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GOVERNMENT NOTICES



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AUSTRALIAN OPERATIONAL SERVICE MEDAL REGULATIONS - AMENDMENTS 2015

It is notified for general information that Her Majesty The Queen has approved amendments to the regulations for the *Australian Operational Service Medal*. These regulations are known as the *Australian Operational Service Medal Regulations 2012*.

A copy of the amendments to the regulations for this award is available on the Governor-General's website: www.gg.gov.au

By Her Majesty's Command

A handwritten signature in cursive script that reads 'Mark Fraser'.

Mark Fraser LVO OAM
Official Secretary to the Governor-General

Elizabeth R



ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

TO ALL to whom these Presents shall come,

GREETING:

WHEREAS We, by Our Letters Patent dated 22 May 2012, instituted an Australian medal, designated and styled the Australian Operational Service Medal, for the purpose of according recognition to members of the Australian Defence Force and certain Australian civilians who render service in certain military operations:

AND WHEREAS the Letters Patent dated 22 May 2012 ordained that the award of the medal be governed by the Regulation set out in the Schedule to those Letters Patent:

AND WHEREAS it is desired to amend that Regulation for the purpose of according recognition to certain members of the Defence Forces of foreign countries, and for other purposes:

KNOW YOU that We do, by these Presents, declare Our pleasure that the Regulation set out in the Schedule to the Letters Patent dated 22 May 2012 be amended as set out in the following Schedule:

IN WITNESS, We have caused these Our Letters to be made Patent.

GIVEN under the Great Seal of
Australia at Our Court at
St James's on 30 April 2015

By Her Majesty's Command

A large, stylized handwritten signature in black ink, consisting of a long horizontal stroke followed by a large, looped 'L' and 'R'.

Prime Minister

Schedule—Amendments

Australian Operational Service Medal Regulation 2012

1 Section 2 (definition of *accumulated service device*)

Repeal the definition, substitute:

accumulated service device means a device awarded to an ADF member, or an allied foreign Defence Force member, under section 6 that denotes the completion of an additional period of qualifying service by the ADF member, or allied foreign Defence Force member, during a single declared operation.

2 Section 2

Insert:

additional period of qualifying service means eligible service declared under paragraph 4(1)(b) or (4)(b).

allied foreign Defence Force member means a member of the Defence Force of a foreign country who is, or was:

- (a) on exchange or secondment with the Australian Defence Force; or
- (b) included in a class of members determined, in writing, by the Chief of the Defence Force for the purposes of this definition.

3 Section 2 (definition of *civilian*)

Repeal the definition, substitute:

civilian means a person who:

- (a) is employed or contracted by the Commonwealth to support, in a civilian capacity, the operations of a Defence Force deployed force; and
- (b) is:
 - (i) subject to the *Defence Force Discipline Act 1982*; or
 - (ii) included in a class of persons determined, in writing, by the Chief of the Defence Force for the purposes of this definition.

Note: Paragraph (a) would cover a member of the Reserves who is employed or contracted by the Commonwealth to support, in a civilian capacity, the operations of a Defence Force deployed force.

4 Section 2

Insert:

Register of Awards means the Register kept by the Registrar under section 14.

Registrar means the Registrar of Awards appointed under subsection 14(1).

special operation means a sensitive activity of the Australian Defence Force that the Chief of the Defence Force has determined, in writing, to be a special operation.

5 Paragraph 3(3)(a)

After “are”, insert “, or were,”.

6 After subsection 3(3)

Insert:

(3A) Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint Operations, that a special operation is a declared operation.

- (3B) The Chief of the Defence Force must not make a declaration about a special operation unless:
- (a) the operation is, or was, carried out in conditions that are, or were, hazardous; and
 - (b) the operation is not an operation for which recognition for an award (other than an award under this regulation) already exists; and

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- (c) the operation meets the conditions (if any) determined, in writing, by the Chief of the Defence Force.

7 Subsection 3(4)

Omit “For an operation other than a special operation, the declaration”, substitute “A declaration under this section”.

8 Subsection 4(1)

Omit “a service”, substitute “service”.

9 Paragraphs 4(1)(a) and (b)

Omit “an eligible”, substitute “eligible”.

10 Subsection 4(3)

Omit “a service”, substitute “service”.

11 At the end of section 4

Add:

- (4) Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint Operations, that service is:
- (a) eligible service; or
 - (b) eligible service that is an additional period of qualifying service for the purposes of paragraph 6(2)(c).
- (5) The Chief of the Defence Force must not make a declaration about service unless:
- (a) the service is given in the operational area, and within the period, of a special operation that is a declared operation; and
 - (b) the service meets the conditions (if any) determined, in writing, by the Chief of the Defence Force.

12 Section 5 (heading)

Repeal the heading, substitute:

5 ADF members and allied foreign Defence Force members—award of medal and ribbon

13 Section 5

Before “The Governor-General”, insert “(1)”.

14 At the end of section 5

Add:

- (2) The Governor-General may, on the recommendation of the Chief of the Defence Force, award to an allied foreign Defence Force member who has given eligible service during a declared operation:
- (a) the medal; and
 - (b) a ribbon denoting the declared operation.

15 Section 6 (heading)

Repeal the heading, substitute:

5 ADF members and allied foreign Defence Force members—award of subsequent medals, ribbons and accumulated service devices

16 Paragraph 6(1)(a)

After “an ADF member”, insert “, or an allied foreign Defence Force member,”.

17 Paragraph 6(1)(b)

After “the ADF member”, insert “, or allied foreign Defence Force member,”.

18 Subsection 6(2)

After “the ADF member”, insert “, or allied foreign Defence Force member,”.

19 At the end of section 9

Add:

- (3) The Governor-General may determine, in writing, matters that the Chief of the Defence Force must take into account in making a recommendation under subsection (1).

20 Subsection 15(4)

Repeal the subsection, substitute:

- (4) The Chief of the Defence Force may, in writing, delegate any of the following powers to a person from time to time holding, occupying, or performing the duties of, a specified office or position in the Defence Force or the Department of Defence:
- (a) the power to determine a class of members for the purposes of the definition of *allied foreign Defence Force member* in section 2;
 - (b) the power to determine a class of persons for the purposes of the definition of *civilian* in section 2;
 - (c) the power to make a recommendation under any of sections 5 to 9.