

Military Rehabilitation and Compensation (Non-warlike Service) Determination 2019

made under paragraph 6(1)(b) of the
*Military Rehabilitation and Compensation Act 2004.*

**Compilation No. 4**

**Compilation date: 9 April 2022**

**Includes amendments up to: F2022L00578**

**About this compilation**

**This compilation**

This is a compilation of the Military Rehabilitation and Compensation (Non-warlike Service) Determination 2019 that shows the text of the law as amended and in force on 9 April 2022 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

**Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

**Self‑repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Name 1

Authority 1

Schedules  1

Definitions 1

Non-warlike service  1

Schedule 1 – Non-warlike service 2

**Endnotes 1 8**

1 Name

 This instrument is the *Military Rehabilitation and Compensation (Non-warlike Service) Determination 2019*.

3 Authority

 This instrument is made under paragraph 6(1)(b) of the *Military Rehabilitation and Compensation Act 2004*.

5 Definitions

 In this instrument:

***Act*** means the *Military Rehabilitation and Compensation Act 2004*.

***ADF*** means the Australian Defence Force (within the meaning of the *Defence Act 1903*).

***NATO*** means the North Atlantic Treaty Organization.

6 Non‑warlike service

 Schedule 1 specifies service with the Defence Force that is non‑warlike service for the purposes of the Act.

Schedule 1—Non‑warlike service

1 Non‑warlike service

 For the purposes of paragraph 6(1)(b) of the Act, service with the Defence Force in an operation mentioned in an item of the following table is non‑warlike service if the service:

 (a) is in an area of operation mentioned in the item; and

 (b) occurs during the period mentioned in the item in relation to that area of operation.

| Non‑warlike service |
| --- |
| Item | Name of operation | Nature of operation | Area of operation | Period |
| 1 | Mazurka | Multi‑national Force and Observers—Sinai | Egypt, between the east bank of the Suez Canal and the international boundary between Egypt and Israel established by the peace treaty between Egypt and Israel signed in Washington on 26 March 1979, and an adjoining area extending 5 kilometres into Israel | On and after 28 January 1993 |
| 2 | Osier | NATO Stabilisation Force | The Former Yugoslav Republic of Macedonia, Bosnia‑Herzegovina, Croatia, Slovenia, Serbia and Montenegro | 24 January 1997–12 December 2011 |
| 3 | Joint Guardian | United Nations Kosovo Force | Albania, Serbia, Montenegro and the Former Yugoslav Republic of Macedonia | 11 June 1999–12 December 2011 |
| 4 | Pomelo | ADF contribution to the United Nations Mission in Ethiopia and Eritrea | Ethiopia and Eritrea | 15 January 2001–31 May 2005 |
| 5 | Paladin | ADF contribution to the United Nations Truce Supervision Organization | The total land area, territorial waters and superjacent airspace within the internationally recognised boundaries of Israel, Jordan, Syria, Lebanon and Egypt | 21 April 2003–11 July 2006 |
| 5A | Paladin | ADF contribution to the United Nations Truce Supervision Organization | The total land area, territorial waters and superjacent airspace within the internationally recognised boundaries of Israel, Jordan, Syria, Lebanon and Egypt, excluding the following area: Southern Lebanon bounded by 33°12′N 35°12′E, 33°10′N 35°20′E, 33°19′N 35°25′E, on the Litani River, then along the Litani River to 33°25′N 35°37′E, 33°22′N 35°49′E, on the Syria‑Lebanon border, then south to the junction of the Syria‑Lebanon‑Israel border, then east along the Lebanon‑Israel border to the coast, then north along the coast to 33°12′N 35°12′E | 12 July 2006–14 August 2006 |
| 5B | Paladin | ADF contribution to the United Nations Truce Supervision Organization | The total land area, territorial waters and superjacent airspace within the internationally recognised boundaries of Israel, Jordan, Syria, Lebanon and Egypt | On and after 15 August 2006 |
| 6 | Anode | ADF contribution to the Australian Government’s Strengthened Assistance Framework Program in support of the Solomon Islands Government | The total land areas, territorial waters and superjacent airspace boundaries of the Solomon Islands | 24 July 2003–30 September 2013 |
| 7 | Citadel | United Nations Mission of Support in East Timor | East Timor and the territorial sea of East Timor | 18 August 2003–26 June 2008 |
| 8 | Spire | United Nations Mission of Support in East Timor | East Timor and the territorial sea of East Timor | 20 May 2004–26 June 2008 |
| 9 | Azure | United Nations Mission in Sudan | Sudan | 10 April 2005–31 December 2011 |
| 10 | Astute | ADF stabilisation operation in support of the Government of East Timor | East Timor and its territorial waters and superjacent airspace | 12 May 2006–19 April 2013 |
| 11 | Ramp | ADF operation in the Middle East in support of the Australian whole of government response to the crisis in Lebanon | Lebanon and its territorial waters and superjacent airspace | 20 July 2006–27 November 2008 |
| 12 | Quickstep | ADF mission in Fiji | Fiji and its land, internal waters, archipelagic waters, territorial sea and superjacent airspace and the exclusive economic zone of Fiji | 31 October 2006–22 December 2006 |
| 13 | Quickstep Tonga | ADF operation to assist the Government of Tonga with the restoration of law and order in Tonga | The sovereign territory of Tonga, including the land territory, internal waters, territorial sea and superjacent airspace of Tonga and the exclusive economic zone of Tonga and its superjacent airspace | 18–30 November 2006 |
| 14 | Hedgerow | ADF contribution to the hybrid United Nations and African Union mission in Darfur | Sudan | 28 July 2008–23 June 2011 |
| 15 |  | ADF contribution to the NATO no‑fly zone and maritime enforcement operation against Libya | The international waters and superjacent airspace of the central southern Mediterranean Sea between 10°00′E and 28°00′E and south of 41°00′N, including portions of Italy, Greece, Turkey, Albania and all of Malta and north of Libya and its territorial waters and superjacent airspace | 31 March 2011‑31 October 2011 |
| 16 | Aslan | ADF contribution to the United Nations Mission in the Republic of South Sudan | South Sudan and its superjacent airspace | On and after 23 September 2011 |
| 17 | Accordion | Supporting operations in Bahrain, Qatar and the United Arab Emirates in relation to the ADF contribution to the International Coalition against Terrorism | The area bounded by the land mass and superjacent airspaces of Bahrain, Qatar and the United Arab Emirates | On and after 1 July 2014 |
| 18 | Manitou | Maritime operations, including counter‑piracy operations | The area:(a) comprising all sea and superjacent airspace of the Persian Gulf, the Gulf of Aden, the Red Sea and the Arabian Sea north of latitude 11°00′S and west of longitude 68°00′E; and(b) including the ports adjacent to the area mentioned in paragraph (a), and the area within a 10 kilometre radius of each port | 1 July 2014–13 May 2015 |
| 18A | Manitou | Maritime operations, including counter‑piracy operations | The area:(a) comprising all sea and superjacent airspace of the Persian Gulf, the Gulf of Oman, the Arabian Sea, the Gulf of Aden, the Red Sea, the Gulf of Suez, the Gulf of Aqaba and the Indian Ocean north of latitude 15°00′S and west of longitude 68°00′E; and(b) including the ports adjacent to the area mentioned in paragraph (a), and the area within a 10 kilometre radius of each port | 14 May 2015–13 November 2016 |
| 18B | Manitou | Maritime operations, including counter‑piracy operations | The area:(a) comprising all sea and superjacent airspace of the Persian Gulf, the Gulf of Oman, the Gulf of Aden, the Gulf of Suez, the Gulf of Aqaba, the Red Sea, the Arabian Sea north of latitude 15°00′S and west of longitude 70°00′E and the Indian Ocean north of latitude 15°00′S and west of longitude 70°00′E; and(b) including the ports adjacent to the area mentioned in paragraph (a), and the area within a 10 kilometre radius of each port | On and after 14 November 2016 |
| 19 | Okra | ADF contribution to the Iraq crisis | The land area, territorial waters and superjacent airspace of Bahrain, Iraq, Jordan, Kuwait, Qatar and the United Arab Emirates, and the waters and superjacent airspace of the Persian Gulf | 1 July 2014–8 August 2014 |
| 19A | Okra | ADF contribution to the Iraq crisis | The land area, territorial waters and superjacent airspace of Albania, Bahrain, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Hungary, Jordan, Kuwait, Montenegro, Poland, Qatar, Romania and the United Arab Emirates, and the waters and superjacent airspace of the Persian Gulf | 9 August 2014–8 September 2015 |
| 19B | Okra | ADF contribution to the Iraq and Syria crisis | The following areas:(a) the land area, territorial waters and superjacent airspace of Albania, Bahrain, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Hungary, Jordan, Kuwait, Montenegro, Poland, Qatar, Romania and the United Arab Emirates;(b) the waters and superjacent airspace of the Persian Gulf;(c) the land territory of Turkey east of longitude 35°00E, including superjacent airspace and territorial waters | 9 September 2015 – 14 November 2018 |
| 19C | Okra | ADF contribution to the Iraq and Syria crisis | The following areas:(a) the land area, territorial waters and superjacent airspace of Bahrain, Cyprus, Jordan, Kuwait, Qatar and the United Arab Emirates;(b) the waters and superjacent airspace of the Persian Gulf;(c) the land territory of Turkey east of longitude 35°00E, including superjacent airspace and territorial waters | On and after 15 November 2018 |
| 20 | Augury | Supporting the ADF’s understanding of Islamist terrorist threats to Australia and the region | Jordan and its superjacent airspace | 4 July 2014–27 April 2016 |
| 20A | Augury | Supporting the ADF’s understanding of Islamist terrorist threats to Australia and the region | The land area, territorial waters and superjacent airspace of Jordan and the United Arab Emirates | On and after 28 April 2016 |
| 21 | Hawick | ADF contribution to the whole of government response to the MH17 air disaster in Ukraine | Ukraine and its superjacent airspace | 21 July 2014–18 May 2015 |
| 22 |  | ADF contribution to efforts against global terrorism | The land, territorial waters and superjacent airspace of Libya | 16 May 2016–2 August 2016 |
| 23 | Litten | Maritime operations in the Mediterranean Sea | Libyan territorial waters | 31 August 2016–21 October 2016 |
| 23A | Litten | Maritime operations in the Mediterranean Sea | Libyan territorial waters | On and after 4 November 2016 |
| 24 | Quadrant | ADF contribution to the maintenance of strategic stability in the wider Asia-Pacific region | The area bounded by the following geographical coordinates:(a) 45°00′N 45°00′E;(b) 45°00′N 180°00′E;(c) 45°00′S 180°00′E;(d) 45°00′S 45°00′E | 13 May 1997 – 30 June 2006 |
| 25. |  | ADF contribution to efforts against global terrorism | The land, territorial waters and superjacent airspace of Libya. | 30 June 2017 –5 June 2019 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 26. | Fortitude | ADF contribution to the United Nations Disengagement Observer Force | The land, territorial waters and superjacent airspace of Israel, Syria, Jordan, Arab Republic of Egypt and Lebanon. | On and after 30 April 2019 |
| 27 | Lilia | Defence Force contribution to stabilisation of the Solomon Islands  | The land, territorial waters and superjacent airspace of the Solomon Islands | On and after 25 November 2021 |

Note: Serbia and Montenegro, included in the area of operation for operations Osier and Joint Guardian (see table items 2 and 3), were united as the Federal Republic of Yugoslavia between 1992 and 2006.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
|  | o = order(s) |
| ad = added or inserted | Ord = Ordinance |
| am = amended | orig = original |
| amdt = amendment | par = paragraph(s)/subparagraph(s) |
| c = clause(s) |  /sub‑subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev…) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) |  |
| exp = expires/expired or ceases/ceased to have | reloc = relocated |
|  effect | renum = renumbered |
| F = Federal Register of Legislation | rep = repealed |
| gaz = gazette | rs = repealed and substituted |
| LA = *Legislation Act 2003* | s = section(s)/subsection(s) |
| LIA = *Legislative Instruments Act 2003* | Sch = Schedule(s) |
| (md) = misdescribed amendment can be given | Sdiv = Subdivision(s) |
|  effect | SLI = Select Legislative Instrument |
| (md not incorp) = misdescribed amendment | SR = Statutory Rules |
|  cannot be given effect | Sub‑Ch = Sub‑Chapter(s) |
| mod = modified/modification | SubPt = Subpart(s) |
| No. = Number(s) | underlining = whole or part not |
|  |  commenced or to be commenced |

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Military Rehabilitation and Compensation (Non-warlike Service) Determination 2019 | 21 Mar 2019 (F2019L00332) | 22 Mar 2019 (s2(1) item 1) |  |
| Military Rehabilitation and Compensation Amendment (Non-warlike Service) Determination 2019 (No.1) | 16 Sep 2019 (F2019L01199) | 17 Sep 2019 |  |
| Military Rehabilitation and Compensation (Non-warlike Service) Amendment Determination 2020 (No. 1) | 18 March 2020 (F2020L00262) | 1 July 2019 |  |
| Military Rehabilitation and Compensation (Non-warlike Service) Amendment Determination 2020 (No. 2) | 22 May 2020(F2020L00598) | 23 May 2020 |  |
| Military Rehabilitation and Compensation (Non-warlike Service) Amendment Determination 2022 (No. 1) | 8 April 2022(F2022L00578) | 9 April 2022 |  |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| s2 | rep LA s48D |
| s4 | rep LA s48C |
| s6 | am F2019L01199, F2020L00262, F2020L00598 and F2022L00578. |