CHAPTER 2

GENERAL INFORMATION

INTRODUCTION

2.1 Volume 1 of the Defence Honours and Awards Manual (DHAM) contains information required to administer the honours and awards system within Defence. It deals principally with current and recent awards. For older awards, some detail is provided in Volume 2. Additional information should be sought from source documents or can be requested from the Directorate of Honours and Awards (DH&A). The layout is designed to be user-friendly but the amount of detail involved requires users to become familiar with the structure and content to gain maximum benefit from the material contained in the publication. As a general principle, chapters on the administration of individual awards are designed to be stand-alone. This avoids the need to seek information from other parts of the manual.

Manual overview

2.2 In general, Chapters 2–4 contain the authorities, legislation, regulations and policy determinations which underpin the honours and awards system. Extracts of policy are included in these instructions and these are updated as regularly as possible. However, in the event of conflict between an extract and the primary document, the primary document is to have precedence. Otherwise these instructions constitute orders and are to be implemented without exception.

2.3 Chapters 5–34 includes eligibility criteria for all awards under the Australian system of honours and awards.

2.4 Chapters 35–37 contains instructions for the policy and procedures for the approval for acceptance and wearing by members of the Australian Defence Force (ADF) of United Nations, foreign and other awards not in the official system. This section also has the eligibility criteria for all awards under the Imperial system of honours and awards.

2.5 Chapters 38–43 contains instructions for the administration of all ADF and departmental awards. This section includes the Defence commendation scheme, badges such as the Returned from Active Service Badge and other awards including the Australia Day Medallion.

2.6 Chapters 44–49 contains a range of other policies and information relating to the administration of the honours and awards system for Defence. These include replacement, forfeiture and restoration and the process for claiming the unissued service awards of deceased members.

Administration of the awards system within Defence

2.7 Efficient administration of the honours and awards system is necessary to ensure timely approval and issue of medals to eligible personnel. It has been found that questions and complaints about the system are commonly due to the inadequate administration of individuals in terms of the recording of their status, service history, movements and time spent in operational areas.

2.8 The responsibilities of various agencies in relation to honours and awards are detailed in Chapter 3—‘Honours and Awards Administering Organisations’.

2.9 The sections of this volume that relate to the eligibility criteria provide the essential qualifying criteria and additional explanatory information to enable assessment of entitlement. The determinations and regulations that define eligibility criteria for awards remain as the authority for eligibility and nothing in this manual is to be taken as an exception to that legislation.

2.10 DH&A has the responsibility for assessing applications for operational and long service awards and submitting them for approval. This can only be done if deploying authorities and individuals provide the necessary details of service that show that an applicant has met the requirements of the award legislation. Incomplete applications will have to be returned and this will cause unnecessary delays in processing.
POLICY ON WEARING OF AWARDS ON UNIFORM

2.11 As a general policy, only those awards contained within the Australian Honours System, and awards issued to Australians under the former Imperial System prior to 5 October 1992 are allowed to be worn on ADF uniform. British awards, other than those made in the gift of the Sovereign, issued after that date may be approved for wear as foreign awards. Foreign awards that have been approved for acceptance and wear by ADF personnel may be worn on ADF uniform.

2.12 Awards are worn in accordance with Service dress instructions and the The Order of Wearing of Australian Honours and Awards issued by the Governor-General. Details on the order of wearing are contained in Chapter 4.

Lifesaving awards

2.13 Organisations such as the Royal Humane Society and the Royal Lifesaving Society have issued medals to recognise bravery in saving life. These awards are not officially part of the honours system, but because of the long-standing reputation of the respective organisations, and the fact that most have Royal patronage, the awards are allowed to be worn on ADF uniform. They are worn on the right breast to show them to be separate from the official awards that are worn on the left breast. Lifesaving awards are described in Volume 2, Chapter 25.

State and Territory government awards

2.14 The Australian States and Territories have instituted a range of awards to recognise service and achievement of members of State and Territory organisations. These include long service and bravery awards for police, ambulance, emergency service and corrective service personnel. These awards are not included in the Australian system and are not to be worn on ADF uniform.

2.15 A limited exception has been made in the case of ACT Emergency Medal that was instituted by the ACT to recognise those uniformed personnel involved in emergency service in the ACT. It was first awarded to those who were involved in fighting the 2003 bushfires and offered to members of the ADF. In recognition of the significant recognition of service to the community, approval was given for eligible ADF personnel to wear the medal on the right side when attending an official function of the ACT Government in uniform or in civilian dress. Such events do not include occasions such as Anzac Day or Australia Day that may be held in the ACT. This restricted wearing is consistent with the restricted wearing policy that applies to some foreign awards.

2.16 The administration of these awards is the sole responsibility of the respective States and Territories. Any queries about state and territory awards should be directed to the protocol branches of the States and Territories, not to DH&A which has no authority or responsibility in administering these awards.

2.17 The Australian Honours System includes a number of award, for example, the National Medal, the Police Medal, the Fire Service Medal, and the National Emergency Medal, which recognise service in a range of organisations, including State and Territory government organisations. These awards are permitted to be worn on ADF uniform with other official awards in accordance with the order of wearing.

Privately produced commercial commemorative medals

2.18 These items are produced privately for commercial sale and have no standing in the Australian Honours System. The dress rules of the Services do not allow them to be worn on uniform and they cannot be worn with official medals in civilian dress.

AUTHORITIES FOR HONOURS AND AWARDS

Honours stakeholders

2.19 The structure of the Australian Honours System and the procedures for administering it are closely aligned to those that applied under the Imperial system. Because Australia is a
Commonwealth member and currently has the status of a constitutional monarchy, the Sovereign has ultimate authority for the Australian honours system.

2.20 The principal stakeholders in the process of developing and authorising medals are:
- the Sovereign;
- the Governor-General;
- the Prime Minister;
- the Minister for Defence (or the Minister’s delegate); and
- Chief of the Defence Force.

2.21 The responsibilities of these stakeholders are:
- **The Sovereign.** The Sovereign, as Fons Honorum (Font of Honour), is the originating source for all honours and approves all Regulations governing Australian awards.
- **The Governor-General.** The Governor-General, as the Sovereign’s representative, exercises all powers and authorities of the Sovereign in respect of approving and administering awards within the Australian system, except for approving awards of the Victoria Cross for Australia, which remains with the Sovereign. The Governor-General signs all administrative documents such as Instruments of Declaration and Determination under relevant medal regulations.
- **The Prime Minister.** The Prime Minister, through the Department of the Prime Minister and Cabinet, (PM&C) maintains technical control of the Australian system of honours and awards. An Interdepartmental Committee on Defence Honours and Awards is chaired by PM&C and includes representatives from Government House and Defence. Department of Veterans’ Affairs, Department of Foreign Affairs and Trade and Australian Federal Police may be represented at meetings where issues relevant to those portfolios are on the agenda.
- **The Minister for Defence.** All matters concerning Defence awards are vested in the first place in the Minister for Defence, particularly in relation to honours, decorations and regulatory control for service awards. Accordingly, all recommendations to the Governor-General are made by the Minister for Defence or a delegate acting on behalf of the Minister. The Minister for Defence may also delegate responsibility for the routine day-to-day administration of Defence service awards to a subordinate minister or parliamentary secretary. The Parliament may pass a valid Act directing the Minister to recommend a particular award.1

2.22 In relation to Defence awards the Chief of the Defence Force has an important advisory responsibility and also has some delegated authorities.

**LEGISLATION RELATING TO HONOURS AND AWARDS**

**Method of legislating**

2.23 Australia follows the British system where medals are created by Royal Warrant, issued by the Sovereign as the ‘font of honours’, and administered by regulations appended to the warrant or, more usually for the Australian system, Letters Patent. There is no overarching Act of Parliament in Australia that governs the administration of honours and awards. Since Australia’s system is not dependent on Parliamentary legislation, there is no requirement to refer the system back to Parliament for amendment. However, amendments to regulations do require approval of the Sovereign, unless that authority has been delegated.

2.24 The only Australian legislation that deals specifically with honours and awards is the Defence Act 1903 (see below). In addition, the Veterans’ Entitlements Act 1986 (VEA) has some application to the honours and awards system, in so far as the VEA defines ‘qualifying service.’

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1 Advice provided by the Australian Government Solicitor 12 October 2012.
Within Defence and the ADF, policy and procedures for honours and awards are based on, or contained in:

a. the *Defence Act 1903*;

b. the DHAM; and

c. single-Service dress regulations.

The DHAM now includes those honours policies that were formerly contained in several Defence Instructions.

**The Defence Act 1903**

The *Defence Act 1903* prescribes the improper use of service decorations. The relevant sections of the Act are:

a. Section 80A (Falsely representing to be a returned soldier, sailor or airman);

b. Section 80B (Improper use of service decorations); and

c. Section 83 (Unauthorised use, possession or supply of emblems or flags).

A ‘decoration’ includes any medal, cross, star or other shaped device issued to recognise gallantry, distinguished, conspicuous, operational, non-operational or long service. Legal advice also states that foreign honours, decorations and awards are covered by the Act.

Sections 80A and 80B both carry penalties of 30 penalty units per offence. A penalty unit is defined under the Commonwealth *Crimes Act 1914* as $110, thus 30 penalty units equals $3300. An individual offence occurs every time a medal is improperly worn.

Sections 80A, 80B and 83 of the *Defence Act 1903* are in Annex A.

**Policy Documents**

Instruments of Declaration and Determination

The two elements—declaration and determination are contained within a legal instrument signed by the Governor-General. They are made under the authority of regulations contained in the schedule to the Letters Patent authorising the medal.

An Instrument of Declaration and Determination is used to firstly declare an operation for the purpose of an award and to state (‘determine’) eligibility for the award. When necessary, a previous instrument may be revoked.

When the Governor-General has signed the necessary declarations and determinations, they are published in the Commonwealth of Australia Gazette and the medal can be awarded.

Links to the current instruments are provided in this manual and on the DH&A website.

Australian Defence Force uniform orders and instructions

The single-Services publish instructions dealing with uniforms. Each of these documents contains orders or instructions pertaining to honours and awards, pertinent to each Service. The three publications are:

a. *Royal Australian Navy. Australian Book of Reference 81* (ABR 81)—*Uniform Instructions for the Royal Australian Navy*. Instructions pertaining to honours and awards are contained in ABR 81, Chapter 8—‘Rank Insignia and Badges’.

c. Royal Australian Air Force. Australian Air Publication (AAP) 5135.003 (Amendment 1)—Manual of Dress. Instructions pertaining to honours and awards are contained in AAP, Chapter 4—‘Orders, Decorations and Medals’.

State Government regulations

2.36 Each State Government publishes uniform regulations dealing with the award, acceptance and wearing of both Commonwealth and state awards. Where there is an inconsistency between Commonwealth and state regulations or orders, Commonwealth regulations and orders take precedence.

Points of contact

2.37 Contact details for principal Australian Government organisations responsible for the administration of the Australian Honours System, the Directorate of Honours and Awards and for military awards agencies of the United Kingdom, Canada and New Zealand are in Volume 1, Chapter 3, Annex A

Amendments

2.38 There is to be no amendment to this manual without the approval of Deputy Secretary Defence People (DEPSEC DP).

2.39 Requests for resolution, clarification or explanation should be directed to the Directorate of Honours and Awards (DH&A) at the address below.

   Directorate of Honours and Awards
   Attn: Assistant Director Policy
   Department of Defence
   PO Box 7952
   CANBERRA BC ACT 2610

Annex:
A. Defence Act 1903 (extracts)