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SPECIAL



Elizabeth II

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 it is desirable that there be instituted an 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:

KNOW YOU that We do, by these Presents, institute a medal to be
designated and styled the Australian Operational Service Medal:

AND WE DO ordain that the award of the Australian Operational Service
Medal shall be governed by the Regulations set out in the Schedule.

IN WITNESS whereof 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 *22 May 2012*.

By Her Majesty's Command

Julia Gillard
Prime Minister

Schedule

Australian Operational Service Medal Regulation 2012

Part 1 Preliminary

1 Name of regulation

This regulation is the *Australian Operational Service Medal Regulation 2012*.

2 Definitions

In this regulation:

accumulated service device means a device awarded to an ADF member under section 6 that denotes the completion of an additional period of eligible service by an ADF member on a subsequent declared operation.

ADF member means a member of the Defence Force.

Chief of the Defence Force means the Chief of the Defence Force appointed under section 9 of the *Defence Act 1903*.

civilian means a person who:

- (a) is not an ADF member; and
- (b) is employed or contracted to support, in a civilian capacity, the operations of a Defence Force deployed force; and
- (c) is subject to the *Defence Force Discipline Act 1982*.

clasp means a device awarded to a civilian under section 7 or 8 that denotes the declared operation for which the device is awarded.

declared operation means an operation declared under section 3.

Defence Force means the Defence Force constituted under Part III, Division I of the *Defence Act 1903*.

eligible service means service declared under section 4.

medal means the Australian Operational Service Medal.

Minister means the Minister for Defence.

3 Declared operation

- (1) The Governor-General may declare, in writing, on the recommendation of the Minister, that an operation is a declared operation.
- (2) In making a recommendation to the Governor-General, the Minister must have regard to the recommendation of the Chief of the Defence Force.

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- (3) The Governor-General must not make a declaration about an operation unless:
 - (a) the operation is, or was, carried out in conditions that are 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
 - (c) the operation meets the conditions (if any) determined, in writing, by the Governor-General.
 - (4) For an operation other than a special operation, the declaration must include the following matters:
 - (a) the name by which the operation is known or a description of the operation; and
 - (b) the area in which the operation occurs or occurred; and
 - (c) either:
 - (i) the dates or period during which the operation occurred; or
 - (ii) if the operation is continuing — the date on which the operation commenced.

4 Eligible service

- (1) The Governor-General may declare, in writing, on the recommendation of the Minister, that a service is:
 - (a) an eligible service; or
 - (b) an eligible service that is an additional period of qualifying service for the purposes of paragraph 6 (2) (c).
- (2) In making a recommendation to the Governor-General, the Minister must have regard to the recommendation of the Chief of the Defence Force.
- (3) The Governor-General must not make a declaration about a service unless:
 - (a) the service is given in the operational area, and within the period, of a declared operation; and
 - (b) the service meets the conditions (if any) determined, in writing, by the Governor-General.

Part 2 Awards

5 ADF members — award of medal and ribbon

The Governor-General may, on the recommendation of the Chief of the Defence Force, award to an ADF member who has given eligible service during a declared operation:

- (a) the medal; and
- (b) a ribbon denoting the declared operation.

6 ADF members — award of subsequent medals, ribbons and accumulated service devices

- (1) This section applies:
 - (a) to an ADF member who has been awarded the medal and ribbon under section 5; and
 - (b) in relation to eligible service given by the ADF member during a declared operation that is subsequent to the operation for which the medal and ribbon were awarded.
- (2) The Governor-General may, on the recommendation of the Chief of the Defence Force, award to the ADF member for the eligible service:
 - (a) the medal; and
 - (b) a ribbon denoting the subsequent declared operation; and
 - (c) for each period of eligible service that is an additional period of qualifying service on a single declared operation — an accumulated service device.

7 Civilians — award of medal, standard civilian ribbon and clasp

The Governor-General may, on the recommendation of the Chief of the Defence Force, award to a civilian who has given eligible service during a declared operation:

- (a) the medal; and
- (b) a standard civilian ribbon; and
- (c) a clasp denoting the declared operation.

8 Civilians — award of subsequent clasps

- (1) This section applies:
 - (a) to a civilian who has been awarded the medal, standard civilian ribbon and clasp under section 7; and
 - (b) in relation to eligible service given by the civilian during a declared operation that is subsequent to the operation for which the medal, ribbon and clasp was awarded.
- (2) The Governor-General may, on the recommendation of the Chief of the Defence Force, award to the civilian a clasp denoting the subsequent declared operation.

9 Cancellation and reinstatement of awards

- (1) The Governor-General may, on the recommendation of the Chief of the Defence Force, cancel or reinstate an award of a medal, ribbon, accumulated service device or clasp.
- (2) If the Governor-General cancels or reinstates an award:
 - (a) the Registrar must note the cancellation or reinstatement in the Register of Awards; and

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- (b) for an award that is cancelled — the medal, ribbon, accumulated service device or clasp must be returned to the Registrar; and
 - (c) for an award that is reinstated — the medal, ribbon, accumulated service device or clasp must be returned to the recipient of the award.

10 Chief of the Defence Force recommendation

The Chief of the Defence Force must make a recommendation under sections 5 to 9 if he or she is satisfied in all the circumstances that it is appropriate to do so.

11 Posthumous awarding of medals, ribbons, devices and clasps

Each award of a medal, ribbon, accumulated service device or clasp mentioned in this Part may be awarded posthumously.

Part 3 Design and wearing of medal, ribbons, devices and clasps

12 Design of medal, ribbons, devices and clasps

The design of the medal and each ribbon, accumulated service device and clasp is as determined by the Governor-General.

13 Wearing of medal, ribbons, devices and clasps

The manner of wearing the medal and each ribbon, accumulated service device and clasp is as determined by the Governor-General.

Part 4 Administration

14 Keeping of records

- (1) The Governor-General must appoint a Registrar of Awards.
- (2) The Registrar must:
 - (a) enter the names of each person to whom a medal, ribbon, accumulated service device or clasp has been awarded in a Register; and
 - (b) keep other records about the award of the medal, ribbon, accumulated service device or clasp as the Governor-General directs.
- (3) The Registrar may correct an error in the Register.
- (4) If an entry in the Register is:
 - (a) annotated in accordance with paragraph 9 (2) (a); or
 - (b) corrected in accordance with subclause (3);

the Registrar may correct or update another record kept under this section that relates to the entry.

15 Delegations

- (1) The Governor-General may, in writing, delegate his or her powers under sections 5, 6, 7, 8, 12 and 13 to:
 - (a) the Chief of the Defence Force; or
 - (b) a person from time to time holding or occupying an office in the Defence Force or the Department of Defence specified in the instrument of delegation.
- (2) The Governor-General may, in writing, revoke a delegation under subsection (1).
- (3) A delegate of the Governor-General must not:
 - (a) make a recommendation for an award if the person is also likely to consider the recommendation; or
 - (b) consider a recommendation for an award if the recommendation was also made by the person.
- (4) The Chief of the Defence Force may, in writing, delegate the power to make a recommendation for an award to a person from time to time holding or occupying a position in the Defence Force of the Department of Defence and mentioned in the instrument of delegation.
- (5) The Chief of the Defence Force may, in writing, revoke a delegation under subsection (4).