

Application of estate where no person beneficially entitled thereto.

9. Where it appears that there is no person to whom the military estate of a deceased member may be paid or delivered under section four of this Act, the proceeds of the estate shall be applied, as prescribed, to the creation or maintenance of any prescribed fund for the benefit of persons who are or have been members or dependants of members :

Provided that the application of the proceeds of a military estate in pursuance of this section shall not bar the claim of any person who subsequently satisfies the prescribed officer that he is a person to whom the estate or a part thereof may be paid or delivered under section four of this Act.

Attachment of military estates.

10. No person shall, by judgment or otherwise, be entitled to attach the military estate of a deceased member or any proceeds of the estate in the hands of the Commonwealth.

Medals.

11. The medals of a deceased member, which are not bequeathed to some specified person by will, shall be delivered to such person or institution as the Minister, or a person thereto authorized in writing by the Minister, approves.

Decorations.

12. Subject to any specific directions contained in any law or Rules governing the Order to which any decoration relates, the decorations of a deceased member shall be disposed of in accordance with the provision of the last preceding section.

Regulations.

13. 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 carrying out or giving effect to this Act.

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## NAVAL DEFENCE.

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### No. 45 of 1918.

An Act to amend the *Naval Defence Act 1910-1912*.

[Assented to 25th December, 1918.]

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

Short title and citation.

1.—(1.) This Act may be cited as the *Naval Defence Act 1918*.

(2.) The *Naval Defence Act 1910-1912* is, in this Act, referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Naval Defence Act 1910-1918*.

2. Section three of the Principal Act is amended by inserting therein after the definition of "Active Service" the following definition :—

Definitions.

" 'Commission' includes warrant."

3. Section five of the Principal Act is amended by adding at the end thereof the following proviso :—

Application of Defence Act.

"Provided that, in the application of those Parts and sections in relation to the Naval Forces, any reference to the Minister shall be construed as a reference to the Minister administering this Act."

4. Section eight of the Principal Act is amended by adding at the end thereof the following proviso :—

Power to appoint officers.

"Provided that subordinate officers and officers appointed provisionally or on probation shall not receive commissions."

5. Section eleven of the Principal Act is amended by adding at the end thereof the following sub-section :—

Officers not to be appointed or promoted except provisionally until they have passed prescribed examination.

"(5.) Notwithstanding anything contained in this section, an officer who, at the commencement of a time of war, holds a provisional appointment as an officer of a particular rank, or who is, during a time of war, appointed provisionally as an officer of a particular rank, may continue to hold office as an officer of that rank during the continuance of the time of war and for a period not exceeding eighteen months thereafter, even though he has not passed the prescribed examination for that rank."

6. Section fourteen of the Principal Act is amended by omitting therefrom the words "Warrant officers".

Appointment of non-commissioned and petty officers.

7. Section twenty-eight of the Principal Act is amended—

Discharge on expiration of period of service.

(a) by inserting therein before the word "war" (second occurring) the words "time of"; and

(b) by adding at the end thereof the following sub-section :—

"(2.) When a seaman becomes entitled to be discharged he shall be discharged with all convenient speed, but until discharged he shall remain a member of the Naval Forces."