

NATURE OF SERVICE REVIEW BOARD

Terms of Reference

The Nature of Service Review Board has been established to improve the consistency, transparency and rigour applied to the consideration of claims relating to the Nature of Service (NOS) for past military operations and other hazardous service.

The role of the NOS Review Board is to advise and make recommendations to the Minister for Defence, the Minister for Veterans' Affairs and the Minister for Finance and Deregulation on the appropriate characterisation/classification of particular past service rendered by members of the ADF and certain civilians.

The NOS Review Board will deal only with matters arising from representations to a Minister, the Chief of the Defence Force, or the Repatriation Commission. It will not consider matters direct from claimants.

Each submission relating to past service will be assessed in the context of the law and policy extant at the time a past operation occurred.

Membership of the NOS Review Board will include a representative of relevant Departments, supported by technical subject-matter experts.

Decisions will be by consensus. Where consensus cannot be achieved, dissenting views and alternate approaches will be recorded and reflected in advice to Ministers.

Recommendations of the Board concerning characterisation of service may relate to a range of NOS issues, including, but not limited to:

- Determining that there are no grounds for reclassification of service in relation to specific applications or the eligibility for individuals/units to have their service incorporated into a nature of service determination.

Make recommendations to Government regarding Nature of Service classification, including:

- the making of any of statutory determinations or instruments such as determinations relating to warlike, non-warlike and hazardous service,
- allotment for duty or assignment for duty within an Area of Operation,
- the deeming of a person to have been a member of the ADF or of a particular unit of the ADF or deeming a person to have rendering Continuous Full Time Service.

Recommendations on the characterisation of service may inform the determination of eligibility of affected individuals under the *Veterans' Entitlements Act 1986*, *Military Rehabilitation and Compensation Act 2004*, *Defence Service Homes Act 1918*, *Defence Force (Home Loans Assistance) Act 1990*, *Defence Home Ownership Assistance Scheme Act 2008*, and the *Income Tax Assessment Act 1936*.

The cost of implementing any NOS Review Board recommendation will be identified in submissions.

The NOS Review Board will meet quarterly or as required, including considering matters out of session.

These TOR are operational through the NOS Review Board Business Rules and annualised process of review NOS classifications (attached).