



# RSL NSW submission on the Defence Amendment (Defence Honours and Awards Tribunal) Bill 2025

*Foreign Affairs, Trade and Defence References Committee*

01 October 2025



**RSL**  
NSW



1 October 2025

Foreign Affairs, Defence and Trade Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Committee Members

Thank you for the opportunity to lodge the submission by the Returned and Services League of Australia NSW Branch (RSL NSW) to the Foreign Affairs, Defence and Trade Committee's inquiry into the *Defence Amendment (Defence Honours and Awards Appeals Tribunal) Bill 2025*.

In the absence of specific Terms of Reference, this submission reflects the issues identified by RSL NSW, as the largest ex-service organisation and a leading voice for veterans and their families in New South Wales, and the approximately 31,000 members we serve.

RSL NSW would be pleased to assist the Committee further over the course of its inquiry – and stands ready to elaborate on this submission, either by way of a supplementary submission or an appearance at the Committee's hearings.

Yours sincerely

**Trina Constable**  
Acting Chief Executive Officer  
RSL NSW



## Introduction

The Returned and Services League of Australia NSW Branch (RSL NSW) is the largest ex-service organisation (ESO) and a leading voice for veterans and families in NSW, with more than 30,000 members across some 310 sub-Branches state-wide.

RSL NSW works closely and collaboratively with government at all levels, other ex-service organisations, community groups, and our members to represent veterans and their families. As part of our Charitable Purpose, RSL NSW aims to provide care, camaraderie and social connection, and compassionate support for current- and former-serving Australian Defence Force (ADF) personnel and their families, whilst also advocating for improved public policy outcomes.

Following the introduction of the *Defence Amendment (Defence Honours and Awards Appeals Tribunal) Bill 2025* (Defence Amendment Bill 2025), the Bill was referred on 4 September 2025 to the Senate's Foreign Affairs, Defence and Trade Legislation Committee for inquiry.

To best represent veterans and their families, RSL NSW understands the requirement to ensure the efficient and effective function of the Tribunal, and broadly agrees with the list of recommendations published by the *Foreign Affairs, Defence and Trade Reference Committee's* final report into the Defence honours and awards system.<sup>1</sup>

However, this Bill – if passed in its current form – raises significant concerns that veterans might not be adequately and appropriately recognised moving forward for their service, sacrifice, and enduring contribution to the peace and security of the nation.

In the absence of defined Terms of Reference, this submission will highlight RSL NSW's immediate concerns with the Bill, as drafted. RSL NSW remains committed to working with the Minister for Veterans' Affairs and relevant government agencies to ensure the best possible outcomes for veterans and their families.

RSL NSW thanks the Foreign Affairs, Defence and Trade Legislation Committee for the opportunity to make this submission on behalf of its members.

Finally, RSL NSW emphasises that our organisation and its volunteer-run sub-Branches operate independently of registered clubs in New South Wales, including RSL and Services clubs. Neither RSL NSW nor its state-wide network of sub-Branches receive or benefit directly from gambling or alcohol-related revenue.

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<sup>1</sup> The Senate, Foreign Affairs, Defence and Trade References Committee (Final Report, 30 July 2025) < [https://parlinfo.aph.gov.au/parlInfo/download/committees/reports/sen/RB000466/toc\\_pdf/Defencehonoursandawardssystem.pdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reports/sen/RB000466/toc_pdf/Defencehonoursandawardssystem.pdf) >.

## Function and Establishment of the Tribunal

The Defence Honours and Awards Tribunal (Tribunal) was administratively established in 2008, and subsequently formalised as an independent statutory body through legislation in 2011.<sup>2</sup>

Under Part VIIIC of the *Defence Act 1903*<sup>3</sup>, the Tribunal is empowered to review Defence decisions concerning the granting, cancellation or amendment of honours and awards to current- and former-serving members of the ADF.<sup>4</sup> The Tribunal, at the Minister's direction, may also be compelled to inquire into and report on Defence honours and awards.<sup>5</sup>

On 28 August 2024, RSL NSW lodged a formal submission to the Foreign Affairs, Defence and Trade Committee (Committee) focussing on the integrity and efficacy of the Honours system, improved transparency, education and training, historical criteria, and the composition of members upon the Board. RSL NSW also appeared before the Senate Committee on 25 February 2025 to clarify its positions and further elaborate on concerns raised in our written submission.

In its Final Report, the Committee acknowledged RSL NSW's position, particularly the need to improve transparency<sup>6</sup> and to the *Defence Act 1903* to improve the Tribunal's review and inquiry functions, whilst safeguarding the independence of the Tribunal.<sup>7</sup>

Consistent with our previous position, RSL NSW now raises concerns with the *Defence Amendment (Defence Honours and Awards Appeals Tribunal) Bill 2025*.

While noting the Bill seeks to amend the Tribunal's review arrangements in relation to Defence awards, honours, and foreign awards, RSL NSW remains concerned with aspects of the Bill's drafting and its potential consequences on rights to review, including the 20-year statute of limitations. Also, some of the proposed amendments are seemingly redundant, given that the existing Act already provides sufficient mechanisms to achieve the intended effect.

RSL NSW welcomes the mandatory reporting for the Tribunal, and its ongoing diligence and commitment to reviewing decisions to provide respect and recognition to veterans and their families.

## Defence Amendment progress

On 28 August 2025, the *Defence Amendment (Defence Honours and Awards Appeals Tribunal) Bill 2025* (Defence Amendment Bill 2025) was introduced to the House of Representatives and read a first time. The second reading debate followed on 3 September 2025, after which the Bill was referred to the Senate.

On the same day, the Committee privately met and recommended that the *Defence Amendment Bill 2025* be immediately referred to the Senate Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report. In its annexure, the reasons for referral and the principal issues were established, enabling the Committee to:

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<sup>2</sup> Australian Government, Defence Honours and Awards Appeals Tribunal 'Submission to the Foreign Affairs, Defence and Trade Committee' (29 August 2024) [2].

<sup>3</sup> Part VIIIC, *Defence Act 1903* (Cth).

<sup>4</sup> Ibid, Section 110UA(a)

<sup>5</sup> Ibid, Section 110UA(b).

<sup>6</sup> Ibid, Recommendation 1.

<sup>7</sup> Ibid, Recommendation 6.



- a. Scrutinise the legislation and hear directly from stakeholders; and
- b. Receive submissions and evidence from interested parties.<sup>8</sup>

RSL NSW thanks the Committee for affording the opportunity to seek input from stakeholders and to subject the Bill to further scrutiny. The concerns outlined below highlight the potential implications for veteran advocacy should these amendments be passed in their current form.

## Concerns

The introduction of the *Defence Amendment Bill 2025* raises several significant concerns that warrant careful, measured analysis. While the Bill seeks to alter the operation of the Tribunal, it risks undermining essential foundational principles of administrative law – including transparency, accountability, and procedural fairness.

RSL NSW's key concerns are outlined below:

1. The right to an effective remedy, as outlined in the *Universal Declaration of Human Rights*;
2. Administrative law principles, including proportionality, necessity, transparency and accountability;
3. The operation of the current Act and its existing provisions;
4. The introduction of statutory limitations, particularly the 20-year limit on reviewable decisions, and the six-month timeframe for seeking review of a reviewable decision;
5. Historical cases with specific reference to Private Richard Norden VC and Ordinary Seaman Teddy Sheean.

Scrutiny should be given to the Bill's intent, purpose, and likely consequences. In its current form, the Bill restricts access to justice and review pathways for veterans, weakens the legislated independence of the Tribunal, and risks departing from foundational principles of administrative law.

Accordingly, RSL NSW holds serious concerns regarding the Bill and requests further parliamentary scrutiny of both its rationale, and the issues this Bill purports to address

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<sup>8</sup> Commonwealth of Australia, Hansard (04 September 2025) [21(b)].



## Universal Declaration of Human Rights – Right to an Effective Remedy

The Commonwealth of Australia is signatory to the *Universal Declaration of Human Rights* (UDHR), affirming the right to an effective remedy before competent national tribunals for acts violating fundamental rights granted under the Constitution or by Law.<sup>9</sup>

RSL NSW acknowledges the permissibility of limitation on some rights and recognises that the current Act seemingly provides appropriate safeguards. These will be discussed further below.

Under international law, limitations must satisfy the established tripartite test to determine whether they are compatible with a nation's proposed law. This test must satisfy all three criteria:

- a. prescribed by law;
- b. pursue a legitimate aim;
- c. be necessary and proportionate.

While the proposed amendment may satisfy the first requirement in its form of a Bill, the Bill itself fails to clearly demonstrate that it pursues a legitimate aim or that it is necessary and proportionate to improving the effective operation of the Tribunal.

The explanatory memorandum asserts that the limitations seek to uphold the integrity of the Defence honours and awards system; however, as outlined below, this objective can be achieved through less restrictive means.

RSL NSW is concerned that the proposed 20-year limitation is neither necessary nor proportionate to the stated purpose. In its present form, the amendment imposes undue restrictions on access to justice and is not essential to the effective operation of the Tribunal.

## Administrative Law

RSL NSW is concerned that the Bill, in its current form, curtails the right to review. Independent merits review is a foundational pillar of administrative law, providing individuals with the opportunity to contest government decisions, ensuring fairness, accountability, and transparency in decision making.

Merits review is a fundamental cornerstone of administrative law and administers a critical role in ensuring and protecting fairness to individuals; decision-makers independence to revisit facts, law, and policy to identify the 'preferable' or 'correct decision'; and preserves rights in particularly important areas such as social security, migration, or veterans' matters.

Any such amendment and the passage of the *Defence Amendment Bill* is not only potentially harmful, it undermines the integrity and independence of the Tribunal by restricting its scope of the matters it is compelled to resolve.

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<sup>9</sup> [1] Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, 3rd sess, 183rd plen mtg, UN Doc A/RES/217A(III) (10 December 1948), Art. 8.



The Foreign Affairs, Defence and Trade References Committee's final report into the Defence honours and awards system recommended specifically, at Recommendation 6, strengthening the Tribunal's review and inquiry functions, whilst safeguarding its operational independence.<sup>10</sup>

This amendment neither strengthens the Tribunal's review and inquiry functions, nor its operational independence – but erodes the legislated scope it has been formerly provided.

While the *Administrative Review Tribunal Act 2024*<sup>11</sup> (ART Act) contains provisions enabling the dismissal of proceedings deemed frivolous, vexatious, or lacking reasonable prospects of success, it is suggested that the retention of such similar provisions within the current Part VIIC must remain without amendment.

Further, transparency and accountability are among the most important legal principles to ensure clarity as to why and how decisions are made. Restricting access to review, particularly in matters of or with historical significance, risks undermining both the independence of the Tribunal and public confidence in its processes. As it stands, as pointed out by several submissions to the Senate Committee on Foreign Affairs, Defence and Trade, concerns of apprehended bias and interference exist due to the Tribunal's administrative placement under the *Defence Act 1903*.

In the Inquiry into Defence Honours and Awards, the Tribunal itself raised concerns in its supplementary submission, consistent with RSL NSW's current concerns raised at the introduction of the *Defence Amendment Bill*. The Tribunal's position noted:

- a. Defence's proposal would abolish the current significant rights of appeal for the majority of those ADF members, veterans and families and others who currently seek external merits review of Defence decisions to refuse to recommend the issue of defence honours and awards;
- b. Would represent poor public policy in the absence of open and substantive consultation with, and support from, key stakeholders in the ADF and veteran community;
- c. Would allow Defence to make such decisions immune from the discipline of external merits review, which the Tribunal considers to be unreasonable.<sup>12</sup>

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<sup>10</sup> Commonwealth of Australia, Senate Foreign Affairs, Defence and Trade References Committee (June 2025) < [https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000466/toc\\_pdf/Defencehonoursandawardsystem.pdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000466/toc_pdf/Defencehonoursandawardsystem.pdf) >.

<sup>11</sup> *Administrative Review Tribunal Act 2024* (Cth).

<sup>12</sup> Commonwealth Government, *Defence Honours and Awards Tribunal* (Supplementary Submission, 20 September) 3.

The Tribunal has noted that the removal of Imperial Honours and Awards is a matter of good administration, to which RSL NSW does not oppose. It is also noted that the Tribunal itself has, in its supplementary submission, highlighted significant and considerable concerns regarding this Bill and, written strong opposition to Defence's submission to the inquiry.

RSL NSW continues to express concern regarding the *Defence Amendment Bill*. The recommendations arising from the Senate Inquiry focussed on improving efficiency, transparency, and its independence. RSL NSW asserts that improving efficiency and function of the Tribunal should not come at the expense of long-standing Commonwealth policy on avenues of review, by abolishing, extinguishing or curtailing rights to independent merits review.

Whilst the proposed time limit for seeking a review of reviewable decisions has been set as six months from the date of decision, and is more generous than the ART Act, which provides 28 days<sup>13</sup>, the Tribunal already holds sufficient discretionary powers to dismiss unmeritorious proceedings, making further restrictions unnecessary, excessive and, potentially harmful.

## Current Act – Part VIIIC of the *Defence Act 1903*:

Currently, the Part VIIIC of the *Defence Act 1903* establishes the Defence Honours and Awards Tribunal. The *Defence Amendment Bill 2025* imposes unnecessary restrictions on rights to review, even though the present Act already contains adequate provisions to safeguard the Tribunal's integrity and resourcing, which were highlighted as concerns within the explanatory memoranda of the proposed Bill.

Under the tripartite test for assessing limitations on human rights, any restriction must pursue a legitimate aim. RSL NSW suggests that the current Act already achieves this balance. In particular, section 110VC empowers the Tribunal to dismiss review applications where:

- a. another process for review exists;
- b. adequate reviews have been undertaken;
- c. the application is frivolous or vexatious.

These provisions sufficiently protect against unmeritorious claims while maintaining access to independent merits review. Introducing further limitations risks unnecessarily curtailing and minimising the rights of individuals to seek review, contrary to longstanding principles of administrative law, including fairness, transparency, and accountability.

It is suggested that the current Act adequately protects the integrity and resourcing of the Tribunal, with part (b) of the tripartite test (above) requiring any extinguishment or minimisation of existing rights to pursue a legitimate aim.

RSL NSW also suggests that the 20-year review period is excessively restrictive, minimising the capacity for the Tribunal to act independently. Particularly, Section 110V(2) already minimises the scope for which the Tribunal can review. These limitations include decisions made before 3 September 1939; or service rendered before 3 September 1939.

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<sup>13</sup> Ibid, s18.





Further, section 110VC of the *Defence Act*<sup>14</sup> provides the Tribunal the power to dismiss review applications where another process for review exists<sup>15</sup>; adequate reviews have already been undertaken<sup>16</sup> or; the application is frivolous or vexatious<sup>17</sup>.

As set out in the explanatory memoranda, the policy intent has highlighted that the Bill seeks to

‘modernise the arrangements for review by the Tribunal and protecting the integrity of the Defence honours and awards system by removing the risk of decisions being made when it is difficult to refer to objective and independent evidence<sup>18</sup>.’

The explanatory memoranda continue to highlight that the intent is to streamline the process, it raises concerns about the lack of immediate connection between applicants and the nominated party. RSL NSW asserts that a nexus must not be fundamental to the recognition of gallant and brave actions in theatres of conflict.

Many logical reasons may exist for families not raising awareness to their family member’s conduct – including death, estrangement, or lack of awareness – with advocates, historians and community groups able to advocate on behalf of the nominated person.

Any further restriction may unnecessarily and excessively curtail and minimise the rights available for a review and oppose longstanding principles of administrative law.

## Royal Commission into Defence and Veteran Suicide

The Royal Commission into Defence and Veteran Suicide highlighted the importance of respect and recognition of service. Recommendation 78 highlights the importance of minimising and preventing moral injury<sup>19</sup>, with Recommendation 79 seeking to embed respect and recognition throughout Defence and the Department of Veterans’ Affairs.

***Recommendation 79: Ensure that respect for and recognition of service are embedded throughout Defence and the Department of Veterans’ Affairs.***

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<sup>14</sup> *Defence Act 1903* (Cth), s 110VC.

<sup>15</sup> *Ibid*, s110VC(a).

<sup>16</sup> *Ibid*, s110VC(b).

<sup>17</sup> *Ibid*, s110VC(c).

<sup>18</sup> *Defence Amendment (Defence Honours and Awards Appeals Tribunal) Bill 2025*, House of Representatives (Explanatory Memoranda, 2025) <

[https://parlinfo.aph.gov.au/parlInfo/download/legislation/ems/r7359\\_ems\\_4a52f8fd-bf06-4af7-b9fa-1de5ca94dd55/upload\\_pdf/JC016533.pdf;fileType=application%2Fpdf](https://parlinfo.aph.gov.au/parlInfo/download/legislation/ems/r7359_ems_4a52f8fd-bf06-4af7-b9fa-1de5ca94dd55/upload_pdf/JC016533.pdf;fileType=application%2Fpdf)>.

<sup>19</sup> Royal Commission into Defence and Veteran Suicide, *Report and Recommendations* (Report, September 2024) vol 1, 78,< <https://defenceveteransuicide.royalcommission.gov.au/system/files/2024-09/final-report-volume-1.pdf> >.

*Respect and recognition should be a key element of separation and transition processes; they must also be the foundation for all interactions with members and former members of the Australian Defence Force during service and civilian life.*

*Defence and the Department of Veterans Affairs should:*

- (a) examine their processes to identify ways in which respect in interactions with serving and ex-serving members can be increased;*
- (b) create a survey to benchmark the levels of respect shown to current and ex-service members prior to 30 June 2025;*
- (c) conduct this survey every two years to identify areas for improvement, and introduce improvements no later than the following year;*
- (d) support the Joint Transition Authority to review its policy on recognition and farewells on a regular basis (at least every three years) to identify areas for improvement and introduce these improvements by the following year.<sup>20</sup>*

RSL NSW notes the importance of both Recommendations 78 and 79, and the way in which they seek to address such matters raised within the Royal Commission.

It is also suggested that endorsing recognition and respect in should include the capacity for review – whether undertaken personally, or through advocates, ex-service organisations, or historians – so that medals and formal honours can serve as one meaningful form of recognition, consistent with the recommendations outlined above.

Whilst RSL NSW understands the need to avoid and eliminate tokenism, the current provisions within the Act have been drafted with adequate safeguards to address tokenism, vexatious applications and to ensure the effective operation of the Tribunal.

## Historical Cases

Additionally, RSL NSW is concerned what impact these changes might have had on heroic and brave former personnel such as Teddy Sheean VC and Private Richard Norden VC, who were awarded Australia's highest military honour, the Victoria Cross, only after sustained and continued advocacy efforts to raise awareness about their actions in the theatres in which they served.

Whilst both have received their honours for their contributions, where the provisions of this Bill had been enacted before the proceedings to hear the review of their cases, they would have been precluded from being awarded Australia's highest military honour.

With the capacity to ensure reviews can be sought by unconnected parties, it allows for impartial evidence to continue to be researched and presented to the Tribunal, with new information able to highlight brave conduct by former ADF personnel.

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<sup>20</sup> Ibid, 79.



*Barnett and the Department of Defence re: Sheean*<sup>21</sup> saw the Minister recommend to the Sovereign, that Ordinary Seaman Edward Sheean be posthumously awarded the Victoria Cross for Australia for the most conspicuous gallantry and a pre-eminent act of valour in the presence of the enemy in HMAS *Armidale* during a Japanese aerial attack in the Timor Sea on 01 December 1942.<sup>22</sup>

An excerpt of the draft citation is below:

*“On 01 December 1942, during operations in the Timor Sea, HMAS Armidale came under aerial bombardment and torpedo attack from Japanese aircraft. Shortly after the commencement of the attack, Armidale was hit by a torpedo and began listing to port. One minute later, the ship was hit by a second torpedo which broke the vessel’s back, causing the Captain to order abandon ship.*

*Ordinary Seaman Sheean made his way to the stowage position of the motor—boat and assisted in its launch. As the enemy continued to fire upon the ship and his shipmates who were already in the water, Ordinary Seaman Sheean decided to forgo his opportunity for survival by not abandoning ship and returning to his action station to man the aft Oerlikon gun.*

*Ordinary Seaman Sheean’s actions disrupted and distracted the enemy aircraft from strafing and killing his defenceless shipmates in the water. He sacrificed his life trying to save his shipmates and despite his wounds, he continued firing the gun until the ship sank and took him to his death.”*<sup>23</sup>

In this case, under the provisions of the *Defence Amendment Bill 2025* Ordinary Seaman Teddy Sheean would not have received the Victoria Cross. The proceedings for his case were instituted by the former Tasmanian Veterans’ Affairs Minister the Hon. Guy Barnett, who did not have a connection, immediate nor distant to Teddy.

Proposed provisions would have also precluded Private Richard Norden VC from being awarded the Victoria Cross.

Similarly, *Hulse and the Department of Defence re: Norden*<sup>24</sup> noted that based on the evidence presented, and after multiple reviews, that the original decision of Lieutenant General Rick Burr AO, DSC, MVO to refuse the Victoria Cross to Private Norden should be rejected – substituting it with the

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<sup>21</sup> [2019] DHAAT 09 (23 July 2019).

<sup>22</sup> Ibid [1].

<sup>23</sup> Ibid [147].

<sup>24</sup>(2022) DHAAT 11 (20 July 2022), 2021/020.

recommendation that the Minister should recommend to the Governor-General that Private Richard Norden should be awarded the Victoria Cross for Australia.<sup>25</sup>

An excerpt of the draft citation is provided below:

*“For most conspicuous acts of gallantry, for pre-eminent acts of valour and self-sacrifice, and for extreme devotion to duty in the ‘AO Surfers’ Area of Operations in the Bien Hoa Province, Vietnam, on 14 May 1968 during the Battle of Fire Support Base Coral.*

*On 14 May 1968 during Operation Toan Thang, 5<sup>th</sup> Platoon, B Company were ambushed and came under heavy fire from an estimated squad of 7-10 North Vietnamese Army regular soldiers in established positions dug into the ground or in the trees, each armed with an automatic weapon.*

*Aware that the scout and section commander had been incapacitated and entirely of his own initiative private Norden, a member of the leading section, asked for covering fire and ran forward to the wounded section commander across ground that provide him little or no effective cover under heavy enemy fire.*

*He then half-carried, half-dragged the severely wounded section commander back to the section. Due to this initial action the life of the section commander was saved under intense enemy fire. Although himself relatively seriously wounded in his initial move forward, Private Norden again advanced to the forward scout. Private Norden showed a complete disregard for his own personal safety, and by his courage, selfless acts and devotion to duty ensured the evacuation and saved the life of a severely wounded man, allowed the recovery of the body of the forward scout, and avoided the potential for further deaths of platoon members.”<sup>26</sup>*

Under the proposed provisions, where the case of Private Norden VC had been raised after the passage of the *Defence Amendment Bill 2025*, he could have been recommended for such honours due to the connection of Lieutenant General Hulse; however, Private Norden would have been excluded on the basis of the twenty-year statute of limitations, leaving his memory and his heroic actions lost to history.

Under these proposed provisions, proposed Section 110VA seeks to unnecessarily reduce the number of applicants with no direct or related ties to the matter in which an honour or award was refused by Defence.

Whilst RSL NSW understands the need to ensure the efficiency and integrity of the Tribunal, those who can seek a review are limited to those who, independently or collectively made an application; the person was more senior in the chain of command than the person recommended for the defence honour; a serving member witnessed the action/s to which the decision relates; the affected person or immediately family member agrees to making a review application; or is the executor of their estate.

This amendment would prevent independent parties such as researchers, historians, legal professionals, ex-service organisations, community groups and contemporary yet unconnected Defence personnel from making such recommendations, which may prevent adequate and appropriate recognition of those who have valiantly served the Commonwealth.

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<sup>25</sup> Ibid [1].

<sup>26</sup> Ibid [151].



## Conclusion

RSL NSW is greatly concerned about the *Defence Amendment Bill* which seeks to infringe upon existing avenues of review; minimise the recognition and reflection on current and former ADF personnel's service sacrifice; and the lack of acknowledgement to foundational principles of administrative law such as transparency, accountability, and procedural fairness.

As highlighted, RSL NSW is uncertain as to whether the legislation presented meets the tripartite test – particularly (b) and (c) – seeking to determine whether a law pursues a legitimate aim; and is necessary and proportionate.

Whilst outlined, existing provisions of the Part VIIC of the *Defence Act 1903* addresses some of the concerns – particularly – section 110VC which provides the Tribunal with the power to dismiss applications, with RSL NSW suggesting that this Bill is unnecessary and disproportionate.

It is also noted that the intent of such a decision to introduce the *Defence Amendment Bill 2025* is to align it with other administrative bodies, however, RSL NSW disputes this as the Tribunal holds – and should continue to hold – a special, moral weight of military honours and awards.

Aligning it with other independent Tribunals would not only degrade and erode the independence of the Tribunal but would also overlook the context for which this Tribunal exists. It is also concerning that such a provision would be drafted to limit the period of time for reviewable decisions; and then the opportunity to review such reviewable decisions.

The Royal Commission into Defence and Veteran Suicide highlighted the importance of medallic recognition; honours; awards and the impact it has on morale to current-serving members, and the significance it holds to former-serving members for actions undertaken during their service to the safety, security, and prosperity of the Commonwealth.

RSL NSW is concerned that the passage of the *Defence Amendment Bill 2025* will not only oppose Recommendations 78 and 79 of the Royal Commission into Defence and Veteran Suicide's Final Report; but also undermine the independence of the Tribunal by eroding the independence, integrity and limiting the scope of the Tribunal's functions.

The extinguishment of any such review avenues, is suggested to be excessive and overly oppressive. All members connected to, interested with, or aware of matters pertaining to the valid recognition of honours and awards, should retain such rights to seek application or review.

Significant and considerable scrutiny must be undertaken to ensure this Bill is able to provide adequate review pathways into contemporary and historical conflicts, providing veterans and their families with the capacity to seek honours and awards for their contributions to the Commonwealth.