



# **Defence Determination, Conditions of service Amendment (Approved forms and privacy) Determination 2019 (No. 21)**

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I, FIONA LOUISE McSPEERIN, Assistant Secretary, People Policy and Employment Conditions, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 26 July 2019

F L McSPEERIN  
Assistant Secretary  
People Policy and Employment Conditions  
Defence People Group

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*Conditions of service 2016/19*

## **1 Name**

This instrument is *Defence Determination, Conditions of service Amendment (Approved forms and privacy) Determination 2019 (No. 21)*.

## **2 Commencement**

This instrument commences on 31 July 2019.

## **3 Authority**

This instrument is made under section 58B of the *Defence Act 1903*.

## **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

# Schedule 1—Forms Amendments

## *Defence Determination 2016/19, Conditions of service*

### **1 Section 1.2.5 (Forms)**

Omit the section, substitute:

#### **1.2.5 Forms**

If an approved form is specified in relation to a benefit, the member must complete and submit the approved form in accordance with any instructions on it.

### **2 Section 1.3.5 (Allowance)**

After the section, insert:

#### **1.3.5A Approved form**

Means a form approved by Assistant Secretary People Policy and Employment Conditions by notifiable instrument.

### **3 Subsection 1.3.84.3 (Dependant with special needs)**

Omit the subsection, substitute:

3. A member must apply for recognition of a dependant with special needs using the approved form.

### **4 Subsection 1.3.89.2 (Partner – de facto)**

Omit the subsection, substitute:

2. A member must use the approved form to apply for recognition of a de facto partner.

### **5 Subsection 1.3.93.6 (Applying for Defence-provided benefits)**

Omit the subsection.

### **6 Section 3.2.16 (Member to keep records of Reserve days)**

Omit the section.

### **7 Paragraph 4.9.16.2.a (Health support allowance – Capability at short-notice)**

Omit the paragraph, substitute:

- a. A member must use the approved form to apply for health support allowance.

**8 Paragraph 4.9.16.2.c (Health support allowance – Capability at short-notice)**  
Omit the paragraph.

**9 Paragraph 4.9.16.2.d (Health support allowance – Capability at short-notice)**  
Omit the paragraph.

**10 Subsection 4.9.16.8 (Health support allowance – Capability at short-notice)**  
Omit the subsection.

**11 Subsection 4.9.17.2 (Health support allowance – Members on Reserve service)**  
Omit the subsection, substitute:

- 2 To be eligible for the payment, the member must complete and submit the approved form before 30 January after the financial year in which the Reserve service was performed.

**12 Subsection 4.9.17.3 (Health support allowance – Members on Reserve service)**  
Omit the subsection.

**13 Paragraph 4.11.2.3.a (Contributions for parking and parking permits)**  
Omit the paragraph, substitute:  
a. The member must submit the approved form.

**14 Section 5.3.3 (How to apply for a medical absence)**  
Omit the section, substitute:

### **5.3.3 How to apply for a medical absence**

A member must use the approved form to apply for leave to be absent from duty under this Part unless the supervisor is satisfied the member is unable to apply for leave on the approved form due to their illness or injury.

**15 Subsection 5.3.7.2 (Granting a medical absence without an application form)**  
Omit the subsection.

**16 Section 5.3.8 (Administrative requirements for granting a medical absence)**  
Omit the section.

**17 Subsection 5.4.22.3 (Application to purchase recreation leave)**

Omit the subsection, substitute:

3. A member must use the approved form to purchase recreation leave.

**18 Subsection 5.4.33.3 (Grant of recreation leave)**

Omit the subsection.

**19 Section 5.4.39 (How to apply for leave)**

Omit the section, substitute:

**5.4.39 How to apply for leave**

A member must use the approved form to apply for leave.

**20 Section 5.5.7 (How to apply for leave)**

Omit the section, substitute:

**5.5.7 Applying for long service leave**

A member must use the approved form to apply for long service leave.

**21 Section 5.7.8 (How to apply for parental leave)**

Omit the section, substitute:

**5.7.8 How to apply for parental leave**

A member must use the approved form to apply for parental leave.

**22 Section 5.8.11 (How to apply for war service leave)**

Omit the section, substitute:

**5.8.11 How to apply for war service leave**

A member must use the approved form to apply for war service leave.

**23 Section 5.9.7 (How to apply for leave)**

Omit the section, substitute:

## **5.9.7 How to apply for leave**

A member must apply for leave using the approved form.

## **24 Section 5.13.8 (Claiming and acquitting)**

Omit the section, substitute:

## **5.13.8 Claiming reimbursement**

A member must use the approved form to claim reimbursement.

## **25 Section 6.1.24 (Applying for reimbursement)**

Omit the section.

## **26 Subsection 6.5.4.4 (Members eligible for a removal)**

Omit the subsection, substitute:

4. A member must use the approved form to apply for a removal.

## **27 Section 7.1.21 (Member to apply in writing)**

Omit the section, substitute:

## **7.1.21 How to apply for house-hunting trip**

A member must use the approved form to apply for a house hunting trip.

## **28 Section 8.6.4 (Special needs assistance)**

Omit the section, substitute:

A member may be eligible for assistance under this Part if they meet all the following.

- a. They have a dependant with special needs.
- b. They have been granted a removal as the result of a posting.
- c. They have applied to have their dependant with special needs assessed for the types of assistance they may require, using the approved form.

## **29 Section 8.6.6 (Assessment of assistance on posting)**

Omit the section.

## **30 Subsection 8.6.7.2 (Special needs pre-posting visits)**

Omit the subsection, substitute:

2. A member must use the approved form to apply for a pre-posting visit.

- 31 Subsection 8.6.9.3 (Assistance with respite, personal care or therapy services)**  
Omit the subsection, substitute:
3. A member must use the approved form to apply for respite, personal care or therapy services.
- 32 Subsection 8.6.10.2 (Assistance with equipment hire)**  
Omit the subsection, substitute:
2. A member must use the approved form to apply for assistance with equipment hire.
- 33 Subsection 8.9.7.1 (Registering for The Program)**  
Omit the subsection, substitute:
1. A member must use the approved forms to register a dependant for The Program.
- 34 Subsection 14.2.7.3 (Outlay advance – payment)**  
Omit the subsection, substitute:
3. A member must use the approved form to apply for an outlay advance.



## **Schedule 2— Authorisation under the Privacy Act 1988**

### ***Defence Determination 2016/19, Conditions of service***

#### **1 Section 1.2.5A (title of section)**

After the section, insert:

#### **1.2.6 Collection, use and disclosure of personal information**

1. For the purpose of the Australian Privacy Principles, as provided in schedule 1 of the *Privacy Act 1988*, Defence is authorised to collect, use and disclose personal information and sensitive information necessary or required for the administration of benefits provided to a member under this Determination and salary and allowances provided under Determinations made by the DFRT.
2. For the purpose of clarity, the administration of benefits includes, but is not limited to, the following:
  - a. The granting of benefits.
  - b. Reviewing decisions made with respect to benefits.
  - c. Conducting audits of benefits provided to a member.
  - d. Providing advice about the availability of benefits.
3. For the purpose of the Australian Privacy Principle 8, as provided in schedule 1 of the *Privacy Act 1988*, Defence is authorised to disclose personal information and sensitive information to an overseas recipient as necessary or required for the administration of benefits provided to a member under this Determination.