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MILITARY STRATEGIC COMMITMENTS

STANDARD OPERATING PROCEDURE

CHAPTER 21: NATURE OF SERVICE DIRECTORATE

PAST OPERATIONS

BACKGROUND

1. All ADF operations require a nature of service (NOS) classification, which in essence expresses the degree of threat and risk to ADF personnel who are deployed on specific operations. The purpose of the NOS classification system is to provide a structure and framework to which appropriate condition of services benefits may be applied and entitlements awarded.
2. The Past Operation section undertakes research into past operations in relation to NOS representations from Senators and members of Parliament on behalf of a constituent. The resolution of these representations requires detailed research including, the identification and examination of archived material. After extensive research and consultation with internal stakeholders and other government agencies, NOS advises the Minister on the appropriate NOS classification through the writing of ministerial correspondence.

PURPOSE

3. This SOP outlines the process for addressing the recurring work flow for providing advice and responses to representations on the NOS for past operations. This SOP is in line with the Vice Chief of Defence Force (VCDF) Group Strategic Objectives 2012-15.

ROLES AND RESPONSIBILITIES

4. DNOS will have the overall responsibility of managing the Past Operations section including:
 - a. Co-ordinating the conduct of research in support of the review of NOS for past operations.
 - b. Ensuring timelines for ministerial responses are met.
 - c. Building and maintaining beneficial relationships internally and externally including maintaining an active network with Department Veterans' Affairs (DVA) through open consultation.
 - d. Manage the provision of the secretariat function of the NOS Review Board (NOSRB) and the Interdepartmental Working Group IWG).
5. NOS Research Officer's will be responsible for undertaking research tasks relating to NOS queries and communicate findings through the preparation of responses to ministerial correspondence, providing ministerial advice and preparing briefs. The Research Officer will be responsible for recording the receipt of tasking, finalisation of correspondence and any research resources in the Defence approved recordkeeping management system (OBJECTIVE) and Defence Parliamentary Workflow System (DPAWS). It is also the responsibly of the Research Officer to notify the Coordinating Officer of the task, the response and research

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resource OBJECTIVE Id number so it can be recorded on the Task Tracker and the Operations spreadsheet.

NATURE OF SERVICE CLASSIFICATIONS

6. In May 1993 cabinet established the current 'conditions of service' framework applicable to ADF personnel deployed overseas and agreed to definitions of warlike and non-warlike operations. Peacetime operations are area of operations that are not declared warlike and non-warlike operations. For classifications and description see Annex A – Nature of Service Classification List. Condition of services and benefits associated with operations are applicable according to the type of deployment and its duration. These services are promulgated in PACMAN, see link [Australian Department of Defence Pay and Conditions Website](#).

LEGISLATION COVERING MILITARY SERVICE

7. In determining the NOS for past operations for the purpose of eligibility for benefits, NOS reviews will be conducted having regard to the legislation and policy that applied at the time of service under consideration.

NATURE OF SERVICE REVIEW BOARD

8. The Nature of Service Review Board (NOSRB) comprises of 2 Star/Band 2 representatives from Defence, Department Veterans' Affairs (DVA), Prime Minister and Cabinet (PM&C) and Department of Finance (DoF). The Board determines whether a claim has merit and resolution does not require a submission to Government or merit warrants a submission to Government seeking a revised classification. Where appropriate the Board will direct the development of an Expenditure Review Committee (ERC) submission.

9. The Interdepartmental Working Group (IWG) consists of representatives from Defence, DVA, PM&C and DoF. The primary role of the IWG is to support the NOSRB, to examine and discuss submissions prior to consideration by the NOSRB and provides advice to the Board.

Annex:

A. Nature of Service Classification List

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**ANNEX A TO
CHAPTER 21
MSC SOPS**

DEFINITIONS OF NATURE OF SERVICE CLASSIFICATIONS

Warlike

Warlike operations are those military activities where the application of force is authorised to pursue specific military objectives and there is an expectation of casualties. These operations can encompass but are not limited to:

a state of declared war;

conventional combat operations against an armed adversary; and

Peace Enforcement operations which are military operations in support of diplomatic efforts to restore peace between belligerents who may not be consenting to intervention and may be engaged in combat activities. Normally but not necessarily always they will be conducted under Chapter VII of the UN Charter, where the application of all necessary force is authorised to restore peace and security or other like tasks.

Non-Warlike

Non-warlike operations are defined as those military activities short of warlike operations where there is risk associated with the assigned task(s) and where the application of force is limited to self defence. Casualties could occur but are not expected. These operations encompass:

Hazardous. Activities exposing individuals or units to a degree of hazard above and beyond that of normal peacetime duty such as mine avoidance and clearance, weapons inspections and destruction, Defence Force aid to civil power, Service protected or assisted evacuations and other operations requiring the application of minimum force to effect the protection of personnel or property, or other like activities.

Peacekeeping. Peacekeeping is an operation involving military personnel, without powers of enforcement, to help restore and maintain peace in an area of conflict with the consent of all parties. These operations can encompass but are not limited to:

Activities short of Peace Enforcement where the authorisation of the application of force is normally limited to minimum force necessary for self defence;

Activities, such as the enforcement of sanctions in a relatively benign environment which expose individuals or units to “hazards” as described in sub-paragraph 2a;

Military observer activities with the tasks of monitoring ceasefires, re-directing and alleviating ceasefire tensions, providing “good offices” for negotiations and the impartial verification of assistance or ceasefire agreements, and other like activities; or

Activities that would normally involve the provision of humanitarian relief.

NOTES

Peacemaking is frequently used colloquially in place of Peace Enforcement. However, in the developing doctrine of Peace operations, Peacemaking is considered as the diplomatic process of seeking a solution to a dispute through negotiation, inquiry, mediation, conciliation or other peaceful means.

Humanitarian relief in this context does not include normal peacetime operations such as cyclone or earthquake relief flights or assistance.

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