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THE AUSTRALIAN MILITARY FORCES.

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REPORT

FOR

THE INSPECTOR-GENERAL

OF THE

AUSTRALIAN MILITARY FORCES,

BY

LIEUT.-GENERAL SIR H. G. CHAUVEL, G.C.M.G., K.C.B.,
CHIEF OF THE GENERAL STAFF.

PART I.

MELBOURNE, 31ST MAY, 1924.

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Army Head-Quarters,
Melbourne, 31st May, 1924.

The Honorable the Minister of State for Defence.

In accordance with A.M.R. 18 (i.), I submit herewith the Annual Report required from the Inspector-General of the Australian Military Forces.

Since the submission of my last Report I have relinquished the appointment of Inspector-General (from 10th June, 1923), and have received the appointment of Chief of the General Staff whilst continuing to exercise the duties of Inspector-General.

This change was decided upon consequent upon the appointment of Major-General Sir C. B. B. White, K.C.M.G., K.C.V.O., C.B., D.S.O., late Chief of the General Staff, to a high post in the Commonwealth Civil Service.

INTRODUCTION AND GENERAL REMARKS.

1. Recent events have made it desirable to again review, briefly, the problem of Australian Defence and to bring to notice some aspects of the case as they affect the Army, and its place in the general scheme.

2. It may be accepted that the Defence of Australia remains, as it has always been, primarily a naval problem.

3. The reduction of the British Navy to a one power standard, taken in conjunction with its strategical location in peace, determines that it will be unable immediately on the outbreak of war to intervene effectively in the Pacific.

4. The postponement of the project to construct a first class naval base at Singapore must inevitably add to (if it does not indefinitely prolong) the time which will elapse, after the outbreak of war, before a superior British Fleet will be able effectively to operate in the Naval Defence of Australia.

5. The duration of this period of time will depend upon the circumstances then existing (*e.g.*, whether the Empire is engaged in war in the East and West simultaneously) and also upon certain technical naval considerations which it is not within my province to discuss.

It may be concluded, however, that this period of time would be prolonged, and that, in the meantime, an enemy possessing temporary naval ascendancy might find the way clear for military action against Australia.

6. The capacity of our own Naval and Air Forces in conjunction with such minor elements of the British Navy as are located in Eastern waters in peace (or could reasonably be expected to be transferred to these waters in the early stages of a war) to act as a deterrent against a military attack upon Australia by a power which possesses a marked local naval supremacy is a question which needs the most earnest consideration and is one with which I do not wish to deal in this Report.

7. Neither is it within my province to discuss here the Naval and Air provisions that are within the capacity of Australia, but, whatever these provisions may be, it appears reasonable to conclude that the Land Forces of this Country are a very vital element in Australian Defence and that the maintenance of at least their nucleus in a state of efficiency is now, more than ever before, essential to the safety of Australia.

8. Basing their conclusions upon premises which are not substantially dissimilar to the above, the Senior Officers' Conference, held in 1920, recommended that our Military Forces should be *the maximum obtainable*.

The organization of forces amounting to two Cavalry Divisions, four Divisions, three Mixed Brigades (comprising a potential fifth Division) and certain non-divisional troops was subsequently approved by the Government of the day and was proceeded with.

9. In view of the result of the Washington Conference and financial stringency, decided by the Government in 1922 to reduce Defence measures to a nucleus basis and the period of training of the land forces to a minimum.

The aims of the Military Board in consequence have been:—

- (a) To maintain the above organization in nucleus form within the limits prescribed by parliamentary votes; to produce and train the leaders (officers and non-commissioned officers); to inculcate the elements of discipline in the annual quotas of trainees who comprise the nucleus, and to lay a foundation for more advanced training.
- (b) To procure (if possible within a fixed period of time) the requirements of the Army in arms, armament, equipment, ammunition, and other necessary stores.

10. With regard to (a). having in view the financial resources of Australia, the paramount necessity for naval expansion, and the military adaptability of our manhood as shown in two recent wars, I have nothing to say against the nucleus system, but the nucleus must be efficient. Its function is to be capable of expanding quickly into an army at War Establishment, for which it will be required to find all the leaders, staffs, and instructors.

11. The present nucleus numbers 37,655, and, in the event of war, will have to expand into an army of 140,000. Of the 37,655 some 31,000 are boys of eighteen and nineteen years, and they receive ten days' military training a year for two years. I have no desire to disparage the efforts of Commanders and other officers towards the training of these youths nor the response on the part of the trainees. Far from it, I consider that remarkable progress has been made during the year under review, but this nucleus is hardly a substantial foundation upon which to build an army.

12. The upkeep of the establishment of officers and non-commissioned officers is the most serious problem of the system, and upon this the short period of training has a very direct bearing, for it must be remembered that the effectiveness of the forces as a nucleus will depend very largely upon the capacity of the officers and non-commissioned officers to assume control of and to instruct the large influx of recruits required, on mobilization, to complete the various units to War Establishment

13. Notwithstanding the progress of which the trainee is capable, the limited period does not, and never will, enable the instruction of the rank and file to proceed beyond the elementary stages, for the reason that each year exactly half of those to be instructed are raw recruits and the remaining half little more. It fails in consequence to sustain the interest of actual officers or to create it amongst the potential officers and non-commissioned officers now serving in the ranks. A considerable number of the officers of the late A.I.F. have continued to serve and to these, in a very great measure, is due the progress already made. Under present conditions it is becoming increasingly difficult to retain their enthusiasm, and in many cases it is only their spirit of patriotism and loyalty which keeps them with their units. Except in certain technical units, there is no alacrity on the part of potential leaders to accept either commissioned or non-commissioned rank, or, if they do accept the latter, to continue to serve after their period of compulsory training has passed.

14. Further, the provision of funds for the training of officers and non-commissioned officers at courses and schools of instruction is insufficient to enable all of them, or even a substantial proportion of them, to attain the requisite standard of efficiency. On many occasions it has been found necessary, through lack of funds, to refuse the applications of many officers and non-commissioned officers to attend schools of instruction. The disheartening effect of this is obvious.

15. The nucleus Army is 700 officers short of an establishment of 2,786, and the shortage in non-commissioned officers (the potential officers of the future) is proportionately much greater.

16. In the case of technical units not only is the period of training quite inadequate to provide officers and non-commissioned officers, but also to provide the necessary specialists of every kind, from the gun-layer to the signaller.

17. With regard to the inculcation of the elements of discipline there has been a marked improvement during the year, though this improvement is much more noticeable in the technical arms and country units than in the city battalions.

18. The only solution of these difficulties which appeals to me as feasible and within our resources is as follows :—

(a) An increase of the period of training from two to three years. This will mean the training of three annual quotas instead of two as at present, *i.e.*, those of eighteen, nineteen, and twenty years. An increase in the annual period from ten to twelve days, the extra two days being added to the continuous training

Concurrently with the increase in Citizen Force training to three years the Senior Cadet training might be correspondingly reduced to one year, thus leaving the total period of service the same as at present. (I have discussed this matter in detail in para. 172).

(b) The provision of sufficient funds for schools and courses to comply with the voluntary effort offering.

The adoption of this solution would involve extra expenditure to the extent of £100,000, but I am of the opinion that the results obtained would be out of all proportion to the extra cost and would render the nucleus of some real value.

19. With regard to the question of the provision of arms, equipment and ammunition, I wish to state very clearly that these essentials do not exist in this country in sufficient quantities to enable our formations to be given their war outfit when raised, on mobilization, to war establishment : and there are no reserves to replace wastage.

The position in regard to guns and gun ammunition is especially serious, and is dealt with in Part II of my Report. That such a state of affairs is highly dangerous to the safety of this country is transparently evident.

20. The allocation by the Government of the sum of £250,000 during the present financial year for the purchase of munitions will effect a slight improvement in this matter, but very much more is required before any substantial qualification can be made in the statement above. The estimates of cost are given in Part II.

The only practical method of meeting these conditions is to make special provision of a fixed sum annually in order that the situation may be rectified within a definite period of time. Concurrently with the purchase of munitions it will be necessary to provide the requisite storage accommodation and the staff required for care and maintenance.

21. It is necessary that the work of providing storage accommodation should be put in hand at least twelve months prior to the arrival of munitions, &c., in order that it may be ready in time. The situation at the moment is that, when materiel at present on order is received, our storage capacity will be taxed to the utmost.

22. The necessity for the supporting of the Munitions Supply Board in the carrying through, with expedition, of its present programme, as well as the desirability of making Australia self supporting (so far as this is possible) in the matter of the production of munitions, is also evident.

ORGANIZATION

23. *Army Head-Quarters.*—In accordance with the decision of the Government, subsequent to the retirement of Major-General Sir C. B. B. White, K.C.M.G., K.C.V.O., C.B., D.S.O., from the appointment of Chief of the General Staff, the following changes in the organization of the General Staff and the Inspector-General's Department have been made:—

- (a) The Chief of the General Staff, who is responsible for the general control of all General Staff duties and in detail for that portion of General Staff duties connected with war preparations (Operations, War Organization, and Intelligence), also continues to exercise the duties of Inspector-General of the Australian Military Forces in accordance with section 9 of the Defence Act.
- (b) A Second Chief of the General Staff has been appointed and is responsible (through the Chief of the General Staff) for all duties connected with Peace Organization, Peace Establishments, and Training, &c. Pending the return from England of Brig-Genl. T. A. Blamey, C.B., C.M.G., D.S.O., who has been appointed Second Chief of the General Staff, the duties are being performed by Brig-Genl. W. A. Coxen, C.B., C.M.G., D.S.O.

The necessary re-organization of the General Staff at Army Head-Quarters has been made.

24. The combined functions of Adjutant-General and Quartermaster-General are still being performed by one officer. In view of the radical difference in the nature of the duties of these two branches as well as the wide scope of each and the responsibilities entailed, I am of opinion that the amalgamation is unsound both in principle and practice and should not be allowed to continue.

Attention is drawn to the fact that, in addition to his control of the services of maintenance and supply of all kinds, the Quartermaster-General is responsible for the care and preservation of stores to the value of over £15,000,000. It needs little argument to prove the inadvisability of placing these responsibilities upon an officer who is already charged with the duties of the administration of personnel, discipline, military law, and the other many important functions of the Adjutant-General's Branch.

25. *Divisional.*—The Divisional Organization continues to work satisfactorily.

26. *Base.*—The District Base Organization has worked satisfactorily in so far as the performance of the peace duties of maintenance is concerned. It has been found, however, that the present establishment of a District Base Headquarters is insufficient to perform properly, in addition to its work of maintenance and routine administration, the many duties connected with war preparations and plans which necessarily fall to the lot of a Base Commandant.

I am of opinion also that the status of District Base Commandants as provided for on the approved establishment (*i.e.*, Major or Lieut.-Colonel in the larger and Captain or Major in the smaller districts) is not commensurate with the onerous and responsible duties which these officers are required to perform. The remarks as to status do not apply to the two cases (in New South Wales and Queensland) where the duties have been amalgamated temporarily with those of a Formation Command, but consideration should be given to the raising of the status of District Base Commandants in the remaining Districts as well as to the provision of an extra staff officer for the work connected with war preparations and plans.

27. *Reserves.*—The only reserves to the Army which may be considered to be organized in such a way as to enable the members thereof to be called up for service by individual notice are the Reserve of Officers, the Engineer and Railway Staff Corps, the A.A.M.C. Reserve (officers), and the Australian Army Nursing Service.

28. Steps were taken on the disbandment of the A.I.F. to enrol in the Army Reserve discharged members of the A.I.F. who signified their willingness to enlist therein. Some 48,000 men were so enrolled. An army reserve of such a character ceases in a very short time to be of any practical value as an organization unless very close touch is maintained with the members thereof. This involves an obligation on the part of the members to notify their successive changes of address and upon the Department to maintain an elaborate system of records. It has been found impracticable on the score of expense to maintain the latter and, although the men concerned, or a substantial proportion of them, would no doubt come forward in an emergency, this Army Reserve as an organization has ceased to exist.

On the other hand, under the Defence Act, the whole man power of Australia can be called up, in the event of war, in successive categories. The position, therefore, as to the provision of reserves is not so serious a problem as the training of them when called up.

WAR PLANS AND MOBILIZATION.

29. *War Book.*—Considerable advance has been made in the preparation of an Army Head-quarters (Internal) War Book. This is a work of considerable magnitude in itself. It will contain a summary of the principal items of action to be taken by the various branches of the Staff at Army Head-quarters during a precautionary stage, which may be instituted on the occurrence of strained relations as well as on the outbreak of war. In many cases it is impracticable to embody in detail the whole of the procedure to be taken, and references have to be made to various war plans and schemes for defence and security. It is obvious, therefore, that the latter must be kept up to date if the procedure detailed in the War Book is to be effective when an emergency arises.

30. A commencement has been made by the Council of Defence in regard to the preparation of a Commonwealth War Book covering and co-ordinating the action of all Government Departments on the outbreak of war. This is a very desirable step, but the completion of the work will necessarily take a considerable time.

MOBILIZATION.

31. *Standing Orders for Mobilization.*—Revised Standing Orders for Mobilization, outlining the procedure to be adopted for the calling up of the Citizen Forces and raising them to war establishment in personnel, animals, and materiel, have been issued, and the necessary local plans in connexion therewith are now in course of preparation by Formations and District Base Commandants. These orders also contain a scheme for the application of Part IV. of the Defence Act.

32. Steps are also being taken to proceed with the preparation of plans covering the provision of supplies and the purchase or requisition of remounts and transport (horsed and mechanical).

33. *Places of Mobilization.*—The initial steps for the acquisition of land for mobilization purposes in Tasmania have been taken. The necessary proposals for similar action in South Australia are shortly to be submitted. Both of these projects have been very much delayed by the non-provision of money on the Estimates.

34. In cases where the places of mobilization selected for fighting formations do not afford the necessary security for the various base organizations and reserves of personnel and materiel, consideration has been given to the selection of sites for the location of these latter in time of war. Certain reconnaissances to this end have been made, and the localities have been decided upon.

It will be a question for consideration at a later date as to whether it is desirable or practicable actually to install in peace any of the facilities necessary for these bases. The matter will have to stand over for the moment on account of the expenditure involved.

35. *Mobilization Equipment.*—The situation as regards mobilization equipment has been referred to in the introduction to this Report. Further details are given in Part II.

36. *Mobilization Stores.*—No improvement has been effected in the matter of mobilization stores since the submission of my last Report. The stores in the 1st, 2nd, and 3rd Military Districts are still overcrowded. It is most desirable that the necessary mobilization stores in the 4th and 6th Military Districts be erected at an early date and also at the additional place of mobilization selected in New South Wales. Extra storage accommodation is also required in the 1st, 2nd, and 3rd Military Districts. When this is provided some relief will be afforded. The 2nd and 3rd Military Districts are still holding stores intended for issue on mobilization to units raised in South Australia and Tasmania. This, apart from the congestion it causes, is a most unsound arrangement for mobilization.

It is eminently desirable that, in order to economize time, to avoid congestion and confusion, and to enable the issue of stores on mobilization to be properly organized in peace, the war equipment of units (less such articles as guns and wagons, which require separate storage) should be stored in unit compartments of the mobilization stores. This will not be practicable in all cases unless certain additions are made to the accommodation at mobilization stores.

37. It is also essential that, in the design of new mobilization stores, the factor of quick and orderly issue on mobilization should be given full consideration in addition to the mere question of storage *per se*.

The question of storage for explosives is referred to in Part II.

38. *Railways.*—I wish to refer again to my remarks and to those of the late Chief of the General Staff, quoted in my last Report, on the subject of the breaks of gauge in our railways. Attention is drawn, in particular, to the fact that the Trans-continental Railway, through shortage of standard gauge rolling stock, is of very limited military value. A connexion with the New South Wales system, which would allow the transfer of rolling stock, would be a distinct advantage.

39. The completion of the railway from Binnaway to Werris Creek has conferred upon our railway system definite strategical advantages. There now exists an inland lateral railway which, though still suffering from the disadvantages of breaks of gauge at the State borders, should enable military movements between Southern Queensland, New South Wales, and Victoria to be carried out in security. In this connexion it is desired to state that the proposed Sydney to Brisbane standard gauge railway via Kyogle and Richmond Gap does not, because of its proximity to the coast in certain places, confer the same strategical advantages as the standardization of the route via Wallangarra would do.

TRAINING.

INSTITUTIONS.

40. *The Royal Military College.*—Since my Report of last year a Special Committee consisting of:—

Professor Sir T. W. Edgeworth David, K.B.E., C.M.G., D.S.O. ;
Major-General Sir C. B. B. White, K.C.M.G., K.C.V.O., C.B., D.S.O. ; and
Captain G. F. Hyde, Royal Australian Navy.

was appointed by the Cabinet to report upon the Royal Australian Naval and Military Colleges, with a view to ascertaining whether the cost of training our Naval and Military Cadets could be reduced.

Their Report, which was furnished to you on the 6th July, 1923, confirms in detail the remarks on the Royal Military College, Duntroon, in my Report to you of 31st May, 1923, and says, *inter alia* :—

“ Adequate and efficient training is now an essential in the production of leaders. Efficient colleges are, therefore, a vital factor in national insurance, which takes the form of preparation against war.”

41. In my Report of last year, para. 41, I stated that the annual intake into the College should be not less than twelve. Owing to the fact that the wastage in the Staff Corps has been greater than was expected, and to the decision that cadets for the Royal Australian Air Force should also be trained at Duntroon, this number was found to be insufficient.

Considering also the shortage in the establishment of cadets, owing to there being fewer successful candidates than were provided for during the two previous years, you gave authority for the admission of eighteen during the current year. It would appear that the annual intake should be not less than sixteen under present conditions, but, if an expansion in the Royal Australian Air Force is determined upon, as seems probable, the intake should be proportionately greater.

The present establishment of cadets under training is 41. Ten of these should graduate in December next.

42. The extensions of the functions of the College to train suitable candidates for employment in the Civil Service of mandated and other Territories appears to me to be worth serious consideration.

43. I recently inspected the College and consider that the standard established by the late Sir William Bridges is being well maintained. The only recommendations I have to make are the following :—

- (a) That a qualified wireless instructor (warrant officer) be appointed.
- (b) That the present civilian grooms be replaced by Remount personnel, who would be properly trained in stable management, and under military discipline. No extra expenditure should be involved if this change is decided upon.

44. *Artillery Schools of Instruction.*—The following courses were held during the year :—

Short Course R.M.C. Staff Cadets	..	..	..	4 weeks.
Divisional Artillery Staff Course	..	..	..	3 „
Short Course Coast Artillery	..	..	..	11 „
Special Field Artillery Course for R.A.G.A. N.C.O.'s	..	..	..	2 „
Master Gunner's Course	..	..	..	5 „

In addition to these courses, officers and warrant officers of the Staff of the School act as Instructors at practically all Militia Field Artillery and many of the Garrison Artillery Camp of Training throughout the Commonwealth, as well as the Divisional Artillery Staff Course held in Victoria.

The results of the courses at the School were most satisfactory as far as officers, warrant officers, and senior non-commissioned officers were concerned, but the younger non-commissioned officers and gunners were lacking in education from a mathematical point of view.

This, I feel, is due to the fact that the low rates of pay and prospects of future advancement are not sufficiently inviting to encourage the right stamp of man to enlist in the R.A.A.

45. *Small Arms School.*—The work of the School during the past year has been well organized, and the standard of knowledge displayed at the end of the courses was good.

The following courses were arranged for members of the Permanent Staffs, at which 60 officers and 131 warrant and non-commissioned officers qualified :—

- Two Rifle and Bayonet Qualifying.
- Two Light Gun Qualifying (Lewis & Hotchkiss).
- Two (Vickers) Machine Gun Qualifying.

In addition, local Small Arms Courses were carried out in five Military Districts for Citizen Force and Senior Cadet officers, and warrant and non-commissioned officers of the Citizen and Permanent Forces, at which the total attendances were 126.

46. Commencing with the First Course in the current year, the elements of grenade training are now included in the Rifle and Bayonet Qualifying Courses, following the procedure in vogue at Hythe.

47. Tests of rifles and ammunition were carried out by the Staff on behalf of the Department in connexion with supplies received from the Small Arms and Small Arms Ammunition Factories.

48. *Central School of Physical Training.*—Local Courses of Physical Training under the members of the Physical Training Staff have been conducted in all Districts and, in addition, special courses have been conducted in the 2nd and 3rd Military Districts for the R.A.G.A. with the most satisfactory results.

Four hundred and eighty-five officers, warrant officers and non-commissioned officers of the Permanent Forces have passed through and qualified at this School since July, 1920.

A member of the Physical Training Staff has been allocated for duty at the Royal Military College with satisfactory results.

THE CITIZEN FORCES.

49. *Introduction.*—I have already referred to the general effect of the present limited period of training upon the Citizen Forces and their efficiency as the nucleus on which to build our home defence army in war.

Such training as has been possible has, however, been carried out, in accordance with a definite policy, on uniform lines. Certain valuable, though limited, results have been obtained.

There has been a definite improvement in the spirit of the Citizen Forces. Much progress in elementary training has been made; the results are creditable to all concerned, and it is no fault of the personnel, who are of excellent material, that their efficiency as a nucleus falls, for reasons already explained, below the desired standard.

50. *The Education of Officers and Non-Commissioned Officers*—Within the limits imposed by the restricted financial votes a great deal has been accomplished in the education of officers and non-commissioned officers during the year. The examinations for first appointment to commissions in the Citizen Forces and promotion therein, re-introduced last year, have had a beneficial effect. The Staffs have displayed commendable energy in holding courses and classes to prepare candidates for the various subjects; 792 candidates passed the practical tests, whilst 495 qualified in the various written papers. These numbers are somewhat below that of the previous year, but it must be borne in mind that in each successive year the numbers will decrease in proportion as the commissioned ranks become completed to establishment, and also as those who held commissions on the re-introduction of the tests qualify for promotion.

51. The issue by the General Staff at Army Head-Quarters and the Staffs of Formations of memoranda for the guidance of those preparing themselves for examination has been helpful, as also have the correspondence classes instituted for the benefit of country officers.

A satisfactory increase in the number of books issued from district libraries to Citizen Force Officers has been noted.

52. The United Service Institutions in the capital cities have displayed commendable activity in the arranging of regular series of lectures, which have been well attended and are of considerable value in the military education of officers.

53. *Schools, Courses and Classes—Officers and Non-Commissioned Officers.*—Some 500 officers and 1,600 non-commissioned officers have attended voluntary courses and classes of instruction extending over continuous periods up to ten days.

These courses of instruction are essential for the training of officers, and it is regrettable that further funds were not available for the inclusion of a greater number of officers and non-commissioned officers.

Improvements have been effected by the Formation Staffs in the organization and general arrangements for these courses. The standard of instruction thereat is being gradually raised. The interest shown and the progress made by those attending have been commendable.

54. Tactical courses, in accordance with section 21A of the Defence Act, have been held in the various Districts for the instruction and examination of officers for promotion to the rank of Lieut-Colonel. Successful efforts have been made to bring the instruction thereat to a high standard.

55. During the first nine months of the year approximately 2,000 all ranks attended voluntary week-end courses and bivouacs, which have proved most useful and are worthy of further encouragement.

56. *Attachment of Officers to other Arms.*—Attention was drawn, in my Report last year, to the desirability of attaching officers, for instruction, to arms other than their own. Efforts have been made during the year to put this proposal into practice, but the extent of these attachments has necessarily been restricted by considerations of finance.

TRAINING OF THE RANK AND FILE.

57. *Training Instructions.*—Following the procedure of last year, special instructions for the training to be carried out were issued by the General Staff to ensure adherence to a definite training policy and concentration upon essentials.

58. *Training Programmes.*—Acting on the principle that Commanders are responsible for the training of their own units, the preparation of the detailed programmes for training has been left in the hands of the Commanding Officers of Units, the Formation Staffs merely indicating the general lines to be followed.

Most of the time available has necessarily been devoted to individual training, but some simple collective training exercises were rightly included during the final days of camp and courses.

59. In the Light Horse and Infantry Units the training programmes have included a considerable concentration on instruction in musketry.

60. In most instances the specialists, such as Vickers, Lewis and Hotchkiss gunners, have been separated from the remainder of their units, and have been trained in their particular work by special instructors. The best results have been obtained by units which adopted this method.

HOME TRAINING.

61. Attendances at parades have improved generally, and particularly so in technical units.

A certain portion of the period of four days allotted to home training is necessarily consumed by matters connected with organization and administration, and this, together with the infrequency of parades, has prevented a progressive advance being made except amongst those who are willing to attend frequent voluntary parades. In some units, particularly in the technical arms, this voluntary effort has been considerable, and the results have consequently in those instances been good. But, considering the force as a whole, the attendance at voluntary parades is not general enough to ensure the primary object of home training, viz. :—to permit collective training to be commenced on the first day of camp.

62. *Musketry*.—One of the principal disabilities caused by the short period of home training is that it is not practicable for units to complete their annual musketry course during that period. This is especially the case where range facilities are limited and where units are located at considerable distances from rifle ranges. An appreciable portion of camp training has consequently to be devoted to this work.

An advance has been made in the results obtained in the firing of the rifle and automatic weapon courses.

Compared with the previous year, there has been a considerable increase in the numbers who fired. In some formations as many as 95 per cent. have been partly exercised, whilst, of those who completed the whole course, over 70 per cent. have qualified.

Where satisfactory results have been obtained in the musketry training it is mainly due to voluntary effort, and is a matter for congratulation, not only to the Staffs concerned but to the trainees themselves who have thus voluntarily surrendered their time.

63. The benefits of the courses held at the Small Arms School, or those carried out in Districts by the staff of that school, are becoming evident as the increased numbers of officers, warrant officers, and non-commissioned officers, both of the Permanent and Citizen Forces, who have qualified, become available to instruct in musketry.

64. *Miniature Ranges*.—Existing 30x ranges have been repaired and new ranges constructed, but many more are still required.

65. *Regimental Rifle Clubs*.—These clubs are playing a very prominent part in raising the general standard of shooting. Not only does the participation in contests rouse the enthusiasm of units' teams, but the expert shot produced through the medium of these competitions is available to act as a coach and so assist to improve the whole shooting of a unit.

66. In New South Wales particularly is the effect of these rifle clubs to be noticed. What commenced as the 1st Division Rifle Association has had so rapid a growth as to warrant its extension into what is now the Citizen Force Rifle Association of New South Wales, which embraces all formations in that State. The number of entries for the monthly and annual competitions has been most gratifying.

67. In other districts, though the increase in Regimental Rifle Clubs has not been so marked, there has been a steady expansion. In view of the improvement produced on rifle training efficiency by means of these competitions and particularly in team competition when the corporate discipline is advanced, it is hoped that, at no distant date, the establishment of a Citizen Force Rifle Association in each State will be an accomplished fact.

Where units are scattered it has not been found feasible to form clubs, but where possible every endeavour should be made to encourage their formation.

68. His Majesty the King has approved of the grant of the King's Medal to the winner of the Army Championship of Australia. Competitors from all the Military Forces are eligible, eliminating contests being held in each Formation and District Base. This year each of these sent one representative to Melbourne to compete in the final test, which was held on 23rd and 24th May. The standard of shooting at this meeting was good and produced a very close finish. The weather conditions were, however, exceptionally unfavorable. The winner was Honorary Captain W. C. G. Ruddock, Australian Instructional Corps.

69. *Citizen Co-operation.*—Greater attention has been given by some formations during the year to route marches through unit areas and participation in local functions, which have had a beneficial effect on *esprit de corps* and also in establishing interest in their territorial unit amongst the citizens. Much, however, yet remains to be done, and attention should be given by all formations to encourage the interests of citizens in their local unit.

CAMP TRAINING.

70. The interest displayed in this form of training is very marked when compared with home training. With few exceptions, attendance has been very good (*vide* Appendix "A") and all ranks have regretted that a longer period could not be spent in camp. The exceptions as regards attendance are found in units recruited in the country, where seasons and often the weather conditions existing at the time affect the ability of the men to leave their farms to attend camp.

71. The keen spirit displayed has enabled training to be carried out on progressive lines and good results to be obtained, though, as already pointed out, this training has not advanced beyond an elementary stage.

Except in the training of specialists, where the services of the best instructors obtainable have been employed, the training has been conducted by the leaders themselves, with the help of the Permanent Staff, who have rendered very valuable assistance and worked hard to improve the standard of training.

72. The benefits of the courses of instruction already referred to are evidenced in the increased ability of the Citizen Force leaders who have attended them to assume charge of the training. Where it has been possible to hold courses immediately prior to camps, the results have been even more marked and valuable work has resulted.

73. *Morale.*—It has been found that, where it has been possible to bring two or more units into camp together, it has stimulated *esprit de corps* and a healthy competition between units which has done much to raise the keenness of the troops in their work.

It is most desirable, as far as funds will permit, that brigade, rather than unit, camps should be held in the future.

74. *Discipline.*—Discipline, beyond a very few insignificant instances, has shown improvement. The instances referred to were caused in the first place by unforeseen administrative difficulties which were immediately rectified, and, with the cause of complaint removed, the normal routine proceeded without further trouble. It is noticeable that the undue prominence given by the press to any such incidents of breach of discipline inevitably stimulates further incidents. As pointed out in my introductory remarks, there has been a greater improvement in the discipline of the technical units and those raised in the country districts than in the city battalions.

75. *Machine and Light Guns.*—In units armed with these weapons the necessity of concentrating on the special training of detachments has, with few exceptions, been realized, and as a result much progress has been made. The interest displayed in their weapons and the voluntary effort made by the trainees has enabled a standard, much beyond what could be expected from the normal training periods, to be reached.

Though it is impossible to attain that precision which should become instinctive when handling these weapons, the results obtained from firing on the range have justified the time and ammunition expended by increasing the interest of the gun teams and encouraging them to further efforts.

Competitions between teams is a further means of stimulating efficiency, and has produced some excellent results.

76. *Regimental Signallers.*—The training of Regimental Signallers is always a very difficult problem, and is becoming still more difficult owing to the addition of wireless apparatus to the equipment.

It is a question whether Regimental Signallers should not be made part of the Brigade Signal Sections. If this were so there would be no break in the continuity of the Signal Organization, and the Officer Commanding Divisional Signals would be responsible for the training of the whole of the Signal Service and the care of the apparatus, which is becoming increasingly more plentiful, delicate and costly.

Unless the methods of instruction of all Signal personnel is definitely on similar lines, difficulty is likely to be experienced when Brigade Signals endeavour to communicate with Regimental Signallers. Under the present system, also, replacement of casualties would be a difficult matter, as suitable trained personnel would only be available from the Signal Service.

77. *Ceremonial*.—All forms of ceremonial parades stimulate *esprit de corps*, and this has been recognized throughout the training. Though it has not been possible to devote more than a short time to ceremonial parades, each unit has set aside a certain period to close order drill with very beneficial results. The ceremony of guard mounting in camp has stimulated those taking part in the function to make a creditable display.

78. *Bands*.—Last year the desirability of increasing the number of bands was stressed, and action has since been taken to give effect to it. The grant towards the upkeep of each band is certainly inadequate, but much has been done by local effort to make the unit band efficient. This increase in the number of bands, one per Cavalry Brigade, and one per Infantry Battalion, has been of inestimable value, particularly in camp, where they make all the difference to the contentment, discipline, and behaviour of the troops. In one or two cases, however, the bands, which were composed of voluntary enlisted men, did not attend camp. In future it should be provided that if the band does not attend camp the allowance will not be paid.

79. *Leave of Officers from Civil Institutions to attend Camps*.—It is regretted that it is again necessary to draw attention to the difficulty experienced by some officers employed by Government Departments, &c., in securing leave to attend camp. This is difficult to understand, but it may be possible that the heads of Departments, &c., concerned do not comprehend the value of the work that these officers do in the training of the youth of the country.

80. *Chaplains*.—It is pleasing to record the increase in the number of chaplains attending camps. Their work has been of great assistance, and an extension of their activities would be greatly appreciated.

81. *Institutions*.—At all camps, the Y.M.C.A. and other institutions have done much to add to the comfort and entertainment of the trainees by providing reading rooms, writing facilities, and musical or pictorial entertainments.

82. *Sports*.—The question of devoting one afternoon in camp to sports of a military nature should be given consideration. In some instances this has been done, particularly where units have held their camps adjacent to towns. If the events are entirely of a military nature, they must undoubtedly help the training, and the competitive spirit of the trainees should go far to improve their efficiency. When they are held, the sports should be open to the citizens of the adjacent towns. In some cases this has been done, with excellent results in the creation of interest in the work of the troops.

83. *General*.—Generally it may be said that the camps have shown a distinct improvement on those of the previous year, but the results obtained will not be really satisfactory until the period and the number of quotas are increased. Many of the units are in a comparatively efficient state, but this is due in the main to the energetic efforts of Commanding Officers in establishing voluntary effort additional to the authorized training.

TRAINING OF TECHNICAL ARMS AND SERVICES.

84. The foregoing remarks, although applicable to Light Horse and Infantry Units, refer in general terms to other arms of the service. There are, however, certain features connected with the training of other arms which are stated in the following paragraphs.

85. *Field Artillery*.—Practice of an elementary nature, using live shell, was carried out by all batteries, and the results obtained are considered quite creditable. The drivers handled their teams well, often through timbered country, when bringing their guns into position for action.

It would considerably assist in this class of instruction—*i.e.*, “ranging of targets”—if money were made available to provide a miniature target apparatus at each of the main Field Artillery Drill Halls, for by this means a better knowledge of the subject would be obtained and greater value would accrue from the small allotment of ammunition that is at present made available for practice.

86. The Staff of the Artillery Schools of Instruction was employed in instructional duties at the Camps of Training in all Military Districts with good results. This method of promulgating the latest Artillery information and ensuring uniformity of training has been of great value.

87. Some improvement has been made in equitation. In several instances batteries took their guns into camp, and returned by road. In one instance a distance of 48 miles (from Guildford to Rockingham, W.A.) was covered in a two days' trek by one battery. The return journey was made by another battery, with no casualty or injury to the horses in either case.

This is satisfactory as far it goes, but the shortage of horses in the Remount Dépôts and of personnel to look after them has caused considerable difficulty to the Field Artillery generally in regard to instruction in equitation and driving. By careful arrangement it has been found possible to give at home training a certain amount of instruction in riding, but driving drill can hardly be touched until the units go into camp.

The improvement referred to may be attributed, in the main, to the fact that the older quota of trainees had the benefit of the camp training of the previous year.

88. *Artillery Ranges*.—The necessity of acquiring land for use as artillery ranges becomes more obvious each year. At the present time there exists only one artillery range which is situated on Defence Department property. That is at Liverpool, New South Wales.

In all other States, practice has to be carried out over private property, and in many instances, owing to the increasing habitation in the vicinity of the camp areas, ranges are becoming difficult to find, and when found are often too circumscribed, or do not lend themselves to any manœuvre work.

The question has been referred to the various Military Districts, and recommendations regarding suitable sites, costs, &c., have been called for.

89. *Garrison Artillery*.—The Australian Garrison Artillery Units are still very short of officers, but improvement has been made during this year, as a certain number of suitable trainees has developed sufficiently to qualify for commissioned rank.

Three of these applied for and have been permitted to go through the four weeks' course held for the Duntroon Staff Cadets at the Artillery Schools of Instruction.

90. A lack of enthusiasm has been noticed in the home training of the Garrison Artillery. This is due very largely to the absence of training equipment at the local drill halls. In the majority of instances drill halls are too far away from the forts to enable the Citizen Force trainees to undergo instruction on their guns except on Saturday afternoons and at camp. The mounting of a gun at each Garrison Artillery drill hall would benefit the training and morale and raise the enthusiasm of this arm.

91. In the majority of cases endeavour has been made to carry out the musketry portion of the training of the Australian Garrison Artillery during the home training period, to enable the whole of the time allotted to camp to be devoted to training on their guns.

92. In all Districts the Garrison Artillery have carried out gun practice of an elementary nature with 6-in. B. L. guns, and have combined with the Royal Australian Garrison Artillery in manning the forts. Practices of Coast Artillery are considerably hampered owing to the excessive cost of providing suitable towing steamers—and when provided these are unable as a rule to tow the targets at anything like the speed that is desired for efficient training. At the present time the Defence Department launches are not permitted, owing to their size, to tow targets outside the Heads at either Sydney or Melbourne.

93. *Field Engineers*.—The work done by the Field Engineers has been of a useful nature, and good progress has been made.

Difficulty has been experienced in obtaining officers with the necessary technical qualifications, and the question requires careful consideration if the high standard of the past is to be kept up.

94. There is still a shortage of bridging equipment in most Engineer Dépôts, but this is gradually being made up.

95. Many of the sites for Camps of Training during the last year have not been altogether suitable. Good digging ground should be available, as too much time is wasted if the ground is too hard. Good facilities should also exist for bridging. While it may be useful experience for Field Engineers to go into camp with other units, their technical training should not be hampered by an unsuitable site.

Until combined manœuvres are contemplated better results in the technical training of Field Engineers is obtained in a separate camp at a suitable site, where some definite scheme, such as the construction of a bridge, can be carried out.

96. *Signals*.—In spite of the short period of training very good work has been done, largely by means of voluntary effort, and many of the units are quite efficient.

Wireless and other equipment has been coming to hand and has facilitated training. More is expected shortly. The personnel of the units are on the whole very keen on their work, and in spite of difficulties make every endeavour to make themselves efficient.

97. *Army Service Corps*.—Though the establishment has been increased, the work in connexion with supply of camps has been such as to prevent the necessary time being devoted to training of the personnel in other military duties.

The question of good messing arrangements for the troops has received much attention during the past year, and the general excellence of the results obtained is to a large extent due to the efficient work of the Supply Services.

It is hoped that a further increase in establishment will enable more time to be devoted to those combatant duties which now form so important a part of the training of the Army Service Corps.

98. *Army Medical Corps*.—There is still a difficulty in inducing medical officers to give up the necessary time for military training.

Notwithstanding the question of officers, satisfactory progress has been made in training of the Army Medical Corps personnel in technical duties in the field.

Revised training manuals for the Army Medical Service are awaited.

99. *Dental and Pharmaceutical Services*.—A Senior Dental Officer and Senior Pharmaceutical Officer have been appointed in each Military District.

The Senior Dental Officer examines dentally all persons applying for appointment or enlistment in the Permanent Military Forces, and advises generally on all matters connected with dental service. The Senior Pharmaceutical Officer inspects and reports on all medicines, medical materials, and chemists' sundries for the Military Forces, and generally advises on all questions relating to Pharmaceutical Service.

100. *Army Nursing Service*.—A Principal Matron has been appointed in each Military District, who is taking the necessary action to place the Australian Army Nursing Service on an organized footing.

The service, when completed, will consist of (a) Volunteers, who will undergo a certain amount of training as applicable to the Military Service; and (b) a Reserve, consisting of trained nurses who are available for duty in case of a national emergency.

101. *The Ordnance Services*.—*Militia Ordnance Sections*.—The need for units which could assist in the handling and preparation of artillery ammunition in the event of emergency is very apparent, and steps are being taken to raise Militia Ordnance Sections which can form an expandable nucleus for this purpose)

102. *Army Veterinary Corps*.—The Veterinary Sections have shown steady progress in their training in the practical veterinary work allotted to them.

The trainees selected for transfer to the A.A.V.C. this year were of a very suitable type.

103. It is a matter for consideration whether the number of men training in each section could not with advantage be increased by the addition of six men to the present training establishment, in order to provide trained veterinary orderlies to assist Regimental Veterinary Officers in camps when there is no Mobile Veterinary Section available.

104. During the year Classes of Instruction for the training of farriers attached to Citizen Force Units have been held in the 2nd and 3rd Military Districts; these classes of ten days' duration were well attended, and very satisfactory results were obtained.

105. *Australian Army Legal Department*.—The Australian Army Legal Department instituted in 1922–23, has been established on a firm basis. The officers of this Department are of good standing in the legal profession, and have also had experience as commissioned officers in either the A.I.F. or Citizen Forces or in both.

They are attached to Formations and to Brigades, and carry out both consultative and instructional duties. By the former they are of practical assistance to the Permanent Staffs of Formations, while in the latter capacity the Australian Army Legal Department facilitates the study of law and procedure by officers of the Citizen Forces.

ADMINISTRATION.

106. *General*.—The administration has generally worked smoothly and satisfactorily and further progress has been made towards decentralization and simplification of methods.

The more settled policy has enabled more attention to be given to administrative details, with the result that, except in a few instances where circumstances have not permitted accumulated arrears to be overtaken, the administration of units and areas can be broadly regarded as satisfactory. In battalions there is still somewhat undue centralization, due to the want of adequate training of Militia non-commissioned officers and the shortage of accommodation for stores referred to below.

Inspections during the past year have, however, disclosed the necessity for regular visits by the Staff to ensure that the work is kept up to date and that uniform methods are adhered to.

107. *Store Accounts.*—The question of accounting for stores is one of paramount importance, and presents in a Citizen Army difficulties which would be readily overcome in a Regular Army. Despite these difficulties, the care and accounting for stores have received increased attention from Commanding Officers and their Staffs, with a proportional decrease in losses by negligence and bad accounting. When it is appreciated that a normal Infantry Battalion Commander is responsible for over 40,000 articles, which are definitely delineated in the unit ledger under some hundreds of various headings, and which are handled at extended intervals by the personnel of the unit, it is really surprising that the losses are not greater.

108. There are, however, several pressing requirements in order that a thoroughly satisfactory position may be attained in the matter of store accounts and storage. The needs are :—(1) Provision for an annual audit of each store account, (2) ample storage accommodation in drill halls, and (3) the training of Citizen Forces personnel whose duties are connected with the receiving, issuing, and accounting for stores. To these may reasonably be added a more direct and simple method of adjusting minor discrepancies and losses.

As regards (1), the number of Ordnance Inspection Clerks is inadequate and the present system of detailing Staff Corps Officers to carry out store account examination is unsatisfactory.

As regards (2), the lack of storage accommodation at drill halls is a strong factor towards centralization of responsibilities as against the accepted principle that efficient administration demands devolution of responsibility among subordinates. Unless safe and sufficiently spacious store rooms can be provided for subordinate Commanders, it is unsound to consider them as Store Accountants.

109. I cannot leave this subject without referring to the elaborate and exhaustive, and in some cases superfluous, method of adjusting discrepancies revealed by audits or reported by units as they occur. The audit examination itself has been rendered somewhat more simple since my Report of 1922, but there appears to be undue labour and expense involved in the adjustment of minor discrepancies. For instance, a loss of stores valued at a few shillings must be reported to the Local Auditor, the report to be accompanied by stock sheets containing all information concerning the ledger balance, &c., of the article effected, and the result is that the cost of postage alone between Unit and Formation, Formation and Local Auditor and Chief Ordnance Officer sometimes exceeds the original value of the articles lost.

This might be obviated by granting increased powers to Formation Commanders in respect to the dispensing with Courts of Inquiry, and less exacting demands on the part of the Auditor-General. It is suggested that a certificate from the Formation Commander or District Finance Officer that every effort has been made to trace the responsibility for losses to individuals should be sufficient in cases where the losses in any one instance do not exceed the value of £20.

110. *Works and Buildings.*—The progress made during the past twelve months has been unsatisfactory. The amount provided for repairs and maintenance was insufficient. Buildings and other works are steadily deteriorating, and now require a relatively larger amount than would have been necessary had the repairs been undertaken at the proper time.

111. The construction of new works has not advanced at the rate expected owing, it is believed, to the shortage of technical assistants for preparation of plans and specifications, and the difficulty of securing suitable tenders from contractors. The latter cause is due to activity in the building trade and shortage of skilled tradesmen.

The fact remains that of the £203,000 voted by Parliament for necessary works the Works and Railways Department have only been able to spend approximately £100,000; our building programme is far behindhand and our estimate for new works for the next year is already loaded with commitments approved amounting to £150,000. The adverse effect of this is two-fold. In the first place Parliament is alarmed at the size of the estimate and in the second place it is throwing more than the yearly capacity on the Works Department, so that the delay in the programme is likely to increase rather than diminish. The immediate result will be that the provision of armament and munitions will be seriously interfered with, for it is essential that our building programme for the housing of equipment and munitions should be well in advance of our buying programme, otherwise heavy additional expense will continue to be incurred through the temporary storage of materiel in Districts other than those for which the materiel is intended and in hired store-rooms where these are procurable. In either case additional expenditure will be incurred in subsequent re-handling, in addition to losses and deterioration.

112. *Clothing.*—There is much need for improvement in the fitting of uniforms, and it is a question for consideration as to whether additional sizes are not required. A smarter and more distinctive jacket for warrant officers and non-commissioned officers is also very desirable.

113. There has been a general shortage of boots of the smaller sizes, and a number of men were noted in camps suffering from sore feet as a result of wearing civilian boots which were too tight or military boots which were of wrong sizes.

114. Since my last Report mounted units have been provided with leggings instead of puttees. This has caused general satisfaction and has assisted recruiting in the Cavalry.

CAMP ADMINISTRATION.

115. *General.*—During my inspection of camps throughout the current year it was palpable that Staffs and units had largely profited from the experience gained in 1922–23. The preliminary organization and preparations were again satisfactory, and the close supervision and constant assistance by Formation Staffs ensured that camp administration and routine proceeded smoothly. Committees have been formed to draw up an outline for Unit Standing Orders, which, when printed and issued, will be of good value to all ranks during camp training.

116. *Camp Sites.*—A considerable advance in the selection of camp sites has been made since my last Report. Unsuitable Metropolitan Rifle Ranges have been discarded and more attractive sites selected, wherever possible at or near the places of mobilization. As it is still impossible to carry out the musketry during the four days of home training, ranges have been constructed or improvised at these sites, if none already existed.

117. As, with the exception of Western Australia, the places of mobilization are suitable for annual camps, steps should be taken without further delay to repair buildings and effect improvements in drainage, sanitation, kitchens, &c., particularly at Liverpool (including Holdsworthy) and Seymour.

118. In South Australia no place of mobilization has yet been selected. In its selection, suitability as an annual camp site will be considered. In the meantime the Cavalry used the Cheltenham Racecourse, kindly placed at their disposal by the Race Club, and the Artillery and Infantry the Seacliffe site, which is a most excellent one, but which will soon be unavailable owing to its being rapidly built over.

119. In Western Australia, the place of mobilization is quite unsuited for annual camps, and Infantry camps have been held at Karrakatta and Kalgoorlie, Cavalry at Guildford, and Artillery at Rockingham. This arrangement suits very well while the training is in elementary stages, but a manœuvre area should be acquired on which more advanced training, and, later, combined training, could be undertaken.

120. Some of the camp sites in use are still strewn with the débris of buildings, &c., used for purposes in connexion with the late war. Money should be provided in order that these may be cleaned up without delay.

121. *Quarters and Sanitation.*—The camps and precincts have been maintained in a sanitary and healthy condition. In some Districts units have successively undergone periods of training extending over long periods, and there have been no epidemics even of a mild nature, arising from unsanitary conditions. When conducting rotation camps it is essential that after each camp a thorough overhaul and disinfection should be carried out.

122. The quarters have been maintained in a clean and tidy condition, but there is need for further improvement. The difficulty in this direction is due, apart from the youth of the trainees, to the wide scope of duties which must be attended to in camp, and with which the non-commissioned officers, on whom much depends in the matter of routine, are not familiar. These non-commissioned officers have insufficient opportunity of gaining experience during the six days to enable them to deal with such matters with confidence and without hesitation.

As it is essential that each man should regard his own appearance and the cleanliness of his quarters and kit as bearing on the credit of his unit, it follows that he should be instructed in the correct method of barrack and camp routine.

The early morning parade might reasonably be devoted to this purpose, i.e., to general fatigues and to inspection by Company Officers. If this be instituted the training will be much less interfered with than at present by the detachment of fatigues, &c., later in the day.

123. *Army Catering.*—Great strides have been made in this branch of training during the past two years since the initiation of the new messing system. With the fuller realization and appreciation of its advantages, it is hoped to attain considerably greater efficiency. Generally a high standard of messing was attained at moderate cost. A sample menu actually used in a recent camp (*vide* Appendix "B") shows the great variation in diet at a cost of 1s. 4d. per man per day that can be accomplished under the new system.

124. As regards cooking, the outstanding feature was the success of the trainee cooks. The disabilities so strongly emphasized in my previous Reports, consequent upon the employment of civilian cooks, have practically been overcome.

During the past year good work has been done by holding Courses of Instruction at Army Head-Quarters and the Flinders Naval Base Cooking School for selected members of the Australian Instructional Corps. At the conclusion of these courses the candidates were available for instructional duties at local cookery courses.

125. The system, however, is still in its infancy, and much remains to be accomplished before the full benefits are derived from it. Messing Officers are as yet mostly inexperienced; and all Commanding Officers are not fully seized with the necessity for selecting officers for the duty who can and will devote the time required for the proper performance of this responsible work.

126. *Details in Camp.*—A tendency has been noted for the number of details employed in camp to be excessive. If the suggestion in para. 121 is adopted these should be reduced considerably.

127. *Orderly Room and States.*—There appears to be a vast amount of office work performed in camp which necessitates many of the Staff being in the office instead of at their proper work as Instructors.

By the many inaccurate states and returns furnished it is evident that further instruction of Orderly Room Sergeants and Pay and Orderly Room Corporals is needed. This might be afforded by Regimental Courses of the equivalent of six days, which need not be continuous but distributed to suit the personnel. To encourage these non-commissioned officers it is desirable that, on the certificate of the Commanding Officer that those attending have qualified, they receive the same pay as is allowed to successful candidates at other Courses of Instruction. Regimental Courses are suggested in the interests of economy and to allow the Adjutant who is responsible for the administration of the unit to supervise the instruction personally.

PERMANENT FORCES AND SERVICES.

128. *Establishments.—The Staff Corps.*—Since the retrenchments of 1922, conditions of service have assumed a more settled aspect, normal wastage has been replaced, and the Permanent Forces are now almost up to the reduced establishment at present authorized. During the year following the retrenchments of 1922 there was more wastage in the Staff Corps, from voluntary retirements, than was anticipated, and as the output from the Royal Military College was insufficient to complete the establishment, those who graduated in 1919, 1920 and 1921, and who were compulsorily retired in 1922, were invited to rejoin. Eight of these accepted the offer and have rejoined with their original seniority.

129. *The Australian Instructional Corps.*—Similarly as regards the Australian Instructional Corps, there were many resignations. These have been made good by promotion from the ranks of the Permanent Forces or by enlistment from the Militia Forces. Considering the conditions of service at present offered in the Australian Instructional Corps, it is a matter for congratulation that the position regarding the establishment of this Corps is so satisfactory, and I cannot commend too highly the loyalty and devotion to duty of all those who are now serving.

130. *The Staff Corps.—Training Abroad.—The Staff College.*—Within the period under review, one officer of the Staff Corps completed two years' training at the Staff College, Camberley (England), and another at Quetta (India).

Two officers at Camberley and one at Quetta completed their first year, whilst two officers commenced the Staff College Course at Camberley and one at Quetta.

Of the nine candidates who presented themselves for the Staff College Entrance Examination in February, 1923, six qualified. The Chief of the Imperial General Staff has specially commented on the high standard of the work, and those competing are to be congratulated on the thoroughness of their preparation for the examination.

Fourteen officers sat for the examination in February, 1924, but the results are not yet to hand.

Unfortunately, funds and a small establishment do not permit of more than three officers being sent to the Staff Colleges each year. This limit, however, results in keen competition and with it the necessarily increased military education of all officers studying for the examination.

131. *Special Courses.*—In addition to the officers of the Staff Corps at present at the Staff Colleges—one officer is in England attending a Gunnery Staff Course, another undergoing Courses of Instruction for two years in Signals and Wireless Telegraphy, and two officers are attending a Course of Training to qualify as Inspectors of Ordnance Machinery.

132. *Exchange Officers.*—The system which obtained prior to the Great War of the exchange of officers between Australia and other portions of the Empire was re-introduced by the exchange of two officers from Australia with one from England and one from India respectively, for a period of two years.

133. *Duntroon Graduates.*—The sending abroad of Duntroon graduates to learn their regimental training, upon which so much stress was laid by the late Lord Kitchener, has been resumed, and the graduates of 1921 were sent to India in November last. Though the two years' postponement is regrettable, it is not without its advantages. The graduate will now have every opportunity of becoming thoroughly versed in Australian conditions before he goes abroad (*vide* my Report of 1921).

As the training season in India begins in October, these graduates should in future sail in September.

134. *Training in Australia.—Schools and Courses.*—Schools of Instruction under section 21A of the Defence Act, to prepare officers for promotion, have been conducted by the General Staff and refresher courses for Staff Officers have been held under Divisional arrangements as far as funds have permitted.

Two officers have qualified at technical courses, and six are undergoing instruction, viz :—four at the Universities in Civil Engineering and two in the Telegraph Department.

135. *Examinations.*—The improvement in the results of examination for promotion, which was mentioned last year, has been maintained.

Covering a period of twelve months, 31 officers presented themselves for promotion to Captain, of whom 23 passed and eight partially qualified (i.e., failed in one subject only).

During the same period, eight candidates were examined for promotion to Major, all of whom passed.

The written portion of the examination, with the exception of part of one paper set specially for Australian conditions, is that set by the War Office for officers of the British Regular Army.

Eight officers were examined for promotion to Lieut.-Colonel, of whom seven passed.

136. With one or two exceptions there are no officers studying foreign languages, which is a matter for regret in view of the need for interpreters in the event of war. I would again draw attention to the need of offering some inducement in the form of monetary awards to officers who qualify as interpreters.

137. *The Australian Instructional Corps.*—The conditions of service in this branch of the Military Forces have been mentioned above, and though the establishment is practically complete, the numbers allow of no margin to cover the absence of a proportion of Instructors on special duty or Courses of Instruction. This causes depletion of units' staffs and the consequent accumulation of arrears during their absence.

138. The technical instruction of the A.I.C. personnel included—

- (i) Weapon training at the Small Arms School, Randwick, and the Artillery School of Instruction, at which 113 and 29 attended and qualified, respectively.
- (ii) Refresher courses in drill, administration, and tactical exercises at the Annual Staff Course (fourteen working days), which 308 attended.

139. Whilst it may be said that there has been a general improvement in the efficiency of the A.I.C., it is certainly not yet up to pre-war standard. The need for the re-opening of the Central Training Dépôt for refresher courses and for the training of future instructors is very apparent.

140. The necessity for educational qualification has been recognized, and the subjects for examination now embrace English, History, Geography, Arithmetic and Map Reading. During the past year, for the 1st class certificate, 23 completed and 31 partly qualified; for the 2nd class, 2 completed and 6 partly qualified; whilst for the 3rd class, 34 completed.

141. *Royal Australian Field Artillery.*—The section of Royal Australian Field Artillery (which is the only unit of Permanent Field Artillery in the Commonwealth) has made marked improvement during the year. This was due primarily to the fact that recruiting has been permitted and that, in consequence, the acute shortage in personnel from which the unit suffered

last year has been overcome. The unit was able, by reason of its increased strength, to go into camp at Liverpool for six weeks to carry out its annual Battery Training. During this training warrant and non-commissioned officers of the R.A.G.A. were attached from other Military Districts for instruction in Field Artillery work.

142. This unit is the only training ground for the production of Field Artillery Instructors for the Citizen Forces, and it is also used as the *dépôt* or training battery for the Artillery Schools of Instruction.

The constant drain upon the establishment of non-commissioned officers of this small unit, as they become qualified, to fill vacancies for Instructors to the Militia Field Artillery militates against the maintenance of that high standard of training which one would like to see in a permanent unit.

It is most desirable that, when funds permit, it should be expanded to an establishment which will enable it more effectively to perform its important functions.

143. *Royal Australian Garrison Artillery*.—Battery practices have been carried out at all stations except Thursday Island and in the 4th Military District. The annual trainings in most cases were made to synchronize with the Citizen Force Garrison Artillery Camps of Training, thus permitting combined practices to be carried out.

The concentration of the bulk of the Royal Australian Garrison Artillery at Sydney, Queenscliff and Fremantle was brought into force this year, and enabled a higher standard of training to be attained.

144. The efficiency of this regiment is very adversely affected by the abolition of specialists pay for men who by extra work and diligence qualify themselves as specialists in Range Finding, Gun Laying and Signalling. At the present time there is no inducement for the rank and file to attain qualifications in these important duties.

There is a great improvement in the "turn out" of this unit.

145. *Royal Australian Engineers*.—The work of the year has consisted, as in the previous year, in maintenance of plant and recruit training.

The reduced personnel has been barely sufficient to keep the plant in order, and very little training has been possible.

146. Recruits have been trained at a Central Training School in Victoria. While this has the advantage of uniformity of training, the ordinary work of maintenance of Coast Defence suffers very considerably owing to the absence of personnel. This could be largely obviated by training the recruits at Sydney and Queenscliff, the two stations requiring the most attention. Central training schools are not as necessary for the training of recruits as they are for the training of non-commissioned officers.

Part of the recruit training has been carried out at Seymour on the construction of a rifle range. This has afforded valuable experience for officers and men in concrete work, and also in the handling and organization of working parties.

147. *Survey Section*.—Steady progress has been made by the Survey Section since 31st May, 1923, and in spite of the very reduced strength, work has been maintained in the three Military Districts of Queensland, New South Wales and Victoria.

There are at present only nine topographers on the establishment, and it is very desirable that this number should be increased with a view to expediting the work, which is of great public value in addition to its military value. Moreover an increased establishment would considerably reduce the cost per square mile of surveys.

148. During the past eight months the topography of 650 square miles of country has been completed, and the trigonometrical work has made good progress.

149. During the last Pan-Pacific Scientific Congress held in Melbourne in August, 1923, advantage was taken of the presence of Sir Gerald Lennox-Conyningham, head of the British Delegation and late Director of Surveys, India, for a conference to be held on the question of a suitable grid for Australian survey maps.

150. *Aerial Surveys*.—Little or no advance has been made in the development of aerial surveys during the last year, and the technical difficulties outlined in the last Report have still to be overcome before practical results can be achieved. The test survey of the Geelong sheet proposed last year was not proceeded with, owing to the shortage of personnel and machines of the Royal Australian Air Force.

The Hydrographic Branch of the Navy produced a map of Western Port Bay in 1923, from aerial photographs taken by the Royal Australian Air Force and based on a ground trigonometrical survey.

This map was quite a success, and depicted very useful information which could hardly have been obtained otherwise than by aerial photography. Following on this, it has been decided to extend the principle of this survey to the charting of the Great Barrier Reef, and the preliminary work is now in progress.

It is considered that this aspect of aerial surveys, the photography of coast line and groups of small islands adjacent to the coast, can be used as a valuable adjunct to the military surveys, and will record information not accessible to the topographer.

151. *Printing of Maps.*—Arrangements have been made for the purchase of the latest camera for map reproduction, the use of which will result in a clearer and finer map, expedite work and reduce the cost of production.

152. *Army Service Corps.*—The Supply and Transport work allotted to the sections of the Australian Army Service Corps (Permanent) in the various Districts has been efficiently performed during the year.

It is considered, however, that early action should be taken to replace the horsed transport now used by these sections by mechanical transport lorries. This would greatly extend the sphere of usefulness of the Australian Army Service Corps Sections, and, though an initial outlay would be involved, I am sure that an ultimate saving would result by reason of the increased transport work which could be performed by the Department, both for itself and, where possible, for other Commonwealth Departments, thus reducing the amounts now paid to contractors for cartage and haulage.

These lorries, if provided for the Permanent A.A.S.C. units, could also be allotted to the Citizen Force Divisional Trains in turn for use at their camps in connexion with their training in the handling, &c., of mechanical transport, as well as for the transport work at camps. In this connexion it must be borne in mind that the Divisional Trains of the British Army have now been mechanized, retaining horsed transport for use in emergencies only.

153. It is a matter for consideration whether our Divisional Trains should not be re-organized similarly, in which case the most economical method of providing for their needs in peace would be to take action on the lines indicated above.

154. *The Remount Service.*—In my Reports of last year and the previous year, attention was invited to the inadequacy of the personnel provided to cope efficiently with the preparation and training of the horses, more especially when heavy demands for camps are made. This to some extent has been rectified by increasing the lower ranks. Considerable difficulty, however, has been experienced in obtaining suitable recruits, as higher wages are obtainable outside the Department for work similar to that required. The increased personnel allows for approximately one man to 17 horses and one farrier to 55 horses, which is clearly insufficient to keep the horses properly shod up, quiet, and tractable for the work required.

I must urge the necessity for a sufficient increase in the personnel to ensure that these horses are sufficiently exercised to keep them quiet and tractable.

In a great many instances trainees have very little knowledge of riding or driving on joining the service, and, however willing they may be to learn, are to a large extent deprived of sufficient opportunities of doing so during the year at voluntary riding and driving classes through lack of Remount personnel to attend to the horses, and, I might also add, insufficient funds for maintenance to enable the required number of horses to be kept in stables for this purpose. The limitations which have had to be placed on the demands for horses by units such as the Artillery, Field Engineers, Signals, and A.A.S.C. owing to the foregoing disabilities, are unduly harassing Commanding Officers in the execution of their duties, and seriously affecting the efficiency of the units referred to.

155. In addition to recommending an increase in the Remount personnel, I recommend that consideration be given to further increasing the vote for the maintenance of the horses.

156. The horses supplied have been well selected and are of suitable types, though many of them are now very old. A considerable number have been in the service for twelve years, which speaks well for the care that has been bestowed on them. The replacement of horses as they become unserviceable and are disposed of should not be lost sight of, and should be effected by buying a few each year as required.

157. The dépôts are in fair order, but in some instances fencing needs attention and buildings require painting. The plant, such as harness, vehicles, implements, &c., have been well cared for. Farming operations at Glenthorne Farm have been satisfactory.

158. The three thoroughbred stallions mentioned in my last Report as standing at Enoggera, Holdsworthy, and Maribyrrong respectively have been well patronized; the fees charged for the service of these horses is moderate, viz :—£3 3s., bringing them within the means of the small horse-breeders and farmers, to whom their services, as far as practicable, have been restricted. Their progeny is well spoken of. An extension of this scheme was recommended in my Report of 1921.

159. Encouragement to the farming community to breed serviceable remounts is becoming more necessary year by year. Suitable thoroughbred stallions are not available at a fee the average farmer can afford to pay. I would again invite attention to my previous remarks on the question of improving the standard of our riding horses. In addition to the means I have suggested in my previous Reports in this regard, the Quartermaster-General, Major-General V. C. M. Sellheim, has suggested that stallion premiums of sufficient value to encourage the keeping of thoroughbred stallions be provided. This suggestion is worthy of consideration.

The breeding, in the closely settled districts, of light cavalry horses has reached such a dangerously low ebb that Government assistance appears to be necessary in order to revive the industry.

160. With regard to effecting an improvement in the standard of horses bred on the large stations in New South Wales, Queensland, and Central and Western Australia, it is obvious that the Commonwealth Government cannot give any assistance at the moment other than advice. Breeders should be advised to dispose of all mares which may be for any reason unsuitable to produce good, sound stock, and to use thoroughbred stallions only that have been passed as sound in every respect by a competent veterinary surgeon and are suitable in type and conformation for begetting high-class animals.

This would, in my opinion, be the only means of restoring a market which has been allowed to weaken and almost disappear through neglect. Owing entirely to the deterioration referred to in every Report I have furnished since the recent war, the Indian Government, our greatest customer, is now looking elsewhere for Army horses.

161. *The Ordnance Services.—Permanent Ordnance Corps.*—A permanent Ordnance Corps, the formation of which was approved by the Government in 1918 and recommended by the Business Board and Senior Officers Conference, is essential as a part of the Military Organization. Although practically little expense is involved in its formation, for various reasons the unit has not yet been raised.

162. *The Civil Ordnance Staff.*—Delay in filling existing vacancies on the Civilian Staff of the Ordnance Branch has been prejudicial to the work. Appreciable progress has, however, been made during the past year, but the existing personnel is quite insufficient for the proper care and maintenance of materiel and equipment.

163. *Repairs to Post Bellum Equipment.*—A sum of £25,000 was specially appropriated for repairs and overhaul of explosives, vehicles, saddlery and other equipment. Large sums are still necessary to prevent further loss and deterioration and to make the equipment serviceable.

164. *Ordnance Workshops.*—A question which has been prominent for the past four years, but with which little progress has been made owing to financial stringency, is the establishment of ordnance workshops, which must exist for the efficient upkeep of military equipment.

Great difficulty was experienced in all Military Districts in getting both men and material to carry out the repairs to the *post bellum* equipment, and the lack of proper workshops was a severe handicap. Contract work in connexion with material of this description is undesirable. It can be done much more efficiently and economically in departmental workshops. At present machinery is lying idle and valuable material is deteriorating.

165. *Pay.*—I feel it to be my duty to again draw attention to the discontent which exists in the Permanent Forces owing to the inadequate rates of pay allowed. The soldier is, quite rightly, on grounds of discipline and public policy, debarred from taking any collective action to ensure improvement in conditions of service either by access to the Arbitration Courts or otherwise.

It follows, therefore, that, in justice, a responsibility is placed upon the authorities to ensure, on their own initiative, that the rates of pay and conditions of service are such as not only to maintain the Forces in a state of efficiency, but also to afford a reasonable recompense and standard of living to the individual. The admirable loyalty and unstinted service of these members of the Permanent Forces, in the face of the disabilities which they suffer in this respect, affirm the moral obligation of the authorities towards them rather than afford a reason to neglect their welfare.

166. With regard particularly to the Warrant Officers of the Australian Instructional Corps, I would point out that this corps is, to a great extent, the backbone of the Citizen Army. It falls to the lot of these men, under the supervision and control of the officers of the Staff Corps, to take a primary part in the training and handling of the youth of this country during the period of the performance of their obligation under the Defence Act. The trainees come under military control during the most impressionable years of their life, and on grounds of public, as distinct from purely military interests, it is essential that only the best type of man should be employed in the working of the universal training system.

These Instructors are required to possess a sound knowledge of a wide range of military subjects such as drill, the weapons of the various arms, musketry, physical training, elementary tactics, and in the technical arms, gunnery, military engineering and equitation. They further require the ability to impart their knowledge by sound methods of instruction and teaching, to ensure discipline and order, to carry out important functions of administration which bring them closely in contact with the civil population, and to stimulate interest and enthusiasm in the units to which they are attached.

There can be no doubt that the proper performance of these duties demands qualities of character, personality, tact, and general ability above the average, in addition to a sound professional knowledge. Yet in spite of this the pay of a number of these warrant officers is below the basic wage of a labourer.

167. A departmental Committee was recently appointed to consider this question. It is earnestly to be hoped that some improvement in the matter of pay will result.

168. *Superannuation.*—With regard to the question of superannuation it is desired again to point out that the Public Service Superannuation Act affords little benefit to the members of the Permanent Forces. In the first place, it does not apply to ranks below that of a commissioned officer. Owing to the fact that the rank and file are required under the Defence Act to be enlisted for specified periods of service the men are not regarded, legally, as permanent employees within the meaning of the Act, even though there may be no actual break in service extending over a lifetime. On account of this anomaly, the rank and file are debarred from contributing to the Superannuation Fund or receiving from it any benefits whatever.

A further disability is caused, in regard to officers who are compelled to contribute, by the fact that the retiring age of military personnel is necessarily fixed at a lower age than 65, which is the earliest age at which, under the Superannuation Act, a full pension may be granted except when retirement is caused by physical disability.

The ages for retirement of Military Officers are :—

Lieutenant	48
Captain	50
Major	55
Lieut-Colonel	56
Colonel	58
Major-General	62
Lieut-General	65

On retirement at ages below 65, officers as from the date of their retirement are eligible only for a pension which is the actuarial equivalent of the contributions made or to be made by them and of the share of pension payable by the Commonwealth and accruing to them under the Act. This actuarial value decreases so sharply with each year short of 65 that the pensions in most cases are negligible.

169. The shortcomings of the existing Act in relation to members of the three services have been considered by a Departmental Committee, which has submitted its recommendations to the Minister. It is understood that the proposals are now receiving the attention of actuarial experts of the Department of the Commonwealth Statistician. It is earnestly hoped that action may be taken, as soon as it is possible to do so, to adjust the anomalies referred to and to provide a reasonable superannuation scheme covering all, instead of only a portion, of the members of the Permanent Forces.

THE SENIOR CADETS.

170. *Introduction.*—On the 30th June, 1924, the last of the Senior Cadet quotas who have served their full statutory term in the Senior Cadets (four years) will be allotted to the Citizen Forces. The Senior Cadets will then consist wholly of boys who commence their training in their sixteenth year and serve for two years before transfer to the Citizen Forces.

The full effect on the Senior Cadet organization of this short term of service has still to be felt.

171. The Senior Cadet training for the shortened period serves a very useful purpose from the point of view of preparing the cadet for his Citizen Force service, particularly in regard to administrative preparations such as medical examinations, issue of clothing, bringing the youths into touch with the Area Staffs, and ascertaining their qualifications for allotment to the various arms. It also serves in some measure to give the Senior Cadets instruction in the rudiments of drill, musketry, and physical training. But it is essential that the organization for the handling, control and discipline of Senior Cadets should be efficient especially as it is during his Senior Cadet training that the young soldier gains his first impression of military service. It is precisely on this latter point that the short term of service is likely to cause difficulties which will now become acute because of its effect on the production of cadet officers and non-commissioned officers. It was possible under the four years period of service to select suitable material for cadet officers and non-commissioned officers by competitive examination from amongst the older boys who had time to become proficient in their duties and were enabled on that account and by reason of their seniority in age to carry weight with the younger boys. Under present conditions this is a most difficult matter and, unless a remedy be found, it is likely to have an adverse effect upon the Senior Cadet organization.

Two possible remedies suggest themselves :—

- (a) To provide all Senior Cadet officers from the parent Citizen Force Unit and increase the establishment of the latter accordingly ; or,
- (b) To provide all Senior Cadet officers from enthusiastic citizens over the training age who would volunteer for this service

In both cases it would be desirable to provide Sergeants for the Senior Cadets from the Citizen Forces and limit promotion of the Senior Cadets themselves to the rank of Corporal.

Both of these alternatives would result in some increase in the cost of the Senior Cadet organization. The first, though probably the best, method would be somewhat more costly than the second.

172. I do not advocate, at all events at present, any return to the four year period of service for Senior Cadets. In fact, in view of all the circumstances, I think that, if the Citizen Force training be increased by one year, the period of Senior Cadet service might be correspondingly reduced. Senior Cadet training would then begin in the trainee's seventeenth year, and would continue for one year only before transfer to the Citizen Forces. This would have the effect of reducing the strength of the Senior Cadet organization by one half, and would enable it to be handed by the Area Staff with a minimum of outside assistance. The one year of preparatory training in the Senior Cadets would be devoted to the establishment of touch between the trainees and their Area Staff and units, medical examinations, issue of clothing, and other administrative work, and ascertaining the suitability of the youths for allotment to the several arms of the Citizen Forces. In addition there would be time to give the Senior Cadet a limited amount of recruit drill and elementary musketry instruction designed specifically to prepare him for his Citizen Force training.

A reduction in cost would result particularly in regard to uniform which, when issued at seventeen when the youth is more developed physically, would not require to be replaced during the remainder of his service in as many instances as occur at present when the issues takes place at sixteen.

While resulting in a saving of cost, the one year of Senior Cadet training would serve all the requirements of administration and would give a reasonable though limited amount of preparatory recruit training. The cutting off of one year's training at the commencement of the trainee's service and putting it on at the end, when he is better fitted by reason of his age to be exercised fully in military work, would, I feel sure, place our whole military organization on a sounder basis.

TRAINING.

173. *Officers.*—The attendance of cadet officers at Courses of Instruction and Regimental Classes has been generally satisfactory and the inclusion of more cadet officers in these is desirable.

174. *Cadets.*—During the year, Senior Cadet training has made an appreciable advance, particularly in musketry. Large numbers are active members of rifle clubs, and are thus of assistance in the supervision of other cadets during the practices of their units.

Close order drill is in general as satisfactory as circumstances permit. The intervals between parades prevents the attainment of that precision which characterizes trained troops, but, nevertheless, results of appreciable value are being attained.

Signalling has not made the same general progress as the other training. This is due mainly to the limited time available for instruction, but in some cases, where qualified Instructors are available, excellent results have been attained.

175. *Attendance*.—The attendance at compulsory parades continues to improve. This is largely due to the promptitude with which Area Staffs deal with absence, and to the fact that generally the syllabus of training is more progressive and interesting.

176. *Registration*.—Since the suspension of training for the first two years, a diminution of the numbers registered has been noted throughout the Commonwealth. The reasons advanced, and which are borne out by facts, are the ignorance of parents and trainees of the provisions of the Defence Act in respect to registration, and their assumption that such is not now necessary until the year in which training is commenced.

It is evident that notices exhibited and advertisements in the press are insufficient to make the obligation to register universally known.

Actually, registration in January or February of the year in which a boy attains the age of fourteen years is succeeded by a period of over two years before he is medically examined and called up for training. During this period he is required to notify change of address. This is often forgotten through carelessness or lack of association with an Area Staff, or is ignored with intent to evade, the result being that the tracing of a boy who from either cause has failed to notify change of address is extremely difficult.

The means at the disposal of Area Officers are not sufficient to enable personal investigation to be undertaken in each case, and the at first careless youth often becomes a deliberate evader simply because he gains a feeling of security, believing that all trace of him has been lost.

177. *Medical Examination*.—From the number of undersized or otherwise unsuitable, though technically physically fit, cadets in training it is evident that the medical examination should be of a more rigorous nature. It is not yet realized that the ideal of building up the physique of the nation has had to be abandoned, owing to shortage of funds and consequent curtailment of the training, and that only those who are actually fit and suitable for military training should be passed.

178. *Uniform*.—Carelessness is still apparent in the fitting of uniform, and it will never be popular unless the cadet feels that he looks smart in it. There is still a tendency to wear collars and ties, which further detracts from the smartness of the uniform.

179. *Provost Staff*.—The work of the Provost Staff has been meritorious. The personnel of this branch, which works unobtrusively in the tracing of missing trainees, deserves commendation for the concrete results obtained.

It would greatly facilitate their work if Commanding Officers who require trainees traced would take more care in furnishing adequate and correct details of the trainee, together with any information which might help in the search.

180. *Athletic and Military Competitions*.—Except in the 1st and 2nd Military Districts, where very successful competitions have been held, the interest in sports competitions has waned considerably.

This loss of interest is due to the decreased activity of Citizens Encouragement Committees, which is much to be regretted. An active Encouragement Committee does much to bring the Area Staffs into close association with the parents of trainees.

The inclusion in the sports programmes of military competitions which include the Citizen Forces has been of value in stimulating training.

JUNIOR CADET TRAINING.

181. The scheme of Junior Cadet training in schools (which was inaugurated on 1st July, 1911) ceased, owing to enforced economy, to be an activity of the Defence Department on 30th June, 1922, after a period of eleven years' efficient work.

Since its discontinuance frequent representations have been made to the Department by the several States Education Departments urging the Commonwealth to re-introduce the scheme, and the question was listed as a subject for discussion on the Agenda Paper of the Premiers' Conference of May, 1923.

It was affirmed that the State Governments could not provide efficient uniform instruction in physical training without a co-ordinating authority, and that the national value of the work could not be over-estimated.

Following on the above representations, the subject was considered by the Cabinet on 8th November, 1923, and it was decided that, provided the State Governments were willing to meet the ordinary expenses of the scheme and provide facilities for the school teachers to obtain instruction, the Commonwealth would provide the co-ordinating authority and a competent instructional staff capable of qualifying the teachers and ensuring a measure of uniformity throughout the Commonwealth.

The State Governments have officially intimated their acceptance of the proposals.

It is proposed to re-introduce the training, with certain modified requirements, as from the commencement of the next training year.

The re-introduction of this training will be of great national value, but, as it ends when the boy leaves school, it will fall far short of the original intention, i.e., that the youth of Australia should be systematically trained physically from the age of 12 to 25 years.

EXPEDITIONARY FORCES.

Interest is displayed in connexion with certain existing activities associated with the late Expeditionary Forces, and I am advised that the position is as follows :—

WAR HISTORIES.

182. *National Histories of the War*.—There have been published during the past year the following volumes :—

Volume VIII.—“ Australian Flying Corps,” by Mr. F. M. Cutlack.

Volume XII.—“ The War in Photographs.”

Volume IX. (Naval) is with the printer, and Volume X. (Rabaul) is about to go ; Volume II. is near completion, and these will be followed by XI. (“ The War Effort in Australia”).

WAR MEMORIALS.

183. *Villers Bretonneux*.—The Cabinet has decided to proceed with the erection of a Memorial at Villers Bretonneux at an estimated cost of £100,000. The names of all missing are to be inscribed on the Memorial, which, however, is to be known as an “ Australian Memorial ” and not a “ Memorial to the Missing ”. A competition among Australian artists is to be held for the most suitable design. Material is to be sent from Australia.

Port Said.—The competitive designs received have been considered and awards made. Arrangements have been completed with Mr. Web Gilbert for the sculptural group, and with Messrs. Stephenson & Meldrum for the pedestal, base, &c. The work will take four years to complete.

Divisional Memorials.—These have now been finally completed, with the exception of the 2nd Divisional Memorial, in connexion with which the sculptural group is now being cast in Paris.

The 5th Divisional Memorial has been taken down and re-built on foundations extended down to solid ground.

The 1st Australian Tunnelling Company Memorial has been rebuilt on a new site.

184. *War Graves*.—The construction of cemeteries abroad by the Imperial War Graves Commission is advancing rapidly, and various reports from the High Commissioner and others are to the effect that the appearance and maintenance are satisfactory in every way.

In Australia, where the graves are in general cemeteries, the erection of headstones is now in progress. The total number of headstones to be erected is approximately 2,000, and of these approximately 1,000 will have been completed by the 30th June next. Arrangements are being made for the maintenance of the graves.

185. *War Medals*.—Some 40,000 medals have been distributed during the past year, but a very large number remain unclaimed, as will be seen from the following table :—

1914–15 Stars	6,482
British War Medals	62,378
Victory Medals	64,555
Total	133,415

It is proposed for purpose of economy to gradually withdraw all unclaimed medals from districts and centralize distribution from the Base Records Office, Melbourne.

H. G. CHAUVEL,
Lieutenant-General,
for Inspector-General.

APPENDIX "A."

ATTENDANCES OF CITIZEN FORCES AT CAMPS OF CONTINUOUS TRAINING 1923-24.

Military District.	Formation	Actual Strength		Attendance		Percentage of Attendance to Strength.
		Officers	Other Ranks.	Officers	Other Ranks	
1st Military District	11th Mixed Brigade	219	3,725	118	3,342	89.5
	1st District Base	7	96	7	92	96.1
2nd Military District ..	1st Cavalry Division	121	1,361	103	1,159	85.2
	1st Division	218	4,718	199	4,622	97.6
	2nd Division	275	6,871	227	6,319	91.6
3rd Military District ..	2nd District Base	15	273	13	259	94.4
	2nd Cavalry Division	118	1,503	92	1,101	73.5
	3rd Division	294	5,242	233	4,860	92
	4th Division	208	3,388	167	3,095	90.7
4th Military District ..	3rd District Base	13	207	11	189	90.9
	2nd Cavalry Division	53	598	42	481	80.3
	4th Division	105	2,529	81	2,243	88.2*
5th Military District .	4th District Base	2	37	1	36	94.8
	13th Mixed Brigade	97	1,826	79	1,725	93.3
6th Military District ..	5th District Base	5	108	4	90	83.2
	12th Mixed Brigade	63	1,017	49	832	81.5
	6th District Base	4	50	4	47	94.4
		1,817	33,549	1,500	30,492	90.4

* Not yet completed

APPENDIX "B."

COPY OF A MENU ISSUED BY A UNIT IN A SIX DAYS' CAMP OF CONTINUOUS TRAINING 1923-24—
COST, 1s. 4d. PER MAN PER DAY.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Breakfast .		Porridge and Milk Sausages (Curried) Tea Bread Jam	Porridge and Milk Fried Steak and Onion Gravy Tea Bread Jam	Porridge and Milk Brown Stew Tea Bread Jam	Porridge and Milk Lamb's Fry and Bacon (or Fish as required) Tea Bread Jam	Porridge and Milk Sausages, Fried, and Gravy Tea Bread Jam
Dinner .	Roast Mutton Potatoes Parsnips Rice Custard Tea	Steak and Kidney Pudding Potatoes Carrots Apricots and Custard Tea	Roast Beef Potatoes (Roast) Plum Pudding and Sauce Tea	Roast Mutton Swede Turnips Potatoes (Mashed) Macaroni Pudding Tea	Salmon (Pink) Tea Bread Jam Biscuits Eating Apples (Midday meal at Range)	Boiled Mutton (Cold) Potatoes Mixed Vegetables Preserved Fruit Tea Bread
Tea ..	Irish Stew Tea Bread Jam	Vegetable Soup Fish Cakes Tea Bread Jam	Pea Soup Cottage Pie Tea Bread Jam	Curry and Rice Tea Bread Jam	Barley Broth Braised Beef Potatoes (Mashed) Boiled Onions Date Pudding Tea	

Early Morning cocoa for all ranks.

Coffee and biscuit at 10 p.m. for guard and picquet.

APPENDIX "C."

COMPARATIVE STATEMENT SHOWING ADMINISTRATIVE STATISTICS AND EFFICIENCY
CLASSIFICATION OF PERSONNEL TRAINED UNDER PART XII. OF THE DEFENCE ACT
DURING THE YEARS 1921, 1922, AND 1923.

	Year 1921.	Year 1922.	Year 1923
Registrations—			
Senior Cadets	123,947	117,626	108,862
Exemptions—			
Senior Cadets	23,361	37,923	31,064
Number actually in Training—			
Senior Cadets	98,997	37,589	37,055
Citizen Forces .. .. .	..	..	30,673*
Medical Examination for Senior Cadets—			
Number Examined	28,362	17,173	No examination carried out
Percentage Fit	92·64	93·86	
Percentage Unfit	7·36	6·14	Examination deferred to 16th year of age
Medical Examination for Citizen Forces—			
Number Examined	23,162	20,078	19,503
Percentage Fit	85·95	86·24	85·53
Percentage Unfit	14·05	13·76	14·47
Missing Trainees—			
Senior Cadets	1,319	1,130	943
Citizen Forces	6,299	2,329	1,712
Prosecutions—			
Senior Cadets	2,257	2,895	2,386
Citizen Forces	261	1,281	2,197 (to 30th June, 1923, only)
Percentage of Attendances at Drill—			
Senior Cadets	85·2	82·99	86·17
Efficients Cadets—			
Number	77,693	71,964	26,563. (Two quotas only in training)
Percentage	83·3	81·62	81·93
Efficients Citizen Forces—			
Number .. .. .	..	..	25,381*
Percentage .. .. .	..	..	88·33

* Does not include voluntary enlisted personnel

THE COMMONWEALTH OF AUSTRALIA.

THE DEFENCE ACT 1903-1918,

BEING

THE DEFENCE ACT 1903 (No. 20 OF 1903).

AS AMENDED BY

THE DEFENCE ACT 1904 (No. 12 OF 1904),*

THE DEFENCE ACT 1909 (No. 15 OF 1909),†

THE NAVAL DEFENCE ACT 1910 (No. 30 OF 1910).‡

THE DEFENCE ACT 1910 (No. 37 OF 1910).§

THE DEFENCE ACT 1911 (No. 15 OF 1911).||

THE DEFENCE ACT 1912 (No. 5 OF 1912).¶

THE DEFENCE ACT 1914 (No. 36 OF 1914).‡‡

THE DEFENCE ACT 1915 (No. 3 OF 1915).**

THE DEFENCE ACT 1917 (No. 36 OF 1917).††

THE DEFENCE ACT 1918 (No. 16 OF 1918).¶¶

AND BY

THE DEFENCE ACT (No. 2) 1918 (No. 47 OF 1918).***

An Act to provide for the Naval and Military
Defence and Protection of the Commonwealth
and of the several States.

[Assented to 22nd October, 1903. §§]

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

PART I.—INTRODUCTORY.

1. This Act may be cited as the *Defence Act 1903-1918*.|||

2. This Act is divided into Parts as follows:—

Part I.—Introductory.

Part II.—Administration.

Short title
Amended by
No. 32, 1918
s. 2.

Parts.
Amended by
No. 15, 1909,
s. 3; No. 37,
1910, s. 2;
and No. 5, 1911
s. 2.

* Assented to 9th December, 1904.
† Assented to 13th December, 1909, and proclaimed to commence on 1st January, 1911. See
Gazette, 28th September, 1910, p. 1571.
‡ Assented to 25th November, 1910.
§ Assented to 1st December, 1910.
|| Assented to 22nd December, 1911.
¶ Assented to 4th September, 1912.
‡‡ Assented to 21st September, 1914.
** Assented to 30th April, 1915.
†† Assented to 25th September, 1917.
§§ This is the date of assent to the *Defence Act 1903*.
||| The *Defence Act 1903*, as amended by the *Defence Act 1904*, the *Defence Act 1909*, the *Naval
Defence Act 1910*, the *Defence Act 1910*, the *Defence Act 1911*, the *Defence Act 1912*, the *Defence Act
1914*, the *Defence Act 1915*, the *Defence Act 1917*, the *Defence Act 1918*, and the *Defence Act (No.
2) 1918* may be cited as the *Defence Act 1903-1918*. See Acts No. 12, 1904, s. 1, No. 15, 1909, s. 1,
No. 30, 1910, s. 4, No. 37, 1910, s. 1, No. 15, 1911, s. 1, No. 5, 1912, s. 1, No. 36, 1914, s. 1, No. 3,
1915, s. 1, No. 36, 1917, s. 1, No. 16, 1918, s. 1, and No. 47, 1918, s. 1.
¶¶ Assented to 19th June, 1918.
*** Assented to 25th December, 1918.

- Part III.—The Defence Force.
 Division 1.—Constitution of the Defence Force.
 Division 2.—The Raising of the Defence Force and the Enlistment and Discharge of Members thereof.
 Division 3.—The Service of the Forces.
 Division 4.—General Provisions.
- Part IV.—Liability to serve in the Citizen Forces in time of war.
- Part V.—Cadets.
- Part VI.—Special Powers in relation to Defence.
- Part VII.—Offences.
- Part VIII.—Courts Martial.
- Part IX.—Legal Procedure.
- Part X.—Miscellaneous.
- Part XI.—Regulations.
- Part XII.—Universal obligation in respect of Naval or Military Training.
- Part XIII.—Exemptions from Personal Service.
- Part XIV.—Registration and Enrolment for Naval and Military Training.
- Part XV.—Military College.

Commencement
of Act

Interpretation

Amended by
No. 12, 1904,
s. 2; by No. 30,
1910, s. 4;
by No. 36, 1917,
s. 2; and by
No. 16, 1918,
s. 2.

3. This Act shall commence on a day to be fixed by proclamation.*
4. In this Act, unless the contrary intention appears—
- “Active Forces”—Includes all parts of the Defence Force other than the Reserve Forces
- “Active Service”—Has a meaning corresponding to that of the same words as used in sub-section (1.) of section one hundred and eighty-nine of the Army Act defining the expression “on active service.”
- “Army Act”—Means the Imperial Act called the Army Act and any Acts amending or in substitution for it and for the time being in force.
- “District Commandant”—Means the Commandant of a Military District.
- “Inspector-General”—Means the Inspector-General of the Military Forces appointed under this Act.
- “Governor-General”—Means the Governor-General of the Commonwealth, or the person for the time being administering the Government of the Commonwealth, acting with the advice of the Executive Council.
- “Member”—Includes any officer, seaman, and soldier.
- “Military Decoration”—Means any medal, clasp, good conduct badge, or decoration conferred for service in the Naval or Military Forces of any part of the King's Dominions, or of any Ally of Great Britain in the present war.
- “Military

* Proclaimed to commence 1st March, 1904. See *Gazette*, 20th February, 1904, p. 119.

- "Military District"—Means a military district appointed under this Act.
- "Naval or Military Offence"—Means any offence against this Act, the Army Act, or the Naval Discipline Act.
- "Minister"—Means the Minister for the time being administering this Act. Amended by No. 16, 1918, s. 2.
- "Non-commissioned Officer"—Includes any acting non-commissioned officer and a warrant-officer not holding an honorary commission.
- "Oath"—Includes affirmation in the case of any person who has a conscientious objection to take an oath.
- "Officer"—As regards the Military Forces, means an officer commissioned or in pay as an officer of the Military Forces, and includes an officer appointed or promoted to provisional, probational, or acting rank, and warrant and other officers holding honorary commissions, and as regards the Naval Forces, means any commissioned officer, and includes subordinate and warrant officers, but does not include petty officers.
- "Prescribed"—Means prescribed by this Act.
- "Regulations"—Means regulations made under this Act.
- "Seaman"—Includes any member of the Naval Forces, not being an officer.
- "Soldier"—Includes a non-commissioned officer and every person subject to Military Law, but does not include an officer.
- "Sub-District"—Means a portion of a Military district appointed a sub-district.
- "This Act"—Includes all regulations made under this Act.
- "Time of War"—Means any time during which a state of war actually exists, and includes the time between the issue of a proclamation of the existence of war or of danger thereof and the issue of a proclamation declaring that the war or danger thereof, declared in the prior proclamation, no longer exists.
- "War"—Means any invasion or apprehended invasion of, or attack or apprehended attack on, the Commonwealth or any Territory under the control of the Commonwealth by an enemy or armed force.
- "War Service"—Means active service, any naval or military service in time of war, and any naval or military service between the issue of a proclamation declaring that by reason of the recent existence of a time of war it is necessary in the public interest that the military forces should be temporarily subject to the Army Act, and the issue of a proclamation declaring that such necessity no longer exists. 5. This

Application
of Act

5. This Act shall apply to all the Naval and Military Forces of the Commonwealth, whether existing at the commencement of this Act, or raised thereafter, and to all members thereof, whether appointed or enlisted under this Act, or under any State Act.

State Acts to
cease to apply.

6. The State Acts and the Act of the Federal Council of Australasia specified in the First Schedule shall cease to apply to the Naval and Military Forces of the Commonwealth, or to any member thereof, but this section shall not affect—

- (a) the previous operation of any of those Acts, or any thing duly done or suffered under any of them; or
- (b) any right to appointment or employment in the Public Service of a State conferred by any of those Acts; or
- (c) any penalty, forfeiture, or punishment, incurred in respect of any offence committed against any of those Acts; or
- (d) any investigation, legal proceeding, or remedy in respect of any such penalty, forfeiture, or punishment;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment, may be imposed, as if this section had not been passed.

Act does not
appropriate
money

7. Nothing in this Act shall be taken as an appropriation of any public moneys.

PART II.—ADMINISTRATION.

Power to
appoint
Military
districts,
officers, &c.
Para. II.
omitted, No.
30, 1916, s. 4.
Amended by
No. 12, 1904,
s. 3.

8. The Governor-General may—

- i. Appoint a Military Officer to be Inspector-General of the Military Forces

* * * * *

- iii. Appoint any part of the Commonwealth to be a Military District.

iv. Divide any Military District into sub-districts.

- v. Appoint an officer to be Commandant of any Military District.

vi. Direct what forces shall be established in Military Districts and sub-districts respectively.

- vii. Appoint and promote officers of the Defence Force and issue commissions to them.

viii. Appoint an officer or officers of the Defence Force to command the whole or any portion of the Defence Force in time of war.

Delegation of
power to make
appointments
inserted by
No. 36, 1917,
s. 3.

8A.—(1.) The Governor-General may delegate to the officer in command of any part of the Military Forces when beyond the limits of the Commonwealth power to appoint or promote officers to acting rank in the Military Forces.

(2.) A

(2.) A delegation under this section may be made to an officer orally or by designation of his appointment and may be limited to the officer named or be extended to the person for the time being performing the duties of the appointment or to the successors in command of the officer.

(3.) A delegation shall be revocable at will by the Governor-General and shall not prevent the exercise of any power by the Governor-General.

(4.) The revocation of a delegation shall not affect anything done under the delegation prior to the revocation.

(5.) An officer appointed or promoted to acting rank under the powers conferred by this section shall cease to hold that office if the Governor-General refuses to confirm the appointment or promotion.

(6.) An officer, whose appointment or promotion under this section is confirmed by the Governor-General, shall be deemed to have been appointed or promoted (as the case may be) from the date of his appointment or promotion under the powers conferred by this section.

(7.) Every act, matter, thing, right and liability which by virtue or in consequence of an appointment or promotion to acting rank under this section is done, suffered, acquired or incurred between the time an officer is so appointed or promoted and the time when that officer receives notice of the refusal of the confirmation, shall be as valid and effectual as if it were done, suffered, acquired or incurred by an officer appointed or promoted by the Governor-General to that office.

(8.) Every appointment and promotion of an officer to acting rank made before the commencement of this section by the officer in command of any part of the Military Forces when beyond the limits of the Commonwealth shall be as valid and effectual as if made under this section.

(9.) Any delegation made within three months after the passing of this section may be expressed to take effect from any day before the making of the delegation and, if so expressed, shall take effect accordingly.

9. The Inspector-General shall have such seniority and powers and perform such duties as are prescribed or as the Governor-General directs, and if there is no Inspector-General, or if he is absent from the Commonwealth or unable to exercise his powers or perform his duties those powers or duties may be exercised or performed by any person directed by the Governor-General to exercise or perform them.

Powers and duties of Inspector-General of Military Forces and Director of Naval Forces substituted by No. 12, 1904, s. 4.

10. All officers of the Naval and Military Forces holding office at the commencement of this Act shall continue to hold office as if appointed under this Act.

Amended by No. 30, 1910, s. 4. Continuance of existing officers.

11. In the first appointment of officers preference shall be given, in the case of equality of qualifications, to persons who have served in the Defence Force for three years without a commission.

Preference to be given to persons who have served in the ranks.

11. All

- Promotion from the ranks inserted by No. 15, 1909, s. 4. Amended by No. 30, 1910, s. 4.**
- 11A. All promotions in the Citizen Military Forces to the rank of officer and non-commissioned officer shall be from those who have served in the ranks of the Citizen Military Forces, and the appointments and promotions shall be allotted to those in the next lower grade who are most successful in competitive examinations. The standards and manner of holding such examinations shall be prescribed in the regulations. All books required for such examinations shall be issued to candidates without charge.
- Substituted by No. 36, 1914, s. 2.**
- Provided that the limitation in this section shall not at any time apply to the appointment of officers of the Army Medical Corps, the Army Veterinary Corps, or the Senior Cadets :
- Added by No. 36, 1914, s. 2.**
- Provided further, that, in time of war, notwithstanding anything contained in this Act officers, warrant officers and non-commissioned officers may be appointed and promoted as prescribed by the regulations.
- Ex-member of Defence Force may bring suit for moneys due**
12. Any person who has been a member of the Defence Force may after having ceased to be a member recover from the Commonwealth by suit in any Court of competent jurisdiction any moneys which under his engagement or by any agreement with the Commonwealth are due to him.
- Appointments do not create civil contract.**
13. No appointment or promotion of an officer under this Act shall create a civil contract between the King or the Commonwealth and the person appointed or promoted.
- Provisional appointments Amended by No. 30, 1910, s. 4.**
14. No person shall be appointed an officer in the Active Military Forces until he has passed the prescribed examination, but persons who have not passed that examination for any particular rank may be appointed provisionally as officers of that rank. The requirements of this section may be dispensed with by the Governor-General in the case of persons who are officers of the King's Regular Military Forces.
- Determination of provisional appointments Amended by No. 36, 1917, s. 4. Added by No. 36, 1914, s. 3.**
15. Officers provisionally appointed shall be removed from office if they fail within the prescribed time, not exceeding eighteen months, to pass the examination for the rank to which they have been so appointed :
- Provided that, in time of war, such officers may continue to hold office for such further time (not exceeding a period of eighteen months beyond the termination of the war) as is prescribed.
- Appointments held during pleasure.**
16. Officers shall hold their appointments during the pleasure of the Governor-General, but the commission of an officer shall not be cancelled without the holder thereof being notified in writing of any complaint or charge made and of any action proposed to be taken against him, nor without his being called upon to show cause in relation thereto. Provided that no such notification shall be necessary in the case of an officer absent from duty without leave for a period of three months or upwards.

16A. Notwithstanding

16A. Notwithstanding anything contained in this Act, members of the Citizen Forces who have been employed on active service abroad, upon their return to duty with the Citizen Forces, be given such rank and allotted such regimental seniority as are approved by the Governor-General on the recommendation of the Military Board.

Commissions to members of Citizen Forces who have served abroad. Inserted by No. 36, 1914, s. 4.

17.—(1.) Except during time of war an officer may by writing under his hand tender the resignation of his commission at any time by giving three months' notice.

Resignation of commission.

(2.) Where an officer resigns his commission before completing twelve years' service as an officer, his service as an officer shall not, except under special circumstances as prescribed, be reckoned towards the service required under Part XII. of this Act.

Inserted by No. 37, 1910, s. 2.

18. Warrant officers and non-commissioned officers shall be appointed and shall hold their offices as prescribed.

Appointment of warrant and non-commissioned officers

19.—(1.) The seniority (other than the regimental seniority) of officers in the Active Military Forces in their respective ranks shall be regulated by the date of their appointments, and when appointments are of the same date by their seniority immediately prior to their appointments or in the case of first appointments by the order in which their names appear in the *Gazette* or *Government Gazette* of a State or of a Colony which has become a State in which their appointments are notified.

Substituted by No. 12, 1904, s. 5.

Amended by No. 30, 1910, s. 4.

Seniority of officers

Substituted by No. 12, 1904, s. 6.

Amended by No. 30, 1910, s. 4.

(2.) The regimental seniority of officers shall be as prescribed.

20. The seniority of officers in the Reserve Military Forces shall be as prescribed.

Seniority of officers in Reserve Forces

20A. Notwithstanding anything contained in this Act, an officer who is eligible for promotion to a higher rank, and who has served on active service abroad, shall, other things being equal, be granted preference in promotion to an officer of the same rank who is eligible for promotion to that higher rank, and who has not served on active service abroad.

Amended by No. 30, 1910, s. 4; and by No. 47, 1918, s. 2.

Promotion of returned officers

Inserted by No. 47, 1918, s. 2.

21.—(1.) Except as provided in this section, no officer below the rank of lieutenant-colonel in the Military Forces shall be promoted unless he has previously passed the prescribed examination for promotion to a higher rank.

Promotion of officers.

Amended by No. 30, 1910, s. 4.

(2.) Where an officer has had no opportunity of passing the prescribed examination he may be provisionally promoted subject to his passing such examination within the prescribed time.

21A.—(1.) An officer of the Military Forces, other than an officer of the Cadets, shall not be promoted, except probationally, to any rank higher than that of Captain, until he has passed, as prescribed, a course of practical and theoretical instruction by the members of the General Staff to perfect him in the practice of his own arm of the Forces and to accustom him to the uses and possibilities of the other arms

Promotion to rank above Captain.

Inserted by No. 37, 1910, s. 4.

(2.) An

Promotion to rank above Major

(2.) An officer of the Military Forces shall not be promoted to any rank higher than that of Major, until he has passed, as prescribed, a course of instruction by the members of the General Staff during which he shows himself fitted to command in the field a force of all arms.

Amended by No. 5, 1912, s. 3.

(3.) This section shall not apply to officers who, prior to the first day of January, One thousand nine hundred and eleven, completed the examination for promotion to the rank of Lieutenant-Colonel or Major respectively, or to officers of the Medical, Veterinary, Ordnance, and other Departmental Services.

Added by No. 36, 1914, s. 5.

(4.) In time of war, if the Chief of the General Staff certifies to the Minister that it is impracticable to conduct such courses of instruction as are referred to in sub-sections (1.) and (2) of this section, an officer of the Military Forces may, upon the recommendation of his Commanding Officer, be promoted without having passed those courses

School of Instruction inserted by No. 37, 1910, s. 4.

21B. A Special School of Instruction shall be established for the training of an instructional staff of non-commissioned officers, and all future appointments of persons to act as instructors shall be made from amongst those who have, at the close of the prescribed course, satisfied the Chief of the General Staff or some person duly appointed by him that they are competent :

Amended by No. 36, 1914, s. 6.

Provided that persons who have acted as instructors in the Imperial or Commonwealth Military Forces, or who, having served in the Imperial or Commonwealth Military Forces, satisfy the Chief of the General Staff that they have the necessary qualifications, may be appointed without passing through such course

Appointment or promotion for distinguished service substituted by No. 36, 1917, s. 5.

22.—(1.) The Governor-General may, for distinguished service in time of war or for exceptional gallantry on active service, appoint any person to be an officer or non-commissioned officer or promote an officer or non-commissioned officer in the Citizen Military Forces without his passing the prescribed examination.

(2.) The Governor-General may delegate to any person the power to appoint or promote non-commissioned officers under this section.

(3.) A delegation under this section shall be revocable at will and shall not prevent the exercise of any power by the Governor-General.

Half-pay list Amended by No. 30, 1910, s. 4.

23. The Governor-General may place officers of the Permanent Military Forces on a half-pay list, and such officers may be re-employed with any corps or on the staff, and their seniority shall be as prescribed. No officer shall remain on the half-pay list for a longer period than one year, and if not then re-employed he shall be placed on the unattached list.

Unattached lists.

24. The Governor-General may place officers of the Defence Force upon an unattached list, and, subject to sections fourteen and fifteen of this Act, may appoint fit and proper persons to be officers on that list, and such officers may be employed for duty with any corps or on the staff.

25 The

25. The Governor-General may form a reserve of officers and a Reserve of such officers shall be kept, called the reserve of officers list, and all officers whose names are on that list shall be liable to service as prescribed.

Reserve of officers list

26. The Governor-General may place officers of the Defence Force on retired lists.

Retired list.

27. The ages for the compulsory retirement of officers and members of the Defence Force shall be as prescribed, but in special cases the Governor-General may extend the prescribed age of retirement for a period not exceeding two years.

Compulsory retirement. Discretion to extend

28.—(1.) The Governor-General may constitute a Council of Defence, which shall have such powers and functions as are prescribed.

Council of Defence Substituted by No. 12, 1904, s. 7.

(2.) The Governor-General may constitute a Board of Administration for the Military Forces, to be called the Military Board.

Board of Administration for Military Forces.

(3.) The Military Board shall have such powers and functions as are prescribed.

Amended by No. 30, 1910, s. 4.

* * * * *

PART III.—THE DEFENCE FORCE.

S. 29 repealed by No. 37, 1910, s. 5.

Division 1.—Constitution of the Defence Force.

30. The Defence Force shall consist of the Naval and Military Forces of the Commonwealth, and shall be divided into two branches called the Permanent Forces and the Citizen Forces.

Defence Force

31.—(1.) The Permanent Military Forces shall consist of officers who are appointed officers of those Forces, and of soldiers, who are bound to continuous military service during the continuance of their engagements.

Permanent Forces Amended by No. 15, 1909, s. 5; by No. 30, 1910, s. 4; by No. 37, 1910, s. 6; by No. 5, 1912, s. 4; by No. 36, 1914, s. 7; by No. 3, 1915, s. 3; by No. 36, 1917, s. 6; and by No. 16, 1918, s. 3.

(2.) Except in time of war no Permanent Military Forces shall be raised or organized or, save as mentioned in sub-section (3.) of this section, maintained except for Administrative and Instructional Staffs, including Staff Corps, Aviation, Survey, Army Service, Medical, Veterinary, and Ordnance Corps, Artillery, Fortress Engineers, and Submarine Mining Engineers.

(3.) If the Governor-General by proclamation declares that by reason of the recent existence of a time of war it is necessary in the public interest that Permanent Military Forces should be maintained after the cessation of the time of war, Permanent Forces raised in time of war for purposes other than those specified in sub-section (2.) of this section may be maintained after the time of war and so long as that proclamation remains in force.

Added by No. 16, 1918, s. 3.

* * * * *

32A.—(1.) The Citizen Military Forces shall consist of Active Forces and Reserve Forces.

S. 32 omitted; No. 30, 1910, s. 4.

(2) The

Constitution of Citizen Military Forces.

* Section 2 of the Defence Act 1915 is as follows:—"Section seven of the Defence Act 1914 shall be deemed to have commenced on the first day of August One thousand nine hundred and fourteen."
 † The amendments made by section 6 of the Defence Act 1917 are deemed to have commenced on 1st August, 1914. See Defence Act 1917, s. 6 (2).

Substituted by No. 15, 1909, s. 6.

Penal
 service
 No. 15
 s. 20.
 Amend
 No. 5,
 s. 13,
 No. 36
 s. 12;
 No. 4,
 s. 15.
 Provisi
 omitti
 No. 15,
 Inserte
 No. 5,
 s. 13.

Active Forces.

(2.) The Active Citizen Military Forces shall consist of the Militia Forces, the Volunteer Forces, those undergoing military training under the provisions of paragraph (c) of section one hundred and twenty-five of this Act, and officers on the unattached list

Reserve Forces

(3.) The Military Reserve Forces shall consist of Citizen Forces, and shall include the officers shown on the Reserve of Officers List, the members of Rifle Clubs who are allotted to the Military Reserve Forces, and all those liable to serve in time of war under section fifty-nine of this Act who are not included in the Active Forces

Division 2.—The Raising of the Defence Force and the Enlistment and Discharge of Members thereof

Power to raise Forces.

33. The Governor-General may, subject to the provisions of this Act, raise, maintain, and organize in the manner prescribed such Permanent and Citizen Forces as he deems necessary for the defence and protection of the Commonwealth and of the several States.

Existing Forces to continue

34 The Naval and Military Forces existing at the commencement of this Act shall be deemed to have been raised under this Act, and the members thereof, without any re-appointment, re-enlistment, or the taking of any fresh oath, shall be subject to this Act; but any member thereof (other than a member of the Permanent Forces) may, within three months after the commencement of this Act, retire therefrom on giving fourteen days' notice in writing of his intention to do so

Amend
 No. 47,
 s. 15

Voluntary
 enlistment
 Amended by
 No. 5, 1912,
 s. 6.

35. Except as provided in Parts IV. and XII of this Act the Defence Force shall be raised and kept up by voluntary enlistment only.

Period of
 enlistment
 Amended by
 No. 15, 1909,
 s. 7; by No. 30,
 1910, s. 4; and
 by No 36, 1917,
 s. 7.

36. Persons voluntarily enlisting as members of the Military Forces may be required to engage to serve for a prescribed period:

Provided that the regulations may prescribe that any member of the Defence Force may, at his option, on the expiration of his original enlistment or subsequent re-engagement, re-engage to serve for a further period without any fresh oath of enlistment, subject nevertheless to the veto of the Minister or other authority mentioned in the regulations and to such other conditions as are specified in the regulations, and such member who so re-engages shall sign before his commanding officer an agreement to re-engage in accordance with the said regulations to be indorsed upon or attached to the original oath of enlistment, and such member shall, during the period of such re-engagement, continue to be bound by his original oath of enlistment:

Provided also that, except in time of war, any member who has re-engaged after the completion of his original period of enlistment may claim his discharge under section forty and shall not be required to pay the sum therein prescribed.

37. Every

37. Every person enlisting in the Active Military Forces as a soldier shall take, before an officer or a Justice of the Peace, the oath set forth in the Third Schedule.

Oath to be taken by members of Active Forces. Amended by No. 30, 1910, s. 4. Effect of oath.

38. The oath of enlistment shall bind the person subscribing it to serve in the Defence Force in accordance with the tenor of his oath until he is legally discharged, dismissed, or removed therefrom, or his resignation is accepted.

39.—(1.) Subject to this section, a soldier shall be entitled to be discharged—

Time of discharge, inserted by No. 16, 1918, s. 4.

- (a) if voluntarily enlisted or appointed—upon the expiration of the period for which he is engaged;
- (b) if serving under Part IV. of this Act—when the time of war has ceased to exist; and
- (c) if serving under Part XII. of this Act—upon the expiration of the period during which he is by this Act required to serve.

(2.) A soldier who would, under paragraph (a) or (c) of sub-section (1.) of this section, be entitled to be discharged, shall not be entitled to be discharged—

- (a) in time of war, or
- (b) so long as a proclamation issued under sub-section (3.) of section thirty-one of this Act remains in force.

Provided that any member of an Expeditionary Force raised for service outside Australia in time of war, who returns to Australia after the cessation of the time of war, and while a proclamation issued under sub-section (3.) of section thirty-one of this Act remains in force, and who after arrival at the port of his final disembarkation in Australia makes written application to his commanding officer for his discharge, shall be entitled to be discharged within two months from the date of the making of the application.

(3.) When a soldier becomes entitled to be discharged he shall be discharged with all convenient speed, but until discharged he shall remain a member of the Defence Force.

40. Every voluntarily enlisted soldier of the Active Forces (other than the Permanent Forces) may, except in time of war, or except so long as a proclamation issued under sub-section (3.) of section thirty-one of this Act remains in force, claim his discharge before the expiration of the period of service for which he engaged on the following conditions:—

Discharge of members of Citizen Forces. Amended by No. 30, 1910, s. 4; and by No. 16, 1918, s. 5.

- (a) he shall give three months' notice in writing to his commanding officer of his intention to claim his discharge; and
- (b) he shall, if a member of the Militia Forces, pay such sum not exceeding Two pounds, and if a member of the Volunteer Forces, pay such a sum not exceeding One pound, as may be prescribed, but such payments may, for special reasons, be waived by the officers authorized by the regulations to waive them.

40A. In

Enlistment of persons serving under articles of apprenticeship.
Inserted by No. 47, 1918, s. 4.

40A. In time of war any person who is employed under articles of apprenticeship may, notwithstanding any provision of or obligation under the articles, enlist in the Military Forces, and any person who so enlists shall not be liable, during the period of his service in the Forces, and until a reasonable period thereafter, to be claimed for service under the articles.

Resumption by apprentice of service under articles.
Inserted by No. 47, 1918, s. 4.

40B.—(1) Any person employed under articles of apprenticeship who has in time of war enlisted in the Military Forces shall, upon discharge from the Military Forces, unless the Minister otherwise determines, be entitled, within a period of three months after the date of his discharge, or, in the case of a person discharged before the commencement of this section, within three months after such commencement, to resume his employment under his articles of apprenticeship and the period served by him after discharge shall be deemed to be a continuance of the period served by him prior to enlistment.

(2) If any master, upon the application of an apprentice who is entitled under the last preceding sub-section to resume his employment, refuses to re-employ him, he shall be guilty of an offence.

Penalty: Fifty pounds.

Discharge of members of Reserve Forces
Amended by No. 30, 1910, s. 4 and by No. 16, 1918, s. 6.

41. Every soldier of the Reserve Forces may, except in time of war or except so long as a proclamation issued under sub-section (3.) of section thirty-one of this Act remains in force, claim his discharge before the expiration of the period of service for which he engaged, on giving fourteen days' notice in writing to his commanding officer of his intention to claim his discharge.

Enrolment in Reserve Forces.
Amended by No. 30, 1910, s. 4.

42 Any person who obtains his discharge from the Active Military Forces may be enrolled as a member of the Reserve Forces upon taking, before an Officer or a Justice of the Peace, the oath set forth in the Second Schedule.

Irregular appointments and enlistments
Inserted by No. 36, 1917, s. 8.

42A.—(1.) Every person serving, or in pay, as an officer or soldier in the Military Forces, although not duly appointed or enlisted, shall, while so serving or in pay, be deemed for all purposes of this Act to be an officer or soldier in the branch and of the rank or grade in which he is serving or of the pay of which he is in receipt:

Provided that a person so serving or in pay as an officer, warrant officer, or non-commissioned officer may at any time be ordered to revert to his true rank or grade (if any)

(2) Except in time of war, a person serving or in pay as a soldier within the Commonwealth, but not duly appointed or enlisted, may claim to be discharged, and the claim shall with all reasonable speed be allowed

Provided that until the claim is allowed he shall for all purposes of this Act be deemed to be a soldier in the Military Forces.

Exemption from sitting on juries

43. Members of the Permanent Forces shall be exempt from serving as jurors

44 —(1) The

44.—(1.) The Governor-General may at any time, by order published in the *Gazette*, disband any corps or portion of a corps.

Power to disband substituted by No. 24, 1917, s. 2.

(2.) A soldier may at any time be discharged or dismissed by the Governor-General or as prescribed.

Division 3.—The Service of the Forces.

Permanent Forces.

45. The Permanent Forces shall at all times be liable to be employed on war service and in the defence and protection of the Commonwealth and of the several States.

Permanent Forces may be employed on war service Amended by No. 36, 1917, s. 10.

Citizen Forces.

46.—(1.) The Governor-General may, in time of war, by proclamation, call out the Citizen Forces or any part thereof for war service.

Power to call out Citizen Forces.

(2.) The proclamation shall state the reason for calling out the Forces.

Amended by No. 36, 1917, s. 11.

(3.) If the Parliament is sitting the reason for calling out the Forces shall forthwith be communicated by the Governor-General to both Houses of the Parliament.

(4.) If the Parliament is not sitting at the date of the issue of the proclamation, it shall be summoned to meet within ten days after that date.

Added by No. 12, 1909, s. 2.

47. The Citizen Forces or any part thereof shall be liable to be employed on war service from the time of the publication of the proclamation calling out those Forces or any part thereof for war service until the publication of a proclamation notifying that the war services of those Forces or any part thereof are no longer required.

Citizen Forces liable to war service when called out Amended by No. 36, 1917, s. 12.

* * * * *

S. 48 omitted; No. 30, 1910, s. 4

Military Forces not liable to serve beyond Commonwealth.

49. Members of the Defence Force who are members of the Military Forces shall not be required, unless they voluntarily agree to do so, to serve beyond the limits of the Commonwealth and those of any Territory under the authority of the Commonwealth.

Defence Force not liable to serve beyond Commonwealth

50. Every part of the Citizen Forces employed on war service shall forthwith, after it ceases to be so employed, be returned to the Military district to which it belongs.

Citizen Forces to be returned to districts Amended by No. 36, 1917, s. 13.

Protection of the States against Domestic Violence.

51. Where the Governor of a State has proclaimed that domestic violence exists therein, the Governor-General, upon the application of the Executive Government of the State, may, by proclamation, declare that domestic violence exists in that State, and may call out the Permanent Forces, and in the event of their numbers being insufficient may

Protection of States from domestic violence See sec 119 of the Constitution.

may also call out such of the Militia and Volunteer Forces as may be necessary for the protection of that State and the services of the Forces so called out may be utilized accordingly for the protection of that State against domestic violence :

Added by No. 36, 1914, s. 8.

Provided always that the Citizen Forces of the Commonwealth shall not be called out or utilized in connexion with an industrial dispute.

Division 4.—General Provisions.

Drill and training

52. The Defence Force shall be subject to such drill, training, and inspection, and to such regulations for the discipline and good government of that Force, as are prescribed.

Command of force in time of war

53. In time of war, the Governor-General may, subject to the provisions of this Act, place the Defence Force or any part thereof under the orders of the Commander of any portion of the King's Regular Forces or the King's Regular Naval Forces, as the case may be.

s. 54 omitted; No. 30, 1910, s. 4.

* * * * *

Application of Army Act. Substituted by No. 36, 1917, s. 14.

54A.—(1.) Members of the Military Forces whether on war service or not—

- (a) serving with Imperial Forces outside Australia; or
- (b) on their way from Australia for the purpose of so serving; or
- (c) on their way back to Australia after so serving or after war service,

shall be deemed to be on war service and shall be subject to the Army Act, as if they were part of His Majesty's Regular Land Forces, with such modifications and adaptations as are prescribed.

(2.) Subject to any Imperial Act, members of the Imperial Forces serving in Australia with the Defence Force shall be subject to this Act.

(3.) This section shall be construed as amplifying and not as restricting any of the other provisions of this Act.

Military Forces on war service subject to Army Act. Substituted by No. 36, 1917, s. 15.

55. The Military Forces shall at all times, whilst on war service, whether within or without the limits of the Commonwealth, be subject to the Army Act save so far as it is inconsistent with this Act and subject to such modifications and adaptations as are prescribed, including the imposition of a fine not exceeding Twenty pounds for an offence either in addition to or in substitution for the punishment provided by the Army Act, and the increase or reduction of the amount of a fine provided by the Army Act :

Provided that the regulations shall not increase the fine for any offence so that it exceeds Twenty pounds.

s. 56 omitted; No. 30, 1910 s. 4.

* * * * *

57. When

57. When any member of the Military Forces is killed on war service or on duty, or dies, or becomes incapacitated from earning his living, from wounds or disease contracted on war service or on duty provision shall be made for his widow and family or for himself, as the case may be, out of the Consolidated Revenue Fund at the prescribed rates.

Provision for families of men killed, &c.
Amended by No. 36, 1910, s. 4, and by No. 36, 1917, s. 1A.

58. The commanding officer of every corps or ship's company shall be responsible for the safe keeping and good order of all articles, the property of the Commonwealth, supplied to his corps or ship's company, and the value of any of those articles may, if lost or damaged while in possession of the corps or ship's company otherwise than through fair wear and tear or unavoidable accident, be recovered by the commanding officer by action in any Federal or State Court of competent jurisdiction from the officer or man by whom the loss or damage was occasioned.

Responsibility of commanding officer

PART IV.—LIABILITY TO SERVE IN THE CITIZEN FORCES IN TIME OF WAR.

Amended by No. 15, 1909, s. 10.

59. All male inhabitants of Australia (excepting those who are exempt from service in the Defence Force) who have resided therein for six months and are British subjects and are between the ages of eighteen and sixty years shall, in time of war, be liable to serve in the Citizen Forces.

Persons liable to serve.
Amended by No. 15, 1909, s. 10.

60.—(1.) In time of war it shall be lawful for the Governor-General, by proclamation, to call upon all persons liable to serve in the Citizen Forces to enlist and serve as prescribed.

Calling out of the Reserves substituted by No. 15, 1909, s. 11; and amended by No. 47, 1918, s. 5.

(2.) A proclamation under the last preceding sub-section may call upon all the persons liable to service in any military district or sub-district, who are specified in any one or more of the classes hereunder set out, so to enlist, but so that the persons specified in any class in that district or sub-district shall not be called upon to enlist until all the persons in that district or sub-district who are specified in the preceding classes are or have been called upon.

(3.) The classes referred to in this section are as follow:—

Class I.—All men of the age of eighteen years and upwards but under thirty-five years, who are unmarried, or widowers without children;

Class II.—All men of the age of thirty-five years and upwards but under forty-five years, who are unmarried, or widowers without children;

Class III.—All men of the age of eighteen years and upwards but under thirty-five years, who are married, or widowers with children;

Class IV.—All men of the age of thirty-five years and upwards but under forty-five years, who are married, or widowers with children; and

Class V.—All men of the age of forty-five years and upwards but under sixty years. (3A.) Notwithstanding

Added by
No. 47, 1918,
s. 5.

(3A.) Notwithstanding anything contained in this section the Governor-General may by proclamation—

- (a) subject to the conditions specified in the proclamation, temporarily exempt from service or postpone the service of any persons called upon, in pursuance of this section, to enlist and serve; and
- (b) divide, according to age, any class mentioned in sub-section (3.) of this section, and call upon such divisions of any class as he considers necessary.

(4.) If the Parliament is not sitting at the date of the issue of the proclamation, it shall be summoned to meet within ten days after that date.

Persons exempt
from service
Substituted by
No. 37, 1910,
s. 7; and
amended by
No. 47, 1918,
s. 6.

61 — (1.) The following shall be exempt from service in time of war, so long as the employment, condition, or status on which the exemption is based continues —

- (a) Persons reported by the prescribed medical authorities as unfit for any naval or military service whatever; and
- (b) Members and officers of the Parliament of the Commonwealth or of a State; and
- (c) Judges of Federal or State Courts, and police, stipendiary or special magistrates of the Commonwealth or of a State; and
- (d) Ministers of Religion; and
- (e) Persons employed in the police or prison services of the Commonwealth or of a State; and
- (f) Persons employed in lighthouses; and
- (g) Persons employed as medical practitioners or nurses in public hospitals; and
- (h) Persons who are not substantially of European origin or descent, of which the medical authorities appointed under the Regulations shall be the judges; and
- (i) Persons who satisfy the prescribed authority that their conscientious beliefs do not allow them to bear arms, and
- (j) Persons engaged in any employment specified by the Regulations or by Proclamation:

Provided that, as regards the persons described in paragraphs (h) and (i) of this section, the exemption shall not extend to duties of a non-combatant nature.

Added by
No. 47, 1918,
s. 6.

(2.) Every person who is called upon to enlist and serve in pursuance of section sixty of this Act and who is by virtue of this section exempt from service shall, notwithstanding such exemption, do all things required to be done by a person liable to enlist and serve:

Provided that any such person (unless exempt by virtue of paragraph (h) or (i) of the last preceding sub-section) shall not, until he ceases to be exempt, be required to take the oath of enlistment.

61A. Where

61A. Where any question arises as to whether a person is exempt from service in the Citizen Forces, the burden of proving the exemption shall rest on the person claiming the exemption, and applications for exemption shall be decided by the Courts authorized in that behalf by the Regulations.

Burden of proving exemption.
Substituted by No. 37, 1910, s. 7.

PART V.—CADETS.

62.—(1.) All those liable to be trained as Junior Cadets shall be trained as prescribed :

Cadets.

Provided that where the required training is given by the masters of schools to the satisfaction of the prescribed officer, that training may be accepted as sufficient.

Substituted by No. 16, 1909, s. 12.

(2.) All those liable to be trained as Senior Cadets shall be allotted to the Naval or Military Forces, and shall be trained as prescribed in elementary naval or military exercises and in musketry, and shall be organized in naval or military units.

Training of Cadets
Substituted by No. 47, 1910, s. 7.

(3.) Uniform shall not be worn by Junior Cadets. Senior Cadets shall wear such uniform as is prescribed.

Uniform

(4.) Officers and non-commissioned officers of Junior and Senior Cadets shall be appointed as prescribed, and without regard to the conditions prescribed for the corresponding ranks of the Citizen Forces.

Officers and N C O's.

(5.) All Cadets in a military district shall be under the orders of the Military Commandant of that district, excepting such as are allotted to the Naval Forces, who shall be under the orders of the Naval Commandant.

Commandants

(6.) Commissioned rank in the Junior and Senior Cadets shall be deemed honorary rank in the Defence Force, but shall not confer any right to any command in the Defence Force.

Commissioned ranks.

(7.) A person who has served as officer in the Senior Cadets shall be eligible, on an equality with persons who have served for three years in the ranks of the Defence Force, to be appointed lieutenant in the Citizen Forces, if his appointment as officer in the Senior Cadets was promotion from the ranks in a manner similar to that prescribed under section eleven A of this Act.

Eligibility of Senior Cadet Officers
Added by No. 37, 1910, s. 8.
Amended by No. 3, 1915, s. 5.

(8.) Officers of the Senior Cadets, on becoming liable for service in the Citizen Forces under the provisions of paragraphs (c) and (d) of section one hundred and twenty-five of this Act, may continue to serve as officers in the Senior Cadets for such time and under such conditions as may be prescribed, and such service shall be in lieu of service in the Citizen Forces.

Officers may continue to serve in Senior Cadets.
Added by No. 5, 1912 s. 8.

PART

PART VI.—SPECIAL POWERS IN RELATION TO DEFENCE.

General powers for defence purposes
 Para. (a) omitted; No. 30, 1910, s. 4.
 Amended by No. 15, 1909, s. 13; and No. 37, 1910, s. 9.

63.—(1.) The Governor-General may—

* * * * *

- (b) Construct and maintain forts and defence works;
- (c) Lay down mines;
- (d) Establish and maintain arms and ammunition factories;
- (da) Establish and maintain factories for the manufacture of naval and military equipment and uniforms;
- (db) Authorize the employment of persons in a civil capacity for any purpose in connexion with the Defence Force, or in any factory established in pursuance of this Act;
- (dc) Establish and maintain horse depôts, and farms and stations for the breeding of horses; and
- (e) Acquire, construct, and maintain artillery and rifle ranges; and
- (f) Subject to the provisions of this Act do all matters and things deemed by him to be necessary or desirable for the efficient defence and protection of the Commonwealth or of any State.

Inserted by No. 37, 1910, s. 9.

(2.) Persons employed in a civil capacity in pursuance of this section shall not be subject to the *Commonwealth Public Service Act* 1902, but shall be engaged for such periods and shall be subject to such conditions as are prescribed.

Amended by No. 36, 1917, s. 17.

(3.) All appointments in the Department of Defence (other than appointments of persons in a civil capacity in pursuance of this section and such appointments to the Clerical staff of the Central Administration, Pay, and Ordnance Branches, as ought in the opinion of the Governor-General to be under the *Commonwealth Public Service Act* 1902) shall be appointments in the Naval or Military Defence Forces, and members of the Permanent Naval or Military Forces who have served not less than five years therein or have served on active service as prescribed shall, in cases of equality of qualifications, have preference over other applicants for those appointments.

Control of railways in time of war.
 Amended by No. 12, 1904, s. 8.
 Railways to carry troops, &c., when required.

64. The Governor-General may in time of war authorize any officer to assume control of any railway for transport for naval or military purposes.

65. The principal railway official in any State or the owner, controller, or manager of any railway or tramway in any State shall when required by the Governor-General, and as prescribed, convey and carry members of the Defence Force, together with their horses, guns, ammunition, forage, baggage, and stores from any place to any place on the railway or tramway, and shall provide all engines, carriages trucks, and rolling-stock necessary for the purpose.

Conveyance by railway and tramway.

66. Members of the Defence Force when on duty in uniform or carrying a rifle shall, subject to the Regulations, be conveyed over the railways and tramways of the Commonwealth or of any State for the purpose of attending musters, parades, and rifle practices, and returning therefrom, on production of a pass signed by a District Commandant or commanding officer, or other officer deputed by either of them

67. The

67. The owner of any vehicle, horse, mule, bullock, aerial machine, boat or vessel, or of any goods, required for naval or military purposes, shall, when required to do so by an officer authorized in that behalf by the regulations, furnish it for those purposes, and shall be recompensed therefor in the manner prescribed, and the owners of any vehicles, horses, mules, bullocks, aerial machines, boats or vessels may be required by the regulations to register them periodically.

Registration and impressment of vehicles, &c. Substituted by No. 15, 1909, s. 14. Amended by No. 5, 1912, s. 7.

68. Members of the Defence Force may in time of war as prescribed be billeted, quartered, or cantoned, but nothing in this Act shall authorize the quartering or billeting of any member of the Defence Force in any house solely occupied by women or by women and children.

Billeting and quartering.

69.—(1.) The Governor-General may give a general or particular authority to the Defence Force, or any part thereof, to enter upon and survey any lands or use them for training, manœuvres, or other naval or military exercises or purposes, and compensation shall be made, in the manner prescribed, for any damage or loss sustained by the owner or occupier of the lands, by reason of such entry survey or use.

Authority to enter lands for training. Substituted by No. 16, 1909, s. 15.1. Amended by No. 3, 1915, s. 6.

(2.) Any person who removes or interferes with any survey mark placed upon any land by any member of the Defence Force, who has surveyed the land in pursuance of sub-section (1.) of this section shall be guilty of an offence.

Added by No. 3, 1915, s. 6.

Penalty: Twenty pounds

70. No toll or due, whether demandable by virtue of any Act or State Act or otherwise, at any wharf, landing place, bridge, gate, or bar on a public road shall be demanded or taken in respect of—

Tolls.

- (a) Any member of the Defence Force on march or duty or any prisoner under his charge
- (b) Any horse ridden or used by any member of the Defence Force on march or duty or by any prisoner under his charge;
- (c) Any vehicle employed only in conveying members of the Defence Force on march or duty or any prisoner under their charge or conveying naval or military arms stores or baggage; or
- (d) Any animal drawing any such vehicle.

71. The officer in charge of any artillery or rifle range may stop all traffic, during artillery or rifle practice, on any road or water-way crossing the line of fire or in dangerous proximity thereto.

Stopping traffic

72. No ships boats or person shall come or remain within the prescribed distance of any ship battery gun or person engaged in artillery or rifle practice, or shall remain in any position so as to obstruct such practice.

Regulations as to traffic. Amended by No. 15, 1909, s. 16.

Penalty: Fifty pounds.

PART

PART VII.—OFFENCES.

Falsifying pay rolls
Substituted by
No. 38, 1917,
s. 18.

73.—(1.) Any member of the Defence Force who—

- (a) except as prescribed, knowingly claims pay on account of any drill with his corps for any man belonging to any corps; or
- (b) knowingly claims pay for any member of the Defence Force not present; or
- (c) knowingly includes in any parade state, or other return, the name of any person who is not a member of the Defence Force,

shall be guilty of an offence.

Claiming or receiving pay improperly.

(2.) Any member of the Defence Force who—

- (a) except as prescribed, knowingly claims or receives pay on account of any drill performed in any corps, other than his own proper corps; or
- (b) knowingly claims or receives pay on account of any drill or duty not performed,

shall be guilty of an offence.

Fraudulently obtaining or retaining pay

(3.) Any member of the Defence Force who—

- (a) knowingly obtains by means of any false pretence any pay or money belonging or payable to any other member of the Defence Force; or
- (b) knowingly retains or keeps in his possession with intent to apply it to his own use any pay or money belonging or payable to any other member of the Defence Force,

shall be guilty of an offence.

Unlawfully giving or obtaining information as to defences
Inserted by
No. 38, 1917,
s. 18.

73A.—(1.) Any member of the Defence Force or officer in the Public Service of the Commonwealth who communicates to any person otherwise than in the course of his official duty any plan, document, or information relating to any fort, battery, field work, fortification, or defence work, or to any defences of the Commonwealth, or to any factory, or any other naval or military information, shall be guilty of an offence.

(2.) Any person who unlawfully obtains any plan, document, or information relating to any fort, battery, field work, fortification, or defence work, or to any of the defences of the Commonwealth or any other naval or military information, shall be guilty of an offence.

Falsifying and forging parade states, orders, &c.
Inserted by
No. 38, 1917,
s. 18.

73B. Any person who—

- (a) knowingly signs a false parade state roll or pay list or return; or
- (b) forges or utters, knowing it to be forged, any warrant or order under this Act; or
- (c) falsely personates any other person at any parade or on any occasion when the latter is required by this Act to do any act or to attend at any place,

shall be guilty of an offence.

73C.—(1) Any

73c.—(1.) Any contractor, purveyor or other person, and any employee of a contractor, purveyor or other person, who fraudulently supplies to the Commonwealth or any officer of the Commonwealth for use by the Defence Force—

Supplying inferior provisions, material or equipment. Inserted by No. 38, 1917, s. 18.

- (a) any article of food which is inferior in quality to or less in quantity than that specified in the contract, agreement or order under which it is to be supplied ; or
- (b) any material, equipment, or beast of draught or burden which is inferior to that specified in the contract, agreement or order under which it is to be supplied,

shall be guilty of an offence.

(2.) Any officer of the Commonwealth who fraudulently receives for use by the Defence Force any article of food, or any material, equipment, or beast of draught or burden supplied in contravention of this section, shall be guilty of an offence.

73d. The punishment for an offence against any of the four last preceding sections shall be as follows :—

Penalty. Inserted by No. 38, 1917, s. 18.

- (a) if the offence is prosecuted summarily—a fine not exceeding Twenty pounds or imprisonment for a term not exceeding six months ;
- (b) if the offence is prosecuted upon indictment—imprisonment with or without hard labour for any term not exceeding three years.

74.—(1.) Any person, of whom information is required by any officer or person in order to enable him to comply with the provisions of this Act relating to enlistment or enrolment, who refuses or neglects (without just cause, proof whereof shall lie upon him) to give such information, or gives false information, shall be guilty of an offence.

Refusing required information or giving false information. Amended by No. 38, 1917, s. 19

Penalty : Imprisonment for twelve months or Twenty pounds for each item of information demanded and refused or neglected to be given or falsely given, or both.

(2.) Any person appointed in that behalf who (without just cause, proof whereof shall lie upon him) refuses or neglects to make any enrolment, or to make or transmit, in the prescribed manner, any prescribed roll or return, or copy thereof, shall be liable to a penalty not exceeding Fifty pounds.

Refusing to make enrolment

(3.) Where an offence against this section is tried by court-martial the court may, in lieu of sentencing the offender to imprisonment sentence him to detention for the same period as that for which he might have been sentenced to imprisonment or for any less period.

Added by No. 33, 1917, s. 19.

75. Any person who—

- (a) when called upon in pursuance of this Act to enlist, fails to attend at the time and place appointed for medical examination or enlistment ; or
- (b) counsels

Resisting draft, &c. Substituted by No. 47, 1918, s. 2.

- (b) counsels or aids any person, who is liable to enlist in the Defence Force, to fail to enlist or to evade enlistment; or
- (c) counsels or aids any person who has enlisted or who is liable to enlist in any part of the Defence Force not to perform any duty he is required by this Act to perform; or
- (d) conceals or assists in concealing any person who is liable to enlist in the Defence Force,

shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for six months, or both.

When drafted, refusing to be sworn, &c.—
Punishment
Amended by
No. 47, 1918,
s. 9.

76. Any man who has enlisted or who is liable to enlist for service in the Defence Force and who refuses or neglects to take the oath set out in the Third Schedule, when tendered to him by a Justice of the Peace, or by an officer, shall be guilty of an offence.

Penalty: Imprisonment for six months.

Offences connected with desertion—
Punishment
Amended by
No. 47, 1918,
s. 10.

77. Any person who—

- (a) procures or persuades any member of the Defence Force to desert; or
- (b) aids or assists any member of the Defence Force in deserting; or
- (c) knowing any person to be a deserter from the Defence Force, conceals him or aids or assists him in concealing himself,

shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for six months, or both.

Absence for more than seven days deemed to be desertion
Substituted by
No. 36, 1917,
s. 20.

78. Any member of the Citizen Military Forces who, having been required to serve pursuant to a proclamation made under Part III. of this Act, and any person who, having been required to serve pursuant to Part IV. of this Act, absents himself without leave for a longer period than seven days from his corps or from the place at which he should be present, shall be deemed to be a deserter and shall be liable to the punishment provided for desertion, by the Army Act.

Unlawfully disposing of arms, &c.
Amended by
No. 15, 1909,
s. 17; and by
No. 36, 1914,
s. 9.

79.—(1.) Any person who—

- (a) unlawfully disposes of or removes or
- (b) fails to deliver up when lawfully required so to do or
- (c) has in his possession, except for lawful cause (the proof of which shall lie upon him),

any arms accoutrements or other naval or military articles belonging to the Commonwealth or to any corps, shall be liable to a penalty not exceeding Twenty pounds, and may be ordered by the Court by which he is tried to be imprisoned for a period not exceeding three months unless in the meantime he delivers up the article or pays its value.

(2.) When

(2.) When an order has been made under this section the Court may by warrant in writing authorize any member of the Police Force of the Commonwealth or of a State or part of the Commonwealth to take possession of the article and to deliver it to an officer or as the Court thinks fit to direct.

Added by No. 15,
1909, s. 17.

(3.) Any member of the Police Force of the Commonwealth or of a State or part of the Commonwealth having any warrant under this section may in the day-time enter any building, premises, or place where the article is or is supposed to be, and may break open any part of the building, premises, or place, or any chest, receptacle, or thing therein, and may seize or take possession of the article and deliver it in accordance with the warrant.

80. Any person who fraudulently personates or represents himself to be a member of the Defence Force, with the intent to obtain free conveyance by any railway or tramway or to evade payment of any toll or due, shall be liable to a penalty not exceeding Ten pounds.

Penalty for
personating

80A.—(1.) Any person who falsely represents himself to be a returned soldier or sailor shall be guilty of an offence.

Falsely
representing to
be returned
soldier or
sailor

Penalty: One hundred pounds or imprisonment for six months or both.

Inserted by
No. 36, 1917,
s. 21.

(2.) For the purposes of this section—

(a) "returned soldier" means a person who has served abroad during any war as a member of any Military Force raised in Australia or in any other part of the British Empire, or, during the present war, as a member of the Military Forces of any Ally of Great Britain; and

(b) "returned sailor" means a person who has served abroad during any war as a member of any Naval Force raised in Australia or in any other part of the British Empire, or, during the present war, as a member of the Naval Forces of any Ally of Great Britain.

(3.) In any proceedings for an offence against this section the averment of the prosecutor that the defendant is not a returned soldier or sailor shall be deemed to be proved in the absence of proof to the contrary.

80B.—(1.) A person shall not, except as allowed by this Act, sell, exchange, pledge or otherwise dispose of in any manner whatsoever (whether for valuable consideration or not) any military decoration conferred on him.

Disposal of
decorations
prohibited
Inserted by
No. 36, 1917,
s. 21.

Penalty: Twenty pounds.

(2.) Nothing in this section shall prevent the disposal of decorations to the Commonwealth Government.

80c. Any

Receiving of decorations prohibited
Inserted by No. 36, 1917, s. 21.

80c. Any person (other than a member of the family or the banker of the person on whom any military decoration was conferred) who has in his possession, during the lifetime of the person on whom the military decoration was conferred, a military decoration conferred on that person, shall be guilty of an offence.

Penalty: Twenty pounds.

Buying or receiving in exchange decorations.
Inserted by No. 36, 1917, s. 21.

80d. A person shall not, during the lifetime of the person on whom it was conferred, buy, or receive in exchange, or receive by way of pledge or otherwise, any military decoration conferred on that person.

Penalty: Twenty pounds.

Unlawfully wearing decorations.
Inserted by No. 36, 1917, s. 21.

80e.—(1.) A person shall not, unless lawfully entitled thereto (proof whereof shall lie upon him), wear or make use of any military decoration.

Penalty: Twenty pounds.

(2.) Nothing in this section shall prevent a female relative of the person upon whom a military decoration has been conferred from wearing the decoration after the decease of that person.

Forfeiture.
Inserted by No. 36, 1917, s. 21.

80f. Every military decoration, which is proved on the trial of any person in possession thereof for an offence against this Act to have been sold, exchanged, pledged, or otherwise disposed of in contravention of this Act, shall be forfeited to the King, and may, without warrant, be seized by any member of the police force of the Commonwealth, or of a State or Territory, for delivery to the Department of Defence.

Minister may grant permits
Inserted by No. 36, 1917, s. 21.

80g.—(1.) The Minister may grant permits, in writing, subject to such conditions and restrictions as he thinks fit to impose, to public institutions or *bonâ fide* collectors to acquire and retain military decorations, or to persons licensed under any State law relating to pawnbroking to dispose of decorations in their possession at the time of the passing of this section.

(2.) Subject to the conditions and restrictions contained in the permit being complied with, the provisions of this Act relating to military decorations shall not apply to the disposition or acquisition of any decorations under this section.

Disposition by will or devolution.
Inserted by No. 36, 1917, s. 21.

80h. Nothing in this Act shall prevent the disposition by will or the acquisition by devolution of law in the case of intestacy of any military decoration.

Defacing or melting decorations.
Inserted by No. 36, 1917, s. 21.

80i. A person shall not deface or destroy, by melting or otherwise, any military decoration.

Penalty: Twenty pounds.

Obstructing drill, &c.

81. Any person who unlawfully obstructs or interferes with any portion of the Defence Force, or any member thereof, in the performance of any naval or military service or duty, shall be liable to a penalty not exceeding Twenty pounds.

82.—(1.) Any

82.—(1.) Any person who, without lawful authority, makes or attempts to make any sketch drawing photograph picture or painting of any fort battery fieldwork fortification or any naval or military work of defence in the Commonwealth or of any portion thereof shall be liable to a penalty not exceeding One hundred pounds or, at the discretion of the Court, to be imprisoned, with or without hard labour, for any period not exceeding six months; and all sketches, drawings, photographs, pictures, and paintings, and all tools and all materials or apparatus for sketching, drawing, photographing, or painting found in his possession, shall be forfeited and may be destroyed, sold, or otherwise disposed of as the Governor-General directs.

Sketching, &c., of fortifications prohibited.

Penalty for offending against provisions.

(2.) Any person who, without lawful authority, enters or approaches any fort battery fieldwork fortification or any naval or military work of defence with sketching drawing photographing or painting materials or apparatus in his possession, with the intention of committing any breach of the provisions of this section, shall be liable to a penalty not exceeding Fifty pounds, and all tools and materials or apparatus for sketching drawing photographing or painting found in his possession shall be forfeited and may be destroyed, sold, or otherwise disposed of, as the Governor-General directs.

Penalty in case of person found in or near forts with drawing materials, &c.

(3.) Any person who trespasses on any fort battery fieldwork fortification or any naval or military work of defence, or on any land reserved for or forming part thereof, and whether any erection fortification or work of any kind is thereon or not, or any building or land reserved or set apart for or used in connexion with the administration, accommodation, or training of any part of the Defence Force, shall be liable to a penalty not exceeding Twenty pounds.

Penalty in case of persons trespassing Amended by No. 36, 1917, s. 22.

(4.) Any member of the Defence Force, or of the Police Force of the Commonwealth or of the State, may, without warrant, arrest any person who he has reasonable ground to believe has committed an offence against this section, and take him before a Court of summary jurisdiction to be dealt with according to law.

83. Any person who, not being a member of the Defence Force, wears any uniform of the Defence Force, or any colourable imitation thereof, shall be liable to a penalty not exceeding Ten pounds.

Penalty for making use of uniform

Provided that this section shall not prevent any person from wearing any such uniform in the course of a stage play, a music hall or circus performance, a ball, or a *bonâ fide* military representation.

84. Any person who wears any uniform of the Defence Force, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform, in such a manner or under such circumstances as to be likely to bring contempt upon that uniform, or employs any other person so to wear that uniform or dress shall be liable to a penalty not exceeding Twenty pounds.

Penalty for bringing contempt on uniform

85. Any person who contravenes any provision of this Act, or the Regulations, shall, when no other penalty is provided, be liable to a penalty not exceeding Ten pounds for each offence.

Penalty for contravening the Act in any way. Amended by No. 47, 1918, s. 11.

PART

PART VIII.—COURTS-MARTIAL.

Power to constitute courts-martial. Amended by No. 36, 1917, s. 23.

86.—(1.) The Governor-General may—

- (a) Convene courts-martial;
- (b) Appoint officers to constitute courts-martial; and
- (c) confirm the finding, or finding and sentence of any court-martial, or in the case of a military court-martial send back the finding and sentence or either of them for revision;
- (d) mitigate or remit the punishment or any part of the punishment awarded by any sentence, or commute the punishment for any less punishment to which the offender might have been sentenced by the court-martial; and
- (e) suspend the execution or currency of any sentence on such terms and conditions (if any) as he thinks fit.

Added by No. 36, 1917, s. 23.

(2.) Nothing in this section shall affect the powers conferred by the Army Act in regard to the Military Forces or the Naval Discipline Act in regard to the Naval Forces of convening courts-martial and confirming the findings and sentences of those courts.

Powers may be delegated

87.—(1.) The Governor-General may delegate any of his powers under the preceding section, either generally or in relation to any particular case or class of cases, or to any Military District or sub-district.

Delegation to be revocable

(2.) The delegation shall be revocable by the Governor-General at will, and shall not prevent the exercise of any power by the Governor General.

(3.) No revocation of a delegation shall affect anything done under the delegation prior to the revocation.

Laws applicable to courts-martial. Substituted by No. 36, 1917, s. 24.

88. Except so far as is inconsistent with this Act, the laws and regulations for the time being in force in relation to the composition, procedure (including the reception of evidence) and powers of courts-martial in the King's Regular Land Forces, the revision, confirmation, effect and consequences of the findings and sentences of such courts-martial, and the mitigation, remission and commutation of the sentences thereby imposed, shall apply to courts-martial in the Military Forces and their findings and sentences, and the like laws and regulations in relation to the King's Regular Naval Forces shall similarly apply in the case of the Naval Forces.

Contempt of court.

89. Any person who wilfully interrupts or disturbs the proceedings of a court-martial, or uses insulting language towards the court or the members thereof, or who by writing or speech uses words calculated to improperly influence the court or the members thereof or the witnesses before the court, shall be guilty of contempt of court, whether the act committed was committed in the court or outside the court.

90.—(1.) No

90.—(1.) No person, other than a member of the Defence Force, or a person liable to trial by court-martial, shall be proceeded against before a court-martial for contempt of court.

Court-martial not to punish civilians for contempt
Substituted by No. 36, 1917, s. 25.

(2.) If a person, not being a member of the Defence Force, commits any act amounting to contempt of court within the view or hearing of a court-martial he may forthwith be arrested pursuant to the order of the President of the court-martial, and taken before a civil court having jurisdiction to try him for the offence to be dealt with according to law.

(3.) Nothing in this section or in sections ninety-one, ninety-two or ninety-five shall prevent the application to a member of the Defence Force on war service of any provision of the Army Act or of the Naval Discipline Act (as the case may be).

91. Contempt of court shall be punishable as follows :—

- (a) On conviction before a court martial or court of summary jurisdiction by fine not exceeding Twenty pounds or by imprisonment or detention not exceeding two months ;
- (b) On conviction before the High Court or a Justice thereof or a Supreme Court or a Judge thereof by fine or imprisonment or detention in the discretion of the court.

Punishment for contempt of court.
Amended by No. 36, 1917, s. 28.

92. A court-martial may, by writing under the hand of the President, order any member of the Defence Force or a person liable to trial by court-martial, guilty of contempt of court within the hearing or view of the court, to be imprisoned with or without hard labour or to undergo detention for a period not exceeding twenty-one days.

Contempt by members of Defence Force
Substituted by No. 36, 1917, s. 27. -

93. Members of the Permanent Forces may be ordered to attend any court-martial to give evidence and produce documents.

Members of Permanent Forces to attend court-martial if ordered
Power to summon witnesses

94. A court-martial or the president may summon witnesses to give evidence and produce documents, or may require any person other than the accused to give evidence and produce documents.

95. Every person who has been lawfully ordered or summoned to attend a court-martial to give evidence or produce documents, and who not being a member of the Permanent Forces has been paid or tendered reasonable expenses of his attendance, or who is before the court and who without just cause (proof whereof shall lie upon him)—

Penalty for disobedience to summons

- (a) Disobeys the order or summons to so appear ; or
- (b) Refuses to be sworn as a witness ; or
- (c) Refuses or fails to answer any question which he is required by the court to answer ; or
- (d) Refuses or fails to produce any documents which he is required by the court to produce

shall be liable to a penalty not exceeding One hundred pounds.

96. Every

Counsel allowed.
Amended by
No. 38, 1917,
s. 28.

96. Every person who is tried by court-martial may be assisted in his defence by counsel. And if the offence charged be punishable by death he shall be entitled to be defended by counsel assigned by and at the expense of the Crown unless on war service the authority convening the court or the President thereof, by writing under his hand (which shall be conclusive) declares that military exigencies or the necessities of discipline (the nature of which exigencies or necessities shall be specified in the declaration) render it impossible or inexpedient to procure the attendance of counsel.

Powers of court-martial as to sentencing
Amended by
No. 38, 1917,
s. 28.

97. Every court-martial may sentence any member of the Defence Force found guilty of any naval or military offence to the punishment provided for the offence and may in addition—

- (a) Dismiss or discharge him from the Defence Force ; or
- (b) Forfeit his seniority of rank or reduce his grade or rank ; and
- (c) Order him to pay such amount as is sufficient to make good any loss of or damage to any article vested in the Commonwealth or in the commanding officer of his corps occasioned by his wilful default or neglect and any expenses occasioned by the offence.

Sentence of death in certain cases only—subject to approval of Governor-General.

98. No member of the Defence Force shall be sentenced to death by any court-martial except for mutiny, desertion to the enemy, or traitorously delivering up to the enemy any garrison, fortress, post, guard, or ship, vessel, or boat, or traitorous correspondence with the enemy ; and no sentence of death passed by any court-martial shall be carried into effect until confirmed by the Governor-General.

Proceedings to be preserved.
Amended by
No. 12, 1904,
s. 9.

99.—(1.) The proceedings of a court-martial, other than a regimental court-martial, shall after promulgation be forwarded to the Minister for transmission to the Attorney-General for record.

(2.) The proceedings of a regimental court-martial, after promulgation, shall be preserved for not less than three years in the office of the District Commandant of the Military District in which the corps of the accused was stationed.

(3.) Any person who has been tried by a court-martial shall be entitled, within six months from the date of the final decision, to a copy of the proceedings on payment of the prescribed fee.

Proceedings of Court not void for form, no certiorari

100. No proceedings of any court-martial constituted or appointed under this Act shall be set aside or deemed void for want of form, or be removed by *certiorari* or otherwise into any civil Court.

PART IX.—LEGAL PROCEDURE.

Summary conviction.

101. All offences against this Act, other than indictable offences, shall be punishable on summary conviction.

Members of Defence Force may be tried by civil court
Amended by
No. 38, 1917,
s. 30.

102. Any member of the Defence Force charged with any offence against this Act (whether committed before or after he became a member) may be tried and punished either by court-martial or by a civil Court.

103.—(1.) A

103.—(1.) A person shall not be tried by court-martial for any offence against the Army Act or the Naval Discipline Act, except mutiny, desertion, or fraudulent enlistment, unless the trial begins within three years after the commission of the offence.

Time for commencing prosecutions before courts-martial. Substituted by No. 36, 1917, s. 31.

(2.) A person shall not be tried by court-martial for an offence against this Act, except mutiny, desertion or fraudulent enlistment or an indictable offence, unless the trial begins within three years after the commission of the offence.

(3.) A person charged with any naval or military offence, except mutiny, desertion, or fraudulent enlistment, committed while a member of the Defence Force, may, subject to this section, if committed when not on war service, be tried and punished by court-martial if the trial begins while he remains a member or within six months after he ceases to be a member, or, if committed when on war service, if the trial begins while he remains on war service or within six months after he ceases to be on war service.

* * * * *

Section 104 repealed by No. 36, 1917, s. 31. Trial for desertion at any time

105. Any person who is or has been a member of the Defence Force may be tried at any time by court-martial for the offence of desertion.

106. Where the punishment for any offence against the Army Act or the Naval Discipline Act is penal servitude the court may, in lieu of sentencing the offender to penal servitude, sentence him to imprisonment with or without hard labour for the same period as that for which he might have been sentenced to penal servitude or for any less period.

Imprisonment may be awarded in lieu of penal servitude

107. The amount of any pecuniary penalty incurred or of any sum of money ordered by any Court to be paid by any member of the Defence Force in respect of any naval or military offence may be deducted from any pay due or which subsequently becomes due to the offender.

Deduction of penalty from pay

108.—(1.) The regulations may authorize the officer commanding any corps or ship to punish offences against this Act or the regulations committed when not on war service by any member of the Defence Force by a fine not exceeding Five pounds, and also in case of the Permanent Forces by forfeiture of not more than fourteen days' pay, or by confinement to barracks or on board ship for any period not exceeding twenty-one days, seven days of which may be imprisonment or detention, and also in the case of the Citizen Forces by reduction in rank or dismissal.

Certain officers may punish. Amended by No. 36, 1914, s. 10; and by No. 36, 1917, s. 32.

(2.) Except when on war service, a member of the Defence Force, before being dismissed or reduced, may, if he so requests, be tried by court-martial.

Added by No. 36, 1917, s. 32.

(3.) When on war service commanding officers shall have all the powers conferred by the Army Act and the Naval Discipline Act respectively subject to such modifications and adaptations as are prescribed.

Added by No. 36, 1917, s. 32.

109.—(1.) A

Time for commencement of prosecutions. Substituted by No. 36, 1914, s. 11. Amended by No. 36, 1917, s. 33.

109.—(1.) A civil prosecution for any offence, other than an indictable offence, may be commenced at any time within one year after the commission of the offence.

(2.) Nothing in this section shall limit the right to take proceedings by way of civil action in relation to any property of the Commonwealth or of any corps.

On whose complaint prosecutions may be brought. Substituted by No. 5, 1912, s. 6. Amended by No. 36, 1917, s. 34.

110.—(1.) A civil prosecution for an offence against this Act or the Regulations may be brought in any Court of summary jurisdiction.

(2.) A civil prosecution against an officer of the Military Forces shall be brought by or by the authority of the District Commandant.

(3.) A civil prosecution against an officer of the Naval Forces shall be brought by or by the authority of the Commanding Officer of one of His Majesty's ships or the District Naval Officer.

(4.) The averment of the prosecutor that he was authorized by the District Commandant or the Commanding Officer of one of His Majesty's ships or the District Naval Officer to bring the prosecution shall be sufficient, and shall not be controverted or questioned by the Court or by the defendant.

(5.) A civil prosecution against a soldier, seaman, or person liable to render personal service under the provisions of Part XII. of this Act may be brought by the commanding officer or adjutant of the corps to which the soldier belongs, or by the commanding officer of the vessel to which the seaman belongs, or by an area officer, or by any prescribed officer.

Company Roll Book. Inserted by No. 47, 1918, s. 12.

110A.—(1.) A Company Roll Book shall be kept by such persons as the Regulations prescribe.

(2.) The entries in the Company Roll Book shall relate to such matters and be made by such persons as the Regulations prescribe.

(3.) The production of the Company Roll Book shall be *prima facie* evidence of the entries contained therein.

Subscription, arms, &c., vested in commanding officer. Amended by No. 12, 1904, s. 10; and by No. 36, 1917, s. 35.

111. For the purposes of legal proceedings, all moneys subscribed by or for or otherwise appropriated to the use of any corps or part thereof, or ship's company or part thereof, and all arms, ammunition, accoutrements, clothing, musical instruments, or other things, belonging to or used by any corps or part thereof, or ship's company or part thereof, and not being the private property of a member of the corps or ship's company, shall be deemed to be the property of the commanding officer of the corps or ship's company.

No gift, sale, alienation, or pawning, or attempted gift, sale, alienation, or pawning of any such moneys, arms, ammunition, accoutrements, musical instruments, or other things, by any person, shall be effectual to pass the property therein without the consent of the commanding officer. If

If any property belonging to or used by or for the Defence Force is not appropriated to any particular corps or part thereof, or ship's company or part thereof, or it is uncertain to which corps or part thereof or ship's company or part thereof, it belongs, it shall be deemed to be the property of the District Commandant or District Naval Officer as the case may be.

An action or suit shall not abate or be determined by the death, resignation, or removal of the District Commandant or District Naval Officer or any commanding officer, but may proceed in the name of his successor.

111A. For the purposes of legal proceedings, all arms, ammunition, or other military articles, belonging to or used by any Rifle Club, shall be deemed to be the property of the captain of the Rifle Club.

Property of Rifle Club vested in Captain. Inserted by No. 37, 1910, s. 10.

112. When not on war service any commanding officer, if authorized by the Regulations so to do, may disrate or discharge any seaman or soldier of the Citizen Forces (not serving under Part XII. of this Act) for any good cause, but the seaman or soldier, before being so disrated or discharged, shall be notified, in writing, of the charge against him, and shall be given an opportunity of showing cause against it.

Power to discharge or disrate seamen and soldiers. Amended by No. 30, 1910, s. 4; and by No. 30, 1917, s. 30.

113. Any member of the Defence Force when not on war service charged with any naval or military offence when on duty or wearing his uniform may be arrested, pursuant to the order of any person authorized by the regulations to issue such order, by any other member of the Defence Force, and detained in custody until he can be tried for the offence, but in the case of members of the Citizen Forces such arrest or custody shall not continue longer than while the corps or ship's company to which such member belongs shall then remain under arms or on duty, or if not then on duty, until such member shall have resumed civilian attire, which he shall, without unnecessary delay, be permitted to do.

Power to arrest and detain in military custody. Amended by No. 30, 1917, s. 37.

114. Any member of the Defence Force who absconds or deserts and any person liable to be tried by Court-martial for any offence committed by him may be arrested within or beyond the Commonwealth by a member of the Defence Force or by a member of the Police Force of the Commonwealth or of a State or of a Territory under the control of the Commonwealth, or of the country in which the member is found, pursuant to any warrant under the hand of any officer authorized by the regulations to issue the warrant, and shall be dealt with in the manner prescribed or as directed by the warrant.

Arrest of deserter and persons charged with offences. Substituted by No. 30, 1917, s. 38.

115.—(1.) Warrants for the temporary detention in any prison or other authorized place of any person charged with an offence triable by court-martial, and warrants for the commitment to any prison or other authorized place of any person sentenced to penal servitude, imprisonment or detention, may be issued by any prescribed officer.

Warrants. Substituted by No. 30, 1917, s. 39.

(2.) The

Substituted by
No. 36, 1917,
s. 39.

(2.) The District Commandant, the President of a court-martial, or any officer authorized by the regulations, shall be authorized to issue warrants for temporary detention, and the President of a court-martial or any officer authorized by the regulations shall be authorized to issue warrants for the commitment of persons sentenced by a court-martial to penal servitude, imprisonment or detention.

(3.) The governor of a prison to whom any warrant, issued in pursuance of this section, is directed shall take cognizance of it without proof of the signature of the person by whom it purports to be signed.

(4.) This section shall not affect any power under any law to detain any person in naval or military custody.

Imprisonment
for insubor-
dination, &c.
Amended by
No. 36, 1917,
s. 40.

116. Any member of the Defence Force sentenced to penal servitude, imprisonment or detention for any naval or military offence may, if the Governor-General by regulation or otherwise directs, be imprisoned or undergo penal servitude or detention in any place appointed by the Governor-General instead of in a prison.

PART X.—MISCELLANEOUS.

Right to
volunteer
for service
beyond limits
of the
Commonwealth.

117. Nothing contained in this Act shall prevent any member of the Defence Force from volunteering to serve in any Force that may be raised by the Commonwealth to augment any of the King's Regular or other Forces, or to occupy or to defend any place beyond the limits of the Commonwealth.

Civilians
accompanying
Forces subject
to Act.
Inserted by
No. 36, 1917,
s. 41.

117A. A person, not being a member of the Military Forces, who accompanies any part of the Military Forces on active service within the limits of the Commonwealth or those of any Territory under the control of the Commonwealth shall be subject to this Act as if he were a member of the Military Forces in the following manner :—

(a) if he accompanies the Military Forces by order of the Governor-General or the Minister in an official capacity equivalent to that of an officer or if he holds a pass from the officer commanding the part of the Military Forces to which he is attached, entitling him to be treated on the footing of an officer—as an officer ;

(b) in all other cases—as a soldier.

Penalty
against raising ;
of Forces
without
authority.

118. Any person who induces or attempts to induce any other person to enlist or engage to serve in any Naval or Military Force the raising of which has not been authorized by the Governor-General shall upon conviction be liable to imprisonment with or without hard labour for any period not exceeding six months.

Employer not to
prevent
employee from
serving
Inserted by
No. 36, 1917,
s. 42.

118A.—(1.) An employer shall not prevent any employee and a parent or guardian shall not prevent any son or ward from rendering the personal service required of him under Parts III. and IV. of this Act.

Penalty : One hundred pounds.

(2) An

(2.) An employer shall not in any way penalize or prejudice in his employment any employee for rendering the personal service required of him under Parts III. and IV. of this Act or for voluntarily enlisting or attempting to enlist in any force raised for active service either within or without the limits of the Commonwealth, either by reducing his wages or dismissing him from his employment or in any other way.

Penalty : One hundred pounds.

(3.) The rendering of the personal service or the enlistment referred to in this section shall not terminate a contract of employment, but the contract shall be suspended during the absence of the employee for the purposes referred to in this section ; but nothing in this section shall render the employer liable to pay an employee for any time when he is absent from employment for the purposes referred to in this section.

(4.) In any proceedings for an offence against this section it shall lie upon the employer to show that any employee proved to have been dismissed or to have been prejudiced or penalized in his employment or to have suffered a reduction of wages, was so dismissed penalized or prejudiced in his employment or reduced for some reason other than that of having rendered the personal service required of him under Parts III. and IV. of this Act or of having voluntarily enlisted or attempted to enlist in a force raised for active service, either within or without the limits of the Commonwealth.

(5.) The Court may direct that the whole or any part of the penalty recovered from an employer for an offence against this section shall be paid to the employee.

119. No member of the Defence Force shall, except as prescribed, receive any pay or allowances while under any charge of which he is afterwards convicted by any Court or by his Commanding Officer, or while under sentence of penal servitude, imprisonment, detention or field punishment by any Court or by his Commanding Officer, or during absence from duty without leave.

Stoppage of pay in certain cases.
Substituted by No. 36, 1917, s. 43 ; amended by No. 47, 1918, s. 13.

120. It shall not be necessary for any order or notice under this Act to be in writing, unless by this Act required to be so, provided it be communicated to the person who is to obey or be bound by it, either directly by the officer or person making or giving it, or by some other person by his order.

Notices, &c, need not be in writing unless required herein

120A. A delegation by the Governor-General in accordance with the provisions of this Act shall not be deemed to be revoked or to have lapsed by the fact that the Governor-General has ceased to hold office.

Delegation not to lapse on Governor-General ceasing to hold office.
inserted by No. 36, 1917, s. 44.

Proof of
warrant, &c.

121. The production of an appointment, warrant, or order in writing purporting to be granted or made according to the provisions of this Act, or of any of the State Acts mentioned in the First Schedule, shall be *prima facie* evidence of the appointment, warrant, or order, without proving the signature or seal thereto, or the authority of the person granting or making the appointment, warrant, or order.

Police to aid
in arrest of
deserters.
Amended by
No. 5, 1912,
s. 10; and by
No. 36, 1917,
s. 45.

122. Any written order or warrant for the arrest of any deserter or absconder from the Defence Force, issued by any person authorized by the regulations to issue it, may be executed within or beyond the Commonwealth by any member of the Defence Force or by any police officer of the Commonwealth or a State or of a Territory under the control of the Commonwealth or of the country in which the member is found.

Funds for
annuities or
gratuities.

123. Funds may be established in such manner and subject to such provisions as are prescribed for providing for the payment of annuities or gratuities to members of the Defence Force permanently injured in the performance of their duties, and for the payment of annuities or gratuities to members of the Permanent Forces who are retired on account of age or infirmity.

Intoxicating
liquors.
Inserted by
No. 15, 1909,
s. 18.

123A. No intoxicating or spirituous liquors shall be sold or supplied and no person shall have such intoxicating or spirituous liquors in his possession at any naval or military canteen, camp, fort, or post during such time as training of persons as prescribed in paragraphs (a), (b), and (c) of section one hundred and twenty-five is proceeding in such naval or military camp, fort, or post, except as prescribed for purely medical purposes.

Intoxicating
liquors not to
be supplied to
Cadets.
Inserted by
No. 5, 1912,
s. 11.

123AA. No intoxicating or spirituous liquors shall be sold to any cadet whilst in uniform, nor shall any intoxicating or spirituous liquors, except by direction of a duly qualified medical practitioner, be supplied to any cadet whilst in uniform.

Penalty: Twenty pounds.

Religion.
Inserted by
No. 15, 1909,
s. 18.

123B. No member of the Forces who has conscientious objection shall be compelled to answer any question as to his religion, nor shall any regulation or other order compel attendance at any religious service.

Married
establishment.
Inserted by
No. 15, 1909,
s. 18.

123C. All married men in the Permanent Forces who have served for three years shall be entitled to be placed on the married establishment.

Military bands
Inserted by
No. 37, 1910,
s. 11.

123D. After the expiration of three years from the commencement of Part XII. of this Act, the number of soldiers allotted to military bands shall not exceed two per cent. of the persons undergoing training.

Supply of
uniforms
Inserted by
No. 37, 1910,
s. 11.

123E. Military uniforms shall be supplied free of charge to all ranks of the Citizen Forces.

PART

PART XI.—REGULATIONS.

124.—(1.) The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for securing the discipline and good government of the Defence Force, or for carrying out or giving effect to this Act, and in particular prescribing matters providing for and in relation to—

- (a) The enlistment, appointment, discharge, and dismissal of members of the Defence Force ; Regulations.
Amended by
No. 15, 1909,
s. 1a.
- (b) The regulation and good government of the Military College ;
- (c) The enrolment of all persons liable to serve in the Citizen Forces in time of war and the choice by ballot or otherwise from the persons so enrolled of persons required for service ; Para. (a)
inserted by
No. 36, 1917,
s. 4a.
- (d) The fixing of the rates of pay of members of the Defence Force who are paid for their services ;
- (da) The deduction from the pay of any officer or member of any Expeditionary Force of such reasonable sums as the Minister thinks fit for the support of any person who in the opinion of the Minister is wholly or partly dependent upon, or has a claim for maintenance against the officer or member, and the payment of such sums to or for the benefit of any such person ; Substituted by
No. 37, 1910,
s. 12.
- (e) The requiring from officers and others holding positions the nature of which in the opinion of the Minister renders it necessary for such officers and others to give security for their fidelity to give such security and for fixing the amount and nature of such security ;
- (f) The leave of absence and furlough of members of the Defence Force ;
- (g) The convening, composition, procedure, and powers of courts-martial and courts of inquiry and the revision and confirmation of the findings and sentences of courts-martial, and the mitigation, remission and commutation of the punishments ; Added by
No. 3, 1915,
s. 7*.
- (ga) The execution of sentences of courts-martial and the suspension of the execution or currency thereof ; Amended by
No. 36, 1917,
s. 4a.
- (h) The insurance of their lives by married members of the Permanent Forces for the benefit of their wives and families ;
- (i) The maintenance, control, regulation, and training of cadet corps ;
- (j) The formation and management of rifle clubs ; Para. (ga)
inserted by No.
36, 1917, s. 4a.
- (k) The

* Section 7 of the *Defence Act 1915* is deemed to have commenced on 1st August, 1914, and any regulations made in pursuance of that section are, if the regulations so provide, to have effect as from the commencement of that section. See *Defence Act 1915*, s. 7 (2).

Amended by
No. 47, 1910,
s. 14.

- (k) The formation, incorporation and management of rifle associations;
- (l) The formation and management of a council consisting of representatives of rifle associations;
- (m) The furnishing of means of conveyance and transport in time of war;
- (n) The regulation of the quartering or billeting of members of the Defence Force in time of war;
- (o) The establishment and conduct of canteens;
- (p) The regulation of artillery and rifle practice;
- (q) The preservation of the public safety in or at any naval or military operation or practice;
- (r) The payment of reasonable compensation for any loss, injury, or damage suffered by reason of the exercise of any of the powers under Part VI. of this Act;
- (ra) The regulation and control of aerial navigation;
- (s) The fixing of penalties for breaches of the regulations, but so that except in the case of a breach of any regulation made under paragraph (ra) no period of imprisonment shall exceed three months and no pecuniary penalty shall exceed Twenty pounds; and
- (t) The payment of compensation to wives and families of members of the Defence Forces as provided in Part III. Division 4 of this Act.

Added by
No. 3, 1915,
s. 7.
Amended by
No. 3, 1915,
s. 7*.

(2.) All regulations shall be notified in the *Gazette* and shall thereupon have the force of law.

(3.) All regulations shall be laid before both Houses of the Parliament within fourteen days after the making thereof if the Parliament be then sitting, and if not then within fourteen days after the next meeting of the Parliament.

(4.) If either House of the Parliament passes a resolution, at any time within fifteen sitting days after any regulation is laid before it, disallowing any such regulation, that regulation shall thereupon cease to have effect.

PART XII.—UNIVERSAL OBLIGATION IN RESPECT OF NAVAL OR MILITARY TRAINING.†

Persons who
are liable
to be trained.
No. 15, 1909,
s. 20.
Amended by
No. 37, 1910,
s. 13.

125. All male inhabitants of Australia (excepting those who are exempted by this Act), who have resided therein for six months, and are British subjects, shall be liable to be trained, as prescribed, as follows:—

- (a) From twelve years to fourteen years of age, in the Junior Cadets; and
- (b) From

* Section 7 of the Defence Act is deemed to have commenced on 1st August, 1914, and any regulations made in pursuance of that section are, if the regulations so provide, to have effect as from the commencement of that section. See *Defence Act 1915*, s. 7 (2)

† This Part was inserted by Act No 15, 1909, s. 20.

- (b) From fourteen to eighteen years of age, in the Senior Cadets ;
and
- (c) From eighteen to twenty-five years of age, in the Citizen
Forces ; and
- (d) From twenty-five to twenty-six years of age, in the Citizen
Forces :

Provided that, except in time of imminent danger of war, service under paragraph (d) shall be limited to one registration or one muster-parade.

126.—(1.) The training in the Junior Cadets shall begin on the first day of July in the year in which the persons liable reach the age of twelve years, and shall continue for two years :

Training
years.
No. 15, 1909,
s. 20.
Amended by
No. 37, 1910,
s. 14.

Provided that, in the case of persons who reach the age of thirteen years in the year in which this Part commences, the training shall begin on the first day of July in that year, and continue for one year.

(2.) The training in the Senior Cadets shall begin on the first day of July in the year in which the persons liable reach the age of fourteen years, and shall continue for four years :

Provided that, in the case of persons who reach the age of fifteen, sixteen, or seventeen years in the year in which this Part commences, the training shall begin on the first day of July in that year, and continue for three years, two years, or one year respectively.

(3.) The training in the Citizen Forces shall begin on the first day of July in the year in which the persons liable reach the age of eighteen years, and shall continue for seven years.

127.—(1.) The prescribed training shall be, in each year ending the thirtieth day of June, of the following duration :—

Duration of
training
No. 15, 1909,
s. 20.
Amended by
No. 37, 1910,
s. 15 ; by No. 15,
1911, s. 2 ; and
by No. 5, 1912,
s. 12.

- (a) In the Junior Cadets ninety hours ; and
- (b) In the Senior Cadets four whole day drills, twelve half-day
drills, and twenty-four night drills ; and
- (c) In the Citizen Forces sixteen whole-day drills or their
equivalent of which not less than eight shall be in camps
of continuous training :

Provided that, in the case of those allotted to the Naval Forces and to the Artillery and Engineer arms of the Military Forces, and to units of the Army Service Corps allotted to those arms the training shall be twenty-five whole-day drills or their equivalent of which not less than seventeen shall be in camps of continuous training :

Provided also that in the Senior Cadets the duration of a whole-day drill shall not be less than four hours, of a half-day drill not less than two hours, and of a night drill not less than one hour :

Inserted by
No. 15, 1911,
s. 2.

Provided also that in the Citizen Forces the duration of a whole-day drill shall be not less than six hours, of a half-day drill not less than three hours, and of a night drill not less than one hour and a half :

Provided

Provided also that in the Senior Cadets the number and duration of half-day and night drills may be varied by the substitution of other drills as prescribed of a total duration of not less than forty-eight hours :

Inserted by
No. 15, 1911,
s. 2.

Provided also that the Minister may, by *Gazette* notice, declare that whole-day drills or half-day drills may be substituted for night drills in any districts or localities specified in the notice :

Inserted by
No. 15, 1911,
s. 2.

Provided also that in the case of Senior Cadets, who reside over two miles from the place appointed for training, attendance for a less number of hours than prescribed above may be allowed to count as prescribed for the full statutory duration of drills, and power may be given to the prescribed officers to grant leave of absence from training required by this Act when the conditions of the weather, by reason of excessive rain or heat, would render attendance a hardship, and equivalent attendance as prescribed may be required in lieu thereof.

Compulsory
drills.
Added by No. 5,
1912, s. 12.

(2.) The regulations may provide that attendance at such drills as are prescribed shall be compulsory.

Special
provision in
the case of
pupils at
educational
establishments.
Substituted by
No. 37, 1910,
s. 16.

128. Persons who are pupils or students at educational establishments, as prescribed by the Regulations, and who are liable to be trained in the Citizen Forces under section one hundred and twenty-seven of this Act, may be trained as prescribed in the Senior Cadets or in special training units, so long as they remain pupils or students in such educational establishments :

Provided that the training in those units shall be of the same character and of the same annual duration as in the Citizen Forces, and shall be in lieu of the training prescribed by paragraph (c) of section one hundred and twenty-seven

Persons
temporarily
unfit to be
trained in
Senior Cadets.
Substituted by
No. 36, 1917,
s. 47.

129. Persons who become liable to be trained in the Citizen Forces, but who are certified by the prescribed medical authorities to be temporarily unfit, may be trained as prescribed in the Senior Cadets, and such training shall be in lieu of the corresponding training in the Citizen Forces.

Persons
undergoing
training to be
paid.
No. 15, 1909,
s. 20.

130. Persons who are being trained under the provisions of paragraph (c) of section one hundred and twenty-five of this Act shall receive pay as prescribed.

Exception of
persons
reaching
eighteen before
this Part
commences.
No. 15, 1909,
s. 20.

131. This Act shall not, so far as concerns the obligation to render personal services for purposes of training, apply to any person who reaches the age of eighteen years in or before the year in which this Part commences.

Persons liable
to training not
to join Militia.
No. 15, 1909,
s. 20.

132. A person who is liable to be trained in pursuance of this Part shall not while the liability continues be permitted, except as prescribed, to enrol himself as a member of the Militia Forces.

132A.—(1.) Persons

132A.—(1.) Persons who are not liable to be trained under this Part of this Act and who have served on war service may be voluntarily enlisted in the Citizen Forces.

Persons may serve voluntarily in Citizen Forces. Inserted by No. 36, 1917, s. 48.

(2.) Persons voluntarily enlisting in the Citizen Forces under this section shall serve and be discharged in accordance with the provisions of Part III. of this Act, and shall receive pay as prescribed.

133. At the termination of each annual training in the Senior Cadets and Citizen Forces, each member shall be classified by the officer appointed in that behalf as "efficient" or "non-efficient". Those who are classified as non-efficient, either for failure to attend during the prescribed period, or because they have not attained a sufficient standard of efficiency, shall be required to attend an equivalent additional training for each year in which they are non-efficient.

Efficiency required No. 15, 1909, s. 20.

134.—(1.) No employer shall prevent, or attempt to prevent, any employee who is serving or liable to serve in the Cadets or Citizen Forces and no parent or guardian shall prevent any son or ward who is so serving or liable to serve from rendering the personal service required of him, or from attending any camp of instruction appointed to be held by the Head-Quarters of the Commonwealth or any Military District, and no employer shall in any way penalize or prejudice in his employment or attempt to penalize or prejudice in his employment any employee for rendering or being liable to render such personal service, or for attending such camp, either by reducing his wages or dismissing him from his employment or in any other manner.

Employers may not prevent employees from serving No. 15, 1909, s. 20. Amended by No. 15, 1911, s. 3; and by No. 36, 1917, s. 48.

Penalty : One hundred pounds.

(1A.) Any employee who is serving or liable to serve in the Senior Cadets shall be paid by his employer for any time he is absent from employment for the purposes of training, except the training required of the cadet for failure to become efficient or while undergoing confinement for an offence, but nothing in this section shall render an employer liable to pay an employee for any time when he is absent from employment for the purpose of training in the Citizen Forces.

Inserted by No. 36, 1917, s. 48; amended by No. 16, 1918, s. 7.

(2.) In any proceedings for any contravention of this section, it shall lie upon the employer to show that any employee, proved to have been dismissed or to have been penalized or prejudiced in his employment or to have suffered a reduction of wages, was so dismissed, penalized or prejudiced in his employment or reduced for some reason other than for having rendered or being liable to render the personal service required of him or from attending the camp.

(3.) The Court may direct that the whole or any part of any penalty recovered from an employer for penalizing or prejudicing in his employment or attempting to penalize or prejudice in his employment any employee for rendering or being liable to render the personal service required of him for attending a camp of instruction as aforesaid may be paid to the employee.

Penalizing employees for rendering service. Added by No. 3 1916, s. 2.

135.—(1.) Every

Penalty for evading service.
 No. 15, 1909, s. 20.
 Amended by No. 5, 1912, s. 13; by No. 36, 1914, s. 12; and by No. 47, 1918, s. 15.
 Proviso omitted; No. 15, 1911, s. 4. Inserted by No. 5, 1912, s. 13.

135.—(1.) Every person who in any year, without lawful excuse, evades or fails to render the personal service required by this Part shall be guilty of an offence, and shall, in addition to the liability under section one hundred and thirty-three of this Act, be liable to a penalty not exceeding One hundred pounds.

* * * * *

(1A.) Every person who, being a person liable to training under this Part—

- (a) fails, without lawful excuse, to attend a compulsory drill, or
 (b) commits a breach of discipline while on parade,

shall be guilty of an offence and shall, in addition to any liability under section one hundred and thirty-three of this Act, be liable to a penalty not exceeding Five pounds.

(2.) Any penalty under this section may be recovered summarily on the information or complaint of a prescribed officer.

(3.) In fixing the amount of the penalty, the Court shall have regard to the means of the person offending and those of his parents.

(4.) In addition to any penalty imposed, or (where the Court is of opinion that the imposition of a penalty would involve undue hardship) in lieu of imposing any penalty; the Court may, if it thinks fit, commit the offender to confinement in the custody of any prescribed authority for such time not exceeding twenty days, as it thinks fit, or for a time corresponding in duration to the time which, in the opinion of the Court, would be taken up in rendering the personal service required.

Amended by No. 47, 1918, s. 15.

(5.) Any person committed to the custody of a prescribed authority in pursuance of this section or either of the next two succeeding sections may be handed over by that authority to military custody for conveyance to and detention at any prescribed institution or place, and while so detained shall be subject to the regulations governing that institution or place, and to training and discipline as prescribed.

(6.) It shall not be necessary for the confinement to be continuous; but the person having the custody of the offender may (subject to the regulations) release him for such periods, and call upon him to return to custody at such times, as he thinks fit; to the intent that he may follow his occupation, and that, in the case of a person committed to custody for an offence against sub-section (1.) of this section, the times and periods of his confinement may correspond, as nearly as practicable, with the times and periods which he ought to have occupied in rendering personal service.

(7.) Any person detained in any prescribed institution or place in pursuance of this section or either of the next two succeeding sections who escapes therefrom, or who being released from custody fails to return thereto, may be arrested without warrant by any prescribed person,

person, and taken back to the institution or place, and may on the application of any prescribed officer be ordered by any Court of summary jurisdiction to be detained for such additional period not exceeding twenty days as the Court thinks fit to order.

* * * * *

135A. A person liable to be trained under the provisions of section one hundred and twenty-five of this Act shall not be committed to gaol in default of payment of a pecuniary penalty imposed for an offence against the provisions of Part XII. or XIV. of this Act, or of any costs awarded in proceedings for any such offence, but instead the Court may order that he be committed to the custody of a prescribed authority for such time, not exceeding the time for which the Court could, but for this section, have committed him to gaol in default of payment of the pecuniary penalty imposed or costs awarded, as the Court thinks fit.

Sub-sections (8.) to (10.) omitted by No. 36, 1914, s. 12.

Trainees not to be imprisoned for offences against universal training provisions. Inserted by No. 36, 1914, s. 13.

135B.—(1.) Notwithstanding anything contained in the next two preceding sections, a person shall not be liable in any one year to confinement in excess of thirty days in respect of offences committed by him against the provisions of sub-section (1.) or paragraph (a) of sub-section (1A.) of section one hundred and thirty-five, or of costs awarded in proceedings for such offences, and any order or other authority issued by a Court authorizing confinement for a period in excess of such thirty days, shall in so far as it relates to the period in excess be void, but nevertheless proceedings shall not be maintainable against the Commonwealth or any person in respect of the order or authority or of any act or thing done in pursuance of the order or authority.

Total duration of confinements of trainees in any one year. Inserted by No. 36, 1914, s. 13; substituted by No. 47, 1918, s. 16.

(2.) In this section "confinement" includes detention under the authority of section one hundred and thirty-five of this Act, and custody under the authority of the last preceding section.

135C. In places where Children's Courts exist, offences against this Act committed by cadets under the age of seventeen years shall be prosecuted in such Courts as far as is reasonably practicable.

Offences by Cadets to be tried in Children's Courts.

Inserted by No. 36, 1914, s. 13

136. Every person who, without lawful excuse, evades or fails to render the personal service required by this Part, shall, unless and until he has performed equivalent personal service as prescribed, be and remain ineligible for employment of any kind in the Public Service of the Commonwealth.

Disqualification of persons who evade service. No. 15, 1909, s. 20.

137. All persons employed upon sea-going vessels registered in Australia, or upon vessels engaged wholly or partly in the coastal or inter-state trade of Australia, shall be subject to the provisions of this Act, and employment upon such vessels in Australian waters shall be deemed residence in Australia.

Sea-going persons. No. 15, 1909, s. 20.

PART

PART XIII.—EXEMPTIONS FROM PERSONAL SERVICE.*

Exemptions
from training
in time of
peace
No. 15, 1909,
s. 20.
Amended by
No. 36, 1917,
s. 50.

138.—(1.) The following shall be exempt from the training mentioned in Part XII. of this Act, so long as the employment, condition, or status on which the exemption is based is still continuing :—

- (a) Those who have been reported by the prescribed medical authorities as unfit for any naval or military service whatever; and
- (b) Those who are not substantially of European origin or descent, of which the medical authorities appointed in that behalf under the regulations shall be the judges :
Provided that this exemption shall not extend to duties of a non-combatant nature; and
- (c) School teachers who have qualified at a school of naval or military instruction or other prescribed course as Instructors or Officers of the Junior or Senior Cadets; and
- (d) Members of the Permanent Naval or Military Forces; and
- (e) Persons employed in the police or prison services of the Commonwealth or of a State; and
- (f) Persons whose *bonâ fide* residence is not within a distance of five miles, reckoned by the nearest practicable route, from the nearest place appointed for training :

Provided that the regulations may authorize the District Commandant to grant temporary exemption for a period not exceeding one year, renewable from time to time, to persons who reside at so great a distance from the places appointed for training that compulsory attendance would involve great hardships.

(2.) Persons liable to be trained in the Junior Cadets who are certified by any prescribed medical authority to be unfit to undergo the whole or any part of the prescribed training may be exempted from that training by any prescribed authority.

Exemption
of theological
students.
Added by No. 37,
1910, s. 17;
amended by
No. 47, 1918,
s. 17.

(3.) Persons who are students at a Theological College as defined by the regulations, or theological students as prescribed, may, while they remain such students, on application be exempted by any prescribed authority from the prescribed training, but shall on ceasing to be such students become liable for training as prescribed but shall not be required to perform additional training equivalent to the training from which they have been exempted under this sub-section.

(3A.) Persons who have served on war service may be exempted from the prescribed training for such period and under such conditions as are prescribed.

Inserted by
No. 36, 1917,
s. 50.

(4.) The Minister may by order, under his hand, grant to any person upon whom, or upon whose parents or dependants, the Minister is satisfied that his compulsory attendance at the prescribed training would

Added by
No. 36, 1914,
s. 14.

* This Part was inserted by Act No. 15, 1909, s. 20.

would impose great hardship, an exemption from the prescribed training; but any exemption granted in pursuance of this sub-section shall be for such period, and shall be subject to such conditions and reservations, as the Minister thinks fit.

(5.) The Minister may by order under his hand exempt persons who are employed in a civil capacity for any purpose in connexion with the Defence Force (whether subject to the *Commonwealth Public Service Act* 1902-1913 or not), or in any factory established in pursuance of this Act.

Added by
No. 36, 1914,
s. 14.

139. Where any question arises as to whether a person is exempt from training, the burden of proving the exemption shall rest on the person claiming the exemption, and applications for exemption shall be decided by the Courts authorized in that behalf by the regulations.

Burden of
proving
exemption.
No. 15, 1909,
s. 20.

140. The Governor-General may, in time of war, by order published in the *Gazette*, suspend in any year the whole or any portion of the training prescribed by Part XII. of this Act, and all persons liable to be trained under that Part in that year shall not be required at any subsequent time to undergo the training so suspended.

Suspension of
training
inserted by
No. 36, 1917,
s. 51.

* * * * *

141. No person shall be permitted to serve in the Cadets or in the Defence Force who is found by any Court appointed in that behalf by the regulations—

Section 140A
repealed by
No. 36, 1914,
s. 15.

Persons not
permitted to
serve.

No. 15, 1909,
s. 20.

(a) to have been convicted of any disgraceful or infamous crime, or

(b) to be of notoriously bad character.

PART XIV.—REGISTRATION AND ENROLMENT FOR NAVAL AND MILITARY TRAINING.*†

142.—(1.) All male inhabitants of Australia, who have resided therein for six months and are British subjects, and whose *bond fide* residence is within a distance of five miles, reckoned by the nearest practicable route, from the nearest place appointed for training, shall register themselves, or be registered by a parent, guardian, or other person acting *in loco parentis*, in the manner prescribed—

Registration.
No. 15, 1909,
s. 20.

Amended by
No. 5, 1912,
s. 14, and
No. 36, 1914,
s. 16.

(a) during the months of January and February in the year in which they will reach the age of fourteen years (or, in the case of persons who in the year in which this Part commences will reach the age of fifteen, sixteen or seventeen years, during the month of January in that year), or
(b) if

* This part was inserted by Act No. 15, 1909, s. 20.
† See proclamation in *Gazette* of 31st December, 1910, page 1929.

(b) if not then present in Australia or if not then *bonâ fide* resident within a distance of five miles reckoned by the nearest practicable route, from the nearest place appointed for training, or if for any other reason not registered at the prescribed time, within such further time and in such manner as is authorized by the regulations.

Inserted by
No. 47, 1918,
s. 18.

(1A.) If any such male inhabitant of Australia is not registered in the manner prescribed in sub-section (1.) of this section, he, and the parent, guardian or person acting *in loco parentis*, shall severally be guilty of an offence.

Added by No. 15,
1911, s. 5.

(2.) Any proceedings for an offence against this section may be instituted at any time within two years after the commission of the offence.

Offence of
being
unregistered
Inserted by
No. 47, 1918,
s. 19.

142A. Any male inhabitant of Australia, who has resided therein for six months and is a British subject, and whose *bonâ fide* residence is within a distance of five miles, reckoned by the nearest practicable route, from the nearest place appointed for training, and who is, at any time after he has attained the age of fourteen years and before he has attained the age of twenty-six years, not registered for naval or military training, shall be guilty of an offence.

Allotment to
arms and corps
No. 15, 1909,
s. 20.

143.—(1.) All persons liable to be trained under paragraphs (c) and (d) of section one hundred and twenty-five of this Act and not exempted by this Act shall be allotted to the several arms and corps.

(2.) Of all persons liable to be trained, such a number as are required shall first be allotted for training in the Naval Forces.

(3.) All persons liable to be trained under paragraphs (b), (c), and (d) of section one hundred and twenty-five of this Act who are forbidden by the doctrines of their religion to bear arms shall so far as possible be allotted to non-combatant duties.

Inspection
No. 15, 1909,
s. 20.

144. All persons liable to be trained shall attend at the prescribed times and places for inspection, and shall give such information as is prescribed, and shall submit to the prescribed medical examination.

Registered
address
No. 15, 1909,
s. 20.

145.—(1.) Every person shall, on his form of registration, notify his address, and shall in the prescribed manner notify any change of address, and the address so notified shall be deemed his place of abode for the purposes of this Act.

Notices and
forms of
registration,
&c.

(2.) All notices posted to a person's place of abode shall be deemed to have been delivered to him, and all printed notices exhibited at the post-office or prescribed place of the district in which his place of abode is shall be deemed a notice to him, and all postmasters are required to exhibit such notices as are sent to them by the prescribed authority, and to keep and issue such forms as are prescribed and to send such forms when so required by the regulations to the prescribed persons.

146.—(1.) Every

146.—(1.) Every person who registers shall receive a Record Book in the prescribed form.

Record book.
Substituted by
No. 47, 1913,
s. 20.

(2.) The entries in the Record Book shall relate to such matters shall be made by such persons as the Regulations prescribe.

(3.) A copy of the entries in the Record Book shall be prepared by such persons and in such form and shall be retained by such persons as the Regulation prescribe.

(4.) The production of a Record Book, or of a book or document purporting to be a copy of the entries in a Record Book, shall be *prima facie* evidence of the entries contained therein.

PART XV.—MILITARY COLLEGE.*

147.—(1.) There shall be established a Military College under a Commandant, assisted by a staff as prescribed, for the education of candidates for commissions in all arms of the Military Forces.

Military
College.
Substituted by
No. 37, 1910,
s. 20.

(2.) The Commandant shall in each year furnish to the Minister, for presentation to Parliament, a report on the Military College.

147A. Persons enrolled as cadets at the Military College shall be formed into a corps and shall form part of the Permanent Forces. Service in this corps shall be deemed to be service in the ranks of the Defence Force.

College corps.
Substituted by
No. 37, 1910,
s. 20.

147B. No person who is not a British subject shall be admitted to be a student at the Military College, but British subjects not permanently resident in Australia may be admitted to attend on such conditions as are prescribed, and while so attending shall be subject to this Act in the same way as other students.

Students to be
British
subjects
Substituted by
No. 37, 1910,
s. 20.

148. No person who is not a graduate of the Military College as prescribed shall be appointed an officer of the Permanent Forces:

Appointment
of officers
Substituted by
No. 37, 1910,
s. 20.

Provided that this provision shall not take effect until the expiration of five years after the establishment of the College:

Provided further that the Regulations shall provide for admission to the Military College of any member of the Forces over the age of nineteen years who passes the prescribed examination and is recommended by the Governor-General in Council:

Provided also that members of the Permanent and Citizen Forces, or persons who have served with satisfactory record in any Expeditionary Force raised for service outside the Commonwealth, who are not graduates of the Military College, may, subject to such conditions as are prescribed, be appointed or promoted to be officers in the non-combatant branches of the Permanent Forces, including the Medical, Veterinary, Ordnance, Survey, and Clerical branches:

Added by
No. 36, 1917,
s. 52.

Provided

* This Part was inserted by Act No 15, 1909, s. 20

Added by
No. 36, 1917,
s. 52.

Provided also that warrant and non-commissioned officers of the Permanent Forces may be appointed to the commissioned rank for the position of Quartermaster to units of the Australian Military Forces.

Added by
No. 16, 1918,
s. 8.

*Provided also that in time of war persons who are not graduates of the Military College may be appointed officers of any Expeditionary Force raised for service outside of the Commonwealth.

Ss. 149 and 150
repealed;
No. 37, 1910,
s. 21.

Pay and
allowances.

No. 15, 1909,
s. 20.

S. 152 repealed;
No. 37, 1910,
s. 21.

* * * * *
151. Officers attending the Military College shall receive such pay and allowances as may be prescribed.

* This proviso is deemed to have come into operation on 1st August, 1914.

SCHEDULES.

SCHEDULES.

FIRST SCHEDULE.

Section 6.

Number of Act	Title of Act	Where Act passed.
31 Vict No 5 ..	The Volunteer Force Regulation Act of 1867	New South Wales
34 Vict. No. 19 ..	The Military and Naval Forces Regulation Act	New South Wales
No. 1,083 ..	Defences and Discipline Act 1890 ..	Victoria
No. 1,248 ..	Defences and Discipline Act 1891 ..	Victoria
48 Vict. No. 27 } 55 Vict. No. 17 } 60 Vict. No. 33 }	The Defence Acts 1884 to 1896 ..	Queensland
49 Vict. No. 16 ..	The Defence Act 1885 ..	Tasmania
53 Vict. No. 36 ..	The Defence Act 1889 ..	
61 Vict. No. 8 ..	The Defence Amendment Act 1897 ..	
	The Defence Act 1900 ..	
55 Vict. No. 7 ..	Safety of Defences Act 1891 ..	
57 Vict. No. 18 ..	The Defence Act 1893 ..	Western Australia
56 Vict. No. 4 ..	The Safety of Defences Act 1892 ..	
58 Vict. No. 2 ..	The Defence Forces Act 1894 ..	
59 Vict. No. 4 ..	The Uniforms Act ..	South Australia
No. 307 ..	The Naval Discipline Act 1884 ..	
No. 643 ..	The Defences Act 1895 ..	
57 Vict No 1 ..	Federal Garrison Act 1893 ..	Federal Council of Australasia

SECOND SCHEDULE.

Sections 32, 42.

OATH.

I swear that I will well and truly serve Our Sovereign Lord the King as a member of the Reserve Forces of the Commonwealth of Australia, and that I will resist His Majesty's enemies and cause His Majesty's peace to be kept and maintained and that I will in all matters appertaining to my service faithfully discharge my duty according to law. So help me God.

AFFIRMATION.

I solemnly and sincerely affirm and declare that I will well and truly serve Our Sovereign Lord the King as a member of the Reserve Forces of the Commonwealth of Australia, and that I will resist His Majesty's enemies and cause His Majesty's peace to be kept and maintained and that I will in all matters appertaining to my service faithfully discharge my duty according to law.

THIRD SCHEDULE.

Sections 37, 76.

OATH.

I swear that I will well and truly serve Our Sovereign Lord the King in the Forces of the Commonwealth of Australia for the term of _____ years or until sooner lawfully discharged dismissed or removed and that I will resist His Majesty's enemies and cause His Majesty's peace to be kept and maintained and that I will in all matters appertaining to my service faithfully discharge my duty according to law. So help me God.

AFFIRMATION.

I solemnly and sincerely affirm and declare that I will well and truly serve Our Sovereign Lord the King in the Forces of the Commonwealth of Australia for the term of _____ years or until sooner lawfully discharged dismissed or removed and that I will resist His Majesty's enemies and cause His Majesty's peace to be kept and maintained and that I will in all matters appertaining to my service faithfully discharge my duty according to law.