
Schedule

Unit Citations Regulations

1 Regulation 2 (Interpretation)

1. Before the definition of "citation", insert:

"Australian law" means:

- (a) an Act of the Commonwealth or of a State or Territory; or
- (b) a Norfolk Island enactment; or
- (c) a rule of common law.

2. After the definition of "Defence Force", insert:

"extraordinary gallantry" means exceptional courage or courageous endurance above expectations while in action;

"in action" means the physical involvement of members of a unit of the Defence Force as a part of a force engaged in conflict with an opposing force;

3. Omit the definition of "Minister", substitute:

"Minister" means the Minister responsible for the administration of Defence honours and awards;

"sustained outstanding service" means service or support performed by a unit which is substantially above the unit's normal capacity and which is for an extended period;

4. Omit the definition of "unit", substitute:

"unit" means either of the following:

- (a) a force element of the Defence Force assigned for operational tasking;
- (b) an allied foreign defence force unit in direct contribution to a Defence Force operation.

2 Regulation 3 (Conditions for award of citations)

1. After "gallantry in action" in subregulation (1), insert "on or after 15 January 1991".
2. After "warlike operations" in subregulation (2), insert "on or after 15 January 1991".

3 Regulation 11 (Cancellation and reinstatement)

Omit the regulation, substitute:

Cancellation and reinstatement

- (1) The Governor-General, on recommendation of the Minister or the Chief of the Defence Force, may cancel the following.
 - (a) The Unit Citation.
 - (b) The right of a person to wear the insignia of a citation.
- (2) Where the Unit Citation is cancelled, the name of the unit and the name of each person to whom the insignia has been issued shall be erased from the Register and both of the following apply.
 - (a) The Unit shall return the Unit Citation to the Registrar.
 - (b) Each person shall return the insignia of a citation to the Registrar.
- (3) Where the right of a person to wear the insignia of a citation is cancelled, the name of the person shall be erased from the Register and the person shall return the insignia to the Registrar.
- (4) The Governor-General, on recommendation of the Minister or the Chief of the Defence Force, may reinstate a right so cancelled under subregulation (1).
- (5) Where a right that has been cancelled under subregulation (1) is reinstated under subregulation (4), the Registrar shall restore the entry or entries in the Register that had been erased and the Registrar will do the relevant of the following.
 - (a) The Registrar shall return Unit Citation to the Unit.
 - (b) The Registrar shall return the insignia of a citation to the person.

4 Regulation 11 (Cancellation and reinstatement)

After the regulation, insert:

Forfeiture and reinstatement

12. (1) The right of a person to wear the insignia of a citation is forfeited if the person is convicted under Australian law for any of the following.
 - (a) Treason and related offences.
 - (b) Mutiny and related offences.
 - (c) Sabotage of Australian and allied assets.
 - (d) Aiding the enemy, including assisting prisoners of war, and related offences.
 - (e) Serious terrorism related offences.

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- (f) Any other offence determined by the Governor-General.
- (2) The insignia of a citation is forfeited if the Governor-General, on the recommendation of the Minister or the Chief of the Defence Force, determines that either of the following applies.
 - (a) The person is convicted of an offence which is considered to be so disgraceful or serious that it would be improper for the person to retain the award.
 - (b) The person obtained the award by making a false declaration.
 - (3) The Governor-General may issue directions for the purpose of subregulation (2).
 - (4) The Governor-General, on the recommendation of the Minister or the Chief of the Defence Force, may reinstate the right of a person to wear the insignia of a citation which has been forfeited under subregulation (2).
 - (5) Where the right of a person to wear the insignia of a citation is forfeited, both of the following apply.
 - (a) The name of the person to whom the award was made shall be erased from the Register.
 - (b) The person must return the insignia to the Registrar.
 - (6) Where the right of a person to wear the insignia of a citation that has been forfeited is reinstated under subregulation (4), the Registrar must do both of the following.
 - (a) Restore the entry or entries that had been erased in the Register.
 - (b) Return the insignia to the person.