CHAPTER 10
ORDER OF AUSTRALIA

Introduction

10.1 Community service is recognised in the General Division of the Order of Australia while military service is recognised in the Military Division of the Order of Australia (the Order). With the exception of operational awards, nominations for the Order should normally be limited to recognising service over a period of several postings, involving significant personal dedication, and resulting in long-lasting benefits for the Australian Defence Force (ADF). Descriptions of the various insignia within the Order of Australia are contained in Volume 2, Chapter 11.

10.2 Appointments and awards available within the Order are:
   a. **Companion in the Order of Australia.** Appointments as Companions or honorary Companions in the Order of Australia (AC) may be made for eminent service in duties of great responsibility.
   b. **Officer in the Order of Australia.** Appointments as Officers or honorary Officers in the Order of Australia (AO) may be made for distinguished service in responsible positions.
   c. **Member in the Order of Australia.** Appointments as Members or honorary Members in the Order of Australia (AM) may be made for exceptional service or exceptional performance of duty.
   d. **Medal of the Order of Australia.** The Medal of the Order of Australia (OAM) may be awarded for meritorious service or meritorious performance of duty.

Nomination and processing procedures

10.3 Nomination and processing procedures are detailed in Annex A.

Definition

10.4 For the purpose of this chapter ‘the Order’ means the Military Division of the Order of Australia.

GENERAL PROVISIONS

Honorary appointments to the Order of Australia

10.5 Honorary appointments are detailed in Chapter 11—‘Honorary Appointment to the Order of Australia (Military Division)’.

Authority

10.6 Order of Australia Regulations and procedures are detailed in the Constitution of the Order of Australia, as amended, which can be viewed at www.defence.gov.au/medals.

Eligible persons

10.7 Persons eligible to be appointed to the Order, or awarded an OAM are:
   a. members of the ADF;
   b. former members of the ADF whose Defence Force service has ceased for not more than one year. For example, to be eligible for an Australia Day 2010 award a member would need to be a member of the ADF (Permanent or Reserve Forces) on 27 January 2009; and
   c. other persons determined by the Minister for Defence.
10.8 In March 2012 the Chiefs of Service Committee (COSC) directed that Defence civilians and Officers and Instructors of Cadets would not be considered for recognition by awards of the Order of Australia (Military Division). (COSC Agendum 5 of 12)

Promotion within the Order

10.9 Promotion within the Order is not normally considered within five years of initial appointment or previous promotion. Should a person be nominated for promotion within the five year period, additional justification for the nominee’s promotion must be provided by the nominating authority.

Postnominal

10.10 Persons appointed to the Order, or awarded the OAM, are entitled to use postnominal letters, as detailed below, on all occasions when the use of such letters is customary:

a. Companion of the Order—AC.
b. Officer of the Order—AO.
c. Member of the Order—AM.
d. Medal of the Order—OAM.

Posthumous awards

10.11 There is no provision in the Constitution of the Order of Australia to appoint a person to the Order, or to award an OAM, posthumously.

10.12 However, in the event of the death of a member after having been nominated for appointment to the Order of Australia (Military Division) or an award of the Medal of the Order of Australia, provided that the nomination has been recommended by the nominating officer, it is to continue to be processed with all other nominations. If the nomination is recommended for approval, Government House will sound the member’s next-of-kin and, if the offer of the award is accepted, the next-of-kin will be presented with the award on behalf of the deceased member.1

Quotas

10.13 Paragraph 20(3) of the Constitution of the Order of Australia states that ‘In any one calendar year, the number of appointments to the Military Division shall not exceed one-tenth of one percent of the average number of persons who were members of the Defence Force on each day of the preceding year’. The Chief of the Defence Force (CDF) has further directed that the number of nominations or appointments in the Order of Australia in any one year should normally be limited to 75 per cent of the number allowed under the Constitution of the Order of Australia. This self-imposed limit may be varied, should circumstances justify, by CDF or the COSC.

10.14 The Constitution of the Order of Australia also specifies that military appointments at the Companion level shall not exceed five per cent of the total number of persons who are appointed each year, and at the Officer level, no more than 20 per cent. However, in order to maintain the prestigious nature of these appointments, COSC has stipulated that appointments at the Officer level should normally not exceed 10 per cent of the total number of persons who are appointed each year.

10.15 Quota allocations. Service chiefs are advised of their individual Service quota allocation for the Order for the following calendar year. Service chiefs will then determine the breakdown of honours and awards for their Service between the Australia Day and Queen’s Birthday Honours Lists. Operational awards of the Order are included within the total quota allowed under the Constitution of the Order of Australia, noting that CDF concurrence is required to exceed the 75 per cent allocated quota.

1 This policy is consistent with the process followed by Government House for the General Division of the Order where nominations received by Government House before a nominee dies will be assessed and, if successful, the next of kin will be sounded and invested with the award.
10.16 The Termination and Cancellation Ordinance of the Constitution of the Order of Australia, approved by the Governor-General (Commonwealth of Australia Gazette S177 of 13 September 2007), specifies a number of grounds for terminating an appointment to the Order or cancelling an award of the Medal.

10.17 In general terms any appointment to the Order may be terminated, or an award cancelled, as a result of:

a. a conviction for a crime or offence under a law of the Commonwealth, a State or a Territory or a law of a foreign country;

b. imposition of a civil penalty under a law of the Commonwealth, a State or a Territory or a foreign country; or

c. a finding of a court, tribunal or other body exercising judicial or administrative power under a law of the Commonwealth, a State or a foreign country that is adverse to the holder of an honorary appointment.

10.18 The Governor-General may also terminate an appointment if:

a. in the opinion of the Governor-General the holder of the appointment or the award has behaved in a manner that has brought disrepute on the Order;

b. the Governor-General is satisfied that any information on which a recommendation to make an appointment was based on false or misleading information; or

c. the Governor-General is satisfied that it would not have been desirable to make the appointment because of any information that was not available to the Governor-General or to the Minister for Defence when the recommendation to make the appointment was made (whether or not the information existed when the recommendation or decision was made).

10.19 Where there are grounds for termination or cancellation, CDF may write to the Minister, requesting the Minister to recommend to the Governor-General, that a particular appointment be terminated or award be cancelled.

Precedence of awards

10.20 The precedence of honours and awards shall be in accordance with The Order of Wearing Australian Honours and Awards determined by the Governor-General. This can be found at http://www.itsanhonour.gov.au. A modified version is in Chapter 4, Annex A of this volume.

Annex:

A. Nomination and processing procedures for the Order of Australia (Military Division)