



Australian Government
Department of Defence
Defence Personnel Executive

Minute

2002/28539/2
PPEC 210 /2004

CAF (R1-6-C001)

For Information:

VCDF (R1-5-B025)
HSO (R5-B-42)
DGCMP (R1-1-C021)

REQUEST FOR ALLOTMENT FOR RECOGNITION OF SERVICE - SOMALIA

Reference:

A. OCAF 271/04 dated 29 Feb 04

1. Reference A requests VCDF raise an Allotment Certificate for RAAF personnel who served on Operation SOLACE in Somalia in 1993.
2. The list of personnel to be included on the Allotment Certificate is taken from an audit completed by Headquarters Air Command. The audit identified these personnel were not included on the Allotment Certificate for Operation SOLACE and were yet to receive the Australian Active Service medal (AASM) with clasp 'Somalia'.
3. To be eligible to receive the AASM (Somalia) personnel must:
 - a. be force assigned to Operation SOLACE and complete one sortie or 30 days service inside Somalia, or
 - b. be deemed a visitor to the area of operations and complete 30 sorties or 30 days service inside Somalia.
4. The allotment certificate for Operation SOLACE was raised at the completion of the operation and was compiled from the list of ADF members who were force assigned to the operation. Visitors are not included on the Allotment Certificate.
5. It should be noted that being included on the Allotment Certificate brings with it more than just the award of the AASM. The following provisions would also be provided:
 - a. coverage under the Veterans' Entitlements Act (service pension and Gold Card at age 70);
 - b. Taxation exemption under s23AC of the Income Tax Assessment Act on all ADF salary and allowances paid for service inside the AO. Members will need to request an amendment to previous tax assessments for this period;

- c. Possible additional years of subsidy and waiver of the normal 5 year qualifying period under the Defence Force (Home Loans Assistance) Act dependant on length of service inside the AO; and
- d. Payment of Deployment Allowance for each day of service inside the AO. The rate of Deployment Allowance payable in May 1993 for service inside Somalia was \$68 per day. By applying the percentage of salary increases since then this would amount to the payment of \$94.80 per day. Payment of Deployment Allowance for this period will need to be funded by Air Force.

6. To amend the Allotment Certificate for Operation SOLACE, to include the members listed at the enclosure to Reference A will require:

- a. confirmation by Strategic Operations Division that these members were 'force assigned' to Operation SOLACE or visitors; and
- b. confirmation of the dates the members deployed inside Somalia.

7. My point of contact is the Director Service Conditions, s47E(d)

s22

Sue Parr
Director General
Personnel Policy and Employment Conditions

16 Apr 04



Australian Government
Department of Defence
Defence Personnel Executive

Minute

2002/28539/2
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CAF (R1-6-C001)

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*DTA
Please check the
reference and
initialise appropriate
action now s22 6/4*

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s22

Sue Farr
Director General
Personnel Policy and Employment Conditions

6 Apr 04



DEPARTMENT OF DEFENCE
Vice Chief of the Defence Force

MINUTE

VCDF/OUT/2005/214

See distribution

NATURE OF SERVICE ANOMALIES

RECEIVED

1 JUL 2005
264
Office of Head
Defence Personnel Executive

Reference:

A. COSC Outcome Agendum 40/04 of 14 Dec 04

1. On 17 Nov 04 COSC considered a list of Nature of Service (NOS) related anomalies. The actions required as a consequence of the Reference are detailed in the following paragraphs.

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Operation SOLACE (Somalia)

7. COSC agreed to retrospectively assign for duty the affected ADF (mainly RAAF) personnel who deployed in support of Operation SOLACE. As noted at paragraph 4, Service Chiefs have the authority to assign for duty and should therefore make the required authorisations and advise DPE. For Warlike service, the names of those assigned for duty must be added retrospectively to the Allotment Certificate for Operation SOLACE. My staff will do this when the list of personnel assigned for duty is received. The appropriate entitlements will then be paid.

DGP/PEC

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Coordination

13. DGNOSR remains my point of contact for implementation of the COSC outcomes.

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R.E. SHALDERS
VADM, RAN
VCDF

R1-5-B025

s22

30 Jun 05

Distribution:

CN	(R1-4-C001)
CA	(R1-4-B003)
CAF	(R1-6-C001)

For information:

CDF	(R1-5-B CDF Suite)
HDPE	(R1-1-C005)



AIR FORCE HEADQUARTERS

R1-6-C001 Department of Defence, CANBERRA ACT 2600, AUSTRALIA

CAF 2038/05
DCOORD 2004/1010113/1

DE (CP2-6-168)

For information:

ACMAN

CURRENT OPS (DH&A)

RETROSPECTIVE ASSIGN FOR DUTY – OPERATION SOLACE (SOMALIA)

1. I have recently been made aware of several 'nature of service' anomalies that occurred during several stages of OP SOLACE (Somalia 1993). These anomalies affect personnel from ALG who provided direct support to the deployment and eventual re-deployment of Army elements to and from Somalia. Australian Forces deployed in support of UNITAF (OP SOLACE-UN Security Council Resolution 794) and UNOSOM (OP IGUANA-UN Security Council Resolution 751).
2. As agreed by COSC on 17 Nov 04, Service Chiefs have the authority to retrospectively 'assign for duty' personnel who have been deemed to have been assigned and tasked by an authorised officer of the Defence Force in direct support of an operation overseas. The operational deployment must be classified warlike or non-warlike and must be into an overseas area of operations.
3. COSC 17 Nov 04 agreed to retrospectively 'assign for duty' the affected ADF (mainly RAAF) personnel who deployed in support of OP SOLACE in Somalia but who were not assigned for duty at the time. As a result of COSC and further information provided to me by my staff, I authorise the affected personnel identified in Annexes A through D to be retrospectively 'assigned for duty' to OP SOLACE.
4. Those members identified in Annex E are yet to provide formal evidence that they entered the OP SOLACE Area of Operations. They have been approached by Air Command to provide such evidence that will allow them, at a later date, to become eligible for the OP SOLACE Conditions of Service Package.
5. The attached annexes identify the following:
 - a. Annex A identifies those members who have received the OP SOLACE Conditions of Service Package, Australian Active Service Medal (AASM) and Clasp 'Somalia' and only require applicable 'OP LOG' entry on to PMKeys.

STAFF-IN-CONFIDENCE

- b. Annex B identifies those members who have received a AASM, but have not received the Clasp 'Somalia' or the OP SOLACE Conditions of Service Package.
- c. Annex C identifies those members who have not received the AASM or Clasp 'Somalia' or the OP SOLACE Conditions of Service Package.
- d. Annex D identifies those members that have not been able to be contacted, therefore their status cannot be confirmed.
- e. Annex E identifies those members that are not able to provide any evidence of their entry into Somalia. Air Force Headquarters has advised Air Command that these members must be contacted and advised that they will only be eligible for the OP SOLACE Conditions of Service Package if they provide sufficient evidence of their official entry into Somalia.

6. I would request that you:

- a. review the list to confirm eligibility;
- b. amend the members PMKEYS Operational Log;
- c. raise the necessary amendments to the OP SOLACE Allotment Certificates;
- d. gain VCDF's signature to those Allotment Certificates; and
- ~~✗~~ e. send the retrospective Allotment Certificates to:
 - i) Department of Veteran Affairs (DVA);
 - ii) Directorate of Honours and Awards;
 - iii) Defence Housing Authority; and
 - iv) Treasury.

7. Once you have passed the information to DH&A for processing please advise my point of contact for this matter, s47E(d) [REDACTED], COORD2, DCOORD-AF, tel s22 [REDACTED].

s22 [REDACTED]

G.D.(SHEPHERD
AIRMSHL
CAF

9 Dec 05

Annexes:

- A. OP SOLACE Members in receipt of Conditions of Service Package.
- B. OP SOLACE Members to receive Clasp Somalia and Conditions of Service Package.
- C. OP SOLACE Members to receive AASM, Clasp Somalia and Conditions of Service Package.
- D. OP SOLACE Members not able to be contacted.
- E. OP SOLACE Members with no evidence of entry to Somalia



Australian Government
Department of Defence

**Personnel Policy &
Employment Conditions**
CP2-4-019
Campbell Park Offices
CANBERRA ACT 2600

2006/1123901/1
DSC 06 / 2007

s47F

VEA Compensation Policy
Department of Veterans' Affairs
PO Box 21
WODEN ACT 2606

INSTRUMENT OF ALLOTMENT – OPERATION SOLACE

Find enclosed an Instrument of Allotment for service on Operation Solace issued under subsection 5B(2) of the *Veterans' Entitlements Act 1986*. The Instrument is in respect of service in Somalia by members of the RAAF Air Lift Group during the period 20 October 1992 and 30 November 1994.

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MS C. D. GOM
Director Service Conditions
Personnel Policy and Employment Conditions Branch

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28 February 2007

Enclosure:

1. Instrument of Allotment – Operation Solace

EXPLANATORY STATEMENT

Instruments of Allotment

The concept of 'allotment for duty' was developed following World War II in response to the existence of warlike situations for which Australia had made no formal declaration of war.

"Allotment" is a technical term that describes a special administrative procedure designed to accurately identify persons or units whose duties are directly related to warlike activities within a defined operational area. Instruments of Allotment are required by legislation to determine eligibility for certain entitlements under both the *Veterans' Entitlements Act 1986* and the *Income Tax Assessment Act 1936*. Entitlements include the Disability Pension for any illness or injury resulting from that period of service, the Service Pension from age 60, additional home loan assistance and exemptions from income tax.

The current system whereby the Minister for Defence makes a declaration as to whether a deployment is warlike or non-warlike was established in 1993. In relation to the *Veterans' Entitlements Act 1986*, a declaration of warlike service gives access to compensatory payments, such as the disability pension. It is also qualifying service for the service pension and associated benefits. A declaration of non-warlike service gives access to compensatory payments such as the disability pension, but is not qualifying service for service pension and associated benefits purposes.

In considering whether to allot a unit or person for operational service prior to 1993, it is therefore necessary to assess the nature of that unit's/person's service to determine whether it is either warlike or non-warlike. It follows that not all personnel who enter an operational area will have access to the full suite of benefits available under the *Veterans' Entitlements Act 1986*.

Instruments made for the purposes of the *Veterans' Entitlements Act 1986*, depending on the operational theatre concerned, must be issued by either 'the Defence Force' or signed by the Vice Chief of the Defence Force (VCDF) in accordance with section 5B(2) of that Act. Since the introduction of the current system of Allotment in Defence in 1990, it is customary for all Instruments of Allotment to be signed by the VCDF of the day.

Instruments of Allotment are not a legislative instrument for the purposes of the *Legislative Instruments Act 2003* (the LIA) and are therefore not subject to the registration requirements and Parliamentary scrutiny regime outlined in the LIA.

Directorate of Service Conditions
Personnel Policy and Employment Conditions Branch

February 2007



Veterans' Entitlements Act 1986

**Instrument of Allotment of Persons
Somalia 20 October 1992 to 30 November 1994
Schedule 2 Item 14**

1. This instrument is issued by the Defence Force under subsection 5B(2) of the *Veterans' Entitlements Act 1986* ("the Act") for use by the Repatriation Commission in determining a person's eligibility for entitlements under the Act.
2. Each person identified in the Schedule below was allotted for duty in the operational area described in Item 1 of column 1 of Schedule 2 of the Act for the period specified in column 2 of the Schedule opposite the name of that person.
3. This instrument is in addition to and does not replace the instrument signed by LTGEN J.S. Baker, VCDF, on 1 March 1995.

Schedule	
Column 1	Column 2
[Redacted content]	

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Dated this *Fifteenth* day of *February* 2007

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K.J. GILLESPIE, AO, DSC, CSM
Lieutenant General
Vice Chief of the Defence Force