

GUIDANCE FOR AUTHORISED DECISION-MAKERS

The Instrument of Authorisation authorises persons holding particular positions to make decisions on pay, pay-related allowances and other conditions of service provide under Defence Determination 2016/19, *Conditions of Service* and the various determinations made by the Defence Force Remuneration Tribunal. These determinations are replicated in the Pay and Conditions Manual (PACMAN) and are made under section 58B and 58H of the *Defence Act 1903*.

The discretionary decisions contained in the Determinations are mostly vested in the CDF as the statutory head of the Australian Defence Force and devolved across Defence through the Instrument of Authorisation. This is an important aspect of the determinations because they allow Defence to manage our personnel operations more flexibly and responsively. However, authorised persons should recognise that they are making the decision for and on behalf of the CDF, not in their own right.

Given the size and diversity of the ADF, the exercise of most of these powers is devolved to persons of appropriate rank or, in the case of an APS employee, classification in the administering unit. This facilitates prompt, effective decision-making. Some decisions are required to be made by staff in central administering bodies within each service or specialised areas within and outside of Defence. This helps maintain consistency of outcomes in cases involving more complex, sensitive or specialised benefits.

In all cases, authorised persons will need to comply with the *Decision-Maker's Handbook for Personnel-related Decisions* that is published in the resources section on the Pay and Conditions internet site (www.defence.gov.au/PayAndConditions/ADF/Resources/DMH.pdf). Authorised persons at all levels must familiarise themselves with the contents of the handbook so they can apply a process that will ensure consistency and rigour in all areas of decision-making. This is vital in reducing the number of applications for redress and other complaints. ***In particular, authorised persons must observe any criteria for the decision laid down in the determination and to observe the requirements of procedural fairness.***

If a person authorised by the Instrument of Authorisation is absent and a decision needs to be made it can only be made by another person who is authorised to hold, occupy or perform the duties of that position. If there is no such person, then there is no corresponding authorised person.

Some authorisations specify a minimum rank or classification that the authorised person must hold. A person who does not hold the minimum specified rank or classification, or a higher rank or classification, is not authorised to make those decisions. Awareness of this is particularly important when a person is performing the duties of a member in a higher rank or classification (higher duties), as the person does not automatically take on that rank or classification.

An authorised person is not permitted to authorise others to make decision on their behalf. This may result in an invalid decision and administration action being taken against the authorised person.

For the purpose of making fresh decisions when needed on a review, the Vice Chief of the Defence Force, the Chiefs and Deputy Chiefs of each Service, Head People Capability and the Assistant Secretary People Policy and Employment Conditions are all authorised to make decisions on all the matters in the Schedule to the Instrument of Authorisation.