



New Zealand Defence Service Medal Regulations 2011

Anand Satyanand, Governor-General

Pursuant to the Royal Warrant (SR 2011/88) dated 6 April 2011 instituting and creating the New Zealand Defence Service Medal, the Governor-General of New Zealand, under authority delegated by The Queen, has been pleased to make the following regulations.

CONTENTS

- 1 Title
- 2 Commencement
- 3 New Zealand Defence Service Medal and Clasps
- 4 Eligibility
- 5 Qualification for award
- 6 Short service qualification
- 7 Aggregation of service
- 8 Disqualification from award

REGULATIONS

- 1. Title**
These regulations are the New Zealand Defence Service Medal Regulations 2011.
- 2. Commencement**
These regulations come into force on the day after the date of their notification in the Gazette.
- 3. New Zealand Defence Service Medal and Clasps**
The New Zealand Defence Service Medal (the **Medal**), with Clasps, instituted and created by the Royal Warrant, is awarded subject to the Royal Warrant and these regulations.
- 4. Eligibility**
 - (1) A person who undertook Compulsory Military Training (C.M.T.) under the Military Training Act 1949 is eligible for the Medal with Clasp inscribed "C.M.T".
 - (2) A person who undertook conscripted military service under the National Military Service Act 1961 is eligible for the Medal with Clasp inscribed "NATIONAL SERVICE".

- (3) The following persons are eligible for the Medal with Clasps inscribed "TERRITORIAL" or "REGULAR":
- (a) persons who were, at any time, members of the Armed Forces (within the meaning of section 2(1) of the Defence Act 1971 or section 2(1) of the Defence Act 1990):
 - (b) persons who were, at any time, members of-
 - (i) the New Zealand Naval Forces (within the meaning of the Navy Act 1954); or
 - (ii) the New Zealand Army (within the meaning of the New Zealand Army Act 1950); or
 - (iii) the Royal New Zealand Air Force (within the meaning of the Royal New Zealand Air Force Act 1950):
 - (c) persons who were, at any time, members of-
 - (i) the Defence Forces (within the meaning of the Defence Act 1909); or
 - (ii) the Naval Forces (within the meaning of the Naval Defence Act 1913); or
 - (iii) the Royal New Zealand Air Force (within the meaning of the Air Force Act 1937).

5 Qualification for award

Subject to regulation 6, a person qualifies for the award of the Medal with Clasp inscribed-

- (a) "C.M.T.", if eligible under regulation 4(1) and he has met his compulsory military training and service obligations as required by the relevant legislation:
- (b) "NATIONAL SERVICE", if eligible under regulation 4(2) and he has met his conscripted national service obligations as required by the relevant legislation:
- (c) "TERRITORIAL", if eligible under regulation 4(3) and he or she-
 - (i) has completed 3 years' efficient service or more, continuous or aggregated, on or after 3 September 1945, in a volunteer territorial force of 1 or more of the forces listed in regulation 4; or
 - (ii) has completed his or her initial engagement of no less than 12 months' duration, which commenced on or after 3 September 1945, in the volunteer territorial force of 1 or more of the forces listed in regulation 4; or
 - (iii) has been awarded a British or New Zealand Royal Honour for gallantry or bravery whilst serving on or after 3 September 1945 in a volunteer territorial force of 1 of the forces listed in regulation 4:
- (d) "REGULAR", if eligible under regulation 4(3) and he or she-
 - (i) has served for not less than 3 years, continuous or aggregated, on or after 3 September 1945, in the regular force of 1 or more of the forces listed in regulation 4; or
 - (ii) has completed his or her initial engagement of no less than 12 months' duration, which commenced on or after 3 September 1945, in the regular force of 1 or more of the forces listed in regulation 4; or
 - (iii) has been awarded a British or New Zealand Royal Honour for gallantry or bravery whilst serving on or after 3 September 1945 in the regular force of 1 of the forces listed in regulation 4; or
 - (iv) was still serving on his or her "Duration of Hostilities" Second World War engagement on or after 3 September 1946; or
 - (v) has served in "J Force" or "K Force", provided he or she-
 - (A) completed 3 or more years' service in the New Zealand Armed Forces after 3 September 1945; or
 - (B) completed an initial engagement of 12 months' or more service, which commenced after 3 September 1945, or

- (C) served in "J Force" in the "Clutha Draft" and arrived in New Zealand on 23 July 1946 on the SS *Chitral*.

6 Short service qualification

- (1) As an alternative to qualification under regulation 5, a person qualifies for the award of the Medal with Clasp if he or she is eligible under regulation 4 and has, before completing the qualifying requirements,-
- (a) died whilst in service; or
 - (b) been medically discharged due to a total and permanent disability; or
 - (c) been medically discharged for reasons other than a total and permanent disability; or
 - (d) been discharged due to a prevailing discriminatory policy as determined by the Chief of Defence Force or a person authorised by the Chief of Defence Force; or
 - (e) been discharged from the C.M.T. scheme when it ceased in 1959; or
 - (f) been discharged from the National Service scheme when it ceased in 1972; or
 - (g) been discharged from one of the forces listed in regulation 4(3)—
 - (i) on compassionate grounds; or
 - (ii) through no fault of their own because his or her services were no longer required as a member of the Armed Forces of New Zealand; or
 - (h) completed a short-term engagement of less than 3 years which, in the opinion of the Chief of Defence Force, merits the award of the Medal with Clasp.
- (2) A person qualifies for the Medal with Clasp under subclause (1)(c) or (g) only if he or she has completed a minimum of 12 months' service before discharge.

7 Aggregation of service

- (1) A person may qualify for the award of the Medal with Clasp inscribed "TERRITORIAL" or "REGULAR" by aggregating a total of 3 years' qualifying service under regulation 5.
- (2) A person who did not complete the requirements for qualification for the award of the Medal with Clasp inscribed "C.M.T" under the Military Training Act 1949 or "NATIONAL SERVICE" under regulation 5(a) or (b) may aggregate any period of Compulsory Military Training and any period of efficient service in conscripted military service under the National Military Service Act 1961 for the purposes of qualification for the award of the Medal with Clasp inscribed "TERRITORIAL" or "REGULAR" under regulation 5(c) or (d).
- (3) A person who qualifies for the award of the Medal with Clasp under regulation 4 and this regulation will be awarded the Medal with Clasp inscribed "TERRITORIAL" or "REGULAR" as determined by the service that represents the majority of his or her qualifying service.

8 Disqualification from award

Despite being eligible under regulation 4, and qualified under regulation 5 or 6, a person shall be disqualified for the award of the Medal with Clasp if the person-

- (a) has been sentenced to dismissal by a court martial; or
- (b) has been convicted, during or after completion of military service, of any offence in any country that resulted in a sentence of imprisonment for 7 years or more; or
- (c) has been convicted or discharged for other offences and actions in any country for which the Chief of Defence Force decides that the Medal with Clasp should not be awarded, or should be forfeited.

Dated at Wellington this 13th day of April 2011.

Hon Wayne Mapp,
Minister of Defence.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in Gazette: 6 May 2011.

These regulations are administered by the New Zealand Defence Force.