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SPECIAL



COMMONWEALTH OF AUSTRALIA

20 March 2006

It is notified for general information that Her Majesty The Queen has approved the establishment of the *Australian Defence Medal* as detailed in the following Letters Patent and Regulations.

The medal is to be worn in *The Order of Wearing Australian Honours and Awards* immediately below the '*National Medal*'.



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 by Letters Patent dated 8 September 2005 We instituted an Australian medal, designated and styled the Australian Defence Medal, for the purpose of according recognition to Australian Defence Force personnel who have served for a minimum of six years since the end of World War II:

AND WHEREAS the Letters Patent ordained that the award of the Australian Defence Medal be governed by the Regulations Governing the Award of the Australian Defence Medal set out in the Schedule to the Letters Patent:

AND WHEREAS it is desirable to make new regulations to govern the award of the Australian Defence Medal:

KNOW YOU that We do, by these Presents, declare Our Pleasure that the Letters Patent dated 8 September 2005 are amended to the extent that:

- (a) the Regulations Governing the Award of the Australian Defence Medal are revoked, without prejudice to anything lawfully done thereunder; and
- (b) the award of the Australian Defence Medal is governed by the Australian Defence Medal 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 20 March 2006.

By Her Majesty's Command

Prime Minister

Schedule

Australian Defence Medal Regulations 2006

1 Name of Regulations

These Regulations are the *Australian Defence Medal Regulations 2006*.

2 Definitions

In these Regulations:

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

Defence Force means the Defence Force constituted under the *Defence Act 1903*.

Medal means the *Australian Defence Medal* instituted under the Letters Patent establishing these Regulations.

Minister means the Minister of State for Defence or the Minister Assisting the Minister of State for Defence.

Register means the Register mentioned in regulation 11.

Registrar means the Registrar mentioned in regulation 11.

3 Design of the Medal

The design of the Medal is as determined by the Governor-General.

4 Award of the Medal

- (1) The Medal may be awarded to a member, or former member, of the Defence Force who after 3 September 1945 has given qualifying service that is efficient service:
- (a) by completing an initial enlistment period; or
 - (b) for a period of not less than 4 years service; or
 - (c) for periods that total not less than 4 years; or
 - (d) for a period or periods that total less than 4 years, being service that the member was unable to continue for one or more of the following reasons:
 - (i) the death of the member during service;
 - (ii) the discharge of the member as medically unfit due to a compensable impairment;
 - (iii) the discharge of the member due to a prevailing discriminatory Defence policy, as determined by the Chief of the Defence Force or his or her delegate.

Schedule

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- (2) For subregulation (1), the Chief of the Defence Force or his or her delegate may determine that a period of the member's qualifying service is efficient service.
 - (3) The other conditions for the award are as determined by the Governor-General on the recommendation of the Minister.

5 Award of Medal — member of philanthropic organisation

- (1) The Medal may be awarded to a person who performed philanthropic services for the Defence Force while a member of a philanthropic organisation, as if the person was rendering qualifying service during the period the person was performing the philanthropic services.
- (2) In this regulation, *qualifying service* means:
 - (a) a period of at least 4 years; or
 - (b) periods that total at least 4 years.

6 Award of Medal has no effect on entitlement to other awards

The award of the Medal does not affect the entitlement of a person to any other award.

7 Making of awards

- (1) An award of the Medal may be made only by:
 - (a) the Governor-General on the recommendation of the Chief of the Defence Force or his or her delegate; or
 - (b) a person to whom, under regulation 12, the Governor-General has delegated the power to make an award of the Medal.
- (2) The Medal may be awarded posthumously.

8 Cancellation of award

- (1) The Governor-General may, on the recommendation of the Chief of the Defence Force or his or her delegate, cancel an award of the Medal.
- (2) If an award of the Medal is cancelled:
 - (a) the Registrar must note the cancellation in the Register; and
 - (b) the person holding the Medal must return it to the Registrar.

9 Reinstatement of award

- (1) The Governor-General may, on the recommendation of the Chief of the Defence Force or his or her delegate, reinstate an award that has been cancelled.
- (2) If an award is reinstated, the Registrar must:
 - (a) note the reinstatement in the Register; and
 - (b) reissue the Medal to the person to whom it was awarded.

10 Wearing of medal

The manner of wearing the Medal is as determined by the Governor-General.

11 Registrar of awards

- (1) The Governor-General must appoint a Registrar of Awards.
- (2) The Registrar must maintain:
 - (a) a Register containing the name of each person to whom the Medal has been awarded; and
 - (b) such other records relating to the Medal as determined by the Governor-General.

12 Delegation

- (1) The Governor-General may, in writing, delegate the power to award the Medal 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 subregulation (1).
- (3) A person who is the delegate of the Governor-General mentioned in subregulation (1) must not:
 - (a) make a recommendation for the award of the Medal if the person is also likely to consider the recommendation; or
 - (b) consider a recommendation for the award of the Medal if that 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 the award of the Medal to a person from time to time holding or occupying a position in the Defence Force or 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 subregulation (4).