

## COMMONWEALTH OF AUSTRALIA

## AUSTRALIAN ACTIVE SERVICE MEDAL REGULATIONS

## DECLARATION UNDER REGULATION 3

## DETERMINATION UNDER SUBREGULATION 4(2)

I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, on the recommendation of the Minister of State for Defence Science and Personnel, hereby:

- (a) revoke the Declaration and Determination made on 26 February 1991 under regulation 3 and subregulation 4(2) respectively of the Australian Active Service Medal Regulations set out in the Schedule to Letters Patent dated 13 September 1988;
- (b) under regulation 3 of those Regulations declare the multinational military deployment in the Persian Gulf in the period that commenced on 17 January 1991 and ended on 28 February 1991 to be a prescribed warlike operation for the purposes of those Regulations; and
- (c) under subregulation 4(2) of those Regulations, determine that the conditions for the award of the Australian Active Service Medal in respect of that prescribed warlike operation are:
  - (i) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a prescribed period in the prescribed operational area while posted to a ship or unit of the Australian Defence Force which is assigned for duty of a continuing nature within that area in connection with the multinational military deployment;
  - (ii) the Medal may be awarded to a member of the Australian Defence Force who served on exchange or secondment with a Foreign Defence Force and who rendered service as such a member for a prescribed period in the prescribed operational area while posted to a ship or unit assigned for

duty of a continuing nature within that area in connection with the multinational military deployment;

- (iii) the Medal may be awarded to a member of the Australian Defence Force who rendered service during the period that commenced on 17 January 1991 and ended on 28 February 1991 by performing one operational sortie over the prescribed operational area as a member of the crew of a military aircraft on a combat mission operating in connection with the multinational military deployment;
- (iv) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in the aggregate to 30 days, for official visits, inspections or other occurrences of a temporary nature on duty in the prescribed operational area during the period that commenced on 17 January 1991 and ended on 28 February 1991;
- (v) the Medal may be awarded to accredited members of approved Australian philanthropic organisations attached to the multinational military deployment forces in the prescribed operational area in an official capacity for full time duty in uniform if they have rendered service for a prescribed period with forces engaged in the operations;
- (vi) the qualifying period of service as described in subparagraph (c)(i), (ii), (iii) or (iv) may be deemed by the Chief of the Defence Force or his delegate to have been established notwithstanding that the member has not met the qualifying periods described;
- (vii) the Medal shall be awarded to members of the Australian Defence Force qualifying under subparagraphs (c)(i) or (c)(ii) or (c)(iii) or (c)(iv) with the clasp 'KUWAIT';

(viii) the Chief of the Defence Force in exercising his discretion to deem under subparagraph (c)(vi) shall take into account whether the member's service with the military deployment in the Persian Gulf:

- (A) was terminated owing to death, evacuation owing to illness or injury or other disability due to service;
- (B) was terminated due to Government or Defence Force reasons; or
- (C) was terminated due to Foreign Government or Foreign Defence Force reasons;

(ix) eligibility for the award of the Medal shall not be affected by the grant of any other award for service in the prescribed operational area;

(x) a reference in this paragraph to the prescribed operational area is a reference to the operational area referred to in Clause 2 of Determination 3989 Gulf Allowance, made under section 58B of the Defence Act 1903, as in force at the date of this instrument; and

(xi) a reference in this paragraph to a prescribed period is a reference to a period of one day or more during the period that commenced on 17 January 1991 and ended on 28 February 1991.

Dated

*17th April*

1991



Governor-General

By His Excellency's Command



Minister of State for Defence Science and Personnel