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VCDF/OUT/2010/492

**Vice Chief of the Defence Force**

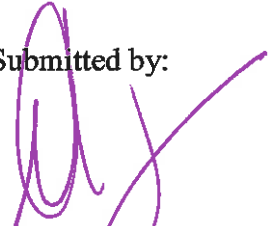
Submission to the

Defence Honours and Awards Tribunal

**Inquiry into the Recognition of Members of Rifle Company Butterworth  
for Service in Malaysia between 1970 and 1989**

23<sup>rd</sup> June 2010

Submitted by:



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The submitter accepts that this submission may be passed in full to Defence or other appropriate authorities or any person in relation to whom comments are made for them to provide a response.

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**DEFENCE SUBMISSION TO  
THE DEFENCE HONOURS AND AWARDS TRIBUNAL**

**INQUIRY INTO RECOGNITION FOR MEMBERS OF RIFLE COMPANY  
BUTTERWORTH FOR SERVICE IN MALAYSIA BETWEEN 1970 AND 1989**

**SPONSOR:** VCDF

**PURPOSE**

1. The purpose of this submission is to provide the Defence Honours and Awards Tribunal with the Department of Defence position on the inquiry into recognition for members of Rifle Company Butterworth for service in Malaysia between 1970 and 1989.

**BACKGROUND**

2. On 6 May 2010 the Parliamentary Secretary for Defence Support announced that the Defence Honours and Awards Tribunal will inquire into recognition for members of Rifle Company Butterworth for service in Malaysia between 1970 and 1989. The Terms of Reference for the inquiry are to:

- a. have regard to the terms and objectives of the *Australian Active Service Medal 1945-1975 Regulations*, the *Australian Active Service Medal Regulations*, the *Australian Service Medal 1945-1975 Regulations*, the *Australian Service Medal Regulations* and declarations and determinations for the Clasps 'MALAYSIA' and 'SE ASIA' and the General Service Medal 1962 Royal Warrant;
- b. consider the claims of members of Rifle Company Butterworth for recognition of their service in Malaysia between 1970 and 1989;
- c. consider any other material relevant to these claims;
- d. consider the possible impact of recognition for Australian Defence Force service on the recognition of other Australian Government service, such as members of the Royal Australian Air Force at Royal Malaysian Air Force Base Butterworth and 4th Battalion Royal Australian Regiment at Terendak during the period; and
- e. make findings and recommendations as to the eligibility of members of the Rifle Company Butterworth for the Australian Active Service Medal 1945-75 or Australian Active Service Medal or the granting of any other form of recognition for their service.

**KEY ISSUES**

**Current Recognition for Members of Rifle Company Butterworth for Service in Malaysia between 1970 and 1989**

3. Service by Australian Defence Force members at Butterworth between 1970 and 1989 is recognised by:

- a. the Australian Service Medal 1945-75 with Clasp 'SE ASIA' for service up to 14 March 1975; or

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- b. the Australian Service Medal with Clasp 'SE ASIA' for service between 14 February 1975 and 31 December 1989.

4. The respective medals determinations disallow a member from receiving both awards.

**BACKGROUND TO CURRENT LEVEL OF RECOGNITION**

**Committee of Inquiry into Defence Awards**

5. In February 1993 the Government announced its intention to establish an inquiry into the Australian Honours and Awards System. On 27 May 1993 it announced that the inquiry would be conducted in two stages. The first stage was a comprehensive review of Defence and Defence-related areas of interest, including the application of existing Australian awards in recognition of service by Australians in defence-related activities. The second stage of the inquiry would later review the existing system of honours and awards to ensure that it met the needs of the Australian community.

6. The first stage was conducted by the Committee of Inquiry into Defence Awards (CIDA). The *Report of the Committee of Inquiry into Defence and Defence Related Awards* was presented to Government on 10 March 1994.

7. CIDA developed 10 principles to guide its consideration of the many and diverse issues in submissions. These principles remain equally valid today. The first principle is:

- a. Recognition of service by medals (other than medals for long service or special occasions such as a coronation) should only occur when that service has been rendered beyond the normal peacetime requirements of peacetime. Normal duties such as training and garrison duties should not be recognised by the award of a medal, even though they may be demanding, hazardous and uncomfortable, and may be undertaken in countries other than Australia. As a general rule, medals should be reserved for the recognition of service in military campaigns, peacekeeping or other military activities clearly and markedly more demanding than normal peacetime service.<sup>1</sup>

8. After considering the claims for recognition for service at Butterworth in the period post the Indonesian Confrontation, CIDA noted in its report:

- a. A number of submissions argued for recognition of service by Australians at RAAF Butterworth, Malaysia. Those who served at Butterworth included Air Force personnel and an Army component of successive rifle companies, which provided base security. Some of these submissions argued that a low level communist terrorist threat against the base continued until the surrender of Chin Peng in 1989, and that security patrols and deployments around the base throughout the 1970s were active with live ammunition.<sup>2</sup>

9. The report goes on to say that the Committee did not:

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<sup>1</sup> *Report of the Committee of Inquiry into Defence and Defence Related Awards*, March 1994, pp. 5-6.

<sup>2</sup> *Ibid*, pp. 57-8.

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- a. ...consider that service at Butterworth was clearly or markedly more demanding than normal peacetime service, and therefore in terms of its Principle Number 1, it does not recommend that this service be recognised through a medal.<sup>3</sup>

### **Coalition Medals Policy – 1995**

10. In 1995 the then Federal Opposition flagged its intent to expand upon the outcomes of CIDA by extending eligibility for the Australian Service Medal 1945-75 to a variety of categories of overseas service. This included a Clasp 'FESR' to be awarded to Royal Australian Navy personnel who served for 30 days or more on the Far East Strategic Reserve (FESR) between 2 July 1955 and 30 September 1971.<sup>4</sup>

11. This clasp was established in June 1996 under the new Coalition Government's policy on service medals, however, it unintentionally created an anomalous situation whereby service at sea was recognised but service on land with the Far East Strategic Reserve was not.

### **Review of Service Entitlement Anomalies in Respect of South-East Asian Service, 1955-75**

12. In 1999 the Government commissioned an independent review of service entitlement anomalies in respect of service in South-East Asia between 1955 and 1975. Major General the Hon R.F. Mohr RFD ED (Retd) was appointed to conduct the review, and he was assisted by Rear Admiral P.G.N. Kennedy AO RAN (Retd).

13. Amongst the terms of reference was a direction that the report will have regard to a number of specific issues, including service at RAAF Butterworth. General Mohr wrote in his final report that he 'found it difficult to comment in such specific terms as such service ranged over almost all of the period covered by the review and in particular two major conflicts, the Malayan Emergency and the Indonesian Confrontation'.<sup>5</sup>

14. While the review examined service at Butterworth within the context of service in the 1960s, General Mohr did highlight the anomaly referred to in paragraph 9 above.

15. The specific anomaly was that members of the RAN, who had served on ships as part of the FESR between 2 July 1955 and 30 October 1971, were awarded the Clasp 'FESR', whereas members of the Army and Air Force who served on land received no such recognition outside of warlike service which was recognised by other awards.

16. General Mohr recommended that '...members of the Army, Air Force and land-based RAN personnel serving in the Far East Strategic Reserve for periods of 30 or more days be awarded the ASM 45-75 Clasp 'FESR' on the same terms and conditions applying to the RAN seagoing personnel.'<sup>6</sup>

### **Introduction of the Clasp 'SE ASIA'**

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<sup>3</sup> Ibid, p. 58.

<sup>4</sup> Media Release by Wilson Tuckey MP, *Coalition makes its own Australia Remembers Commitment by Widening Service Medal Entitlement*, 27 September 1995.

<sup>5</sup> *Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955-75*, February 2000, p. 3 – 23.

<sup>6</sup> Ibid. pp. 3 – 26-7.

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17. On 19 July 2000 the Acting Chief of the Defence Force wrote to the Minister Assisting the Minister for Defence seeking approval to institute a Clasp 'SE ASIA' for land service rather than an extension of the Clasp 'FESR', and that service in South-East Asia be recognised beyond 1971 to at least 1975, with consideration of service at Butterworth to 1989. These proposals were agreed to on 9 August 2000.<sup>7</sup>

18. The Clasp 'SE ASIA' was the preferred option because the Australian commitment to South-East Asia was not wholly related to the Far East Strategic Reserve. Australians also served with elements of the South East Asia Treaty Organisation, the Australian / New Zealand / United States (ANZUS) Treaty and the United Nations.

19. On 30 August 2000 the Minister Assisting the Minister for Defence issued a media release which announced that Australian servicemen, who served in South-East Asia between 1955 and 1975, would benefit from new medal entitlements identified after a detailed analysis of the *Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955-75*. The new entitlements included the Australian Service Medal 1945-75 with Clasp 'SE ASIA' for land service between 1955 and 1971.<sup>8</sup>

20. This award was approved by the Governor-General on 23 March 2001 and it initially recognised a variety of activities on land in Malaysia, Singapore, Thailand, Vietnam and Indonesia over various periods between 2 July 1955 and 31 October 1971.<sup>9</sup>

### **Follow-on Review of Service in South-East Asia**

21. In his 30 August 2000 media release, the Minister also announced that a separate submission would address service in South-East Asia after 31 October 1971 with the Australia, New Zealand and United Kingdom (ANZUK) Force in Singapore and under other treaty arrangements after termination of the FESR.

22. Defence conducted the follow-on review in late 2000. It examined service after the cessation of the FESR, with particular regard to service with ANZUK Force until 1975, and further service in Malaysia with Rifle Company Butterworth (RCB) and the RAAF. The review recommended that the Clasp 'SE ASIA' be awarded for service rendered after 31 October 1971.

23. On 20 December 2000 a draft ministerial submission was circulated to the Chief of Army and the Chief of Air Force for endorsement.<sup>10</sup>

24. The two Service Chiefs endorsed the submission in early 2001.<sup>11</sup> The ministerial submission was then forwarded to the Chief of the Defence Force (CDF) for consideration on 21 March 2001.<sup>12</sup>

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<sup>7</sup> CDF 440/2000, Ministerial submission from Acting Chief of the Defence Force to Minister Assisting the Minister for Defence, 19 July 2000.

<sup>8</sup> Media Release 239/00, *42000 New Medal Entitlements for South East Asian Service 1955-75*, 30 August 2000.

<sup>9</sup> Determination for the Australian Service Medal 1945-75 with Clasp 'SE ASIA' of 23 March 2001, *Commonwealth of Australia Gazette No. S102* of 27 March 2001.

<sup>10</sup> HDPE 683/2000, Head Defence Personnel Executive minute to Chief of Army and Chief of Air Force, 20 December 2000.

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25. The CDF sought clarification of several matters of concern before he agreed to endorse the submission on 10 April 2001.<sup>13</sup>

26. The submission recommended that the Minister Assisting the Minister for Defence approve the award of the Australian Service Medal 1945-75 with Clasp 'SE ASIA' and the Australian Service Medal with Clasp 'SE ASIA' for service in South-East Asia between 31 October 1971 and 31 December 1989. This was agreed to by the Minister on 18 April 2001.<sup>14</sup>

27. On 8 June 2001 the Governor-General approved a new determination for the Australian Service Medal 1945-75 with the Clasp 'SE ASIA'. This extended eligibility for activities on land in Malaysia, Singapore, Thailand, Vietnam and Indonesia from 1971 to 1975, with the additional category of eligible service of participation by ships of the Royal Australian Navy in the ANZUK Forces.<sup>15</sup>

28. A determination instituting the Clasp 'SE ASIA' to the Australian Service Medal was also approved by the Governor-General on 8 June 2001. This award recognises activities on land in Malaysia between 14 February 1975 and 31 December 1989, on land in Singapore between 14 February 1975 and 30 April 1975, and participation by ships of the RAN in the ANZUK Forces between 14 February 1975 and 30 April 1975.<sup>16</sup>

29. The use of the 30 April 1975 termination date was predicated on the final withdrawal from Singapore of Australian military personnel. Certain policy aspects related to the introduction of these awards were widely promulgated vide DEFGRAM No. 233/2001, *Awards for Service in South-East Asia 1955-1989*.<sup>17</sup>

30. The determination for the Australian Service Medal with Clasp 'SE ASIA' was later revised in February 2002 to include provision for service rendered by members of the Royal Australian Army Survey Corps on Operation GADANG 5 in Sumatra in 1975.<sup>18</sup>

### NATURE OF SERVICE AND ITS RELATIONSHIP WITH MEDAL ENTITLEMENTS

31. Current government policy on the nature of operational service and its relationship with medals is drawn from a 1993 Cabinet Decision which established the extant conditions of service framework. One of the key outcomes of the Cabinet Decision was agreement on new

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<sup>11</sup> CAF 155/2001, Chief of Air Force minute to Head Defence Personnel Executive, 20 February 2001; CA 124/01, Chief of Army minute to Head Defence Personnel Executive, 8 March 2001.

<sup>12</sup> CMP/FC 105/01, Minute from Director General Career Management Policy to Chief of the Defence Force, 21 March 2001.

<sup>13</sup> Minutes from Director General Career Management Policy to Chief of the Defence Force, 28 March 2001 and 5 April 2001.

<sup>14</sup> CDF 249/01, Ministerial submission from Chief of the Defence Force to Minister Assisting the Minister for Defence, 10 April 2001.

<sup>15</sup> Determination for the Australian Service Medal 1945-75 with Clasp 'SE ASIA' of 8 June 2001, *Commonwealth of Australia Gazette No. S230* of 29 June 2001.

<sup>16</sup> Determination for the Australian Service Medal with Clasp 'SE ASIA' of 8 June 2001, *Commonwealth of Australia Gazette No. S230* of 29 June 2001.

<sup>17</sup> DEFGRAM No. 233/2001, *Awards for Service in South-East Asia 1955-1989*.

<sup>18</sup> Determination for the Australian Service Medal with Clasp 'SE ASIA' of 20 February 2002, *Commonwealth of Australia Gazette No. S64* of 28 February 2002.

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definitions for warlike and non-warlike service. These definitions are outlined below. Under the framework a nature of service declaration becomes an enabling driver for the associated conditions of service package. This includes non-financial conditions of service such as medals. The current nature of service policy continues to provide a level of consistency when Defence establishes the conditions of service for deployed personnel.

### Warlike Service

32. 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. a state of declared war;
- b. conventional combat operations against an armed adversary; and
- c. 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. They are usually 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 Service

33. 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 but are not limited to:

- a. **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.
- b. **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:
  - (1) Activities short of Peace Enforcement where the authorisation of the application of force is normally limited to minimum force necessary for self defence;
  - (2) Activities, such as the enforcement of sanctions in a relatively benign environment which expose individuals or units to "hazards" as described in sub-paragraph 31a;
  - (3) Military observer activities with the tasks of monitoring ceasefires, re-directing and alleviating ceasefire tensions, providing "good offices" for

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negotiations and the impartial verification of assistance or ceasefire agreements, and other like activities; or

- (4) Activities that would normally involve the provision of humanitarian relief. Note: Humanitarian relief in the above context does not include normal peacetime operations such as cyclone or earthquake relief flights or assistance.

34. The nature of service determination indicates the type of operation being planned and expresses the extent to which ADF personnel will be exposed to danger, hazards, threat and risk as a consequence of their deployment on an authorised overseas military operation. Determining the nature of service is a robust process which takes account of operational tasks and military objectives; and the rules of engagement which authorise the application of, and limitations on, the use of lethal force to achieve the assigned mission.

35. Responsibility for assessing the nature of service of operations rests with the Nature of Service Branch (NOSB) in Military Strategic Commitments Division, while the authority to make a nature of service declaration is vested in the Minister for Defence following consultation with the Prime Minister. The NOSB is also responsible for researching and responding to submissions which are received from individuals and veterans' groups that seek to have the nature of service of past operations reviewed.

36. The determination of the nature of service of a particular operation marks the point at which the Directorate of Honours and Awards can consider the appropriate level of medallic recognition for that operation in accordance with established policy. Under the conditions of service framework personnel deployed on warlike operations are awarded the Australian Active Service Medal with an appropriate clasp. Personnel deployed on a less hazardous, non-warlike operation, are awarded the Australian Service Medal with an appropriate clasp.

**Clarke Review of Veterans' Entitlements**

37. In February 2002 the Minister for Veterans' Affairs commissioned a wide-ranging review of veterans' entitlements. The review was chaired by The Hon John Clarke QC and the panel's three-volume report was presented to Government in January 2003.

38. The Clarke Review considered the claims of members who served in RCB and as Airfield Defence Guards. The Review stated that RCB's tasks:

- a. ...were infantry training and after-hours patrolling of the perimeter of the base, thereby contributing to base security in conjunction with the Malaysian security forces, the RAAF Airfield Defence Guards and RAAF Police dogs. Its rules of engagement were protective only. Although there is no doubt that the RCB was involved in armed patrolling of Australian assets, it is clear that training and the protection of Australian assets are normal peacetime garrison duties.<sup>19</sup>

39. The Review further stated that 'no evidence was found that service in South-East Asia currently established as peacetime service should be considered warlike.'<sup>20</sup>

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<sup>19</sup> Report of the Review of Veterans' Entitlements, Volume 2, Issues Relating to Eligibility, p. 333.

<sup>20</sup> Ibid.



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**Defence Review of Service with Rifle Company Butterworth – 2007**

40. In 2007 Defence conducted an extensive review of service with RCB. As a consequence of this review, the VCDF recommended that the Minister determine service rendered as a member of the ADF assigned for service with Australian Army RCB during the period 15 November 1970 to 6 December 1972 as non-warlike service. He also recommended that similar service during the period 7 December 1972 to 31 December 1989 be determined hazardous under Section 120 of the *Veterans' Entitlement Act 1986*.

41. The Minister for Veterans' Affairs made these determinations on 18 September 2007.<sup>21</sup>

**Review of Butterworth Service by the Nature of Service Branch – 2009/10**

42. In May 2009 the RCB Review Group Committee wrote to the Minister for Defence Science and Personnel concerning the nature of service determination for service at Butterworth.

43. A review by the NOSB has since found that the instruments prepared by the former Minister for Veterans' Affairs are inaccurate and invalid. The RAAF Air Defence Guards, Police and Security Guards were inadvertently omitted from the recommendations, and as a result they were not included on the respective Instruments of Determination. In addition, the Instruments are invalid because they were not registered.

44. Further research by the NOSB found that formal responsibility for security at Butterworth was transferred from the Royal Air Force Regiment to Malaysian authorities on 31 March 1970 and Australia implemented additional security arrangements for the protection of Australian personnel and RAAF assets from that date. Accordingly, the NOSB has now recommended that the determination of non-warlike service be extended with a commencement date of 31 March 1970.

45. Revised determinations have been prepared and the accompanying draft ministerial submission on this matter is presently under consideration by the Department of Veterans' Affairs and the Repatriation Commission.

46. Research conducted by the NOSB does not support the claim that service as a member of RCB or a related RAAF element, be upgraded to warlike status.

**IMPLICATIONS OF INCREASED RECOGNITION OF SERVICE AT BUTTERWORTH**

47. The Terms of Reference for this inquiry direct the Defence Honours and Awards Tribunal to consider the possible impact of recognition for ADF service at Butterworth on the recognition of other Australian Government service, such as members of the RAAF at Butterworth and as members of the 4th Battalion, The Royal Australian Regiment (4RAR) at Terendak during the period.

48. As the Australian Service Medal 1945-75 with Clasp 'SE ASIA' and Australian Service Medal with Clasp 'SE ASIA' each recognise service at Butterworth in relation to Australia's

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<sup>21</sup> Determination of Non-Warlike Service of 18 September 2007. Determination of Hazardous Service of 18 September 2007.

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commitment to the Five Power Defence Arrangements, it would be anomalous to single out members of RCB at the expense of others who served in the same location.

49. Therefore, any change to the current level of medallic recognition awarded for service with RCB will have an impact on the many RAAF members who served at Butterworth between 1970 and 1989. This includes base and squadron personnel, Air Defence Guards, Service Police and Security Guards.

50. There should not be any impact on members of 4RAR who served at Terendak as the battalion returned to Australia in October 1967. 4RAR was relieved at Terendak by 8RAR, which in turn was relieved by 1RAR in March 1969. 1RAR withdrew from Terendak to Selarang in Singapore in December 1969. The extant recognition for service with 4RAR, 8RAR and 1RAR should not be affected by the outcome of this inquiry as these battalions were stationed in Malaysia prior to 1970.

### KEY JUDGEMENTS

51. Government policy is that a military operation or similar activity can only be recognised with the Australian Active Service Medal 1945-75 or Australian Active Service Medal where the service is determined to be warlike by the responsible Minister.

52. The Governor-General can not declare an operation or Defence activity to be warlike for the purpose of the *Australian Active Service Medal 1945-75 Regulations*, or the *Australian Active Service Medal Regulations*, and thus institute a clasp to either award, without the Government first agreeing that the service is or was warlike in nature and the Minister has declared this to be the case under the *Veterans' Entitlements Act 1986*.

53. The Minister will only act after firstly considering the informed advice of the CDF, and secondly having obtained the agreement of the Prime Minister. The briefing provided by the CDF would be expected to take into account the impact of collateral financial benefits costed by the Department of Defence, the Department of Veterans' Affairs and the Department of Finance and Deregulation, and any views or concerns that are raised by these agencies.

54. Defence does not support the upgrade of service with RCB to warlike status. Furthermore, Defence does not consider this to be within the purview of the Defence Honours and Awards Tribunal at this point as it remains a nature of service matter.

55. The extant recognition available through the awarding of the Australian Service Medal 1945-75 with Clasp 'SE ASIA' or the Australian Service Medal with Clasp 'SE ASIA' is appropriate given the type of service performed by members of RCB and the current nature of service attached to this service.

### CONSULTATION

56. Navy Headquarters, Army Headquarters, Air Force Headquarters and the NOSB were consulted in the development of this submission.

#### Attachments:

- A. Ministerial submission from Acting Chief of the Defence Force to Minister Assisting the Minister for Defence of 19 July 2000.

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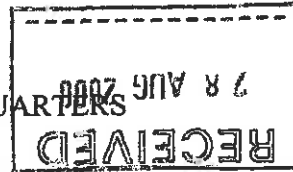
- B. Media Release, *42000 New Medal Entitlements for South East Asian Service 1955-75*, 30 August 2000.
- C. Head Defence Personnel Executive minute to Chief of Army and Chief of Air Force of 20 December 2000.
- D. Chief of Air Force minute to Head Defence Personnel Executive of 20 February 2001.
- E. Chief of Army minute to Head Defence Personnel Executive of 8 March 2001.
- F. Minute from Director General Career Management Policy to Chief of the Defence Force of 21 March 2001.
- G. Minute from Director General Career Management Policy to Chief of the Defence Force of 28 March 2001.
- H. Minute from Director General Career Management Policy to Chief of the Defence Force of 5 April 2001.
- I. Ministerial submission from Chief of the Defence Force to Minister Assisting the Minister for Defence of 10 April 2001.
- J. DEFGRAM No. 233/2001, *Awards for Service in South-East Asia 1955-1989*.
- K. Determination of Non-Warlike Service of 18 September 2007.
- L. Determination of Hazardous Service of 18 September 2007.
- M. Determination for the Australian Service Medal 1945-75 with Clasp 'SE ASIA' of 23 March 2001, Commonwealth of Australia Gazette No. S102 of 27 March 2001.
- N. Determination for the Australian Service Medal 1945-75 with Clasp 'SE ASIA' of 8 June 2001, Commonwealth of Australia Gazette No. S230 of 29 June 2001.
- O. Determination for the Australian Service Medal with Clasp 'SE ASIA' of 8 June 2001, Commonwealth of Australia Gazette No. S230 of 29 June 2001.
- P. Determination for the Australian Service Medal with Clasp 'SE ASIA' of 20 February 2002, Commonwealth of Australia Gazette No. S64 of 28 February 2002.

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AUSTRALIAN DEFENCE HEADQUARTERS

# MINUTE



B 1115  
36550

PE 2000-7307  
CDF 440/2000

B-31/7

**Minister Assisting the Minister for Defence**

## IMPLEMENTATION OF THE RECOMMENDATIONS OF THE REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH EAST ASIAN SERVICE 1955-75

### RECOMMENDATION

That you **approve** the following concerning the implementation of the recommendations of the Review of Service Entitlement Anomalies in Respect of South East (SE) Asian Service 1955-75:

1. The area of operations (AO) for RAN service in Malaya 1955-60, on the basis of parity, to be the same as for Army and RAAF service.
2. A Clasp 'SE Asia' be instituted for land service 1955-75 rather than an extension of the Clasp 'FESR'.
3. That service in SE Asia be recognised beyond 1971 to at least 1975, with consideration of Butterworth to 1989.
4. The qualifying criteria for all operations involving the AASM 1945-75 and the AASM be standardised in line with traditional criteria given to warlike medals.
5. Aircrews be considered for the award of Vietnam Medal on the same basis as the nurses on the same AME flights who qualify as a result of the review.

### OVERVIEW

- There are 47 recommendations, four of which were rejected by Government. DHA staff, RAN Historical staff and a representative from DPM&C met on 18 May 00 to work through the implementation of those accepted recommendations.
- The meeting agreed that some of the recommendations are not workable as presented in the report and require adjustment before implementation. Hence the recommendations from that meeting above.

**Sensitivity.** Yes; criticism is expected from RAN personnel involved in the Malayan Emergency 1955-60.

**Resources.** The extended recommendations are estimated to result in about 2000 extra medals, a cost of approximately \$50K over two years. Any additional medals costs resulting from the above recommendations are likely to be absorbed within the current estimated \$1.706m Review implementation cost due to the usual shortfall in the up-take of entitlements by some 10 - 20 per cent, as has been experienced in the past.

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17 Jul 00

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Copies: Office of the Minister for Defence, Parliamentary Secretary to the Minister for Defence, Secretary

**APPROVED/NOT APPROVED**



**BRUCE SCOTT MP**

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## **SENSITIVITY**

As the NGSM Clasp 'Malaya' is for 28 days, some former RAN personnel still may not qualify, despite their lobbying for the medal prior to the review.

## **BACKGROUND**

After the meeting on 18 May 00 to work through the implementation of those accepted recommendations of the Review, it was recognised that some were not workable in their current form due to wider issues involved. As a result, this submission has been raised to bring these issues to the attention of the Minister seeking appropriate amendments to those applicable recommendations to make them workable.

## **ISSUES**

The RAN area of operations (AO) for service during the Malayan Emergency will be that declared by the Governor-General in 1952 for Army and RAAF service, which is, 'Malaya, including the waters contiguous to the coast of Malaya for a distance of ten nautical miles seaward from the coast of Malaya'. This should meet with the approval of the RAN and FESR Associations as they argued parity with Army and RAAF on the basis of this declaration prior to the Review.

The AO in respect of other service outside of the Malayan Emergency, Indonesian Confrontation, Vietnam and warlike service in Ubon will be further worked through after consultation with Army and RAAF Historical Sections.

The ADF commitment to SE Asia, particularly land service, included service with elements of SEATO, ANZUS, FESR, the UN and some other activities. Accordingly, a new Clasp 'SE Asia' may be more appropriate than extending the existing Clasp 'FESR'. This would not lead to 'double dipping' as both Clasps will recognise the one period of service and only one or the other would be awarded as a result. This is not unlike an award of either the Vietnam Medal (VM) or the VLMS, but not both, for Vietnam service.

The ADF commitment to SE Asia did not end with FESR on 31 Oct 71 as Australian troops remained on-station in Singapore until at least late 1974. It is considered prudent therefore to further investigate ADF involvement in the SE Asia region to the end of Australia's main commitment.

Butterworth will no doubt continue as an issue, particularly for the Rifle Company (RCB). This should be investigated further, with the possibility of an extension to 1989 when the terrorist threat from the Malaysian Communist Party finally concluded with the signing of the peace accord by its leader, Chin Peng. RCB service was to protect the base against terrorist insurgency and it may therefore be difficult to argue that this service was not non-warlike for medals purposes.

The AASM 1945-75 is currently linked to Imperial awards for service which means that for Malaya, it is awarded for one day for land service (link to GSM) and 28 days for service afloat (linked to NGSM). As the review recommended parity should be made, the AASM 1945-75 should be awarded for service of one day or more, rather than 28 days or more. As

there may be some former RAN personnel who miss out on the NGSM due to the 28 day qualifying criteria, the AASM 1945-75 may then be a compensator for this. Further, to accord parity across the board, it is considered that the AASM 1945-75, and the current AASM should have one qualifying criteria being basically, 'one day or more on the posted strength of a unit allotted (or assigned) to and serving in the operational area, or 30 days for visitors'. Currently, both AASMs have periods of one to 30 days.

To allow the award of the VM to nurses operating out of Butterworth into Vietnam, the VM Warrant will require amendment. This will require amendment action through DPM&C involving the AG's Department and eventual Royal Assent and will take some months to complete. Also, consideration will need to be given to the award of the VM for the Air Crews operating the aircraft involved in the same emergency medical evacuations to give them parity with the nurses involved.

A number of Instruments of declaration and determination under relevant AASM and ASM regulations will require amendment and some new ones raised. The target is to have these completed and approved by the end of August.

In implementing the recommendations of the review, it is incumbent on Defence to consider any wider implications flowing from them and their relationship to the CIDA principles. This will also go wider than the SE Asia area, eg. RAAF service on Malta 1952-55. As service at Butterworth will now be recognised outside of warlike service for strategic reserve purposes, RAAF service on Malta will need to be re-examined as it was for exactly the same purposes but in respect of Middle East security. This re-examination accords with CIDA principle three and the Government's policy to continue to monitor concerns of the Service community and address anomalies as they arise.

#### **COMMUNICATION ASPECTS**

There are no communication aspects at this time. Pending further work concerning matters such as the AO for service outside of the Malayan Emergency, Indonesian Confrontation and Vietnam, AASM qualification and service post 1971, Defence will be in a better position to detail implementation aspects through the media in about mid August.



# Media Release

The Hon Bruce Scott MP

Minister for Veterans' Affairs • Minister Assisting the Minister for Defence • Federal Member for Maranoa

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Wednesday, 30 August 2000

Min 239/00

**UNDER EMBARGO: 1.00PM AEDT**

## **42 000 NEW MEDAL ENTITLEMENTS FOR SOUTH EAST ASIAN SERVICE 1955-75**

Australian sailors, soldiers and airmen who served in South East Asia between 1955-75 will benefit from an estimated 42 000 new medal entitlements, the Minister Assisting the Minister for Defence, Bruce Scott, said today.

Speaking at the RSL's 85th National Congress in Perth, Mr Scott said the medal entitlements had been identified following a detailed analysis by the Department of Defence into the recommendations arising from the *Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955-75*, released earlier this year.

"On the basis of the Review's recommendations, the Department of Defence has determined that:

- an area of operations be established in respect of Royal Australian Navy (RAN) operations off Malaya 1955-60, which will confer eligibility in accordance with the awarding criteria of the Imperial Naval General Service Medal 1915-62 (Clasp Malaya), Australian Active Service Medal (AASM) 1945-75 (Clasp Malaya), the Returned from Active Service Badge (RASB) as well as qualifying service for repatriation benefits under the Veteran's Entitlement Act 1986
- introduction of a separate medal clasp, Clasp SE Asia, to the Australian Service Medal 1945-75, for land service 1955-71
- qualifying service under the VEA 1986 along with medal entitlements towards the Imperial General Service Medal 1962 (Clasp Borneo), the AASM 1945-75 (Clasp Malaysia), and RASB to those who saw service on Her Majesty's Australian Ships *Parramatta*, *Sydney*, *Vampire* and *Yarra*, off Borneo during the Indonesian Confrontation, and
- qualifying criteria for all operations that earned entitlement to the AASM 1945-75 be standardised to conform with modern criteria afforded to medals earned in warlike operations."

A separate detailed submission, to be completed by the end of the year, would address service in South East Asia after 31 October 1971 with the Australian, New Zealand and United Kingdom (ANZUK) Forces in Singapore and under other treaty arrangements after termination of the Far East Strategic Reserve. Service of the Royal Australian Air Force and the deployed Army Rifle Company at RAAF Base Butterworth, Malaysia, would also be considered.

These measures are intended to recognise the vital contribution of servicemen and women to the stability of South East Asia during a period of significant international tension, Mr Scott said.

**Media Contact: Mark Croxford 02 6277 7820 or 0408 645 787**

## BACKGROUND INFORMATION

- The area of operations for RAN service in support of operations in Malaya 1955-60 will be set at 12 nautical miles.
- This is consistent with the criteria established for the award of the NGSM with Clasp 'Malaya' in accordance with the qualification requirement of 28 days patrolling off the Malayan coast in close support of operations against bandits.
- This also in accordance with the modern criteria approved by Federal Cabinet for the definition of such an area of operations (and, for example, which has been applied to East Timor).
- A Clasp 'SE Asia' will be instituted for land service 1955-71 rather than an extension of the Clasp 'FESR' as it involved service under other security treaties other than just FESR, for example, SEATO land forces.
- The Clasp 'SE Asia' will not lead to 'double dipping' with the Clasp 'FESR' as both Clasps will recognise the one period of service in South East Asia, including that with the FESR.
- The service of HMA Ships Parramatta, Sydney, Vampire and Yarra in Borneo during the Indonesian Confrontation in 1964 will now be eligible for all campaign medals, subject to meeting the relevant qualifying criteria. They will also be eligible to receive the Returned from Active Service Badge and entitlements under the *VEA Act 1986*.
- The qualifying criteria for all operations involving the AASM 1945-75 and the current AASM will be standardised in line with modern criteria given to warlike medals. This is basically 'one day or more on the posted strength of a unit allotted (or assigned) to and serving in an operational area, one operational sortie into the area, 30 non-operational sorties or 30 days for visitors'.
- A separate review of recognition of service in South East Asia after Oct 1971 including Butterworth Malaysia, which includes both Rifle Company and RAAF service, is being conducted by Defence. It is expected that this will be completed by the end of the year.





Defence Personnel Executive

## MINUTE

PE 2000-7307  
HDPE /2000

CA (R1-4-B003)  
CAF (R1-6-C001)

### RECOMMENDATIONS OF THE REVIEW OF SERVICE ENTITLEMENT IN RESPECT OF THE ROYAL AUSTRALIAN AIR FORCE AND ARMY RIFLE COMPANY BUTTERWORTH SERVICE 1971-1989

1. Enclosed is a self explanatory submission to the Minister Assisting the Minister for Defence concerning service in Singapore/Butterworth post FESR, 1971-1989.
2. The recommendations made in the submission meet with the principles of the 1993/94 Committee of Inquiry into Defence and Defence Related Awards (CIDA), and of the recent recommendations at para 27 of the paper entitled "ADF Medals Policy – Where we have been and where we are going", recently approved by the three Services.
3. Request your clearance, or otherwise, of the enclosed draft prior to submission to the Minister through CDF. Your consideration of the draft is requested at your earliest opportunity as the Minister would like to announce the findings as soon as possible into the new year.

*Original Signed*

**S.V.L. WILLIS**  
MAJGEN  
HDPE

*to* Dec 00

#### Enclosure:

1. Draft Submission to Minister Assisting the Minister for Defence – Recommendation of the Review of Service Entitlement in respect of the Royal Australian Air Force and Army Rifle Company Butterworth Service 1971-1989

*NOA  
Placed until signed copy  
is filed.*

## **BACKGROUND**

Following the Report of the South-East Asia review and your Media Release of 30 Aug 00, you instructed that a further review of service in the South-East Asia region be conducted and be the subject of a well considered brief. This was in regard to service after the cessation of the FESR on 31 Oct 71 and particularly that with Australian, New Zealand and United Kingdom Forces (ANZUK) until 1975, and further service in Malaysia with the Army Rifle Company Butterworth (RCB) and RAAF. This submission recommends the further award of the ASM 1945-75/ASM Clasp 'South-East Asia' for service in those cases.

## **ISSUES**

In 1955 Commonwealth forces were stationed in Malaya as part of the British Commonwealth Far East Strategic Reserve (FESR) to deter communist Chinese aggression and fight the continued armed Malaysian communist terrorism. At the time, Australia considered South-East Asia the area of greatest strategic importance to its own defence, let alone the defence of South-East Asia. The strategic thinking behind the FESR was that a military response to a crisis on the Malay Peninsula would be swifter if air power was already in position.

In Apr 71 a 'Five Power' ministerial meeting attended by representatives of Australia, Malaysia, Singapore, New Zealand and the United Kingdom selected 1 Nov 71 as the date on which new defence arrangements would come into effect. Accordingly, FESR would cease on 31 Oct 71. Australia's Chiefs of Staff had previously agreed that a continuing strong presence in the region was highly desirable, and the most effective and convenient form of that presence would be the two RAAF fighter squadrons already at Butterworth.

Given the timetable for the British withdrawal, the nucleus of a new air defence system had to be in place by mid-1971. The two RAAF fighter squadrons at Butterworth assumed the leading role in the new integrated air defence system giving Malaysia and Singapore an opportunity to build up their own defence forces. In 1974 Long-Range Maritime Patrol Aircraft commenced a program of continuous rotational deployment through Butterworth for regional surveillance. The surveillance of the region provided a valuable contribution to the stability of the Malaysian borders. The number of RAAF personnel who served at Air Base Butterworth from Nov 71 to Dec 89 is estimated to be approximately 12000.

The ANZUK Force was created on 1 Nov 71 with troops from Australia, the UK and NZ stationed as a deterrent to armed attack, or the threat of such attack. The ANZUK Force was created from its existing resources and was not an integral part of the Five Power Arrangements. The ANZUK Force was disbanded on 1 Jan 75 with the last elements of Australian military personnel withdrawn in Apr 75.

The RCB was established in 1970 as a quick-reaction force to provide protection for Australian assets within the perimeter of the Royal Malaysian Air Force Base Butterworth due to the continued threat of armed Communist terrorism within its borders. It was initially provided from the ANZUK Australian Force and was formally under operational command of the Commander ANZUK Forces. Besides securing protection for the two jet squadrons within the perimeter of the Air Base, the role of the RCB was to provide a quick-reaction force to meet the communist terrorist threat, and be responsible for internal security within Air Base Butterworth. The RCB was not to be involved in local civil disturbances or to be employed in operations outside the gazetted area of the Air Base. Rules of Engagement (ROE) for the RCB were specific on 'Orders to Open Fire' if threatened and security was breached, but were applied within Air Base Butterworth only, regardless of curfew, periods of increased security, air defence exercises or time of day or night. Although it may have

involved patrolling, its ROE was defensive only, not unlike those during UN peacekeeping operations.

Statements by former RCB participants provide evidence of armed communist terrorism close to Air Base Butterworth, including:

- blowing a bridge seven kilometres north of the Base;
- the ambush of a Malaysian Army troop convoy at Alor Setar; and
- daily minor skirmishes with the local military and police forces.

Added to the hazards involved for the RCB were the Malaysian Airforce Defence Guards (Handau). These were conscripts who were also employed to provide security to the Air Force base. Advice from the Army Historical Unit is that they were an additional hazard as they had various levels of training (not particularly good) and it was not unusual for the Handau to overreact when surprised and shoot at the unknown. Such incidents are known to have occurred during RCB quick-reaction response training in which RCB members came under fire. There is also a known incident in the early 1970s that during such training, a contact was made with Malay terrorists, however, this resulted in a 'stand-off' situation and although tense, did not result in any exchange of fire or casualties. Due to known armed terrorist activities, the northern regions of the Malay Peninsula were 'no go' areas for ADF personnel.

In Feb 88, the then Minister for Defence announced a reduction of the RAAF presence at Butterworth in consultation with the Malaysian and Singaporean governments. In Dec 89, Chin Peng, the leader of the Malaysian Communist Party signed a peace accord with the Malaysian Government. These events resulted in the RAAF presence being dramatically reduced and the quick reaction role of the RCB abolished. Since 1989, Butterworth has provided a good overseas training ground for Army personnel, albeit still under the name of RCB. Although there is still a Five Power Agreement, this is now primarily a Defence cooperation agreement rather than a regional security treaty against a communist threat, ie. the RAAF and the RCB devote more time to training activities with the Malaysian and Singaporean Armies.

In view of the conditions that existed in Singapore and Malaysia after the Indonesian Confrontation on 11 Aug 66 and until the end of FESR on 31 Oct 71, it is considered that duties in Butterworth are equally deserving of an award due to the terrorist threat which existed and the purpose of regional security.

#### **CONSULTATION**

Army and RAAF Historical Sections were consulted during this review, as were a number of Army units involved with RCB rotations. Existing submissions to the Mohr Review and previous Ministerial and Departmental correspondence was also reviewed.

#### **COMMUNICATIONS ASPECTS**

Should you approve the contents of this submission, media aspects will be addressed through PACC and your media advisor, Mr Mark Croxford.



Air Force Headquarters

## MINUTE

**RECEIVED**

21 FEB 2001

2001/262

Office of Head  
Defence Personnel Executive

CAF 155 /2001

CAF 2000/5764 Pt4 (7)

OCAF/out/2001/63.

HDPE (R1-1-C003)

### RECOMMENDATIONS OF THE REVIEW OF SERVICE ENTITLEMENT IN RESPECT OF THE ROYAL AUSTRALIAN AIR FORCE AND ARMY RIFLE COMPANY BUTTERWORTH SERVICE 1971-1989

1. I refer to HDPE 683/2000 of 20 Dec 00 that sought clearance for the draft submission to Minister Assisting the Minister for Defence concerning service in Singapore/Butterworth post FESR, 1971-1989. I have read the submission and give clearance for further processing.
2. Please keep me advised of future developments.

**E.J. McCORMACK**  
AIRMSHL  
CAF

20 Feb 01



**AUSTRALIAN ARMY**  
(Office of the Chief of Army)

**RECEIVED**

2001/392 -  
Office of Head  
Defence Personnel Executive

**MINUTE**

692-1-5  
98/2594-2  
CA124/01

**HDPE (R1-1-C003)**

**RECOMMENDATIONS OF THE REVIEW OF SERVICE ENTITLEMENT IN  
RESPECT OF THE RAAF AND ARMY RIFLE COMPANY BUTTERWORTH  
SERVICE 1971-1989**

You requested clearance or otherwise of the draft submission attached to HDPE 683/2000 of 20 Dec 00. I endorse the submission and offer the following comment. The recommendation on the draft to the Minister Assisting is for the award of the ASM 1945-75, yet the end date of the period in question is 1989. It would be appropriate for the ASM 1945-75 to be awarded for service up to 1975 and the current ASM to be awarded for service after that date. This point is not clear in the submission. Obviously the changeover date from the ASM 1945-75 to the current ASM will need to be managed to ensure there is no dual entitlement.

**P.J. COSGROVE**  
LT GEN  
Chief of Army

R1-4-B003  
Tel (02) 6265 4311

8  
Mar 01



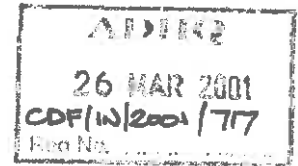
DEFENCE PERSONNEL EXECUTIVE  
Career Management Policy Branch

**MINUTE**

**RECEIVED**  
22 MAR 2001  
2001/442  
Office of Head  
Defence Personnel Executive

2000-34836 Pt 1  
CMP/FC 105/01

CDF (R1-5B-CDF Suite)



**Through:**  
~~HDPE~~ (R1-1-C003) *24/3*

**REVIEW OF SERVICE ENTITLEMENT IN RESPECT OF THE ROYAL AUSTRALIAN AIR FORCE AND ARMY RIFLE COMPANY BUTTERWORTH SERVICE 1971-1989.**

1. Enclosed for your consideration is a submission which recommends to the Minister Assisting the Minister for Defence the award of the Australian Service Medal (ASM) 1945-75/ASM for service in South-East Asia from 31 Oct 71 to 31 Dec 89.
2. This submission has been endorsed by CA and CAF. The recommendations made in the submission meet with the principles of the 1993/94 Committee of Inquiry into Defence and Defence Related Awards and accord with the recommendations at paragraph 27 of the recent paper entitled "ADF Medals Policy - Where We Have Been And Where We Are Going" recently approved by yourself and the three Service Chiefs.

**R.K. McLENNAN**  
AIRCDRE  
DGCMP

R1-1-C021  
Tel 54852

21 Mar 01

**Enclosure:**

1. Recommendations of the Review of Service Entitlement in Respect of the Royal Australian Air Force and Army Rifle Company Butterworth Service 1971-1989



DEFENCE PERSONNEL EXECUTIVE  
Career Management Policy Branch

**MINUTE**

2000-34836 Pt 1

CMP/FB 107/01

~~CDP~~

(R1-5B-CDF Suite)

*OK because has it taken so long to pick up?  
Are we saying that subsequent  
to Mohr nothing was ever  
considered?*

**REVIEW OF SERVICE ENTITLEMENT IN RESPECT OF THE ROYAL  
AUSTRALIAN AIR FORCE AND ARMY RIFLE COMPANY BUTTERWORTH  
SERVICE 1971-1989**

1. In answer to your queries concerning the enclosed review, the extension of recognition is based on the principle established by MAJGEN Mohr, during his deliberations on service in SE Asia that if ADF personnel are placed in circumstances where they may be used to react to an assessed threat made by Australian Government Intelligence agencies, it has to be considered operational service. This is regardless of whether that threat is realised or not.

2. Also, the recommendations are consistent with CIDA Principle No 3 which states, inter alia, *care must be taken that in recognising service by some, the comparable service of others is not overlooked or degraded.* The Rifle Company Butterworth Quick Reaction Force operated with definite reactive rules of engagement until 1989. Currently, it will be awarded the ASM 1945-75 for exactly the same service from its inception in 1970 to 1971, where eligibility ceases under the Mohr recommendation. RAAF service as part of the FPA and other service under ANZUK were both 'flow-ons' from FESR and established under the same principles of FESR to provide security to the SE Asia region until 1989. At this point, arrangements changed to training under DCP, as a result of the region becoming more stable.

3. In summary, this review has been conducted in accordance with Government policy that the concerns of the ex-Service community are taken into account with regard to past service, and where a clear or manifest anomaly is identified, it be resolved. The recommendations flow-on and are consistent with the principles established by MAJGEN Mohr in his review and therefore meet with Government policy.

*R.K. McLennan*

**R.K. McLENNAN** AAO  
AIRCDRE  
DGCMP

R1-1-C021  
Tel 54852

*28* Mar 01

**Enclosure:**

1. Recommendations of the Review of Service Entitlement in Respect of the Royal Australian Air Force and Army Rifle Company Butterworth Service 1971-1989







DEFENCE PERSONNEL EXECUTIVE  
Career Management Policy Branch


## MINUTE

2000-34836 Pt 1  
CMP/FB /01

CDF (R1-5B-CDF Suite)

### REVIEW OF SERVICE ENTITLEMENT IN RESPECT OF THE ROYAL AUSTRALIAN AIR FORCE AND ARMY RIFLE COMPANY BUTTERWORTH SERVICE 1971-1989

1. You further queried the enclosed Review as to "why has it taken so long to pick-up", and "are we saying that subsequent to Mohr nothing was ever considered".
2. As advised in CMP/FB 311/00 of 7 Jun 00, the suggested extensions for Singapore to 1975 and Butterworth to 1989 flow from the fact that the Mohr review attempted as much as possible to stay within their TOR, which was to review service in SE Asia between 1955-75. Part of the TOR included review of service in SE Asia in relation to the geo-political context of FESR, which concluded on 31 Oct 71. Consequently, service at Butterworth between 1971 and 1989 was not considered. However, in implementing the recommendations, it was considered incumbent on Defence to consider any wider implications flowing from them and their relationship to the CIDA principles. In CDF 440/2000 of 19 Jul 00, LTGEN Mueller, as A/CDF, recommended that this service in SE Asia be further reviewed and this was approved by the Minister on 9 Aug 00.
3. In his Media Release 339/00 of 30 Aug 00, Minister Scott announced that a separate review of recognition of service in SE Asia after Oct 1971, including Butterworth Malaysia, was being conducted by Defence and it would be expected to be completed by the end of the year. It was completed on 20 Dec 00 at which point it was sent to CA and CAF for comment. CAF endorsed the Review on 20 Feb 01 and CA on 8 Mar 01, after which it was passed to you for consideration.

  
R.K. McLENNAN  
AIRCDRE  
DGCMP

R1-1-C021  
Tel 54852

5 Apr 01

**Enclosure:**

1. Recommendations of the Review of Service Entitlement in Respect of the Royal Australian Air Force and Army Rifle Company Butterworth Service 1971-1989



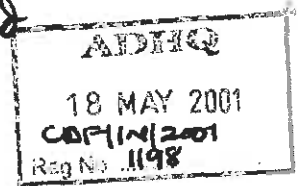
B1564  
42331

AUSTRALIAN DEFENCE HEADQUARTERS

## MINUTE

*B 12/4. Good outcome!*

PE 2000-34836 Pt 1  
CDF 249/01



Minister Assisting the Minister for Defence

### RECOMMENDATIONS OF THE REVIEW OF SERVICE ENTITLEMENT IN RESPECT OF THE ROYAL AUSTRALIAN AIR FORCE AND ARMY RIFLE COMPANY BUTTERWORTH SERVICE 1971-1989

#### RECOMMENDATION

That you **approve** the awards of the Australian Service Medal (ASM) 1945-75/ASM with Clasp 'SE ASIA' for service in South-East Asia from 31 Oct 71 to 31 Dec 89 as outlined below.

#### OVERVIEW

- On 30 Aug 00, you advised in a Media Release concerning the implementation of the recommendations of the Mohr Report that a separate submission would be completed addressing service in Singapore/Butterworth following the cessation of FESR on 30 Oct 71. This minute outlines the findings of a further review of this service.
- Following the cessation of the Far East Strategic Reserve (FESR) on 30 Oct 71, Australia maintained a presence in South-East Asia under similar arrangements with the Australian, New Zealand and United Kingdom (ANZUK) force until Apr 75. In 1970, the Rifle Company Butterworth (RCB) was raised to provide a quick reaction force to meet the communist terrorist threat and provide internal security and protection for Australian assets within the perimeter of Royal Malaysian Air Force (RMAF) Base Butterworth.
- After ANZUK disbanded in 1975, the RAAF retained its presence at Butterworth for regional security under the Five Power Defence Arrangements (FPDA). The RCB ready reaction force was retained.
- Rules of Engagement (ROE) for the RCB were not dissimilar to those used on United Nations peacekeeping operations, ie. application of force authorised for self-defence.
- The communist terrorist threat was proven to be real with recorded clashes on a number of occasions within its borders until Chin Peng, the Communist Leader, signed a peace accord in Dec 89.
- Following the peace accord, the Australian contribution was scaled down with the reduction of the RAAF presence at Butterworth and the RCB devoting more time to training activities with the Malaysian and Singaporean Armies.
- In view of the conditions that existed in Singapore and Malaysia after the Indonesian Confrontation on 11 Aug 66 and until the end of FESR on 31 Oct 71, it is considered that duties in Butterworth are equally deserving of an award due to the terrorist threat which existed and the purpose of maintaining regional security. This is in keeping with CIDA principles.
- An estimated 19,600 members served in Singapore/Butterworth between 1971-1989, however, it is expected that about 25% will have already qualified for an award for their service in South-East Asia.

Sensitivity. Nil

**Resources.** Resource implications are estimated at \$0.37M and these funds will need to be included in financial year 2001/2002 bids. However, any awards assessed before Jul 01 could be met from within this year's allocation.

**AUTHORISED:**



**C. A. BARRIE**  
ADML  
CDF  
Tel: 6265 2858

10 Apr  
Mar 01

**APPROVED/NOT APPROVED**



**BRUCE SCOTT MP**

15/04/01

**CONTACT:**

Mr Pat Clarke  
Tel: 6265 1513

Copies: Office of the Minister for Defence, Parliamentary Secretary to the Minister for Defence,  
Secretary

## **BACKGROUND**

Following the Report of the South-East Asia review and your Media Release of 30 Aug 00, you instructed that a further review of service in the South-East Asia region be conducted and be the subject of a well considered brief. This was in regard to service after the cessation of the FESR on 31 Oct 71 and particularly that with Australian, New Zealand and United Kingdom Forces (ANZUK) until 1975, and further service in Malaysia with the Army Rifle Company Butterworth (RCB) and RAAF. This submission recommends the further award of the ASM 1945-75/ASM Clasp 'South-East Asia' for service in those cases.

## **ISSUES**

In 1955 Commonwealth forces were stationed in Malaya as part of the British Commonwealth Far East Strategic Reserve (FESR) to deter communist Chinese aggression and fight the continued armed Malaysian communist terrorism. At the time, Australia considered South-East Asia the area of greatest strategic importance to its own defence, let alone the defence of South-East Asia. The strategic thinking behind the FESR was that a military response to a crisis on the Malay Peninsula would be swifter if air power was already in position.

In Apr 71 a 'Five Power' ministerial meeting attended by representatives of Australia, Malaysia, Singapore, New Zealand and the United Kingdom selected 1 Nov 71 as the date on which new defence arrangements would come into effect. Accordingly, FESR would cease on 31 Oct 71. Australia's Chiefs of Staff had previously agreed that a continuing strong presence in the region was highly desirable, and the most effective and convenient form of that presence would be the two RAAF fighter squadrons already at Butterworth.

Given the timetable for the British withdrawal, the nucleus of a new air defence system had to be in place by mid-1971. The two RAAF fighter squadrons at Butterworth assumed the leading role in the new integrated air defence system giving Malaysia and Singapore an opportunity to build up their own defence forces. In 1974 Long-Range Maritime Patrol Aircraft commenced a program of continuous rotational deployment through Butterworth for regional surveillance. The surveillance of the region provided a valuable contribution to the stability of the Malaysian borders. The number of RAAF personnel who served at Air Base Butterworth from Nov 71 to Dec 89 is estimated to be approximately 12000.

The ANZUK Force was created on 1 Nov 71 with troops from Australia, the UK and NZ stationed as a deterrent to armed attack, or the threat of such attack. The ANZUK Force was created from its existing resources and was not an integral part of the Five Power Arrangements. The ANZUK Force was disbanded on 1 Jan 75 with the last elements of Australian military personnel withdrawn in Apr 75.

The RCB was established in 1970 as a quick-reaction force to provide protection for Australian assets within the perimeter of the Royal Malaysian Air Force Base Butterworth due to the continued threat of armed Communist terrorism within its borders. It was initially provided from the ANZUK Australian Force and was formally under operational command of the Commander ANZUK Forces. Besides securing protection for the two jet squadrons within the perimeter of the Air Base, the role of the RCB was to provide a quick-reaction force to meet the communist terrorist threat, and be responsible for internal security within Air Base Butterworth. The RCB was not to be involved in local civil disturbances or to be employed in operations outside the gazetted area of the Air Base. Rules of Engagement (ROE) for the RCB were specific on 'Orders to Open Fire' if threatened and security was breached, but were applied within Air Base Butterworth only, regardless of curfew, periods of increased security, air defence exercises or time of day or night. Although it may have

involved patrolling, its ROE was defensive only, not unlike those during UN peacekeeping operations.

Statements by former RCB participants provide evidence of armed communist terrorism close to Air Base Butterworth, including:

- blowing a bridge seven kilometres north of the Base;
- the ambush of a Malaysian Army troop convoy at Alor Setar; and
- daily minor skirmishes with the local military and police forces.

Added to the hazards involved for the RCB were the Malaysian Airforce Defence Guards (Handau). These were conscripts who were also employed to provide security to the Air Force base. Advice from the Army Historical Unit is that they were an additional hazard as they had various levels of training (not particularly good) and it was not unusual for the Handau to overreact when surprised and shoot at the unknown. Such incidents are known to have occurred during RCB quick-reaction response training in which RCB members came under fire. There is also a known incident in the early 1970s that during such training, a contact was made with Malay terrorists, however, this resulted in a 'stand-off' situation and although tense, did not result in any exchange of fire or casualties. Due to known armed terrorist activities, the northern regions of the Malay Peninsula were 'no go' areas for ADF personnel.

In Feb 88, the then Minister for Defence announced a reduction of the RAAF presence at Butterworth in consultation with the Malaysian and Singaporean governments. In Dec 89, Chin Peng, the leader of the Malaysian Communist Party signed a peace accord with the Malaysian Government. These events resulted in the RAAF presence being dramatically reduced and the quick reaction role of the RCB abolished. Since 1989, Butterworth has provided a good overseas training ground for Army personnel, albeit still under the name of RCB. Although there is still a Five Power Agreement, this is now primarily a Defence cooperation agreement rather than a regional security treaty against a communist threat, ie. the RAAF and the RCB devote more time to training activities with the Malaysian and Singaporean Armies.

In view of the conditions that existed in Singapore and Malaysia after the Indonesian Confrontation on 11 Aug 66 and until the end of FESR on 31 Oct 71, it is considered that duties in Butterworth are equally deserving of an award due to the terrorist threat which existed and the purpose of regional security.

#### **CONSULTATION**

Army and RAAF Historical Sections were consulted during this review, as were a number of Army units involved with RCB rotations. Existing submissions to the Mohr Review and previous Ministerial and Departmental correspondence was also reviewed.

#### **COMMUNICATIONS ASPECTS**

Should you approve the contents of this submission, media aspects will be addressed through PACC and your media advisor, Mr Mark Croxford.

Department of Defence

**DEFGRAM NO 233/2001**

2 July 2001

Note: DEFGRAMS need only be retained while the information is relevant. Publications can be accessed on the Defence Intranet at <http://defweb.cbr.defence.gov.au/home/documents/departme.htm>

**AWARDS FOR SERVICE IN SOUTH-EAST ASIA 1955-1989**

**Aim**

The aim of this DEFGRAM is to advise the eligibility criteria and policy background to the award of the Australian Service Medal (ASM) 1945-1975/ASM for service in South-East Asia between 1955 and 1989.

**Background**

In 1999, the Government commissioned an independent committee of inquiry into Defence service in South-East Asia between 1955 and 1975. The inquiry was called the *Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955-1975 (SEA Review)* and was conducted by the Honourable Bob Mohr RFD ED, former Judge of the Supreme Court of South Australia, and Rear Admiral Phillip Kennedy, AO (Retd). The Review made 47 recommendations concerning medals, 43 of which were accepted by the Government. However, the review only made recommendations in respect of service up to and including 30 October 1971, the end date of the Commonwealth Far East Strategic Reserve (FESR) in South-East Asia. A copy of the executive summary and recommendations may be found on the Defence Internet (see <http://www.minister.defence.gov.au/2000/sea.html>).

Following the Government's acceptance of the review recommendations, the Minister assisting the Minister for Defence directed that a further review be conducted by the Department into service in Singapore and Malaysia for the period 1971 onwards. This review was conducted and recommendations have been accepted by Government.

**Eligibility criteria**

The result of these reviews is that service, outside of warlike service in certain areas of South-East Asia during the Malayan Emergency 1948-1960, the Thai-Malay Border 1960-1966, the Indonesian Confrontation 1962-1966, Vietnam 1962-1973 and Thailand 1965-1968, will be eligible non-warlike service towards the ASM 1945-1975 or the ASM. Specifically, this is service with elements of the South-East Asia Treaty Organisation; the Australia, New Zealand and the United States (Pacific Security) Treaty (ANZUS); FESR; the United Nations; Australian New Zealand and United Kingdom (ANZUK) Force; Five Power Defence Arrangement (which includes the Rifle Company Butterworth); and Australian Army Survey Operations, in the following areas and periods:

service in Malaysia, except that on the Thailand-Malaysia border as shown below, during the following periods:

- 01 August 1960 and ended on 16 August 1964;
- 12 August 1966 and ended on 31 December 1989;

(warlike land operations on the Thailand-Malaysia border between 01 August 1960 and 16 August 1964, and warlike air operations on the border between 17 August 1964 and 30 March 1966, do not qualify);

Service on land in Singapore during the following periods:

- 01 August 1960 and ended on 16 August 1964;
- 12 August 1966 and ended on 30 April 1975;

- Defence Force activities on land in Thailand, except those non-warlike operations prescribed for the ASM 1945–1975 with Clasp 'Thailand' that occurred in Ubon and Ban Kok Talat, during the following periods;
  - 02 July 1955 and ended 1924 June 1965;
  - 01 September 1968 and ended on 30 October 1971; and
- service on land in Vietnam 02 July 1955 and ended on 30 July 1962;
- service on land in Indonesia, Laos and Cambodia 02 July 1955 and ended on 14 March 1975.
- participation by ships of the Royal Australian Navy in the ANZUK forces that commenced on 31 October 1971 and ended on 30 April 1975.

The medal may be awarded for 30 days aggregate service as a posted member of a unit under one or any of the conditions above, or as an official visitor or on temporary duty. The medal may also be awarded for 30 operational sorties into or over one of the areas above during the relevant period, but is counted only where those sorties were conducted over a period of not less than an aggregate of 30 days at a rate of one sortie per day (ie more than one sortie a day will not count). It is stressed that just flying over or into an area in transit from one point to another will not qualify. The flight has to relate to the operation and result in a military outcome specific to the operation.

#### Policy aspects

There is a view that several clasps should be established to recognise service in each individual agreement or treaty which existed in South-East Asia, and that they should not be grouped for medals entitlements. Whilst the elements which make up the Clasp 'SE Asia' may have been independent agreements, they existed essentially with the one aim—to provide security within the South-East Asia region. Additionally, the ANZUK force was created with the same aims as FESR and from existing FESR resources at the time. In effect, ANZUK was FESR under another name.

There are fundamentals of the Australian honours and awards system which apply to awards for service in South-East Asia during the period 1955–1989. A specific Government policy relates to 'double medalling', ie the awarding of two Australian medals for the same service. The Government at the time of its announcement of the then proposed Australian Active Service Medal (AASM) and ASM in 1986 stated its policy in a Prime Minister's media release that, 'In accordance with established tradition, separate medals will be struck for each major campaign to recognise service in major conflicts, if and when the need arises in the future'. Major conflicts in the contemporary sense also means major warlike operations. This policy was reaffirmed by the current Government in 1997 during the establishment of the AASM 1945–1975. Basically, this means that for a major warlike operation, an AASM and specific campaign medal may be awarded together, eg AASM and INTERFET Medal for service with the International Force East Timor 1999–2000. Non-warlike operations do not attract two Australian awards. Similarly, a tenet of the Australian honours and awards system is that devices are not affixed to ribbons of operational service awards denoting multiple tours in operations.

The effect of this is that a person who has been awarded the ASM 1945–1975 with Clasp 'SE Asia' for service up to February 1975 will not be awarded the ASM with Clasp 'SE Asia' for service at a later date. Equally, a person who has been awarded the ASM 1945–1975 with Clasp 'FESR' will not receive an award of the ASM 1945–1975 or ASM with Clasp 'SE Asia'. Although different to the 'SE Asia' Clasp, the 'FESR' clasp still recognises service in 'SE Asia' for the same operation (see paragraph above).

The ASM 1945–1975 and the current ASM are, in effect, the same medal except that through circumstances, they reflect two different periods. This is because during the 1993/1994 Committee of Inquiry into Defence and Defence Related Awards (CIDDDRA), the Inquiry looked at service up to 1975 (the year of introduction of the Australian honours and awards system from which point the current ASM is awarded), and decided that for service which needed recognition before that year and from the end of World War II hostilities, a new ASM 1945–1975 would be appropriate. It was never envisaged that subsequent reviews and extension of eligibility for both the ASM's would result in a situation whereby an operation would extend over a 25 year period, running through 14 February 1975, and in which people would rotate through many times.

In this situation, where a person had one rotation occurring before 14 February 1975 then another after, the earlier rotation will be recognised first (which is the same for all operations) by the ASM 1945–1975. As both medals mean the same thing, awarding both would equate to recognising multiple tours of the same operation and double medalling. In an attempt to optimise their medal allocation, some individuals are wishing to choose the period they want recognised, eg a person with a prior award of the ASM 1945–1975 with Clasp 'Korea', who served in Singapore in 1974, then again in Butterworth in 1976, cannot choose to have the 1976 service recognised for the sake of getting the later ASM; they will get a Clasp to their ASM 1945–1975. This is also why the 'FESR' and 'SE Asia' Clasps will not be awarded together.

There is sufficient precedent for this policy, eg the awards of the Pacific Star during World War II for activities in various parts of the Pacific in different operations as an overall campaign, and the award of the Vietnam Medal not attracting the award of the Vietnam Logistic and Support Medal.

Lastly, this policy should not be confused with situations in which the AASM and the ASM may be awarded for the one period of service, eg the Persian Gulf during 1990/1991. In cases where a non-warlike operation becomes warlike due to a change of operational circumstances, this change of conditions allows the awarding of these two distinctly different medals to recognise the type of service rendered.

#### **Australian Service Medal 1945–75/Australian Service Medal with Clasp 'Special Ops' for South-East Asian service**

The Clasp 'Special Ops' was established following a recommendation of CIDDRA. It was established on the basis that certain activities are conducted outside of a formal declaration of a warlike or non-warlike operation by the Minister for Defence. Due to the special nature of these activities, and the hazards and difficulties associated with them, an award was considered appropriate. Under Instruments of the ASM 1945–1975/ASM regulations, the Chief of the Defence Force has the sole responsibility of specifying which activities will be awarded the Clasp 'Special Ops', and will only do so on recommendation of an appropriate Chief of Service.

For non-warlike operations that have been declared by the Minister, normal procedures apply in the establishment of an appropriate Clasp to the ASM for that operation. The Clasp 'Special Ops' was not established to be a 'default' award to those personnel who do not qualify under the normal qualifying conditions that relate to a declared operation. Accordingly, where service has counted towards the ASM Clasp 'SE Asia' or 'FESR', the Clasp 'Special Ops' will not be awarded.

It is acknowledged that the SEA Review recommended awards of the ASM 1945–1975/ASM with Clasp 'Special Ops' for some service in South-East Asia, eg radio operators in the Embassy at Vientiane in Laos. However, as service in Laos counts towards the Clasp 'SE Asia', the Clasp 'Special Ops' will not be awarded. At this stage, there is no award of the ASM 1945–1975/ASM with Clasp 'Special Ops' envisaged in respect of South-East Asian service for the period 1955–1989.

#### **Applications for awards**

The Service Medals Sections do not have the capacity to examine the hundreds of thousands of personal files in order to establish entitlements. Accordingly, application will need to be made for award of the appropriate medals. Application forms may be downloaded from the Head Defence Personnel Executive Defence Internet site at [http://www.defence.gov.au/dpe/dpe\\_site/resources/index.htm](http://www.defence.gov.au/dpe/dpe_site/resources/index.htm) and mailed to the appropriate address on the form.

Due to the many thousands of applications received concerning the SEA Review, and the requirement to maintain other current commitments, there are backlogs of several months in the Service Medal Sections. As a result, individuals should expect lengthy delays before receiving advice of their eligibility and subsequent delivery of any awards.



While it is appreciated that individuals are keen to receive their medals entitlements, it must be borne in mind that other applicants are equally anxious to receive their due. This includes outstanding claims of veterans from World War II, and the Korean and Vietnam Wars. Any delays are regretted and patience is requested.



R.K. MCLENNAN, AM  
Air Commodore  
Director-General Career Management Policy

DISTRIBUTION: SDL 1, 2, 3, 4, 5, 6, 9A, 12, 14

CONTACT OFFICER: Mr Pat Clarke  
Staff Officer Policy  
R1-1-D034  
Department of Defence  
CANBERRA ACT 2001  
Telephone: (02) 6265 1513



***Veterans' Entitlements Act 1986***  
**Determination of Non Warlike Service**

**Rifle Company Butterworth**

I, Bruce Billson, Minister for Veterans' Affairs, for the Minister for Defence:

determine that service rendered as a Member of the Australian Defence Force assigned for service with Australian Army Rifle Company Butterworth at the Butterworth Air Base in the country of Malaysia during the period 15 November 1970 to 6 December 1972 as non warlike service.

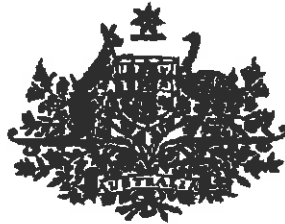
Dated this

18<sup>th</sup>

day of

September 2007

BRUCE BILLSON  
Minister for Veterans' Affairs  
for the Minister for Defence



***Veterans' Entitlements Act 1986***

**Determination of Hazardous Service**

**Rifle Company Butterworth**

I, Bruce Billson, Minister for Veterans' Affairs, for the Minister for Defence:

determine that service rendered as a Member of the Australian Defence Force assigned for service with Australian Army Rifle Company Butterworth at the Butterworth Air Base in the country of Malaysia during the period 6 December 1972 to 31 December 1989 as hazardous service under Section 120 of the Act.

Dated this

18<sup>th</sup>

day of

September 2007

A handwritten signature in black ink, appearing to read 'Bruce Billson'.

BRUCE BILLSON  
Minister for Veterans' Affairs  
for the Minister for Defence



## COMMONWEALTH OF AUSTRALIA

### DECLARATION AND DETERMINATION UNDER THE AUSTRALIAN SERVICE MEDAL 1945-75 REGULATIONS

I, **WILLIAM PATRICK DEANE**, Governor-General of the Commonwealth of Australia, pursuant to the Australian Service Medal 1945-1975 Regulations contained in the Schedule to the Letters Patent dated 22 February 1995, ("the Regulations") on the recommendation of the Minister for Defence, **hereby:**

- (a) declare under regulation 3 of the Regulations that the following non-warlike operations in which members of the Australian Defence Force were engaged with elements of the South East Asia Treaty Organisation; the Australia, New Zealand and the United States (Pacific Security) Treaty; Far East Strategic Reserve; the United Nations; and Australian Army Survey Operations in South East Asia during the following periods to be a *declared operation* for the purpose of the Regulations:
- (i) Defence Force activities on land in Malaysia, except those warlike operations prescribed from time-to-time by the Governor-General that occurred on the Thailand-Malaysia border, during the following periods:
- (A) that commenced on 1 August 1960 and ended on 16 August 1964;
- (B) that commenced on 12 August 1966 and ended on 31 October 1971;
- (ii) Defence Force activities on land in Singapore during the following periods:
- (A) that commenced on 1 August 1960 and ended on 16 August 1964;
- (B) that commenced on 12 August 1966 and ended on 31 October 1971;

- (iii) Defence Force activities on land in Thailand during the following periods;
    - (A) that commenced on 2 July 1955 and ended on 30 April 1962;
    - (B) that commenced on 1 September 1968 and ended on 31 October 1971;
  - (iv) Defence Force activities on land in Vietnam during the period that commenced on 2 July 1955 and ended on 30 July 62;
  - (v) Defence Force activities on land in Indonesia during the period that commenced on 2 July 1955 and ended on 31 October 1971; and
- (b) **determine**, under subregulation 4(2) of the Regulations, that the conditions for award of the Australian Service Medal 1945-1975 Clasp 'SE ASIA' ("the Medal") for the *declared operation* are:
- (i) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member while posted to or serving as a member of the Australian element of the *declared operation* for a period of 30 days, or for periods amounting in the aggregate to 30 days;
  - (ii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in aggregate to 30 days, as part of the contribution of a foreign Defence Force to the *declared operation* while on secondment or exchange with the foreign Defence Force;
  - (iii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member and who completed 30 operational sorties within the duration of the *declared operation*, where those sorties were conducted over a period of not less than an aggregate of 30 days at a rate of one sortie per day;
  - (iv) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in the aggregate to 30 days, for official visits, inspections or other occurrences of a temporary nature with the military contribution in the *declared operation*;

- (v) the Medal may be awarded to a person who rendered service as part of the Australian element of the *declared operation* for a period of 30 days or more, or for periods amounting in the aggregate to 30 days or more, and who, in accordance with a determination made by the Minister under paragraph 4(1)(b) of the Regulations, is in a class of persons who may be awarded the Medal; or
  - (vi) the qualifying period of service as described in subparagraphs (b)(i), (b)(ii), (b)(iii), (b)(iv) or (b)(v) of this Instrument may be deemed by the Chief of the Defence Force or delegate to have been established notwithstanding that the member has not met the qualifying periods described if service in relation to the *declared operation* was terminated due to the death, evacuation due to illness or injury or other disability due to service.
- (c) determine, for the purposes of this determination, that a person is not eligible for an award of the Medal where;
- (i) a separate award of the Australian Service Medal 1945-75 with Clasp 'FESR' has been awarded; or
  - (ii) in relation to those warlike operations on the Thailand-Malaysia border as described in subparagraph (a)(i), that is, operations for which the Australian Active Service Medal 1945-75 has been awarded for service in the Federation of Malaya contained within the area bounded by a line commencing at the intersection of the western shore of the Federation of Malaya at high-water mark and the boundary between the States of Perlis and Kedah; thence proceeding generally north-easterly along that boundary to its intersection with the railway line from Arau to Penang Tunggul; thence following that railway line generally southerly to its intersection with the northern boundary between the States of Penang and Kedah; thence proceeding along the boundary between those States generally easterly, southerly and westerly to the intersection of the boundaries of the States of Penang, Kedah and Perak to its intersection with the railway line from Penang Tunggul to Taiping, thence following that railway line generally southerly, easterly and southerly to its intersection with the parallel 4 degrees 51 minutes north latitude; thence proceeding due south in a straight line to the intersection of that line with the parallel 4 degrees 30 minutes north latitude; thence proceeding along that parallel to its intersection with the eastern bank of the Perak River; thence following that bank of that river to its intersection with the parallel 4 degrees 47 minutes north latitude; thence proceeding in a straight line to the intersection of the boundaries of the States of Perak, Kelantan and Pahang; thence proceeding along the boundary between the States of Kelantan and Pahang to its intersection with the meridian 101 degrees

48 minutes east longitude; thence proceeding in a straight line to the intersection of the eastern bank of the Raya River with the eastern bank of the Nenggiri River, thence following that bank of that river to its intersection with the western bank of the Galas River; thence proceeding in a straight line due east to the eastern bank of that river, thence following that bank of that river and the eastern bank of the Kelantan River to its intersection with the eastern shore of the Federation of Malaya at high-water mark, thence following that shore at high-water mark to its intersection with the boundary between the Federation of Malaya and Thailand; thence proceeding along that boundary to the western shore of the Federation of Malaya and Thailand at high-water mark; thence following that shore of the Federation of Malaya at high-water mark to the point of commencement, during the periods set out below:

- (A) land and air anti-terrorist operations that commenced on 1 August 1960 and ended on 16 August 1964; and
- (B) Royal Australian Air Force air operations that commenced on 17 August 1964 and ended on 30 March 1966.

Dated




2001



Governor-General

By His Excellency's Command

PETER REITH  
Minister for Defence



## COMMONWEALTH OF AUSTRALIA

DECLARATION AND DETERMINATION UNDER THE  
AUSTRALIAN SERVICE MEDAL 1945-75 REGULATIONS

I, **WILLIAM PATRICK DEANE**, Governor-General of the Commonwealth of Australia, pursuant to the Australian Service Medal 1945-1975 Regulations contained in the Schedule to the Letters Patent dated 22 February 1995, ("the Regulations") on the recommendation of the Minister for Defence, hereby:

- (a) revoke the Declaration and Determination made on 23 March 2001 under regulation 3 and subregulation 4(2) respectively of the Regulations;
- (b) declare under regulation 3 of the Regulations that the following non-warlike operations in which members of the Australian Defence Force were engaged with elements of the South East Asia Treaty Organisation; the Australia, New Zealand and the United States (Pacific Security) Treaty; Far East Strategic Reserve; the United Nations; the Australian, New Zealand and United Kingdom (ANZUK); Five Power Defence Arrangement; and Australian Army Survey Operations in South East Asia during the following periods to be a *declared operation* for the purpose of the Regulations:
  - (i) Defence Force activities on land in Malaysia, except those warlike operations prescribed from time-to-time by the Governor-General that occurred on the Thailand-Malaysia border, during the following periods:
    - (A) that commenced on 1 August 1960 and ended on 16 August 1964;
    - (B) that commenced on 12 August 1966 and ended on 14 March 1975;
  - (ii) Defence Force activities on land in Singapore during the following periods:
    - (A) that commenced on 1 August 1960 and ended on 16 August 1964;
    - (B) that commenced on 12 August 1966 and ended on 14 March 1975;



- (iii) Defence Force activities on land in Thailand, except those non-warlike operations prescribed from time-to-time by the Governor-General that occurred in Ubon and Ban Kok Talat, during the following periods:
    - (A) that commenced on 2 July 1955 and ended on 24 June 1965;
    - (B) that commenced on 1 September 1968 and ended on 30 October 1971;
  - (iv) Defence Force activities on land in Vietnam during the period that commenced on 2 July 1955 and ended on 30 July 62;
  - (v) Defence Force activities on land in Indonesia, Laos and Cambodia during the period that commenced on 2 July 1955 and ended on 14 March 1975;
  - (vi) participation by ships of the Royal Australian Navy in the ANZUK Forces that commenced on 30 October 1971 and ended on 14 March 1975, and during such periods those ships were formally allocated or assigned to those Forces; and
- (c) **determine**, under subregulation 4(2) of the Regulations, that the conditions for award of the Australian Service Medal 1945-1975 Clasp 'SE ASIA' ("the Medal") for the *declared operation* are:
- (i) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member while posted to or serving as a member of the Australian element of the *declared operation* for a period of 30 days, or for periods amounting in the aggregate to 30 days;
  - (ii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in aggregate to 30 days, as part of the contribution of a foreign Defence Force to the *declared operation* while on secondment or exchange with the foreign Defence Force;
  - (iii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member and who completed 30 operational sorties within the duration of the *declared operation*, where those sorties were conducted over a period of not less than an aggregate of 30 days at a rate of one sortie per day;
  - (iv) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in the aggregate to 30 days, for official visits,

inspections or other occurrences of a temporary nature with the military contribution in the *declared operation*;

- (v) the Medal may be awarded to a person who rendered service as part of the Australian element of the *declared operation* for a period of 30 days or more, or for periods amounting in the aggregate to 30 days or more, and who, in accordance with a determination made by the Minister under paragraph 4(1)(b) of the Regulations, is in a class of persons who may be awarded the Medal with Clasp 'SE ASIA'; or
  - (vi) the qualifying period of service as described in subparagraphs (c)(i), (c)(ii), (c)(iii), (c)(iv) or (c)(v) of this Instrument may be deemed by the Chief of the Defence Force or delegate to have been established notwithstanding that the member has not met the qualifying periods described if service in relation to the *declared operation* was terminated due to the death, evacuation due to illness or injury or other disability due to service.
- (d) determine, for the purposes of this determination, that a person is not eligible for an award of the Medal where;
- (i) a separate award of the Australian Service Medal 1945-75 with Clasp 'FESR' has been awarded;
  - (ii) a separate award of the Australian Service Medal with Clasp 'SE ASIA' has been awarded;
  - (iii) in relation to those non-warlike operations in Thailand at the Royal Thai Air Force Base at Ubon, and 2 Field Troop Royal Australian Engineers operations at Ban Kok Talat in Operation CROWN, for which the Australian Service Medal 1945-75 with Clasp 'THAILAND' has been awarded, during the period that commenced 1 May 1962 and ended on 24 June 1965; or
  - (iv) in relation to those warlike operations on the Thailand-Malaysia border as described in subparagraph (b)(i), that is, operations for which the Australian Active Service Medal 1945-75 has been awarded for service in the Federation of Malaya contained within the area bounded by a line commencing at the intersection of the western shore of the Federation of Malaya at high-water mark and the boundary between the States of Perlis and Kedah; thence proceeding generally north-easterly along that boundary to its intersection with the railway line from Arau to Penang Tunggal; thence following that railway line generally southerly to its intersection with the northern boundary between the States of Penang and Kedah; thence proceeding along the boundary between those States generally easterly, southerly and westerly to the intersection of the boundaries of the States of Penang,


Kedah and Perak to its intersection with the railway line from Penang Tunggul to Taiping, thence following that railway line generally southerly, easterly and southerly to its intersection with the parallel 4 degrees 51 minutes north latitude; thence proceeding due south in a straight line to the intersection of that line with the parallel 4 degrees 30 minutes north latitude; thence proceeding along that parallel to its intersection with the eastern bank of the Perak River; thence following that bank of that river to its intersection with the parallel 4 degrees 47 minutes north latitude; thence proceeding in a straight line to the intersection of the boundaries of the States of Perak, Kelantan and Pahang; thence proceeding along the boundary between the States of Kelantan and Pahang to its intersection with the meridian 101 degrees 48 minutes east longitude; thence proceeding in a straight line to the intersection of the eastern bank of the Raya River with the eastern bank of the Nenggiri River, thence following that bank of that river to its intersection with the western bank of the Galas River; thence proceeding in a straight line due east to the eastern bank of that river, thence following that bank of that river and the eastern bank of the Kelantan River to its intersection with the eastern shore of the Federation of Malaya at high-water mark, thence following that shore at high-water mark to its intersection with the boundary between the Federation of Malaya and Thailand; thence proceeding along that boundary to the western shore of the Federation of Malaya and Thailand at high-water mark; thence following that shore of the Federation of Malaya at high-water mark to the point of commencement, during the periods set out below:

- (A) land and air anti-terrorist operations that commenced on 1 August 1960 and ended on 16 August 1964; and
- (B) Royal Australian Air Force air operations that commenced on 17 August 1964 and ended on 30 March 1966.

Dated *8<sup>th</sup> June* 2001

  
Governor-General

By His Excellency's Command

  
PETER REITH  
Minister for Defence



COMMONWEALTH OF AUSTRALIA

DECLARATION AND DETERMINATION UNDER THE  
AUSTRALIAN SERVICE MEDAL REGULATIONS

I, WILLIAM PARTICK DEANE, Governor-General of the Commonwealth of Australia, pursuant of the Australian Service Medal Regulations contained in the Schedule to the Letters Patent dated 13 September 1988, ("the Regulations") on the recommendation of the Minister for Defence, hereby:

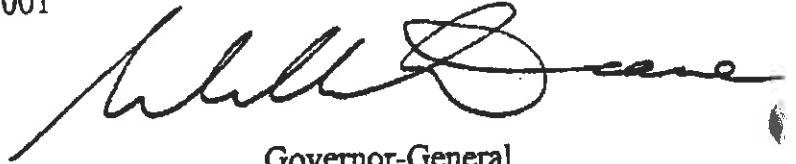
- (a) declare under regulation 3 of the Regulations that the following non-warlike operations in which members of the Australian Defence Force were engaged with elements of the Australian, New Zealand and United Kingdom (ANZUK) Forces; Australian Army Rifle Company (Butterworth); Five Power Defence Arrangement; and Australian Army Survey Operations in South East Asia during the following periods to be a *declared operation* for the purpose of the Regulations:
- (i) Defence Force activities on land in Malaysia during the period that commenced on 14 February 1975 and ended on 31 December 1989;
  - (ii) Defence Force activities on land in Singapore during the period that commenced on 14 February 1975 and ended on 30 April 1975;
  - (iii) Participation by ships of the Royal Australian Navy in the ANZUK Forces that commenced on 14 February 1975 and ended on 30 April 1975; and
- (b) determine, under subregulation 4(2) of the Regulations, that the conditions for award of the Australian Service Medal with Clasp 'SE ASIA' ("the Medal") for the *declared operation* are:
- (i) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member while posted to or serving as a member of the Australian element of the *declared operation* for a period of 30 days, or for periods amounting in the aggregate to 30 days;

- (ii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in aggregate to 30 days, as part of the contribution of a foreign Defence Force to the *declared operation* while on secondment or exchange with the foreign Defence Force;
  - (iii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member and who completed 30 operational sorties within the duration of the *declared operation*, where those sorties were conducted over a period of not less than an aggregate of 30 days at a rate of one sortie per day;
  - (iv) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in the aggregate to 30 days, for official visits, inspections or other occurrences of a temporary nature with the military contribution in the *declared operation*;
  - (v) the Medal may be awarded to a person who rendered service as part of the Australian element of the *declared operation* for a period of 30 days or more, or for periods amounting in the aggregate to 30 days or more, and who, in accordance with a determination made by the Minister under paragraph 4(1)(b) of the Regulations, is in a class of persons who may be awarded the Medal with Clasp 'SE ASIA'; or
  - (vi) the qualifying period of service as described in subparagraphs (b)(i), (b)(ii), (b)(iii), (b)(iv) or (b)(v) of this Instrument may be deemed by the Chief of the Defence Force or delegate to have been established notwithstanding that the member has not met the qualifying periods described if service in relation to the *declared operation* was terminated due to the death, evacuation due to illness or injury or other disability due to service.
- (c) **determine**, for the purposes of this determination, that a person is not eligible for an award of the Medal where:
- (i) a previous entitlement exists to the Australian Service Medal 1945-75 with Clasp 'SE ASIA' due to service prior to and including 14 March 1975;
  - (ii) a separate award of the Australian Service Medal 1945-75 with Clasp 'SE ASIA' has been awarded; or

- (iii) a separate award of the Australian Service Medal 1945-75 with Clasp 'FESR' has been awarded.

Dated

*8<sup>th</sup> June* 2001



Governor-General

By His Excellency's Command



PETER REITH  
Minister for Defence



COMMONWEALTH OF AUSTRALIA

DECLARATION AND DETERMINATION UNDER THE  
AUSTRALIAN SERVICE MEDAL REGULATIONS

I, **PETER JOHN HOLLINGWORTH**, Governor-General of the Commonwealth of Australia, pursuant to the Australian Service Medal Regulations contained in the Schedule to the Letters Patent dated 13 September 1988, ("the Regulations") on the recommendation of the Minister for Defence, hereby:

- (a) revoke the Declaration and Determination made on 14 August 1998 under Regulation 3 and Subregulation 4(2) respectively of the Regulations;
- (b) declare under regulation 3 of the Regulations that the following non-warlike operations in which members of the Australian Defence Force were engaged with elements of the Australian, New Zealand and United Kingdom (ANZUK) Forces; Australian Army Rifle Company (Butterworth); Five Power Defence Arrangement; and Australian Army Survey Operations in South East Asia during the following periods to be a *declared operation* for the purpose of the Regulations:
  - (i) Defence Force activities on land in Malaysia during the period that commenced on 14 February 1975 and ended on 31 December 1989;
  - (ii) Defence Force activities on land in Singapore during the period that commenced on 14 February 1975 and ended on 30 April 1975;
  - (iii) Participation by ships of the Royal Australian Navy in the ANZUK Forces that commenced on 14 February 1975 and ended on 30 April 1975;
  - (iv) Defence Force activities with Operation GADANG 5 on Sumatra that commenced on 6 May 1975 and ended on 22 August 1975; and
- (c) determine, under subregulation 4(2) of the Regulations, that the conditions for award of the Australian Service Medal with Clasp 'SE ASIA' ("the Medal") for the *declared operation* are:

- (i) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member while posted to or serving as a member of the Australian element of the *declared operation* for a period of 30 days, or for periods amounting in the aggregate to 30 days;
- (ii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in aggregate to 30 days, as part of the contribution of a foreign Defence Force to the *declared operation* while on secondment or exchange with the foreign Defence Force;
- (iii) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member and who completed 30 operational sorties within the duration of the *declared operation*, where those sorties were conducted over a period of not less than an aggregate of 30 days at a rate of one sortie per day;
- (iv) the Medal may be awarded to a member of the Australian Defence Force who rendered service as such a member for a period of 30 days, or for periods amounting in the aggregate to 30 days, for official visits, inspections or other occurrences of a temporary nature with the military contribution in the *declared operation*;
- (v) the Medal may be awarded to a person who rendered service as part of the Australian element of the *declared operation* for a period of 30 days or more, or for periods amounting in the aggregate to 30 days or more, and who, in accordance with a determination made by the Minister under paragraph 4(1)(b) of the Regulations, is in a class of persons who may be awarded the Medal with Clasp 'SE ASIA'; or
- (vi) the qualifying period of service as described in subparagraphs (c)(i), (c)(ii), (c)(iii), (c)(iv) or (c)(v) of this Instrument may be deemed by the Chief of the Defence Force or delegate to have been established notwithstanding that the member has not met the qualifying periods described if service in relation to the *declared operation* was terminated due to the death, evacuation due to illness or injury or other disability due to service.

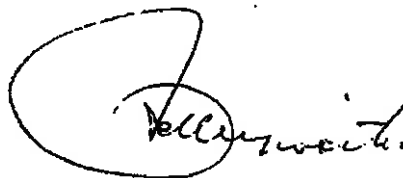


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- (d) determine, for the purposes of this determination, that a person is not eligible for an award of the Medal where:
- (i) a previous entitlement exists to the Australian Service Medal 1945-75 with Clasp 'SE ASIA' due to service prior to and including 14 March 1975;
  - (ii) a separate award of the Australian Service Medal 1945-75 with Clasp 'SE ASIA' has been awarded; or
  - (iii) a separate award of the Australian Service Medal 1945-75 with Clasp 'FESR' has been awarded.

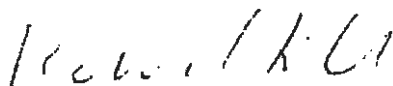
Dated 20. 2. .

2002



Governor-General

By His Excellency's Command



ROBERT HILL  
Minister for Defence