



# Media Release

The Hon Danna Vale MP

*Minister for Veterans' Affairs · Minister Assisting the Minister for Defence · Federal Member for Hughes*

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## **NEW REGULATIONS IMPROVE DEFENCE CAPABILITY**

Australian Defence Force capability will be boosted, and administration streamlined, under new Defence Personnel Regulations announced today by the Minister Assisting the Minister for Defence Danna Vale.

“The new tri-service regulations deal with all personnel issues affecting serving Permanent and Reserve members in the ADF,” Minister Vale said.

“The regulations have drawn together previous provisions from Navy, Army and Air Force regulations and some personnel provisions of the Defence Act and Naval Defence Act.

“The new regulations provide for the introduction of new categories of Reserve service, announced as part of the Federal Government’s Defence 2000 White Paper.

“These new categories, including High Readiness Active Reserve, High Readiness Specialist Reserve, Specialist Reserve, Active Reserve and Standby Reserve, will create a more effective Reserve capability to meet the changing demands posed by Australia’s strategic environment.

“All services will be required to maintain a Standby Reserve, and each Service will be responsible for establishing other categories of Reserve service, and the conditions of service, as they are required.

“The new regulations simplify transfer processes between categories, making it easier for Permanent and Reserve members to transfer to a category that suits their needs, rather than resigning from the ADF.

“At the same time, ADF personnel recruited after 1 July 2003 will be required to serve in the Standby Reserve for a minimum of five years on completion of Permanent or active Reserve service.”

Minister Vale said the new regulations would further boost Defence capability by extending the maximum retirement age of personnel to 65, and giving the ADF the power to provisionally employ personnel.

“For people with specialist skills needed by our Defence Force, this will be matched by increases in the age at which people can be recruited into the ADF.”

Minister Vale said the new regulations represented an historic shift for the ADF in the way it manages its personnel.

“They are simpler and more flexible, allowing each Service to make changes more easily when required, and removing obsolete or unnecessary administrative detail.

“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,” Minister Vale said.

Full copies of the regulations can be found at:

<http://scaletext.law.gov.au/html/numrul/browse/TOCN2002.htm>

The regulations' Explanatory Statements can be found at:  
<http://scaletext.law.gov.au/html/ess/0/2002/topN.htm>

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**Chiefs of Staff/Editors Note: Further detail on the Defence (Personnel) Regulations 2002 is attached.**

**Footage of Defence Personnel will be available from the Parliament House Press Gallery**

## **Defence Personnel Regulations 2002**

New Australian Defence Force (ADF) personnel regulations have been introduced as a result of the Federal Government's changes to Defence legislation in 2001.

The new tri-Service regulations have been derived from a number of sources, including:

- The Defence Act
- The Naval Defence Act
- The Naval Forces Regulations
- The Australian Military Regulations
- The Air Force Regulations

The new regulations are designed to be flexible and allow for policy changes that occur over time. They will enable the Royal Australian Navy, the Australian Army and the Royal Australian Air Force to make changes more easily when required.

The new regulations deal with all personnel issues affecting serving members of the ADF. They are now in a simple tri-service format.

The regulations cover:

- general personnel arrangements,
- retirement ages,
- appointment and enlistment,
- promotions and reductions in rank,
- postings,
- extension of and changes to service obligations,
- transfers between and within the Services,
- the transition of personnel from Permanent Forces to Reserve,
- training requirements,
- the retired list,
- privileges after service,
- representation of foreign countries,
- chaplains,
- oaths,
- compulsory transfer to the Standby Reserve on completion of regular/permanent or active Reserve service obligations, and
- other items of a general nature.

Some of the changes give effect to the Defence Legislation Amendment (Enhancement of the Reserves and Modernisation) Act 2001. As a result, the Naval Regulations have been repealed, while the Australian Military Regulations and Air Force Regulations have been amended and reduced considerably.

The regulations introduce a number of initiatives.

The concept of provisional appointment has been introduced, which will enable the Services to appoint or enlist a person on a provisional basis (i.e. on the basis that a person who does not meet a particular condition of entry will be required to comply with that condition within a specified period following their entry).

The maximum retirement age to which personnel can be extended has been increased to 65 years. This is only on approval from the member's Service (ie. Navy, Army or Air Force).

While the new regulations affect all areas of personnel, some of the changes are particularly relevant to the Reserve component.

There are six new categories of Reserve service, which are authorised from 1 December 02. 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. Each Service is responsible for establishing the other categories it requires and any associated conditions.

The regulations introduce compulsory service in the Standby Reserve for members appointed or enlisted after 1 July 2003, after completion of Permanent or active Reserve service. All members will serve in the Standby Reserve, except if the member has reached retirement age, or circumstances have occurred which have resulted in the prior discharge of the member. Currently serving members remain able to elect to transfer into the Standby Reserve on completion of Permanent or active Reserve service.

The Standby Reserve will have no training commitment but will be available for call out by the Federal Government.

Members of the Active Reserve will have a training commitment on an annual basis (level of commitment to be determined by the Service).

The Specialist Reserve comprises members in certain specialist categories who will also have an annual training commitment. The Air Force has already raised the Specialist Reserve, which comprises legal, medical, public affairs officers and chaplains. Navy and Army have not raised the Specialist Reserve – their specialist officers have been included in the Active Reserve.

High Readiness categories will require a higher level of readiness from Reservists, who will have a larger training commitment and shorter readiness times.

All Reservists have now been moved to one of the new categories.

In addition, the compulsory retirement age for Defence Reserves has been extended to 60 years for Army and Air Force. The Navy Reserve CRA remains 60 years of age.

**Further information:**

Full copies of the regulations can be found at:

<http://scaletext.law.gov.au/html/numrul/browse/TOCN2002.htm>

The regulations' Explanatory Statements can be found at:

<http://scaletext.law.gov.au/html/ess/0/2002/topN.htm>