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## Schedule

### Australian Operational Service Medal Regulation 2012

#### Part 1 Preliminary

##### 1 Name of regulation

This regulation is the *Australian Operational Service Medal Regulation 2012*.

##### 2 Definitions

In this regulation:

**accumulated service device** means a device awarded to an ADF member under section 6 that denotes the completion of an additional period of eligible service by an ADF member on a subsequent declared operation.

**ADF member** means a member of the Defence Force.

**Chief of the Defence Force** means the Chief of the Defence Force appointed under section 9 of the *Defence Act 1903*.

**civilian** means a person who:

- (a) is not an ADF member; and
- (b) is employed or contracted to support, in a civilian capacity, the operations of a Defence Force deployed force; and
- (c) is subject to the *Defence Force Discipline Act 1982*.

**clasp** means a device awarded to a civilian under section 7 or 8 that denotes the declared operation for which the device is awarded.

**declared operation** means an operation declared under section 3.

**Defence Force** means the Defence Force constituted under Part III, Division I of the *Defence Act 1903*.

**eligible service** means service declared under section 4.

**medal** means the Australian Operational Service Medal.

**Minister** means the Minister for Defence.

##### 3 Declared operation

- (1) The Governor-General may declare, in writing, on the recommendation of the Minister, that an operation is a declared operation.
- (2) In making a recommendation to the Governor-General, the Minister must have regard to the recommendation of the Chief of the Defence Force.

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- (3) The Governor-General must not make a declaration about an operation unless:
    - (a) the operation is, or was, carried out in conditions that are hazardous; and
    - (b) the operation is not an operation for which recognition for an award (other than an award under this regulation) already exists; and
    - (c) the operation meets the conditions (if any) determined, in writing, by the Governor-General.
  - (4) For an operation other than a special operation, the declaration must include the following matters:
    - (a) the name by which the operation is known or a description of the operation; and
    - (b) the area in which the operation occurs or occurred; and
    - (c) either:
      - (i) the dates or period during which the operation occurred; or
      - (ii) if the operation is continuing — the date on which the operation commenced.

#### **4 Eligible service**

- (1) The Governor-General may declare, in writing, on the recommendation of the Minister, that a service is:
  - (a) an eligible service; or
  - (b) an eligible service that is an additional period of qualifying service for the purposes of paragraph 6 (2) (c).
- (2) In making a recommendation to the Governor-General, the Minister must have regard to the recommendation of the Chief of the Defence Force.
- (3) The Governor-General must not make a declaration about a service unless:
  - (a) the service is given in the operational area, and within the period, of a declared operation; and
  - (b) the service meets the conditions (if any) determined, in writing, by the Governor-General.

## **Part 2 Awards**

#### **5 ADF members — award of medal and ribbon**

The Governor-General may, on the recommendation of the Chief of the Defence Force, award to an ADF member who has given eligible service during a declared operation:

- (a) the medal; and
- (b) a ribbon denoting the declared operation.

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**6 ADF members — award of subsequent medals, ribbons and accumulated service devices**

- (1) This section applies:
  - (a) to an ADF member who has been awarded the medal and ribbon under section 5; and
  - (b) in relation to eligible service given by the ADF member during a declared operation that is subsequent to the operation for which the medal and ribbon were awarded.
- (2) The Governor-General may, on the recommendation of the Chief of the Defence Force, award to the ADF member for the eligible service:
  - (a) the medal; and
  - (b) a ribbon denoting the subsequent declared operation; and
  - (c) for each period of eligible service that is an additional period of qualifying service on a single declared operation — an accumulated service device.

**7 Civilians — award of medal, standard civilian ribbon and clasp**

The Governor-General may, on the recommendation of the Chief of the Defence Force, award to a civilian who has given eligible service during a declared operation:

- (a) the medal; and
- (b) a standard civilian ribbon; and
- (c) a clasp denoting the declared operation.

**8 Civilians — award of subsequent clasps**

- (1) This section applies:
  - (a) to a civilian who has been awarded the medal, standard civilian ribbon and clasp under section 7; and
  - (b) in relation to eligible service given by the civilian during a declared operation that is subsequent to the operation for which the medal, ribbon and clasp was awarded.
- (2) The Governor-General may, on the recommendation of the Chief of the Defence Force, award to the civilian a clasp denoting the subsequent declared operation.

**9 Cancellation and reinstatement of awards**

- (1) The Governor-General may, on the recommendation of the Chief of the Defence Force, cancel or reinstate an award of a medal, ribbon, accumulated service device or clasp.
- (2) If the Governor-General cancels or reinstates an award:
  - (a) the Registrar must note the cancellation or reinstatement in the Register of Awards; and



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- (b) for an award that is cancelled — the medal, ribbon, accumulated service device or clasp must be returned to the Registrar; and
  - (c) for an award that is reinstated — the medal, ribbon, accumulated service device or clasp must be returned to the recipient of the award.

**10 Chief of the Defence Force recommendation**

The Chief of the Defence Force must make a recommendation under sections 5 to 9 if he or she is satisfied in all the circumstances that it is appropriate to do so.

**11 Posthumous awarding of medals, ribbons, devices and clasps**

Each award of a medal, ribbon, accumulated service device or clasp mentioned in this Part may be awarded posthumously.

**Part 3 Design and wearing of medal, ribbons, devices and clasps**

**12 Design of medal, ribbons, devices and clasps**

The design of the medal and each ribbon, accumulated service device and clasp is as determined by the Governor-General.

**13 Wearing of medal, ribbons, devices and clasps**

The manner of wearing the medal and each ribbon, accumulated service device and clasp is as determined by the Governor-General.

**Part 4 Administration**

**14 Keeping of records**

- (1) The Governor-General must appoint a Registrar of Awards.
- (2) The Registrar must:
  - (a) enter the names of each person to whom a medal, ribbon, accumulated service device or clasp has been awarded in a Register; and
  - (b) keep other records about the award of the medal, ribbon, accumulated service device or clasp as the Governor-General directs.
- (3) The Registrar may correct an error in the Register.
- (4) If an entry in the Register is:
  - (a) annotated in accordance with paragraph 9 (2) (a); or
  - (b) corrected in accordance with subclause (3);

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the Registrar may correct or update another record kept under this section that relates to the entry.

## **15 Delegations**

- (1) The Governor-General may, in writing, delegate his or her powers under sections 5, 6, 7, 8, 12 and 13 to:
  - (a) the Chief of the Defence Force; or
  - (b) a person from time to time holding or occupying an office in the Defence Force or the Department of Defence specified in the instrument of delegation.
- (2) The Governor-General may, in writing, revoke a delegation under subsection (1).
- (3) A delegate of the Governor-General must not:
  - (a) make a recommendation for an award if the person is also likely to consider the recommendation; or
  - (b) consider a recommendation for an award if the recommendation was also made by the person.
- (4) The Chief of the Defence Force may, in writing, delegate the power to make a recommendation for an award to a person from time to time holding or occupying a position in the Defence Force of the Department of Defence and mentioned in the instrument of delegation.
- (5) The Chief of the Defence Force may, in writing, revoke a delegation under subsection (4).