



Defence Public Service Framework (Assistant Secretary People Policy and Employment Conditions) Delegations (No. 1) 2017

Public Service Act 1999, Public Service Regulations 1999, Public Service and Classification Rules 2000, Australian Public Service Commissioner's Directions 2016, Maternity Leave (Commonwealth Employees) Act 1973 and Long Service Leave (Commonwealth Employees) Act 1976

I, JAY ANDREW CLARKE, Acting Assistant Secretary People Policy and Employment Conditions, make the following delegations using the powers vested in me under:

- (a) subsection 78(9) of the *Public Service Act 1999*;
- (b) subregulation 9.3(5) of the *Public Service Regulations 1999*;
- (c) subrule 13(3) of the *Public Service Classification Rules 2000*;
- (d) subsection 52(3) of the *Australian Public Service Commissioner's Directions 2016*;
- (e) subsection 11(2) of the *Maternity Leave (Commonwealth Employees) Act 1973*; and
- (f) subclause 9(2) of the *Long Service Leave (Commonwealth Employees) Act 1976*.

Dated 6 September 2017

Acting Assistant Secretary People Policy and Employment Conditions

1 Name of Instrument

This Instrument is the Defence Public Service Framework (Assistant Secretary People Policy and Employment Conditions) Delegations 2017 (No. 1).

2 Commencement

This Instrument commences on the date of signature.

3 Definition

Definitions that may be used in this delegation are set out in Schedule 1.

4 Revocation

If this Instrument delegates a power which has previously been delegated by Assistant Secretary People Policy and Employment Conditions, then this instrument revokes the previous delegation of that power. Any delegation so revoked is replaced by delegation of that power made by this instrument.

5 Delegations

1. I make this delegation using the powers delegated to me by the Secretary of the Department of Defence under:
 - a. subsection 78(7) of the *Public Service Act 1999*;
 - b. subregulation 9.3(3) of the *Public Service Regulations 1999*;
 - c. subrule 13(1) of the *Public Service Classification Rules 2000*;
 - d. subsection 52(1) of the *Australian Public Service Commissioner's Directions 2016*;
 - e. subsection 11(1) of the *Maternity Leave (Commonwealth Employees) Act 1973*;
and
 - f. subclause 9(1) of the *Long Service Leave (Commonwealth Employees) Act 1976*.
2. I delegate those powers and functions mentioned in Schedule 2 to the persons from time to time holding, occupying, acting in or performing the duties of the classifications, ranks or positions listed in that Schedule for the relevant function.

Note: Schedule 2 identifies the delegate, the provision to which the delegation relates and includes a summary of the provision for information.

6 Directions

Any power or function delegated in this Instrument must be exercised subject to relevant direction mentioned for the power or function in Schedule 2.

Schedule 1 Definitions

1. In this Instrument:

ADF means Australian Defence Force.

AGSVA means the Australian Government Security Vetting Agency.

APS means Australian Public Service.

APSC Directions means *Australian Public Service Commissioner's Directions 2016*

APSWR means the Directorate of APS Workplace Relations.

ASPPEC means the Assistant Secretary People Policy and Employment Conditions.

DEPSEC DP means the Deputy Secretary Defence People.

First-level supervisor has the same meaning as in the Enterprise Agreement.

Groups means the following parts of Defence:

- a. Associate Secretary Group.
- b. Capability Acquisition and Sustainment Group (CASG).
- c. Vice Chief of Defence Force Group (VCDF Group).
- d. Strategic Policy & Intelligence Group (SP&IG).
- e. Chief Finance Officer Group (CFOG).
- f. Joint Operations Command (JOC).
- g. Navy.
- h. Army.
- i. Air Force.
- j. Chief Information Officer Group (CIOG).
- k. Defence Science & Technology Group (DSTG).
- l. Estate and Infrastructure Group (E&IG).
- m. Defence People Group (DPG).
- n. Capability Development Group (CDG).

Group Head includes any person who controls and directs a 'Group'. For the purposes of these delegations, Group Head includes the Chief of the Defence Force.

LSL Act means the *Long Service Leave (Commonwealth Employees) Act 1976*

ML Act means the *Maternity Leave (Commonwealth Employees) Act 1973*

PS Act means the *Public Service Act 1999*.

PSC Rules means the *Public Service Classification Rules 2000*.

PS Regulations means the *Public Service Regulations 1999*.

SES means Senior Executive Service.

2. For the purpose of this Instrument, equivalencies between APS classifications and ADF ranks have been developed.

Members of the ADF are referred to by their rank or alternatively by the numeric designation for the officer level of their rank.

The letter (E) following an APS classification indicates a reference to an equivalent classification as set out in Schedule 1 to the *APS Classification Rules 2000* or a job-specific or broadbanded classification as set out in Annex C to the *Defence Enterprise Agreement 2017-2020*.

The letter (E) following an Army rank indicates a reference to the equivalent military ranks in the Navy and Air Force.

Equivalent positions are to be determined in accordance with this table:

	Australian Public Service	O Equivalent	Navy	Army	Air Force
a.	SES Band 3 Chief of Division Grade 3	O-9	Vice-Admiral	Lieutenant-General	Air Marshal
b.	SES Band 2 Medical Officer Class 6 Chief of Division Grade 2	O-8	Rear-Admiral	Major-General	Air Vice-Marshal
c.	SES Band 1 Medical Officer Class 5 Chief of Division Grade 1	O-7	Commodore	Brigadier	Air Commodore
d.	Executive Level 2 Medical Officer Class 3 Medical Officer Class 4	O-6	Captain	Colonel	Group Captain

	Australian Public Service	O Equivalent	Navy	Army	Air Force
e.	Executive Level 1 Medical Officer Class 2	O-5	Commander	Lieutenant- Colonel	Wing Commander
f.	APS 6 Medical Officer Class 1	O-4	Lieutenant- Commander	Major	Squadron Leader
g.	APS 5	O-3	Lieutenant	Captain	Flight Lieutenant
h.	APS 4	O-2	Sub-Lieutenant	Lieutenant	Flying Officer
i.	APS 3		Petty Officer	Warrant Officer Class 2 Staff Sergeant	Sergeant

Schedule 2 Public Service Framework Delegations

Item	Description of power or function	Source of power	Delegates	Directions
Public Service Act 1999				
1.1	<p>Impose one or more sanctions from the following list when it is found that an employee has breached the Code of Conduct:</p> <p>(a) termination of employment; (b) reduction in classification; (c) reassignment of duties; (d) reduction in salary; (e) deduction from salary, by way of fine; and (f) a reprimand.</p>	subsection 15(1) PS Act	First Assistant Secretary People Services Assistant Secretary HR Services Director Conduct and Performance	
1.2	Establish a workplace diversity program to assist in giving effect to the APS Employment Principles	section 18 PS Act	Assistant Secretary Culture and People Development	
1.3	Decide to engage a person as an ongoing APS employee for the purposes of the Department of Defence.	section 22 PS Act	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	<ol style="list-style-type: none"> 1. The delegate must consult with the First Assistant Secretary Security and Vetting Service for decisions relating to the engagement of a person who is not an Australian citizen. 2. The delegate must be satisfied that any pre-engagement conditions imposed under subsection 22(6) of the PS Act have been met. Engagement can only be confirmed once the applicant has met the conditions. 3. The delegate must be satisfied that the applicant has formally been advised of the conditions of engagement and that any engagement decision is dependent on any such conditions being met.

Item	Description of power or function	Source of power	Delegates	Directions
1.4	Decide to engage a person as an ongoing APS employee for the purposes of Department of Defence.	section 22 PS Act	Director APS Workplace Relations Deputy Director APS Workplace Relations	<ol style="list-style-type: none"> 1. The delegate must refer decisions in relation to the engagement of a person who is not an Australian citizen to the First Assistant Secretary People Services, Assistant Secretary HR Services or Executive Level 1 (E) and above within APS Recruitment. 2. The delegate must be satisfied that any pre-engagement conditions imposed under subsection 22(6) of the PS Act have been met. Engagement can only be confirmed once the applicant has met the conditions. 3. The delegate must be satisfied that the applicant has formally been advised of the conditions of engagement and that any engagement decision is dependent on any such conditions being met.

Item	Description of power or function	Source of power	Delegates	Directions
1.5	Decide to engage a person as an ongoing APS employee for the purposes of Department of Defence.	section 22 PS Act	Executive Level 1 (E) and above Lieutenant Colonel (E) and above	<p>1. The delegate may only make decisions in relation to employees and positions in the delegate's line of supervision.</p> <p>2. The delegate must refer decisions in relation to the engagement of a person who is not an Australian citizen to the First Assistant Secretary People Services, Assistant Secretary HR Services or Executive Level 1 (E) and above within APS Recruitment.</p> <p>3. The delegate must be satisfied that any pre-engagement conditions imposed under subsection 22(6) of the PS Act have been met. Engagement can only be confirmed once the applicant has met the conditions.</p> <p>4. The delegate must be satisfied that the applicant has formally been advised of the conditions of engagement and that any engagement decision is dependent on any such conditions being met.</p>
1.6	Re-engage a former APS employee who has resigned to be an election candidate.	section 22 and section 32 PS Act	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 and above in APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations	

Item	Description of power or function	Source of power	Delegates	Directions
1.7	<p>Engage a person as an APS employee for the purposes of Defence for a specified term or a specified task.</p> <p>Note: Conditions in Regulation 3.5 of the <i>Public Service Regulations 1999</i> must be complied with.</p>	<p>subsection 22(1), paragraph 22(2)(b) PS Act</p>	<p>First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations</p>	
1.8	<p>Engage a person as an APS employee for the purposes of Defence for duties that are irregular or intermittent.</p> <p>Note: Conditions in Regulation 3.5 of the <i>Public Service Regulations 1999</i> must be complied with.</p>	<p>subsection 22(1) and paragraph 22(2)(c) PS Act</p>	<p>First Assistant Secretary People Services Assistant Secretary HR Services APS Level 6 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations</p>	<p>The delegate may only make decisions in relation to employees and positions within Strategic Policy & Intelligence Group.</p>
			<p>Deputy Secretary Strategic Policy & Intelligence</p>	<p>The delegate may only make decisions in relation to employees and positions within Strategic Policy & Intelligence Group.</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.9	Extend the specified term of a non-ongoing engagement.	subsection 22(1), paragraph 22(2)(b) and subsection 22(5) PS Act	First Assistant Secretary People Services Assistant Secretary HR Services APS Level 6 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations	
			Deputy Secretary Strategic Policy & Intelligence	The delegate may only make decisions in relation to employees and positions within Strategic Policy & Intelligence Group.
			Director Defence Imagery and Geospatial Organisation	The delegate may only make this decision in relation to employees and positions within Defence Imagery and Geospatial Organisation.
			Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate	The delegate may only make this decision in relation to employees and positions within the Australian Signals Directorate.
1.10	Reduce an employee's classification. Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i> .	subsection 23(4) PS Act	First Assistant Secretary People Services Assistant Secretary HR Services Director Conduct and Performance	Code of conduct The delegate may only exercise this power for decisions relating to paragraph 23(4)(a) of the PS Act (reduce a classification of an APS employee as a sanction under section 15 of the PS Act).
1.11	Reduce an employee's classification. Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i> .	subsection 23(4) PS Act	Assistant Secretary Pay and Administration Branch Executive Level 1 (E) and above within the Pay and Administration Centre – Victoria Director APS Workplace Relations Deputy Director APS Workplace Relations	Excess to requirements The delegate may only exercise this power for decisions relating to paragraph 23(4)(c) of the PS Act (reduce a classification on the ground that an employee is excess to requirements of Defence at the higher classification).

Item	Description of power or function	Source of power	Delegates	Directions
1.12	<p>Reduce an employee's classification.</p> <p>Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i>.</p>	subsection 23(4) PS Act	<p>Assistant Secretary Pay and Administration Branch Executive Level 1 (E) and above within the Pay and Administration Centre – Victoria Director APS Workplace Relations Deputy Director APS Workplace Relations</p>	<p><i>Excess to requirements</i> The delegate may only exercise this power for decisions relating to paragraph 23(4)(c) of the PS Act (reduce a classification on the ground that an employee is excess to requirements of Defence at the higher classification).</p>
1.13	<p>Reduce an employee's classification.</p> <p>Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i>.</p>	subsection 23(4) PS Act	<p>Assistant Secretary Pay and Administration Branch Director Pay and Administration Centre – Victoria Director APS Workplace Relations Deputy Director APS Workplace Relations Assistant Secretary HR Services Director Conduct and Performance Assistant Director Conduct and Performance</p>	<p><i>Lack or loss of qualifications</i> The delegate may only exercise this power for decisions relating to paragraph 23(4)(d) of the PS Act (reduce a classification on the ground that an employee lacks, or has lost an essential qualification for performing duties at the higher level).</p>
1.14	<p>Reduce an employee's classification.</p> <p>Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i>.</p>	subsection 23(4) PS Act	<p>Assistant Secretary Pay and Administration Branch Director Pay and Administration Centre – Victoria Assistant Secretary HR Services Director Conduct and Performance Assistant Director Conduct and Performance</p>	<p><i>Non-performance or unsatisfactory performance</i> The delegate may only exercise this power for decisions relating to paragraph 23(4)(e) of the PS Act (reduce a classification of an employee on the ground of non-performance, or unsatisfactory performance, of duties at the higher classification).</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.15	<p>Reduce an employee's classification.</p> <p>Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i>.</p>	subsection 23(4) PS Act	SES Band 1 (E) and above Brigadier (E) and above	<p><i>Unsatisfactory performance</i></p> <p>1. The delegate may only make this decision in relation to employees in the delegate's line of supervision.</p> <p>2. The delegate may only exercise this power for decisions relating to unsatisfactory performance of duties at the higher classification.</p> <p>Note: This is a ground for decision under paragraph 23(4)(e) of the PS Act.</p>
1.16	<p>Reduce an employee's classification.</p> <p>Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i>.</p>	subsection 23(4) PS Act	Deputy Secretary Strategic Policy & Intelligence	<p><i>Non-performance or unsatisfactory performance</i></p> <p>1. The delegate may only make this decision in relation to employees and positions in within Strategic Policy & Intelligence.</p> <p>2. The delegate may only exercise this power for decisions relating to paragraph 23(4)(e) of the PS Act (reduce a classification of an employee on the ground of non-performance, or unsatisfactory performance, of duties at the higher classification).</p>
			Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate	<p><i>Non-performance or unsatisfactory performance</i></p> <p>1. The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.</p> <p>2. The delegate may only exercise this power for decisions relating to paragraph 23(4)(e) of the PS Act (reduce a classification of an employee on the ground of non-performance, or unsatisfactory performance, of duties at the higher classification).</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.17	<p>Reduce an employee's classification.</p> <p>Note: A consensual reduction in classification for an employee may occur as a result of movement under section 25 of the <i>Public Service Act 1999</i>.</p>	subsection 23(4) PS Act	<p>Assistant Secretary Pay and Administration Branch Director Pay and Administration Centre – Victoria Assistant Secretary Work Health and Safety Director APS Rehabilitation</p>	<p><i>Physical or mental incapacity</i> The delegate may only exercise this power for decisions relating to paragraph 23(4)(f) of the PS Act (reduce a classification on the ground that an employee is unable to perform duties at the higher classification because of physical or mental incapacity).</p>
1.18	Determine in writing the terms and conditions of employment applying to an employee or employees in the Department.	subsection 24(1) PS Act	<p>Director APS Workplace Relations Deputy Director APS Workplace Relations</p> <p>Assistant Secretary HR Services Director Conduct and Performance Assistant Director Conduct and Performance</p>	<p>The delegate must have regard to the terms of the workplace instrument that applies to affected employees.</p> <ol style="list-style-type: none"> 1. The delegate may only exercise this power to provide the amount of salary and remuneration (including leave) that has been ceased for the period of a suspension. 2. The delegate must seek advice from People Policy and Employment Conditions Branch on drafting and policy matters relevant to section 24 of the PS Act. 3. The delegate must not exercise this power if they made the decision about the suspension.

Item	Description of power or function	Source of power	Delegates	Directions
1.19	<p>Determine the duties of an APS employee in the Department of Defence, and the place or places at which the duties are to be performed.</p> <p>Note 1: Decisions to assign an employee in a non-SES classification (for example a Chief of Division) to an SES classification in the same classification Group (see Schedule 1 of the <i>Public Service Classification Rules 2000</i>) can only be made with the Australian Public Service Commissioner's agreement.</p> <p>Note 2: This function does not cover assignment of duties for Executive levels 2.1 or 2.2. These are local classifications which are dealt with under the Department's workplace agreement.</p>	<p>section 25 PS Act</p>	<p>First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations</p> <p>Assistant Secretary HR Services</p> <p>Assistant Secretary Work Health and Safety Director APS Rehabilitation</p>	<p></p> <p>For decisions about employees outside the delegate's line of supervision, the delegate may only make decisions in relation to reassignment on medical grounds, or sanctions imposed for breaches of the code of conduct.</p> <p>For decisions about employees outside the delegate's line of supervision, the delegate may only make decisions in relation to reassignment on medical grounds.</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.20	<p>Determine the duties of an APS employee in the Department of Defence, and the place or places at which the duties are to be performed.</p> <p>Note 1: Decisions to assign an employee in a non-SES classification (for example a Chief of Division) to an SES classification in the same classification Group (see Schedule 1 of the Public Service Classification Rules 2000) can only be made with the Australian Public Service Commissioner's agreement.</p> <p>Note 2: This function does not cover assignment of duties for Executive levels 2.1 or 2.2. These are local classifications which are dealt with under the Department's workplace agreement.</p>	<p>section 25 PS Act</p>	<p>Director Conduct and Performance</p>	<p>For decisions about employees outside the delegate's line of supervision, the delegate may only make decisions in relation to sanctions imposed for breaches of the code of conduct.</p>
			<p>Executive Level 1 (E) and above Lieutenant Colonel (E) and above</p>	<p>1. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision. 2. Decisions regarding positions with a local classification of EL2.1 or EL2.2 must be referred to the relevant Group Head.</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.21	<p>Agree, in writing, with an ongoing APS employee for the employee to move <i>into</i> the Department of Defence from another APS Agency.</p> <p>Note: Section 37 of the <i>Australian Public Service Commissioner's Directions 2016</i> affects the date on which the section 26 movement occurs.</p>	<p>section 26 PS Act</p>	<p>First Assistant Secretary People Services Assistant Secretary HR Services Director Organisational Design and Management Executive Level 1 (E) and above within Organisational Design and Management Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations</p>	<p>1. This power is not to be used for secondment of an employee. 2. For an agreement to vary the date the move starts or ends to be effective, the delegate must ensure that the Head of the losing Agency has approved the variation in accordance section 37 of the <i>Australian Public Service Commissioner's Directions 2016</i>.</p>
			<p>SES Band 2 (E) and above Major General (E) and above</p>	<p>1. The delegate may only make decisions in relation to employees and positions in the delegate's line of supervision. 2. This power is not to be used for secondment of an employee. 3. For an agreement to vary the date the move starts or ends to be effective, the delegate must ensure that the Head of the losing Agency has approved the variation in accordance section 37 of the <i>Australian Public Service Commissioner's Directions 2016</i>.</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.22	Notify the Australian Public Service Commissioner that an employee is excess to requirements for the purpose of moving them to another agency.	subsection 27(2) PS Act	Assistant Secretary Pay and Administration Branch Executive Level 1 (E) and above within the Pay and Administration Centre – Victoria Director APS Workplace Relations Deputy Director APS Workplace Relations	
1.23	By notice, in writing, terminate the employment of an ongoing employee. Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i> .	subsection 29(1) PS Act	Assistant Secretary HR Services	
1.24	By notice, in writing, terminate the employment of an ongoing employee. Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i> .	subsection 29(1) PS Act	First Assistant Secretary People Services Assistant Secretary Pay and Administration Branch Executive Level 1 (E) and above within the Pay and Administration Centre – Victoria Director APS Workplace Relations Deputy Director APS Workplace Relations	<i>Excess to requirements</i> The delegate may only exercise this power for decisions relating to paragraph 29(3)(a) of the PS Act (terminate the employment of an ongoing employee on the ground the employee is excess to the requirements of Defence).

Item	Description of power or function	Source of power	Delegates	Directions
1.25	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	subsection 29(1) PS Act	First Assistant Secretary People Services Assistant Secretary Pay and Administration Branch Director APS Workplace Relations Deputy Director APS Workplace Relations Director Conduct and Performance Assistant Director Conduct and Performance	<p><i>Lack or loss of qualifications</i></p> <p>The delegate may only exercise this power for decisions relating to paragraph 29(3)(b) of the PS Act (terminate the employment of an ongoing employee on the ground the employee lacks, or has lost, an essential qualification for performing his or her duties).</p>
	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	subsection 29(1) PS Act	Deputy Secretary Strategic Policy & Intelligence	<p><i>Lack or loss of qualifications</i></p> <ol style="list-style-type: none"> 1. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision. 2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(b) of the PS Act (terminate the employment of an ongoing employee on the ground the employee lacks, or has lost, an essential qualification for performing his or her duties).
			Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate	<p><i>Lack or loss of qualifications</i></p> <ol style="list-style-type: none"> 1. The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate. 2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(b) of the PS Act (terminate the employment of an ongoing employee on the ground the employee lacks, or has lost, an essential qualification for performing his or her duties).

Item	Description of power or function	Source of power	Delegates	Directions
1.26	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	subsection 29(1) PS Act	<p>First Assistant Secretary People Services Assistant Secretary Pay and Administration Branch Director APS Workplace Relations Deputy Director APS Workplace Relations Director Conduct and Performance Assistant Director Conduct and Performance Assistant Secretary Work Health and Safety Director APS Rehabilitation</p> <p>SES Band 1 (E) and above Brigadier (E) and above</p>	<p><i>Non-performance or unsatisfactory performance</i> The delegate may only exercise this power for decisions relating to paragraph 29(3)(c) of the PS Act (terminate the employment of an ongoing employee, on the ground of non-performance or unsatisfactory performance of duties).</p> <p><i>Unsatisfactory performance</i> The delegate may only exercise this power for decisions relating to unsatisfactory performance under paragraph 29(3)(c) of the PS Act (terminate the employment of an ongoing employee on the ground of unsatisfactory performance of duties).</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.26 cont.	By notice, in writing, terminate the employment of an ongoing employee. Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i> .	subsection 29(1) PS Act	Deputy Secretary Strategic Policy & Intelligence	<i>Non-performance or unsatisfactory performance</i> 1. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision. 2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(c) of the PS Act (terminate the employment of an ongoing employee, on the ground of non-performance or unsatisfactory performance of duties).
			Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate	<i>Non-performance or unsatisfactory performance</i> 1. The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate. 2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(c) of the PS Act (terminate the employment of an ongoing employee, on the ground of non-performance or unsatisfactory performance of duties).
1.27	By notice, in writing, terminate the employment of an ongoing employee. Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i> .	subsection 29(1) PS Act	First Assistant Secretary People Services Assistant Secretary Pay and Administration Branch Director APS Workplace Relations Deputy Director APS Workplace Relations Assistant Secretary Work Health and Safety Director of APS Rehabilitation	<i>Physical or mental incapacity</i> The delegate may only exercise this power for decisions relating to paragraph 29(3)(d) of the PS Act (terminate the employment of an ongoing employee on the ground of inability to perform duties because of physical or mental incapacity).

Item	Description of power or function	Source of power	Delegates	Directions
1.28	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	subsection 29(1) PS Act	<p>First Assistant Secretary People Services Assistant Secretary HR Services Branch Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations Director Conduct and Performance Assistant Director Conduct and Performance</p> <p>Deputy Secretary Strategic Policy & Intelligence</p>	<p><i>Failure to complete entry-level training course</i></p> <p>The delegate may only exercise this power for decisions relating to paragraph 29(3)(e) of the PS Act (terminate the employment of an ongoing employee on the ground of failing to satisfactorily complete an entry-level training course).</p> <p><i>Failure to complete entry-level training course</i></p> <p>1. The delegate may only make this decision in relation to employees and positions in the delegate’s line of supervision. 2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(e) of the PS Act (terminate the employment of an ongoing employee on the ground of failing to satisfactorily complete an entry-level training course).</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.29	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	subsection 29(1) PS Act	<p>First Assistant Secretary People Services Assistant Secretary HR Services Branch Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations Director Conduct and Performance Assistant Director Conduct and Performance</p> <p>Deputy Secretary Strategic Policy & Intelligence</p>	<p><i>Failure to meet pre-engagement conditions</i> The delegate may only exercise this power for decisions relating to paragraph 29(3)(f) of the PS Act (terminate the employment of an ongoing employee on the ground of failure to meet a condition of employment imposed under subsection 22(6) of the PS Act).</p> <p><i>Failure to meet pre-engagement conditions</i> 1. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision. 2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(f) of the PS Act (terminate the employment of an ongoing employee on the ground of failure to meet a condition of employment imposed under subsection 22(6) of the PS Act).</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.30	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	<p>subsection 29 (1) PS Act</p>	<p>Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate</p>	<p><i>Failure to meet pre-engagement conditions</i></p> <p>1. The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.</p> <p>2. The delegate may only exercise this power for decisions relating to paragraph 29(3)(f) of the PS Act (terminate the employment of an ongoing employee on the ground of failure to meet a condition of employment imposed under subsection 22(6) of the PS Act).</p>
1.31	<p>By notice, in writing, terminate the employment of an ongoing employee.</p> <p>Note: An SES employee cannot be terminated unless the Commissioner has issued a certificate under section 38 of the <i>Public Service Act 1999</i>.</p>	<p>subsection 29(1) PS Act</p>	<p>First Assistant Secretary People Services Assistant Secretary HR Services Director Conduct and Performance</p>	<p><i>Breach of the Code of Conduct</i></p> <p>The delegate may only exercise this power for decisions relating to paragraph 29(3)(g) of the PS Act (terminate the employment of an ongoing employee on the ground of breach of the Code of Conduct).</p>
1.32	<p>Engage persons overseas to perform duties overseas as employees.</p>	<p>section 74 PS Act</p>	<p>Director General Personnel – Air Force</p>	<p>1. The delegate may only make decisions under section 74 of the Act in relation to locally engaged civilian employees at Butterworth, Malaysia.</p> <p>2. The delegate must consult with People Policy and Employment Conditions Branch in the following circumstances.</p> <p>a. During the development of any local employment agreement.</p> <p>b. Prior to entering into any local employment agreement.</p> <p>c. There is a dispute under a local employment agreement that is not expected to be resolved internally by Defence.</p>

Item	Description of power or function	Source of power	Delegates	Directions
1.33	<p>Create positions in the Department of Defence.</p> <p>Note: This function does not cover creating Executive Levels 2.1 or 2.2 positions. These are local classifications and are dealt with under the Department's workplace agreement.</p>	subsection 77(1) PS Act	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within Organisational Design and Management Head People Capability Director General Workforce Planning	
1.34	<p>Nominate an employee to occupy a position in the Department of Defence.</p>	subsection 77(2) PS Act	First Assistant Secretary People Services Assistant Secretary HR Services Director General Workforce Planning Executive Level 1 (E) and above within Organisational Design and Management Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations Assistant Secretary Pay and Administration Branch Director Pay and Administration Centre – Victoria Executive Level 1 (E) and above Lieutenant Colonel (E) and above	<p>The delegate may only exercise this power for employees up to the same classification as the delegate.</p> <p>1. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision. 2. Decisions regarding positions with a local classification of EL2.1 or EL2.2 must be referred to the relevant Group Head.</p>

Item	Description of power or function	Source of power	Delegates	Directions
Public Service Regulations 1999				
2.1	Nominate a health practitioner to assess the fitness for duty of an APS employee in the Department of Defence.	subregulation 3.1(3) PS Regulations	First Assistant Secretary People Services Assistant Secretary Pay and Administration Branch Director Pay and Administration Centre – Victoria Assistant Secretary Work Health and Safety Director APS Rehabilitation	
2.2	Make any of the following directions to an employee whose engagement is subject to a condition dealing with health clearance. (a) Undergo a medical examination by a nominated medical practitioner, for the purpose of assessing the employee's fitness for duty. (b) Provide a report of the medical examination.	subregulation 3.1(2) PS Regulations	APS Level 4 (E) and above within APS Recruitment	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
			Deputy Secretary Strategic Policy & Intelligence	

Item	Description of power or function	Source of power	Delegates	Directions
2.3	<p>Make any of the following directions to an employee in relation to the state of the employee's health.</p> <p>(a) Undergo a medical examination by a nominated medical practitioner, for the purpose of assessing the employee's fitness for duty.</p> <p>(b) Provide a report of the medical examination.</p>	<p>subregulation 3.2(2) PS Regulations</p>	<p>First Assistant Secretary People Services Assistant Secretary Work Health and Safety Director APS Rehabilitation Assistant Director APS Rehabilitation</p> <ul style="list-style-type: none"> • APS Level 4 (E) and above in APS Rehabilitation 	
2.4	<p>Enter into an agreement with a State or Territory, or an authority of a State or Territory, to engage a person as a non-going employee for a specified term.</p>	<p>subparagraph 3.5(6)(a)(ii) PS Regulations</p>	<p>First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment</p>	

Item	Description of power or function	Source of power	Delegates	Directions
2.5	Suspend an employee from duty (with or without remuneration) if the delegate believes on reasonable grounds that: (a) the employee has, or may have, breached the Code of Conduct; and (b) the employee's suspension is in the public, or Defence's, interests.	regulation 3.10 PS Regulations	<p>Deputy Secretary Strategic Policy & Intelligence</p> <p>Director APS Workplace Relations Deputy Director APS Workplace Relations Assistant Secretary HR Services First Assistant Secretary People Services Assistant Secretary Pay and Administration Branch Director Pay and Administration Centre – Victoria Director Conduct and Performance Assistant Director Conduct and Performance</p> <p>Director Australian Signals Directorate</p>	<p></p> <p>The delegate may only exercise this power for employees up to the same classification as the delegate.</p> <p>The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.</p>

Item	Description of power or function	Source of power	Delegates	Directions
2.6	Request the Merit Protection Commissioner establish an Independent Selection Advisory Committee.	regulation 4.2 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services APS 6 (E) and above within APS Recruitment	
			All Groups except Strategic Policy & Intelligence Executive Level 1 (E) and above Lieutenant Colonel (E) and above	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
			Strategic Policy & Intelligence Deputy Secretary Strategic Policy & Intelligence	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
			Strategic Policy & Intelligence Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate	The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.

Item	Description of power or function	Source of power	Delegates	Directions
2.7	Nominate a person to be a member of an Independent Selection Advisory Committee.	paragraph 4.3(1)(b) PS Regulations	<p>First Assistant Secretary People Services Assistant Secretary HR Services APS 6 (E) and above within APS Recruitment</p> <p>All Groups except Strategic Policy & Intelligence Executive Level 1 (E) and above Lieutenant Colonel (E) and above</p> <p>Strategic Policy & Intelligence Deputy Secretary Strategic Policy & Intelligence</p> <p>Strategic Policy & Intelligence Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate</p>	<p></p> <p>1. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision. 2. The delegate must be satisfied that the nominated employee has the skills and personal qualities necessary to undertake they role independently and impartially.</p> <p>1. The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate. 2. The delegate must be satisfied that the nominated employee has the skills and personal qualities necessary to undertake they role independently and impartially.</p>
2.8	Nominate an APS employee to be a member of a Promotion Review Committee.	paragraph 5.11(1)(b) PS Regulation	<p>All Groups except Strategic Policy & Intelligence Supervisors at SES Band 1 (E) and above</p> <p>Strategic Policy & Intelligence Deputy Secretary Strategic Policy & Intelligence</p> <p>Strategic Policy & Intelligence Director Australian Signals Directorate</p>	<p></p> <p>The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.</p>

Item	Description of power or function	Source of power	Delegates	Directions
2.9	On receiving a written notice from a Promotion Review Committee, provide stated information and documents relevant to a review.	regulation 5.17 PS Regulations	Assistant Secretary HR Services Director Complaint and Resolution APS 5 (E) and above within APS Recruitment	
			Deputy Secretary Strategic Policy & Intelligence	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
			Director Australian Signals Directorate	The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.
2.8	Receive applications for primary review of reviewable action.	subregulation 5.24(1) PS Regulations	Assistant Secretary HR Services Director Complaint and Resolution APS 5 (E) and above within APS Recruitment	
			Deputy Secretary Strategic Policy & Intelligence	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
			Director Australian Signals Directorate	The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.
2.9	With the Merit Protection Commissioner's agreement, refer a primary review of reviewable action to the Merit Protection Commissioner.	regulation 5.25 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services Director Complaints and Resolution Executive Level 1 (E) within Complaints and Resolution First Assistant Secretary Security and Vetting Service	If the reviewable action is a decision to grant, deny, vary or withdraw a security clearance, the application must be referred to the First Assistant Secretary Security and Vetting Service for decision.

Item	Description of power or function	Source of power	Delegates	Directions
2.10	Conduct a review of reviewable action, to attempt to resolve the APS employee's concerns, and advise the employee of the outcome.	regulation 5.27 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services Director Complaints and Resolution Executive Level 1 (E) within Complaints and Resolution First Assistant Secretary Security and Vetting Service	If the reviewable action is a decision to grant, deny, vary or withdraw a security clearance, the application must be referred to First Assistant Secretary Security and Vetting Service for decision.
2.11	Receive applications for a secondary review.	regulation 5.29 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services Director Complaints and Resolution Executive Level 1 (E) within Complaints and Resolution First Assistant Secretary Security and Vetting Service	If the reviewable action is a decision to grant, deny, vary or withdraw a security clearance, the application must be referred to the Deputy First Assistant Secretary Security and Vetting Service.
2.12	Give the application for secondary review and the documents relating to the primary review to the Merit Protection Commissioner.	regulation 5.30 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services Director Complaints and Resolution Executive Level 1 (E) within Complaints and Resolution First Assistant Secretary Security and Vetting Service	If the reviewable action is a decision to grant, deny, vary or withdraw a security clearance, the application must be referred to the First Assistant Secretary Security and Vetting Service.

Item	Description of power or function	Source of power	Delegates	Directions
2.13	Consider a recommendation received from the Merit Protection Commissioner about a review of actions as soon as possible, and: (a) decide on the recommendations; and (b) inform the APS employee and the Merit Protection Commissioner in writing of the decision and the reason for it.	regulation 5.32 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services Director Complaints and Resolution Executive Level 1 (E) within Complaints and Resolution First Assistant Secretary Security and Vetting Service	1. The delegate must seek the views of the employee before making a decision not to act in accordance with the recommendation. 2. If the reviewable action is a decision to grant, deny, vary or withdraw a security clearance, the application must be referred to the First Assistant Secretary Security and Vetting Service for decision.
2.14	On receipt of a written notice from the Merit Protection Commissioner, provide to the person conducting a review under Division 5.3 of the <i>Public Service Regulations 1999</i> stated information or documents relevant to that review.	regulation 5.35 PS Regulations	First Assistant Secretary People Services Assistant Secretary HR Services Director Complaints and Resolution Executive Level 1 (E) within Complaints and Resolution First Assistant Secretary Security and Vetting Service	If the reviewable action is a decision to grant, deny, vary or withdraw a security clearance, the application must be referred to the First Assistant Secretary Security and Vetting Service for decision. The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
2.15	After forming the belief that deductions must be made from the salary of an APS employee who owes a debt, appoint a paying officer to make the deductions.	regulation 8A.4 PS Regulations	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	The delegate must not act as paying officer for their own debt.

Item	Description of power or function	Source of power	Delegates	Directions
Public Service Classification Rules 2000				
3.1	Allocate an approved classification to each APS employee in the Department of Defence.	rule 6 PSC Rules	Head People Capability First Assistant Secretary People Services Director General Workforce Planning Assistant Secretary HR Services Director APS Workplace Relations Deputy Director APS Workplace Relations Executive Level 1 (E) and above within Organisational Design and Management	
			Executive Level 1 (E) and above Lieutenant Colonel (E) and above	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
3.2	Allocate a classification to an APS employee who moves to the Department of Defence in accordance with an agreement entered into under section 26 of the <i>Public Service Act 1999</i> that is the same or in the same classification group as they held in the losing agency.	rule 7 PSC Rules	Head People Capability First Assistant Secretary People Services Assistant Secretary HR Services Director General Workforce Planning Executive Level 1 (E) and above within Organisational Design and Management Executive Level 1 (E) and above within APS Recruitment	
			Executive Level 1 and above Lieutenant Colonel (E) and above	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.

Item	Description of power or function	Source of power	Delegates	Directions
Australian Public Service Commissioner's Directions 2016				
4.1	Approve a shorter period for the closing date of a vacancy notified, if satisfied, that there are special circumstances to do so.	subsection 20(1) APSC Directions	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	
4.2	Decide that a non-SES vacancy, other than an APS 1 classification or training classification, is only open to APS employees for reasons of cost or operational efficiency.	subsection 20(3) APSC Directions	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations	
			Deputy Secretary Strategic Policy & Intelligence	The delegate may only make this decision in relation to employees and positions in the delegate's line of supervision.
			Director Australian Signals Directorate Assistant Secretary D Branch, Australian Signals Directorate	The delegate may only make this decision in relation to employees and positions within Australian Signals Directorate.
4.3	Ensure that a vacancy for engagement on a short-term, irregular or intermittent basis is notified to the community	subsection 22(3) APSC Directions	FAS People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	
4.4	Request the Australian Public Service Commissioner to authorise the engagement of a non-ongoing APS employee as an ongoing APS employee in exceptional circumstances	subsection 25(1) APSC Directions	FAS People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	
4.5	Request the Australian Public Service Commissioner to authorise the promotion of an ongoing APS employee, where the employee was formerly appointed to a	subsection 29(1) APSC Directions	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	

Item	Description of power or function	Source of power	Delegates	Directions
	statutory office.			
4.6	Agree with an ongoing APS employee (or ongoing Parliamentary Service employee) the date of effect of a promotion decision.	section 36 APSC Directions	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	

Item	Description of power or function	Source of power	Delegates	Directions
4.7	<p>Make decisions or receive notices as the 'original Agency Head' for the purpose of subsections 37(2) and (3) of the <i>Australian Public Service Commissioner's Directions 2016</i> in relation to the movement of an employee <i>out</i> of the Department of Defence to another APS Agency.</p> <p>Note: These activities could include: (a) Agree the date of effect of an ongoing move out of the Department of Defence. (b) Receive a notice of an agreement. (c) Agree to the date of effect of a temporary move out of the Department of Defence.</p>	section 37 APSC Directions	<p>First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment Director APS Workplace Relations Deputy Director APS Workplace Relations</p> <p>Executive Level 1 (E) and above Lieutenant Colonel (E) and above</p>	<p>This power is not to be used for secondment of an employee.</p> <p>1. The delegate may only make this decision for employees who would be under the delegate's line of supervision, if not for the movement. 2. This power is not to be used for secondment of an employee.</p>
4.8	<p><i>In relation to an APS employee outside of the Department of Defence</i>, agree that any employee can move to the Department of Defence in accordance with an agreement entered into under section 26 of the <i>Public Service Act 1999</i> between the employee and the employee's Agency Head before the employee's suspected breach of the Code of Conduct matter has been resolved.</p>	section 37(4) APSC Directions	<p>First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment</p>	

Item	Description of power or function	Source of power	Delegates	Directions
4.7	<i>In relation to an APS Employee in the Department of Defence</i> , agree that an employee can move to another Agency in accordance with an agreement entered into under section 26 of the <i>Public Service Act 1999</i> between the employee and the Agency Head before the employee's suspected breach of the Code of Conduct matter has been resolved.	section 37(4) APSC Directions	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above within APS Recruitment	
4.8	Obtain approval from the Australian Public Service Commissioner before engaging a redundancy benefit recipient as an ongoing APS employee or non-ongoing SES employee.	subsection 48(1) APSC Directions	First Assistant Secretary People Services Assistant Secretary HR Services Executive Level 1 (E) and above in Organisational Design and Management Director APS Workplace Relations Deputy Director APS Workplace Relations	

Item	Description of power or function	Source of power	Delegates	Directions
Maternity Leave (Commonwealth Employees) Act 1973				
5.1	Grant leave for the purpose of the <i>Maternity Leave (Commonwealth Employees) Act 1973</i> .	section 3 ML Act	First-level supervisor	
5.2	Determine if an unauthorised absence immediately before the start of the employee's required period of absence has occurred in extenuating circumstances, for the purpose of permitting the <i>Maternity Leave (Commonwealth Employees) Act 1973</i> to apply to the employee.	subsection 6(4C) ML Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	
5.3	Determine that a leave officer may grant an APS employee paid maternity leave during a period that, despite her pregnancy, would have been unpaid leave if the APS employee had been granted leave without pay for a period exceeding 6 weeks and became pregnant before or after that leave commenced.	subsection 6(4F) ML Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	

Item	Description of power or function	Source of power	Delegates	Directions
Long Service Leave (Commonwealth Employees) Act 1976				
6.1	Determine that a period of absence without pay is included as service for the purpose of granting long service leave.	paragraph 12(3)(b) LSL Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	
6.2	Be satisfied that a break in service does not break continuity of service for long service leave purposes. Note: The period of absence is not qualifying service for the purpose of long service leave.	subsections 12(7) and 12(8) LSL Act	Assistant Secretary Pay and Administration Branch APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	
6.3	Grant long service leave on full salary	subsections 16(2) and 17(1) LSL Act	Executive Level 2 (E) and above Colonel (E) and above	The delegate may only make this decision in relation to employees in the delegate's line of supervision.
			First level supervisor	The delegate may only make this decision in relation to employees in the delegate's line of supervision where the long service leave is in connection with a continuous period of maternity leave.
6.4	Grant long service leave on half salary	subsection 16(3) LSL Act	Executive Level 2 (E) and above Colonel (E) and above	The delegate may only make this decision in relation to employees in the delegate's line of supervision.
			First level supervisor	The delegate may only make this decision in relation to employees in the delegate's line of supervision where the long service leave is in connection with a continuous period of maternity leave.

Item	Description of power or function	Source of power	Delegates	Directions
6.5	Authorise payment instead of long service leave to an employee who ceases to be an employee otherwise than by death.	subsections 16(4) and 17(2) LSL Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	
6.6	Authorise payment to a dependant or dependants on the death of an employee equal to the amount that would have been payable to the employee.	subsections 16(7) and 17(5) LSL Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	
6.7	Determine the period of long service leave the employee would have been granted in respect of a period of employment if the employee has been granted long service leave on fully salary. Note: Certain conditions must exist before this power can be exercised.	paragraphs 19(2)(b) LSL Act	APS Level 5 (E) and above within the Pay and Administration Centre – Victoria	
6.8	Determine a period of long service leave in relation to an employee's full-time or part-time service that is equal to the period of the employee's period of employment in respect of which the payment represented full salary. Note: Certain conditions must exist before this power can be exercised.	paragraph 19(2)(d) LSL Act	APS Level 5 (E) and above within the Pay and Administration Centre – Victoria	
6.9	Direct that the death of an employee is presumed to have occurred on a specific date.	subsection 23(1) LSL Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	

Item	Description of power or function	Source of power	Delegates	Directions
6.10	If no payment has been made under sections 16(7) or 17(5), authorise a payment of an amount equal to what would have been paid to the employee's dependants to the employee's personal legal representative.	paragraph 23(2)(a) LSL Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	
6.11	If the employee is under a legal disability, authorise the payment of the amount that would have been paid to the employee to be paid to the trustee or trustees of the employee.	subsection 23(4) LSL Act	APS Level 6 (E) and above within the Pay and Administration Centre – Victoria	