

# Regulations Governing the Award of the Australian Intelligence Medal

**as amended**

made under

**Letters Patent**

This compilation was prepared in January 2023 taking into account amendments to the *Australian Intelligence Medal Regulations - 2021*.

## Schedule

Name [see note 1]

1. These are the *Australian Intelligence Medal Regulations 2020*.

### Definitions

2. In these Regulations:

**agency with an intelligence role or function** means:

- (a) AUSTRAC (within the meaning of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*); or
- (b) the Australian Federal Police; or
- (c) the Department of Home Affairs; or
- (d) the Defence Department (other than the Australian Geospatial-Intelligence Organisation or the Defence Intelligence Organisation);

to the extent that the agency:

- (e) collects, correlates, analyses, produces or disseminates intelligence that relates, or may relate, to national intelligence priorities, requirements or capabilities; or
- (f) either:
  - (i) maintains a capability that materially assists in doing any of the things mentioned in paragraph (e); or
  - (ii) is developing a capability that is designed to materially assist in doing any of the things mentioned in paragraph (e).

*Note: The Defence Department does not include the Australian Defence Force.*

**Committee** means the Australian Intelligence Medal Committee comprised under regulation 11.

**Defence Department** means the Department administered by the Defence Minister.

**Defence Minister** means the Minister responsible for administering the *Defence Act 1903*.

**Department of Home Affairs** means the Department administered by the Home Affairs Minister.

**Home Affairs Minister** means the Minister administering the *Australian Border Force Act 2015*.

**intelligence agency** means:

- (a) the Australian Geospatial-Intelligence Organisation; or
- (b) the Australian Secret Intelligence Service; or
- (c) the Australian Security Intelligence Organisation; or
- (d) the Australian Signals Directorate; or
- (e) the Defence Intelligence Organisation; or
- (f) the agency known as the Australian Criminal Intelligence Commission; or
- (g) the Office of National Intelligence.

**Medal** means the Australian Intelligence Medal.

**member**, of the national intelligence community, means:

- (a) an officer or employee of:
  - (i) an intelligence agency; or
  - (ii) an agency with an intelligence role or function; or
- (b) a person who provides services to such an agency, including as a person made available by the Commonwealth, a State or Territory, or any other body or organisation to perform intelligence services for the agency.

**national intelligence community** means intelligence agencies and agencies with an intelligence role or function.

**Prime Minister's Department** means the Department administered by the Prime Minister.

**Register** means the Register maintained under paragraph 8(2) (a).

**Registrar** means the Registrar of Awards appointed under subregulation 8(1).

#### **Award of Medal**

3. (1) The Medal may be awarded to a person who, as a member of the national intelligence community, has given distinguished service that directly contributed to national intelligence priorities, requirements or capabilities.
- (2) The Medal may be awarded regardless of whether the person is eligible for any other award because of the service.
- (3) A person who is already the holder of the Medal is not eligible for another award of the Medal.
- (4) The Governor-General may determine, in writing, on the recommendation of the Prime Minister, the number of awards of the Medal for the national intelligence community for a calendar year.
- (5) The number of awards of the Medal under this regulation for a calendar year must not exceed the number specified in, or worked out in accordance with, a determination under subregulation (4) for that year.

#### **Conditions for additional award of the Medal—COVID-19 pandemic**

- 3A. (1) The Medal may be awarded for service in relation to the COVID-19 pandemic to a person eligible for the award of the Medal under regulation 3.
- (2) An award of the Medal in accordance with this regulation may only be made in the 5-year period commencing on 25 January 2020 or, if the Governor-General determines a further period, such further period.
- (3) The Governor-General may, on the recommendation of the Prime Minister, determine a further period, not exceeding 3 years, for the purposes of subregulation (2).
- (4) The Governor-General may, under subregulation (3), determine a further period more than once. However, each period of extension must not exceed 3 years.
- (5) To avoid doubt, an award of the Medal in accordance with this regulation does not count towards a limit in subregulation 3(5).

#### **Making of awards**

4. (1) An award of the Medal must be made by the Governor-General.
- (2) The Governor-General must not award the Medal except on the nomination of the Committee.

#### **Design of Medal**

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

#### **Wearing of Medal**

6. (1) A Medal must not be worn without the written permission of the Committee.
- (2) The Committee must not give the permission unless the Committee is satisfied that the person to whom the Medal has been awarded is not subject to prohibitions regarding the publication of the identity of the person.
- (3) The manner of wearing the Medal is as determined by the Governor-General.
- (4) Subregulation (2) does not limit the grounds for refusing permission.

#### **Designation of holders of Medal**

7. (1) With the written permission of the Committee, a person to whom the Medal has been awarded is entitled to have the letters "AIM" placed after his or her name on all occasions when the use of such letters is customary.
- (2) The Committee must not give the permission unless the Committee is satisfied that the person is not subject to prohibitions regarding the publication of the identity of the person.
- (3) Subregulation (2) does not limit the grounds for refusing permission.

### Registrar of Awards

8. (1) The Governor-General must appoint a Registrar of Awards.
- (2) The Registrar must:
  - (a) ensure that a Register of the names of persons to whom the Medal has been awarded is kept; and
  - (b) keep such other records relating to the award of the Medal as the Governor-General directs.

### Cancellation of award

9. (1) On the recommendation of the Committee, the Governor-General may cancel an award of the Medal.
- (2) If an award of the Medal is cancelled, the Registrar must:
  - (a) ensure the removal from the Register of the entry relating to the award; and
  - (b) make arrangements for the person holding the Medal to return the Medal.

### Reinstatement of award

10. (1) On the recommendation of the Committee, the Governor-General may reinstate an award of the Medal that has been cancelled.
- (2) If an award is reinstated, the Registrar must:
  - (a) ensure that the entry that was removed from the Register is restored; and
  - (b) ensure the return of the Medal to the person to whom it was awarded.

### The Committee

11. (1) The Australian Intelligence Medal Committee comprises:
  - (a) the head of each agency that comprises the national intelligence community; and
  - (b) the Secretary of the Prime Minister's Department, as the Chair of the Committee.
- (2) If the Secretary of the Prime Minister's Department is unable to attend a meeting of the Committee, the Secretary may nominate a person who is a deputy to the Secretary to attend in the Secretary's place.

### Notes to the Regulations Governing the Award of the Australian Intelligence Medal

#### Note 1

The *Regulations Governing the Award of the Australian Intelligence Medal* (in force under *Letters Patent*) as shown in this compilation is amended as indicated in the Tables below.

#### Table of Instruments

Title	Date of notification in gazette	Date of commencement	Application, saving or transitional provisions
Regulations Governing the Award of the Australian Intelligence Medal	31 July 2020 (see <i>Gazette</i> 2020, No. C2020G00621)	24 June 2020	—
Amendments of the Regulations Governing the Award of the Australian Intelligence Medal - 2021	6 June 2022 (see <i>Gazette</i> 2022, No. C2022G00464)	23 Dec 2021	—

### Table of Amendments

ad. = added or inserted | am. = amended | rep. = repealed | rs. = repealed and substituted

Provision affected	How affected
R. 3	am. 2021
R. 3A	ad. 2021