



Elizabeth R

COMMONWEALTH OF AUSTRALIA

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

TO ALL to whom these Presents shall come,

GREETING:

WHEREAS, it is desirable that there be instituted an Australian medal for the purpose of according recognition for the unique contribution and significant commitment of those persons who have provided service in response to a nationally-significant emergency:

KNOW YOU that We do, by these Presents, institute a medal to be designated and styled the National Emergency Medal:

AND WE DO ordain that the award of the National Emergency Medal is governed by the regulations set out in the Schedule.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

GIVEN under the Great Seal of Australia at Our Court at St James's on *23rd October 2011*

By Her Majesty's Command

Julia Gillard
Prime Minister

Schedule

National Emergency Medal Regulations 2011

Part 1 Preliminary

1 Name of Regulations

These Regulations are the *National Emergency Medal Regulations 2011*.

2 Definitions

In these Regulations:

clasp means a device that denotes the nationally-significant emergency for which the Medal was awarded.

Committee means the National Emergency Medal Committee established under regulation 9.

Medal means the National Emergency Medal awarded under regulation 4.

Medal for significant service means the National Emergency Medal awarded under subregulation 4 (2).

Medal for sustained service means the National Emergency Medal awarded under subregulation 4 (1).

Minister means the Minister responsible for the administration of the Australian system of honours and awards.

nationally-significant emergency has the meaning given by regulation 3.

Register of Awards means the Register of Awards maintained by the Secretariat under regulation 13.

Secretariat means the Australian Honours and Awards Secretariat.

service includes paid and unpaid service.

significant service means service that the Committee decides is significant under subregulation 10 (6).

sustained service, for a nationally-significant emergency, means the type and duration of service advised by the Committee under paragraphs 10 (4) (e) and (f).

Part 2 Award of Medal

3 Nationally-significant emergency

(1) For these Regulations, each of the following emergencies is a nationally-significant emergency:

- (a) the bushfires that happened in the State of Victoria in February 2009;

- (b) the floods that happened in the State of Queensland during December 2010 and January 2011;
 - (c) Cyclone Yasi;
 - (d) an emergency declared to be a nationally-significant emergency under subregulation (2).
- (2) The Governor-General may, on the recommendation of the Minister, declare another emergency to be a nationally-significant emergency for the purpose of these Regulations.
- (3) The Minister must not make a recommendation under subregulation (2) unless:
- (a) the emergency happened in Australia; and
 - (b) the emergency happened during the previous 3 years; and
 - (c) the Minister has received advice from the Committee about whether the emergency should be declared a nationally-significant emergency.
- (4) A declaration under subregulation (2) must state the following in relation to the nationally-significant emergency:
- (a) the name by which the nationally-significant emergency is to be known for the purpose of these Regulations;
 - (b) the geographical area in Australia where the emergency happened;
 - (c) the day on which the emergency began;
 - (d) the duration of the emergency;
 - (e) the minimum duration and type of service required to qualify for the award of the Medal for sustained service.

4 Award of Medal

- (1) The Governor-General may, on the recommendation of the Secretariat, award to a person who has given sustained service during a nationally-significant emergency the Medal and a clasp denoting the nationally-significant emergency.
- (2) The Governor-General may, on the recommendation of the Committee, award to a person who has given significant service during a nationally-significant emergency the Medal and a clasp denoting the nationally-significant emergency.
- (3) If a person:
- (a) has been awarded the Medal and a clasp under these Regulations; and
 - (b) has given sustained service or significant service during another nationally-significant emergency;
- the Governor-General may award to the person the Medal in the form of a clasp denoting the nationally-significant emergency.

5 Cancellation of award

- (1) The Governor-General may, on the recommendation of the Minister, cancel an award of the Medal or a clasp.

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- (2) If the Governor-General cancels an award of the Medal:
 - (a) the Secretariat must note the cancellation in the Register of Awards; and
 - (b) the person must return the Medal to the Secretariat.
 - (3) If the Governor-General cancels an award of a clasp:
 - (a) the Secretariat must note the cancellation in the Register of Awards; and
 - (b) the person must return the clasp to the Secretariat.

6 Reinstatement of award

- (1) The Governor-General may, on the recommendation of the Minister, reinstate an award of the Medal, or of a clasp, that has been cancelled.
- (2) If the Governor-General reinstates an award, the Secretariat must:
 - (a) note the reinstatement in the Register of Awards; and
 - (b) return the Medal or clasp.

Part 3 The Medal and clasp

7 Design of the Medal and clasp

The design of the Medal, or of a clasp, is the design determined by the Governor-General.

8 Wearing of the Medal and clasp

The manner in which, and occasions on which, the Medal, or a clasp, may be worn are as determined by the Governor-General.

Part 4 National Emergency Medal Committee

9 Establishment of National Emergency Medal Committee

The National Emergency Medal Committee is established by this regulation.

10 Functions of the Committee

- (1) This regulation sets out the Committee's functions.
- (2) A function of the Committee, for an emergency mentioned in paragraph 3 (1) (a), (b) or (c), is to advise the Governor-General of the matters mentioned in paragraphs (4) (a) to (f).

- (3) A function of the Committee is to advise the Minister whether an emergency should be declared a nationally-significant emergency, after considering the following matters:
 - (a) whether the emergency had a serious impact on the population and region where the emergency happened;
 - (b) whether the emergency caused a large number of casualties;
 - (c) whether the emergency displaced a large number of people;
 - (d) whether the emergency caused significant destruction of, or disruption to, critical infrastructure, including infrastructure used to supply electricity, water, gas and fuel;
 - (e) whether the emergency required interstate or international assistance.
- (4) If the Committee advises the Minister that an emergency should be declared a nationally-significant emergency or the Minister advises the Committee that he or she will recommend to the Governor-General that an emergency should be declared a nationally-significant emergency, a function of the Committee is to advise the Minister of the following:
 - (a) the name of the clasp for the nationally-significant emergency;
 - (b) the geographical area where the emergency happened;
 - (c) the day on which the emergency began;
 - (d) the duration of the emergency;
 - (e) the type of service that a person is required to have undertaken to qualify for the award of the Medal for sustained service;
 - (f) the minimum duration of service that a person is required to have completed to qualify for the award of the Medal for sustained service.
- (5) A function of the Committee is to advise the Secretariat as to whether the service requirements for the award of the Medal for sustained service may be waived for a person who:
 - (a) died during the nationally-significant emergency; or
 - (b) was evacuated during the nationally-significant emergency due to injury or illness.
- (6) A function of the Committee is to decide whether a person has given significant service during a nationally-significant emergency, after considering the following matters:
 - (a) whether the person's service was part of the response efforts to the nationally-significant emergency;
 - (b) whether the person's service assisted with protecting lives and property;
 - (c) whether the person's service was extraordinary.
- (7) A function of the Committee is to make recommendations to the Governor-General for the award of the Medal for significant service.

11 Constitution of the Committee and appointment of members

- (1) The Committee is to consist of the following persons:
 - (a) 2 members appointed by the Minister as Commonwealth representatives;
 - (b) 3 members appointed by the Governor-General, on the recommendation of the Minister, as community representatives.
- (2) In making a recommendation to the Governor-General under paragraph (1) (b), the Minister must have regard to the desirability of ensuring that the membership of the Committee is broadly representative of the Australian community.
- (3) A member mentioned in paragraph (1) (b) may be appointed for a period not exceeding 3 years but is eligible for re-appointment.
- (4) The Governor-General must appoint from the members mentioned in paragraph (1) (b):
 - (a) a Chair of the Committee; and
 - (b) a person to act as Chair of the Committee in the event the person appointed as Chair of the Committee is absent or unable to perform the duties of the position.

Part 5 Australian Honours and Awards Secretariat

12 Functions of the Australian Honours and Awards Secretariat

- (1) This regulation sets out the Secretariat's functions in relation to the Medal.
- (2) A function of the Secretariat is to identify organisations involved in responding to a nationally-significant emergency and to advise those organisations of the application and nomination processes.
- (3) A function of the Secretariat is to:
 - (a) receive applications for the award of the Medal; and
 - (b) if an application is for the award of the Medal for sustained service — verify information provided in or with the application.
- (4) A function of the Secretariat is to make recommendations to the Governor-General for the award of the Medal for sustained service.
- (5) A function of the Secretariat is to assist the Committee in the performance of its functions.
- (6) A function of the Secretariat is to maintain a Register of Awards in accordance with regulation 13.

13 Register of Awards

- (1) The Secretariat must:
 - (a) enter in the Register of Awards the names of each person to whom the Medal or a clasp has been awarded under these Regulations; and
 - (b) keep such other records relating to the award of the Medal as the Governor-General directs.
- (2) The Secretariat may:
 - (a) correct an error in an entry in the Register of Awards or another record kept under this regulation; and
 - (b) annotate an entry in the Register of Awards in accordance with regulation 5 or 6; and
 - (c) annotate an entry in another record kept under this regulation.