

---

# Schedule—Amendments

## *Australian Operational Service Medal Regulation 2012*

### 1 Section 2 (definition of *accumulated service device*)

Repeal the definition, substitute:

*accumulated service device* means a device awarded to an ADF member, or an allied foreign Defence Force member, under section 6 that denotes the completion of an additional period of qualifying service by the ADF member, or allied foreign Defence Force member, during a single declared operation.

### 2 Section 2

Insert:

*additional period of qualifying service* means eligible service declared under paragraph 4(1)(b) or (4)(b).

*allied foreign Defence Force member* means a member of the Defence Force of a foreign country who is, or was:

- (a) on exchange or secondment with the Australian Defence Force; or
- (b) included in a class of members determined, in writing, by the Chief of the Defence Force for the purposes of this definition.

### 3 Section 2 (definition of *civilian*)

Repeal the definition, substitute:

*civilian* means a person who:

- (a) is employed or contracted by the Commonwealth to support, in a civilian capacity, the operations of a Defence Force deployed force; and
- (b) is:
  - (i) subject to the *Defence Force Discipline Act 1982*; or
  - (ii) included in a class of persons determined, in writing, by the Chief of the Defence Force for the purposes of this definition.

Note: Paragraph (a) would cover a member of the Reserves who is employed or contracted by the Commonwealth to support, in a civilian capacity, the operations of a Defence Force deployed force.

### 4 Section 2

Insert:

*Register of Awards* means the Register kept by the Registrar under section 14.

*Registrar* means the Registrar of Awards appointed under subsection 14(1).

*special operation* means a sensitive activity of the Australian Defence Force that the Chief of the Defence Force has determined, in writing, to be a special operation.

### 5 Paragraph 3(3)(a)

After “are”, insert “, or were,”.

### 6 After subsection 3(3)

Insert:

- (3A) Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint Operations, that a special operation is a declared operation.
- (3B) The Chief of the Defence Force must not make a declaration about a special operation unless:
  - (a) the operation is, or was, carried out in conditions that are, or were, 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 Chief of the Defence Force.

**7 Subsection 3(4)**

Omit “For an operation other than a special operation, the declaration”, substitute “A declaration under this section”.

**8 Subsection 4(1)**

Omit “a service”, substitute “service”.

**9 Paragraphs 4(1)(a) and (b)**

Omit “an eligible”, substitute “eligible”.

**10 Subsection 4(3)**

Omit “a service”, substitute “service”.

**11 At the end of section 4**

Add:

- (4) Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint Operations, that service is:
- (a) eligible service; or
  - (b) eligible service that is an additional period of qualifying service for the purposes of paragraph 6(2)(c).
- (5) The Chief of the Defence Force must not make a declaration about service unless:
- (a) the service is given in the operational area, and within the period, of a special operation that is a declared operation; and
  - (b) the service meets the conditions (if any) determined, in writing, by the Chief of the Defence Force.

**12 Section 5 (heading)**

Repeal the heading, substitute:

**5 ADF members and allied foreign Defence Force members—award of medal and ribbon**

**13 Section 5**

Before “The Governor-General”, insert “(1)”.

**14 At the end of section 5**

Add:

- (2) The Governor-General may, on the recommendation of the Chief of the Defence Force, award to an allied foreign Defence Force member who has given eligible service during a declared operation:
- (a) the medal; and
  - (b) a ribbon denoting the declared operation.

**15 Section 6 (heading)**

Repeal the heading, substitute:

**5 ADF members and allied foreign Defence Force members—award of subsequent medals, ribbons and accumulated service devices**

**16 Paragraph 6(1)(a)**

After “an ADF member”, insert “, or an allied foreign Defence Force member,”.

**17 Paragraph 6(1)(b)**

After “the ADF member”, insert “, or allied foreign Defence Force member,”.

---

---

## 18 Subsection 6(2)

After “the ADF member”, insert “, or allied foreign Defence Force member,”.

## 19 At the end of section 9

Add:

- (3) The Governor-General may determine, in writing, matters that the Chief of the Defence Force must take into account in making a recommendation under subsection (1).

## 20 Subsection 15(4)

Repeal the subsection, substitute:

- (4) The Chief of the Defence Force may, in writing, delegate any of the following powers to a person from time to time holding, occupying, or performing the duties of, a specified office or position in the Defence Force or the Department of Defence:
  - (a) the power to determine a class of members for the purposes of the definition of ***allied foreign Defence Force member*** in section 2;
  - (b) the power to determine a class of persons for the purposes of the definition of ***civilian*** in section 2;
  - (c) the power to make a recommendation under any of sections 5 to 9.