

From: s 22
To: s 47F @hklogistics.com.au
Subject: Letters attached [SEC=UNCLASSIFIED]
Date: Thursday, 23 March 2017 2:19:46 PM
Attachments: [HK.pdf](#)

UNCLASSIFIED

s 47F

As discussed, attached for your consideration are 3 letters seeking information on your organisation's involvement in humanitarian operations in Nepal, Vanuatu and the Philippines.

s 22

Honours, Symbols and Territories Division
Government Division
Department of the Prime Minister and Cabinet

s 22



Australian Government

Department of the Prime Minister and Cabinet

ANDREW FISHER BUILDING
ONE NATIONAL CIRCUIT
BARTON

S 47F

HK Logistics
PO Box 2218
TAREN POINT NSW 2229

Dear S 47F

The Department of the Prime Minister and Cabinet is seeking information on the humanitarian relief operations conducted overseas in response to the earthquakes in Nepal in April and May 2015.

The Australian Government has agreed in-principle that Australian contributions to this humanitarian relief operation be recognised through the award of the Humanitarian Overseas Service Medal (HOSM), but that further work is needed before the Government would be able to recommend the changes to the Governor-General. As I understand your organisation was involved in the relief operation, I am writing to seek your advice and assistance.

As you may be aware, the HOSM was established in 1999 to recognise the efforts of Australian organisations providing emergency humanitarian relief in hazardous circumstances overseas. The HOSM is not designed to recognise capacity building or development aid, nor does it recognise relief operations in the absence of hazard to relief workers. For your information, I have attached a copy of the *Humanitarian Overseas Medal Regulations 2011* (the Regulations) governing the award of the HOSM.

When a declaration is made that service in a particular humanitarian relief operation is eligible for the award of the HOSM, the declaration also specifies:

- the organisations involved in the operation whose personnel may be eligible for the award; and
- the eligibility criteria, including for example, the minimum required duration of service in a disaster area.

In order to inform the Governor-General on these issues and to ensure that the Regulations are complied with, I am seeking information from all organisations involved in the response to the earthquakes in Nepal. In particular, I would be grateful for your advice regarding:

- the location and date of your organisation's activities;
- the nature of your organisation's relief activities;
- whether your organisation is a member of a relevant peak body;
- whether your organisation is a signatory to a relevant code of conduct;
- whether these activities were on a voluntary basis;

- an estimate of the number of personnel involved who might be eligible; and
- whether your personnel included locally engaged staff or commercial contractors.

We are also approaching a number of other organisations with this request to determine whether they may be eligible (a list of those organisations is attached). However, if you are aware of other Australian relief organisations, or Australian contingents to international relief organisations, that were deployed as part of this humanitarian relief operation and that are not on this list, I would appreciate your advice so we can ensure that all Australians involved are considered.

In order to progress the matter, I would appreciate receiving your advice by 28 April 2017.

If you have any questions or need to clarify any aspect of this request please call s 22 on s 22 or email s 22

Yours sincerely

s 22

Philippa Lynch
First Assistant Secretary
Government Division

21 March 2017

LIST OF ORGANISATIONS BEING CONTACTED – NEPAL EARTHQUAKES 2015

ActionAid

Australian Himalayan Foundation

Australian Red Cross

s 47G

CARE

Caritas

HK Logistics

s 47G

Oxfam

Plan International

RedR

Save the Children

TEAR Australia

s 47G

World Vision



Australian Government

Department of the Prime Minister and Cabinet

ANDREW FISHER BUILDING
ONE NATIONAL CIRCUIT
BARTON

s 47F

HK Logistics
PO Box 2218
TAREN POINT NSW 2229

Dear s 47F

The Department of the Prime Minister and Cabinet is seeking information on the humanitarian relief operations conducted overseas in response to Cyclone Pam in Vanuatu in March 2015.

The Australian Government has agreed in-principle that Australian contributions to the Cyclone Pam humanitarian relief operation be recognised through the award of the Humanitarian Overseas Service Medal (HOSM), but that further work is needed before the Government would be able to recommend the changes to the Governor-General. As I understand your organisation was involved in the Cyclone Pam relief operation, I am writing to seek your advice and assistance.

As you may be aware, the HOSM was established in 1999 to recognise the efforts of Australian organisations providing emergency humanitarian relief in hazardous circumstances overseas. The HOSM is not designed to recognise capacity building or development aid, nor does it recognise relief operations in the absence of hazard to relief workers. For your information, I have attached a copy of the *Humanitarian Overseas Medal Regulations 2011* (the Regulations) governing the award of the HOSM.

When a declaration is made that service in a particular humanitarian relief operation is eligible for the award of the HOSM, the declaration also specifies:

- the organisations involved in the operation whose personnel may be eligible for the award; and
- the eligibility criteria, including for example, the minimum required duration of service in a disaster area.

In order to inform the Governor-General on these issues and to ensure that the Regulations are complied with, I am seeking information from all organisations involved in the response to Cyclone Pam. In particular, I would be grateful for your advice regarding:

- the location and date of your organisation's activities;
- the nature of your organisation's relief activities;
- whether your organisation is a member of a relevant peak body;
- whether your organisation is a signatory to a relevant code of conduct;

- whether these activities were on a voluntary basis;
- an estimate of the number of personnel involved who might be eligible; and
- whether your personnel included locally engaged staff or commercial contractors.

We are also approaching a number of other organisations with this request to determine whether they may be eligible (a list of those organisations is attached). However, if you are aware of other Australian relief organisations, or Australian contingents to international relief organisations, that were deployed as part of this humanitarian relief operation and that are not on this list, I would appreciate your advice so we can ensure that all Australians involved are considered.

In order to progress the matter, I would appreciate receiving your advice by 28 April 2017.

If you have any questions or need to clarify any aspect of this request please call s 22 on s 22 or email s 22

Yours sincerely

s 22

Philippa Lynch
First Assistant Secretary
Government Division

March 2017

LIST OF ORGANISATIONS BEING CONTACTED – CYCLONE PAM

Act for Peace

ActionAid

ADRA

Australian Red Cross

CARE

Caritas

s 47G

HK Logistics

s 47G

Oxfam

RedR

Salvation Army

Save the Children

World Vision



Australian Government

Department of the Prime Minister and Cabinet

ANDREW FISHER BUILDING
ONE NATIONAL CIRCUIT
BARTON

s 47F

HK Logistics
PO Box 2218
TAREN POINT NSW 2229

Dear s 47F

The Department of the Prime Minister and Cabinet is seeking information on the humanitarian relief operations conducted overseas in response to Typhoon Haiyan in the Philippines in November 2013.

The Australian Government has agreed in-principle that Australian contributions to the Typhoon Haiyan humanitarian relief operation be recognised through the award of the Humanitarian Overseas Service Medal (HOSM), but that further work is needed before the Government would be able to recommend the changes to the Governor-General. As I understand your organisation was involved in the relief operation, I am writing to seek your advice and assistance.

As you may be aware, the HOSM was established in 1999 to recognise the efforts of Australian organisations providing emergency humanitarian relief in hazardous circumstances overseas. The HOSM is not designed to recognise capacity building or development aid, nor does it recognise relief operations in the absence of hazard to relief workers. For your information, I have attached a copy of the *Humanitarian Overseas Medal Regulations 2011* (the Regulations) governing the award of the HOSM.

When a declaration is made that service in a particular humanitarian relief operation is eligible for the award of the HOSM, the declaration also specifies:

- the organisations involved in the operation whose personnel may be eligible for the award; and
- the eligibility criteria, including for example, the minimum required duration of service in a disaster area.

In order to inform the Governor-General on these issues and to ensure that the Regulations are complied with, I am seeking information from all organisations involved in the response to Typhoon Haiyan. In particular, I would be grateful for your advice regarding:

- the location and date of your organisation's activities;
- the nature of your organisation's relief activities;
- whether your organisation is a member of a relevant peak body;
- whether your organisation is a signatory to a relevant code of conduct;

- whether these activities were on a voluntary basis;
- an estimate of the number of personnel involved who might be eligible; and
- whether your personnel included locally engaged staff or commercial contractors.

We are also approaching a number of other organisations with this request to determine whether they may be eligible (a list of those organisations is attached). However, if you are aware of other Australian relief organisations, or Australian contingents to international relief organisations, that were deployed as part of this humanitarian relief operation and that are not on this list, I would appreciate your advice so we can ensure that all Australians involved are considered.

In order to progress the matter, I would appreciate receiving your advice by 28 April 2017.

If you have any questions or need to clarify any aspect of this request please call s 22 on s 22 or email s 22

Yours sincerely

Philippa Lynch
First Assistant Secretary
Government Division

March 2017

LIST OF ORGANISATIONS BEING CONTACTED – TYPHOON HAIYAN 2013

ActionAid

ADRA

Australian Red Cross

CARE

Caritas

HK Logistics

Oxfam

s 47G

RedR

s 47G

World Vision



Commonwealth
of Australia

Gazette

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SPECIAL



COMMONWEALTH OF AUSTRALIA

23 October 2011

HUMANITARIAN OVERSEAS SERVICE MEDAL REGULATIONS 2011

It is notified for general information that Her Majesty The Queen has approved new regulations for the *Humanitarian Overseas Service Medal*. These regulations are to be known as the *Humanitarian Overseas Service Medal Regulations 2011*.

The new regulations revoke the Regulations set out in Schedules to the Letters Patent dated 16 April 1999 and 8 April 2005, as amended. The award of the *Humanitarian Overseas Service Medal*, or a clasp to the *Humanitarian Overseas Service Medal*, is now governed by the *Humanitarian Overseas Service Medal Regulations 2011* set out in the Schedule.

The new *Humanitarian Overseas Service Medal Regulations 2011* can be found on the following websites:

www.itsanhonour.gov.au and www.gg.gov.au.

By Her Majesty's Command

Stephen Brady
Official Secretary to the Governor-General



COMMONWEALTH OF AUSTRALIA

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

TO ALL to whom these Presents shall come,

GREETING:

WHEREAS, by Letters Patent dated 16 April 1999 given under the Great Seal of Australia, We instituted an Australian medal, designated and styled the Humanitarian Overseas Service Medal, for the purpose of according recognition to persons who have given humanitarian service in hazardous circumstances outside Australia:

AND WHEREAS the Letters Patent ordained that the award of the medal be governed by the Regulations Governing the Award of the Humanitarian Overseas Service Medal set out in the Schedule to the Letters Patent:

AND WHEREAS, by Letters Patent dated 8 April 2005 given under the Great Seal of Australia, We extended the eligibility for the medal to accord recognition to persons who have given, or gave, humanitarian service as part of the relief efforts following the Indian Ocean tsunami of 26 December 2004, the related earthquake that struck Nias Island on 28 March 2005, and certain other natural disasters:

AND WHEREAS the Letters Patent dated 8 April 2005 ordained that the award of the medal to persons involved in those relief efforts be governed by the Regulations set out in the Schedule to those Letters Patent:

AND WHEREAS, by Letters Patent dated 31 March 2006 given under the Great Seal of Australia, the Letters Patent dated 8 April 2005 were amended to amend the Regulations set out in the Schedule to those Letters Patent:

AND WHEREAS it is desirable to make new regulations to govern the award of the medal:

KNOW YOU that We do, by these Presents, declare Our Pleasure that:

- (a) the Regulations set out in the Schedules to the Letters Patent dated 16 April 1999 and 8 April 2005, as amended, are revoked, without prejudice to anything lawfully done thereunder; and
- (b) the award of the Humanitarian Overseas Service Medal, or a clasp to the Humanitarian Overseas Service Medal, is governed by the Humanitarian Overseas Service Medal Regulations 2011 set out in the Schedule.

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



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

By Her Majesty's Command

Prime Minister

Schedule

Humanitarian Overseas Service Medal Regulations 2011

Part 1 Preliminary

1 Name of Regulations

These Regulations are the *Humanitarian Overseas Service Medal Regulations 2011*.

2 Definitions

In these Regulations:

clasp means a device that denotes the declared operation for which the Medal was awarded.

dangerous circumstances means circumstances in which persons are, or were, exposed to the risk of death or significant harm.

declared operation means an operation declared under regulation 3.

Department means the Department responsible for the administration of the Australian system of awards and honours.

eligible service means service of the kind mentioned in regulation 5.

humanitarian service means:

- (a) service that gives immediate remedy to needy or distressed persons in order to sustain their life or dignity; or
- (b) action to assist needy or distressed persons in order to sustain their life or dignity.

Medal means the Humanitarian Overseas Service Medal.

Minister means:

- (a) the Minister responsible for the administration of the Australian system of honours and awards; or
- (b) another Minister or member of the Federal Executive Council who is authorised by the Minister responsible for the administration of the Australian system of honours and awards to act on behalf of that Minister.

operational area means the area mentioned in paragraph 4 (1) (b) in relation to an operation.

overseas means outside Australia and the external territories as defined in paragraph 17 (pd) of the *Acts Interpretation Act 1901*.

previous Regulations means:

- (a) the *Humanitarian Overseas Service Medal Regulations*; or

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- (b) the *Humanitarian Overseas Service Medal (2004 Indian Ocean Tsunami and Other Natural Disasters Relief) Regulations 2005*.

Register of Awards means the register maintained under paragraph 12 (2) (a).

Registrar means the registrar appointed under subregulation 12 (1).

Secretary means the Secretary of the Department.

3 Declared operations

- (1) The Governor-General may declare, in writing, on the recommendation of the Minister, that an operation is a declared operation.

Operations in hazardous areas

- (2) The Governor-General may make a declaration about an operation if the operation is, or was, carried out:
- (a) overseas; and
 - (b) by, or under the auspices of, the United Nations in accordance with action taken under Chapter VI (Pacific Settlement of Disputes); and
 - (c) in dangerous circumstances.
- (3) The Governor-General may make a declaration about an operation if the operation is, or was, carried out:
- (a) overseas; and
 - (b) by, or under the auspices of, the United Nations in accordance with action taken under Chapter VII (Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression) of the United Nations Charter; and
 - (c) in dangerous circumstances.
- (4) The Governor-General may make a declaration about an operation if:
- (a) the operation is carried out overseas; and
 - (b) the operation is carried out to give humanitarian service at a time when civilians or refugees are exposed to a situation that causes, or has the potential to cause, death or significant distress; and
 - (c) the Minister's recommendation states that the Minister is satisfied that the operation is being carried out in conditions similar to warlike activity.
- (5) The Governor-General may make a declaration about an operation if:
- (a) the operation was carried out overseas; and
 - (b) the operation was carried out to give humanitarian service at a time when civilians or refugees were exposed to a situation that causes, or has the potential to cause, death or significant distress; and

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- (c) the Minister's recommendation states that the Minister is satisfied that the operation was carried out in conditions similar to warlike activity.

Operations for disasters

- (6) The Governor-General may make a declaration about an operation if:
 - (a) the operation is carried out overseas; and
 - (b) the operation relates to a disaster; and
 - (c) the operation is carried out to give humanitarian service to persons affected by the disaster; and
 - (d) the operation is carried out in dangerous circumstances; and
 - (e) the Minister's recommendation states that the Minister is satisfied that the operation is being carried out in circumstances in which its danger and risks are similar to those of an operation mentioned in subregulation (2), (3), (4) or (5).
- (7) The Governor-General may make a declaration about an operation if:
 - (a) the operation was carried out overseas; and
 - (b) the operation related to a disaster; and
 - (c) the operation was carried out to give humanitarian service to persons affected by the disaster; and
 - (d) the operation was carried out in dangerous circumstances; and
 - (e) the Minister's recommendation states that the Minister is satisfied that the operation was carried out in circumstances in which its danger and risks were similar to those of an operation mentioned in subregulation (2), (3), (4) or (5).

4 Content of declaration — general

- (1) The Governor-General must specify in a declaration under subregulation 3 (1):
 - (a) the name by which the operation is to be known for the purpose of these Regulations; and
 - (b) the area in which the operation occurs or occurred (the *operational area*); and
 - (c) either:
 - (i) the dates or period during which the operation occurred; or
 - (ii) if the operation is continuing — the date on which the operation commenced.
- (2) The Governor-General may also specify in the declaration that:
 - (a) a person who has previously received an award of another medal for the person's service in the same operation is not eligible for an award of the Medal; or

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- (b) a person who is entitled to an award of another medal for the person's service in the same operation is not eligible for an award of the Medal; or
 - (c) a person who is a locally-engaged member of the staff of an organisation from the operational area (whether the person is in the area as a refugee or a resident) is not eligible for an award of the Medal; or
 - (d) a person who is a commercial contractor to an organisation in the area specified in the declaration, or an employee of a commercial contractor of that kind, is not eligible for an award of the Medal.

5 Content of declaration — organisations

- (1) The Governor-General must specify in a declaration under subregulation 3 (1) each class of persons (an **organisation**):
 - (a) that is to be recognised as carrying out, or having carried out, the operation; and
 - (b) service with which may be claimed as eligible service under these Regulations.

Examples

- 1 A class of persons included in, or operating under the auspices of, a government organisation or a non-government organisation.
- 2 A contingent to, or a component of, a class of persons mentioned in example 1.

- (2) The Governor-General may specify an organisation only if the Minister has recommended to the Governor-General, in writing, that the organisation be specified in the declaration.
- (3) The Minister must not recommend that an organisation be specified in the declaration unless the Minister is satisfied that:
 - (a) the organisation is recognised as an organisation that gives humanitarian service; and
 - (b) specifying the organisation would not bring the Medal into disrepute.
- (4) For subregulation (3), the Minister may have regard to any of the following:
 - (a) advice from a government or non-government body about the organisation;
 - (b) whether the organisation is a member of a relevant peak body or council;
 - (c) whether the organisation is a signatory to a relevant code of conduct or practice.
- (5) The Governor-General must also specify in the declaration:
 - (a) either:
 - (i) the period during which the organisation participated in the operation; or
 - (ii) if the participation is continuing — the date when the participation commenced; and

-
- (b) the qualifying period of service required to be given by a member of the organisation to be eligible for an award of the Medal; and
 - (c) whether the period of qualifying service must be calculated as continuous service or may be aggregated from several periods of service in 1 or more organisations; and
 - (d) whether inspection visits may be counted as humanitarian service, and any special conditions attaching to calculation of that service.

6 Eligible service

- (1) A person gives eligible service during a declared operation if the person gives humanitarian service:
 - (a) in the operational area of the operation; and
 - (b) as a member of an organisation specified in the declaration; and
 - (c) for the qualifying period of service specified in the declaration; and
 - (d) in the period of the operation; and
 - (e) in the period during which the organisation was involved in the declared operation.
- (2) Eligible service may be paid service or unpaid service.
- (3) The declaration about the declared operation may specify conditions in which service is not eligible service for an award of the Medal.
- (4) If a period of service by a person is shorter than the qualifying period of service specified in the declaration, the Secretary may treat the service as eligible service if:
 - (a) the person's service was terminated, because of death, disability or illness of the person due to that service, before the qualifying period was completed; and
 - (b) the Secretary is satisfied that the person would have completed the qualifying period if the termination had not occurred.
- (5) If a period of service by a person is shorter than the qualifying period of service specified in the declaration, the Secretary may treat the service as eligible service if the Secretary considers that, taking into account the operational requirements of the organisation with which the person gave the service, it would be appropriate to treat the service as eligible service.

Part 2 Award of Medal and clasps

7 Award

- (1) The Governor-General may, on the recommendation of the Secretary, award to a person who has given eligible service during a declared operation the Medal and a clasp.

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- (2) If a person:
 - (a) has been awarded the Medal and a clasp under these Regulations or the previous Regulations for eligible service during a declared operation; and
 - (b) gives eligible service during another declared operation; the Governor-General may award to the person the Medal in the form of a clasp denoting the other operation.
 - (3) The Medal and clasp may be awarded posthumously.

8 Cancellation of award

- (1) The Governor-General may, on the recommendation of the Secretary, cancel an award of the Medal or a clasp.
- (2) If the Governor-General cancels an award of the Medal:
 - (a) the Registrar must note the cancellation in the Register of Awards; and
 - (b) the person must return the Medal to the Registrar.
- (3) If the Governor-General cancels an award of a clasp:
 - (a) the Registrar must note the cancellation in the Register of Awards; and
 - (b) the person must return the clasp to the Registrar.

9 Reinstatement of award

- (1) The Governor-General may, on the recommendation of the Secretary, reinstate an award of the Medal or a clasp that has been cancelled.
- (2) If the Governor-General reinstates an award, the Registrar must:
 - (a) note the reinstatement in the Register of Awards; and
 - (b) return the Medal or clasp.

Part 3 The Medal and clasp

10 Design of the Medal or clasp

The design of the Medal, or of a clasp, is the design determined by the Governor-General.

11 Wearing of the Medal or clasp

The manner in which, and occasions on which, the Medal, or a clasp, may be worn are as determined by the Governor-General.

Part 4 Administration

12 Registrar of Awards

- (1) The Governor-General must appoint a Registrar of Awards.

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- (2) The Registrar must:
- (a) enter the names of each person to whom the Medal or a clasp has been awarded under these Regulations in the Register of Awards; and
 - (b) keep such other records relating to the award of the Medal as the Governor-General directs.
- (3) The Registrar may:
- (a) correct an error in an entry in the Register of Awards or another record kept under this regulation; and
 - (b) annotate an entry in the Register of Awards in accordance with regulation 8 or 9; and
 - (c) annotate an entry in another record kept under this regulation.

13 Delegations

- (1) The Secretary may delegate, in writing, to a Senior Executive Service employee in the Department:
- (a) the power under subregulation 4 (4) or (5) to treat a period of service as eligible service; and
 - (b) the power under regulation 7 to recommend the award of the Medal.
- (2) A delegation under this regulation:
- (a) is revocable; and
 - (b) continues in force until expressly revoked.

Part 5 Transitional

14 Revocation of previous Regulations

- (1) The *Humanitarian Overseas Service Medal Regulations* are revoked.
- (2) The *Humanitarian Overseas Service Medal (2004 Indian Ocean Tsunami and Other Natural Disasters Relief) Regulations 2005* are revoked.

15 Registrar

The person who was the Registrar of Awards under the previous Regulations immediately before these Regulations commence is taken to be appointed under regulation 10 as the Registrar of Awards on the day on which these Regulations commence.

16 Operations declared under previous Regulations

An operation that was declared in accordance with the previous Regulations applies, on and after the day on which these Regulations commence, as if:

- (a) it had been declared under regulation 3; and

-
- (b) all of the requirements in regulations 3 to 5 had been met in relation to the declaration of the operation.

17 Eligible service given under previous Regulations

- (1) This regulation applies if a person:
 - (a) gave eligible service in accordance with the requirements of the previous Regulations during an operation that was declared in accordance with the previous Regulations; but
 - (b) did not comply with all of the requirements under the previous Regulations for an award of the Medal or a clasp.
- (2) The person's eligible service is taken, on the day on which these Regulations commence, to be eligible service that is to be counted for the purpose of compliance with the requirements under these Regulations for an award of the Medal or the clasp.

18 Compliance with requirements under previous Regulations

- (1) This regulation applies if:
 - (a) a person complied with the requirements under the previous Regulations for an award of the Medal or a clasp; but
 - (b) the Governor-General did not award the person the Medal or the clasp before the day on which these Regulations commence.
- (2) The person is taken, on the day on which these Regulations commence, to have complied with the requirements under these Regulations for an award of the Medal or the clasp.