsible for establishing the categories it requires and any associated conditions.

The regulations will also simplify Service processes of transfer between categories.

The new Regulations can be accessed by the Attorney-General's web site (see <http://scaletext.law.gov.au/html/numrul/browse/TOCN2002.htm>). The Explanatory Statements can be accessed (see <http://scaletext.law.gov.au/html/ess/0/2002/topN.htm>).

A PowerPoint presentation and other supporting materials are located in the Defence Personnel Executive Personnel Portal on DEFWEB (see <http://defweb.cbr.defence.gov.au/dpe/>).

Service Director-General Personnel are responsible for implementing the regulations and supporting Defence Instructions.

A handwritten signature in black ink, appearing to read 'B. Adams', with a long horizontal stroke extending to the right.

BRIAN ADAMS
Rear Admiral
Head Defence Personnel Executive

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