



CHIEF OF JOINT OPERATIONS

Headquarters Joint Operations Command

Directive

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See distribution

CJOPS DIRECTIVE 44/22 – CONSUMPTION OF ALCOHOL ON HQJOC OPERATIONS, EXERCISES AND ACTIVITIES – AMENDMENT TWO

References:

- A. CJOPS Directive 44/22 – *Consumption of Alcohol on HQJOC Operations, Exercises and Activities – Amendment One* dated 16 Nov 22
- B. *Defence Force Discipline Act 1982*
- C. *Public Service Act 1999*
- D. MILPERSMAN Part 4, Chapter 1 – *Alcohol Management in the Australian Defence Force*
- E. MILPERSMAN Part 4, Chapter 3 – *Management of the Use of Prohibited Substances in the Australian Defence Force*
- F. MILPERSMAN Part 4, Chapter 2 – *Alcohol testing in the Australian Defence Force*

Introduction

1. Ref A is cancelled and replaced with this amended Directive. This amendment has been issued to highlight the primacy of this Directive in terms of the authority it holds over all other ADF, other Australian Government Departments, or foreign orders and/or directives covering alcohol consumption on OAA (see paragraph three).

2. Deployed personnel are required to be capable of performing assigned tasks, maintaining situational awareness and being immediately responsive to orders, warnings, or enemy threats. As such the ability to consume alcohol whilst deployed is a privilege and is to be treated as such. My priority is to maintain the operational integrity of the ADF by providing a robust, safe and pragmatic approach to the consumption of alcohol within my Command.

Aim

3. This directive provides all FA personnel my direction on the consumption of alcohol while on a HQJOC operation, action or activity (OAA). This directive supersedes any previous CJOPS directives relating to alcohol consumption and should be used to update any local orders or instructions covering alcohol consumption to ensure they are accurate. This directive is the single authoritative document covering the consumption of alcohol for personnel on operations, and holds primacy over and /or overrides all other ADF, other Australian Government Departments, and foreign force, mission, operation or activity alcohol consumption orders and/or directives. **CDF has directed that, explicitly and without exception, if you are a member of the ADF this Directive is the authoritative document you must follow.**

Scope

4. This directive applies to all personnel who are FA or temporarily assigned to CJOPS for duty on operations, exercises or activities. This Directive does not apply to personnel who are under administrative Command of CO HQJOC. 'Personnel' (for the purposes of this Directive) means ADF members, embedded foreign personnel (where consistent with the terms of any applicable international arrangement)¹ and Defence civilians as defined at ref B, Australian Public Service employees as defined at ref C and employed by Defence, and civilian contractors.

HQJOC alcohol policy

5. All personnel FA or temporarily assigned to HQJOC for duty on OAA, may only consume alcohol in the following circumstances:

- a. **Warlike operations.** The authority to consume alcohol on warlike operations is as follows:
 - (1) CJOPS will not approve the consumption of alcohol in a warlike AO, including periods of United Nations 'In Mission Area' (UN IMA) Leave
 - (2) CJOPS may approve the consumption of alcohol in a warlike AO if it is for the purpose of communal wine for religious ceremonies
 - (3) consumption of alcohol is permitted for FA or temporarily assigned personnel when:
 - (a) on approved ADF leave to provide Relief Out Of Country
- b. **Non-Warlike operations.** The authority to consume alcohol is held by CJOPS but may be delegated to O-8 Operational Commanders for specific operations.
 - (1) CJOPS will not approve the consumption of alcohol for personnel assigned to force protection duties in a non-warlike AO
 - (2) CJOPS will not approve the consumption of alcohol for personnel utilising UN IMA Leave, MFO leave or local respite as personnel are still within the AO and not on approved ADF leave with the exemption of para 5.c. and para 4.d.
 - (3) CJOPS will not approve the importation, storage, or consumption of alcohol where host nation prohibition laws apply or host and/or coalition partners' sensitivities may be offended without host nation approval
 - (4) CJOPS may approve the consumption of alcohol in a non-warlike AO as follows:
 - (a) Australian National holidays (Australia Day, Anzac Day and Christmas Day only, subject to paragraph 10)

¹ NB. MILPERSMAN, Part 4, Chapter 3 only applies to members of foreign Defence forces where alcohol testing is permitted within the applicable MOU or other international agreement or arrangement.

- (b) communal wine for religious ceremonies
 - (c) on a case by case basis, Operational Commanders may seek permission from CJOPS for FA personnel to consume alcohol for special events² outside of the listed Australian National holidays in para 5.b.(4)(a).
 - (d) on a case by case basis, Operational Commanders may seek permission from CJOPS for FA personnel to consume alcohol on a more routine / semi-occasional basis. If granted, this authority only exists during the requesting Commander's tenure.
- (5) Consumption of alcohol is permitted for FA or temporarily assigned personnel when they are on approved ADF leave to provide Relief Out Of Country Leave.
- c. **Peacetime OAA (overseas and domestic).** The consumption of alcohol for personnel on peacetime OAA is as follows:
- (1) The policy for consumption of alcohol is delegated by CJOPS to O-8 JTF Commanders (e.g. CJTF 637 / 629 / 635 / 639) only to allow for the consistent application of policy to meet specific operational requirements. An example of this is where the same JTF Commander has multiple force elements requiring different alcohol restrictions in the same location. The policy must meet the intent of this Directive.
 - (2) Personnel are not approved to consume alcohol without the Commander's approval when:
 - (a) in a field environment.
 - (b) embarked in a ship or vessel.
 - (3) Commanders have the authority to restrict the consumption of alcohol in an activity AO if the security situation deems it necessary.
 - (4) Personnel are approved to consume alcohol:
 - (a) when they are not on duty; however, personnel must have a zero Blood Alcohol Concentration (BAC)³ on re-commencement of duty and should cease consuming alcohol at least eight hours before commencing duty.
 - (b) Commanders are permitted to impose further alcohol restrictions (both consumption and storage) if the situation and environment requires, and otherwise are to implement an appropriate alcohol policy having due regard to the control mechanisms provided in this directive.

² A special event may include such activities as a significant anniversary of an operation (e.g. 40th anniversary of the MFO) or activity linked to a significant event (e.g. Cricket World Cup final or State of Origin)

³ As defined in Reference F, Paragraph 2.54, a zero BAC is a reading less than 0.02 percent BAC. This ensures that limitations of the testing equipment and readings resulting from legitimate sources (medicines and other legal sources) are accounted for and are not misinterpreted as a positive result

- (c) during religious ceremonies when provided as communal wine.
- (d) CJOPS will approve the consumption of alcohol in Op ASLAN Peacetime AO (Uganda) during periods of UN IMA leave. Personnel must have a zero BAC on re-entering the Op ASLAN non-warlike AO (South Sudan) and should cease consuming alcohol at least eight hours before commencing duty.

6. **Possession of alcohol.** Personnel are not to have alcohol in their personal possession on warlike and non-warlike operations. Commanders are to seek advice from area Senior Australian Defence Force Officer on whether personnel on peacetime operations are permitted to possess alcohol if they are being housed in a military establishment away from their normal place of residence. It is also at Commanders' discretion if permission is granted to allow the possession of alcohol when in commercial accommodation on peacetime operations.

CJOPS approval to consume alcohol on Non-Warlike operations

7. **Consumption limitations.** IAW ref D and ref E, CJOPS alcohol policy nests within the ADF alcohol policy. Where CJOPS has granted permission for FA personnel on non-warlike operations to consume alcohol, Commanders at all levels are to ensure that service is limited to two alcoholic beverages per person consisting of beer, wine or pre-mixed spirits with total consumption not to exceed 3.0 (three) standard drinks⁴. Drink entitlements cannot be swapped or accumulated. Personnel re-commencing duty in operational work areas within an AO that are declared Safety Critical Areas (SCA), must have a zero BAC.

8. **Consumption of non-alcoholic beer ('near-beers'), wine or spirits.** While force assigned under an HQJOC deployment, exercise or activity personnel may have access to non-alcoholic beer ('near-beers'), wine or spirits⁵. For the purposes of this Directive, non-alcoholic beer, wine or spirits are defined as having an alcohol content of no more than 0.5% Alcohol by Volume (ABV). As a reference, this alcohol content is equal to that found in a bottle of Kombucha. Noting the very small amount of alcohol contained in these beverages, there is no limitation imposed on their consumption other than for personnel to monitor their intake in order to meet the requirement to return to duty with a zero BAC IAW this Directive.

9. **Alcohol testing.** IAW ref F, operational Commanders are (where possible) to conduct random and targeted alcohol testing of FA personnel during their deployment, including the day personnel recommence duty following an approved CJOPS activity where alcohol has been consumed.

- a. Personnel may be subject to random and targeted breath testing at any time whilst FA to a CJOPS operation, exercise or activity

⁴ 'Standard Drink' as prescribed in the 2022 Australian Alcohol Guidelines published by the National Health and Medical Research Council - <https://adf.org.au/reducing-risk/alcohol/alcohol-guidelines>. For the purposes of this Directive 'pre-mixed spirits' are defined as pre-packaged (bottled / canned) drinks consisting of a base spirit and mixer such as a 'Vodka Cruiser'. Spirits are not be consumed in any other fashion e.g. purchased via the glass across a bar or mixed in a glass from separate spirit and mixer bottles.

⁵ For the purposes of this Directive non-alcoholic or 'near-beers' are those beers that are equal to or less than 0.5% Alcohol by Volume (ABV). Examples of near-beers include Heineken 0.0 (0.03% ABV) and O'Douls (0.4% ABV). For non-alcoholic wine and spirits, the same ABV standard applies – the wine or spirits must have an ABV of no more than 0.5%.

- b. A member who fails to maintain a zero BAC through random testing will have administrative action commenced against them resulting in potential removal from the operation, exercise or activity
 - c. A member who refuses to provide a sample when directed is to be removed from the workplace immediately and be banned from access to weapons and ammunition, and access to vehicles until the member is deemed to have a zero BAC. The Defence person is to then be referred to the operational Commander who will determine any further disciplinary action and potential removal from the operation, exercise or activity
 - d. Independent of any testing, if a Commander suspects that a Defence member is incapable of performing their duties for reasons relating to alcohol consumption, action is to be taken to remove the member from the workplace immediately, inclusive the removal of all weapons and ammunition, and access to vehicles until the member is deemed to have a zero BAC
10. **CJOPS approval.** Commanders on non-warlike operations may seek permission from CJOPS for FA personnel to consume alcohol outside of the listed Australian National holidays in para 5.b.(4)(a). This includes any request to consume alcohol at an official or unofficial function held by the United Nations, MFO, embassies or foreign forces. This request is to be in the form of a decision brief. CJOPS, or the operational Commander if CJOPS has delegated the approval to consume alcohol IAW Para 5.b, has the authority to revoke this permission at any time. Retrospective approval to consume alcohol will not be granted by CJOPS or the operational commander.
11. **Approval Process.** To have the consumption of alcohol approved, the following is to occur:
- a. **CJOPS approved Australian national holiday**
 - (1) a risk assessment is to be submitted NLT 21 days prior to the scheduled event and sent through to the J3 for approval
 - (2) a plan on where and how the alcohol will be distributed and consumed by personnel including local laws and cultural sensitives considered in the plan
 - (3) comprehensive records for the importation, temporary storage, purchase, supply, disposal or export of alcohol are maintained for audit purposes
 - (4) a plan on how excess alcohol will be returned to Australia or disposed of on the operation
 - b. **CJOPS approved special event function (para 5.b.(4)(c))**
 - (1) A HQJOC Decision Brief is to be raised outlining the event, significance and reason why it would be appropriate for alcohol to be consumed. The brief is to be submitted to the J3 for approval NLT 21 days prior to the scheduled event.
 - (2) The Decision Brief is to include:
 - (a) a risk assessment

- (b) a plan on where and how the alcohol will be distributed and consumed by personnel including local laws and cultural sensitives considered in the plan
 - (c) comprehensive records for the importation, temporary storage, purchase, supply, disposal or export of alcohol are maintained for audit purposes
 - (d) a plan on how excess alcohol will be returned to Australia or disposed of on the operation.
- c. CJOPS approved semi-occasional alcohol consumption (para 5.b.(4)(d))
 - (1) A HQJOC Decision Brief is to be raised outlining the intended frequency of alcohol consumption and reason why it would be appropriate for alcohol to be consumed. The brief is to be submitted to CJOPS for approval and is only in force for the tenure of the COMASC / Commander, and must be re-submitted for approval by each new, incoming COMASC or Commander.
 - (2) The Decision Brief is to include:
 - (a) a risk assessment
 - (b) a plan on where and how the alcohol will be distributed and consumed by personnel including local laws and cultural sensitives considered in the plan
 - (c) comprehensive records for the importation, temporary storage, purchase, supply, disposal or export of alcohol are maintained for audit purposes
 - (d) a plan on how excess alcohol will be returned to Australia or disposed of on the operation.

12. **Maritime operations.** When vessels 'Out Chop' of a CJOPS OAA (i.e. resume OPCON under Navy), the vessel CO may exercise their discretion IAW Annex 1 H to ref D. This includes all personnel embarked on the vessel.

13. **Delegated authority.** Where CJOPS has approved the delegation of authority to consume alcohol to operational commanders, the approval process detailed in para 11 of this Directive remains extant and is to be followed in all submissions to the operational commander for approval.

Responsibilities

14. **Individual responsibilities.** Personnel to which this Directive applies must drink responsibly and excessive drinking will result in the member being subject to disciplinary and/or adverse administrative action. FA personnel are also to conduct the following:

- a. complete the annual mandatory alcohol awareness training via Campus (and remain current)
- b. acknowledge they understand this Directive via the deployment certification form (AE309) for their relevant operation, exercise or activity.

15. **Commanders' responsibilities.** The ADF's reputation and operational integrity is paramount and is not to be compromised or defined by the excessive consumption of alcohol. CJOPS will hold Commanders at all levels accountable if they do not:

- a. provide appropriate supervision to prevent excessive consumption of alcohol IAW the risk assessment
- b. ensure all Defence personnel under their Command have been briefed on the HQJOC alcohol policy
- c. SNRs, COMASCs and CJTFs are to take disciplinary and/or administrative action against their subordinate commanders and supervisors who fail in their responsibilities to enforce this Directive. This includes commanders and supervisors acting as bystanders and not actively stopping unacceptable drinking practices, correcting unacceptable behaviour, or failing to report or take appropriate action against members who consume alcohol without CJOPS written permission.

(1) **Discipline action.** SNRs, COMASCs, CJTFs and subordinate commanders are to take appropriate discipline action against all Defence personnel who consume alcohol outside of the mandated requirements of this directive. All discipline action is to be completed in a timely manner and is to be reflected in CRTS through PMKeys.

(2) **Administrative action.** SNRs, COMASCs, CJTFs and subordinate commanders are to issue a member a Notice to Show Cause for the Compulsory Cancellation of Force Assignment at the completion of discipline action related to alcohol misuse – there may be circumstances where CCFA may be required before discipline action is pursued, but these are to be discussed with J1 staff HQJOC before actioning. The Deputy Chief of Staff at HQJOC will notify the member's relevant Service Sensitive Issue Manager of the incident to ensure any outstanding related processes (including potential future administrative or discipline activities) are actioned post force assignment.

16. **SNRs, COMASCs and CJTFs.** As part of your approach to alcohol management, SNRs, COMASCs, and CJTFs should consider the implementation of MILPERSMAN, Part 11, Chapter 1—[Policy for Placing Civilian Premises Out of Bounds or Off-limits](#) which authorises SNRs, COMASCs and CJTF to place civilian premises out of bounds or off-limits provided they are satisfied that there is an operational requirement for such action connected with the maintenance of discipline. Consideration should also be given to managing attendance at coalition or partner force contingent locations where access to unsupervised alcohol may be readily available.

Reporting of alcohol related incidents

17. Reporting of alcohol testing is to be incorporated into the SNRs, COMASCs or CJTFs SITREP on a monthly basis in addition to single Service mandated reporting via form AD508. All positive alcohol tests are to be reported via an incident report to the HQJOC JOR Watch Commander, IAW HQJOC Management and Recording of Incident and Sensitive Matters policy.

18. SNRs, COMASCs and CJTF are to ensure that orders, instructions and directives are reviewed and updated to include the requirements of this policy and that alcohol related incidents are managed in a timely manner and in accordance with established HQJOC incident reporting procedures.

19. **Records.** CJTFs, CTFs, and COMASCs are to ensure that comprehensive records for the importation, storage, supply, disposal or export of alcohol are maintained for audit purposes.

Alcohol on Service, chartered and public transport.

20. All FA personnel while travelling as passengers on service operated transport, service chartered transport or regular public transport to and from any AO, are to maintain a zero BAC. For the purposes of this directive, travel commences from the point of embarkation to the point of disembarkation. Personnel are not to possess or consume alcohol while travelling to an AO or on travel for Return to Australia from deployment.

21. The exception is alcohol which may be brought into Australia through duty free arrangements, where available; but it is to remain sealed until the member is released from duty.

22. **Consumption of alcohol whilst on ROCL/ROCTFA.** Members are approved to consume alcohol whilst on ROCL/ROCTFA and on the forward journey of the ROCL/ROCTFA travel if using regular public transport, unless directed otherwise by the approving authorities. The period of ROCL/ROCTFA commences at the member's final point of embarkation from the AO. It is an individual's responsibility to consume alcohol responsibly and in a healthy manner.

Promulgation and acknowledgement

23. CJTFs, CTFs, and COMASCs are to ensure that this directive is reflected in local Command orders. My POC for this directive is DGSPT. You are to acknowledge receipt of this Directive in writing within seven days of receipt via HQJOCj1.persspt@defence.gov.au.

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AVM MR Kitcher, AM, DSM
Acting Chief of Joint Operations

23 November 2022

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