Date Introduced: 17 September 1981
House: House of Representatives
Presented by: Hon. D.J. Killen, Minister for Defence

Short Digest of Bill

Purpose

The Bill covers a number of unrelated matters principal of which are:-

(a) Workers Compensation for members of Reserve Forces;
(b) Arrangements concerning attachment and exchange of servicemen between countries;
(c) Command arrangements within multi-national forces;
(d) Apprehension of absentees;
(e) Control and management of defence land.

Background

The new provisions concerning Workers Compensation are of considerable importance because it has emerged in recent years that Reserve personnel have inadequate cover in the event of injury or death when on duty.

Provisions concerning command arrangements when Australian forces are functioning in co-operation with the forces of other nations have evolved from significant experience during World War II, Korea, Malaysia and Vietnam. Although detailed arrangements for combined forces will always be different it is important that there be legislation which enables elements of the Defence Force to be commanded by officers of other nations.

Main Provisions

Clause 6 amends Section 58B of the Principal Act giving members of the Emergency Forces and the Reserve Forces an entitlement to compensation under the Compensation (Commonwealth Government Employees) Act 1971.
Clause 8 inserts new Part IXA - PROVISIONS RELATING TO THE FORCES OF OTHER COUNTRIES.

Division 2 - "Attachment of Personnel and Mutual Powers of Command" provides that personnel of designated countries who are attached to the Defence Force are to have the same authority as Australian servicemen of corresponding ranks. In particular cases this may be subject to changes specified by the Minister. Division 2 also provides for command arrangements when part of the Defence Force is serving with forces of other countries. In general it allows the exercise of command over Australian servicemen by superior officers of other countries. It also provides for circumstances when an officer from another country is appointed to command the combined force.

Division 3 - "Absentees without leave" will establish a system whereby absentees from the armed forces of specified countries may be arrested and returned to their own countries subject to the decision of the Minister.

Clause 9 inserts new "PART IXB - PUBLIC AREAS OF DEFENCE LAND." This gives authority to the Minister to declare land which is held for defence purposes to be a public area. It provides for the appointment of rangers and the control of such areas, including the making of by-laws regulating such matters as duties of rangers, pollution, tourism, preservation of property, use of firearms, littering, traffic, etc.

For further information, if required, contact:

23 September 1981

Defence Group

LEGISLATIVE RESEARCH SERVICE