



Defence Determination 2007/36

I, STEVEN RICHARD GRZESKOWIAK, Director General Personnel Policy and Employment Conditions, Personnel Executive, make this Determination under section 58B of the *Defence Act 1903*.

Dated 29 June 2007

S R GRZESKOWIAK
Director General
Personnel Policy and Employment Conditions
Personnel Executive

1 Citation

This Determination is Defence Determination 2007/36, Dependants with special needs.

2 Commencement

This Determination commences on the date of signature.

3 Amendment

Defence Determination 2005/15, Conditions of Service, as amended,¹ is amended as set out in this Determination.

4 Clause 1.3.82 (Dependant with special needs)

substitute

1. A dependant who is assessed or recognised for the purpose of a condition, in accordance with the table and who is recognised by the Director General Defence Community Organisation is a **dependant with special needs**. In the case of a dependant child, this includes an academically gifted child.

Item	These conditions regarded as special needs...	must be assessed or recognised by...	And the dependant must meet these qualifying criteria...
1.	Physical	a specialist medical practitioner	Not applicable
2.	Intellectual		
3.	Sensory		
4.	Multiple impairments		
5.	Medical condition, illness or disability		
6.	Speech or language disorders	a. a specialist medical practitioner b. a paramedical practitioner Example: a speech therapist	The child must achieve a score at or above the 95 th percentile on: a. any individual or group IQ test b. on a subscale of an individual IQ test
7.	Social, emotional or behavioural	a. a specialist medical practitioner	
8.	Specific learning difficulties	b. a psychologist	
9.	Academically gifted or talented	a psychologist with qualifications and experience in assessing children	

2. A member must apply in writing to the local Defence Community Organisation using the form in Annex 1.3.A, and including the relevant supporting paperwork, to have their dependant recognised as a **dependant with special needs**.
See: Annex 1.3.A, Application for recognition of member with dependant with special needs (AC 832)
3. When an application has been received, a Defence Community Organisation social worker must take some or all of the following actions.
 - a. Assess the member's written application.
 - b. Ensure that all supporting paperwork is included with the application.
 - c. Discuss with the member any implications for special needs requirements on future postings.
 - d. Provide a written report which includes recommendations to Director General Defence Community Organisation.
4. The Director General Defence Community Organisation will decide if the member's application for the recognition of a dependant with special needs is approved or not approved. A letter stating the decision will be forwarded to the following people.
 - a. The member.
 - b. The member's unit.
 - c. The Defence Community Organisation social worker who made the recommendation.
 - d. The career managers of the member's relevant service.
5. The recognition of a dependant with special needs is valid until there is any change in the circumstances that generated the original request for recognition. The member must advise the Director General Defence Community Organisation of any change in circumstances that may affect any assistance provided.

5 Chapter 1 Part 3 Division 2 (Definitions – dependants)

insert after the Division

the Annex set out in Attachment A

6 Clause 6.3.1 (Purpose)

insert at the end

Exception: If a member sells an item that was obtained through a grant the member is not entitled to a reimbursement under this Part.

7 Clause 7.1.25 (Families with special needs)

substitute

A member, who has a dependant recognised with special needs under clause 1.3.82, may be eligible for a special needs pre-posting visit. This visit is separate from a house-hunting trip but may be taken at the same time as a house-hunting trip.

See:

Chapter 8 Part 6 clause 8.6.7, Special needs pre-posting visits
Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs

8 Subclause 7.5.6.1 (Members with special needs dependants)

substitute

1. A member who has a ***dependant with special needs*** may need a Service residence to be modified.

See:

Chapter 1 Part 3 [Division 2](#) clause 1.3.82, definition of *dependant with special needs*
Chapter 8 Part 6 clause 8.6.12, Special accommodation needs

Example: A child in a wheelchair may be able to live in a Service residence if ramps are installed and a shower is modified.

Non example: The parents of a hyperactive child may prefer the child not to share a bedroom. However, that does not give rise to an additional bedroom entitlement.

9 Clause 8.0.2 (Contents)

insert at the end

[Part 6](#) Dependants with special needs

10 Paragraph 8.4.6.f (Changes to eligibility periods)

substitute

- f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Part 6, Dependants with special needs

11 Paragraph 8.4.12.7.f (Children with special needs)

substitute

- f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Part 6, Dependants with special needs

12 Paragraph 8.4.19.2.f (Member this Division applies to)

substitute

- f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Part 6, Dependants with special needs

13 Paragraph 8.4.21.7.e (Period of reimbursement)

substitute

- e. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Part 6, Dependants with special needs

14 Paragraph 8.4.24.3.h (Member this Division applies to)

substitute

- h. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Part 6, Dependants with special needs

15 Paragraph 8.4.25.4.d (Rate and period of assistance)

substitute

- d. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Part 6, Dependants with special needs

16 Chapter 8 Part 5 (Emergency Support for Families Scheme)

insert after the Part

Part 6: Dependants with special needs

8.6.1 Purpose

The purpose of this Part is to provide support during posting to a member who has a dependant with recognised special needs.

8.6.2 Definition

The following definition applies to this Part.

Term	Definition in this Part
Early Intervention Program	A program run by a government organisation, accredited non-government organisation or accredited private provider that provides assistance to promote the development of preschool aged children with special needs.

8.6.3 Member this Part applies to

This Part applies to a member who has a dependant who has been formally recognised as having special needs under clause 1.3.82.

See: Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs

8.6.4 Special needs assistance

A member who has been formally recognised as having a dependant with special needs under clause 1.3.82, and who has been granted a removal as a result of a posting may be eligible for any of the following types of assistance.

See: Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs

- a. A special needs pre-posting visit.
See: Clause 8.6.7, Special needs pre-posting visits
- b. Assistance with costs for required services.
See: Clause 8.6.9, Assistance with respite, personal care or therapy services
- c. Assistance with the cost of hiring special equipment in the new posting location.
See: Clause 8.6.10, Assistance with equipment hire
- d. Assistance with education for children with special needs.
See: Clause 8.6.11, Education assistance for children with special needs
- e. Special accommodation requirements at the new posting location.
See: Clause 8.6.12, Special housing needs
- f. Special accommodation during removal between the old and new posting locations.
See: Clause 8.6.13, Special accommodation during removal

8.6.5 Restrictions on assistance

1. A member, who has been formally recognised as having a dependant with special needs under clause 1.3.82, will not be eligible for assistance under this Part for services that are being provided by other Commonwealth, State or Territory Government departments or Government funded agencies.

2. Where the spouse or interdependent partner of a member with a dependant with special needs is also a Service member, the family only has one entitlement to assistance under this Part.

8.6.6 Assessment of assistance on posting

1. An assessment of assistance by the Defence Community Organisation for a member with a dependant with special needs ensures that the member receives the appropriate level of assistance in the new posting location.
2. When a member has received a posting order and wishes to seek assistance under this Part, they must apply in writing to the Director General Defence Community Organisation for an assessment of assistance using Form AD 355 – Assessment of assistance on posting (set out in Annex 8.6.A), and including the relevant supporting paperwork.

See: Annex 8.6.A, Dependants with special needs

- a. When the relevant supporting documentation is less than two years old, no further report is required as a part of the relevant supporting paperwork, unless there has been a change to the original recognised special needs or in the type or level of assistance required.
See: Subclause 1.3.82.5, Dependant with special needs.
- b. When the relevant supporting paperwork is older than two years, an updated report from an appropriate specialist provider that includes a management and treatment plan is required as a part of the relevant supporting paperwork.
- c. Where the condition has deteriorated and additional assistance is needed, a specialist medical report is required as a part of the relevant supporting paperwork, to verify the change in condition.

3. When there has been no change in the requirements for the dependant with special needs, and no change in the future is foreseeable, a report that is older than two years but less than five years old may be accepted by the Director General Defence Community Organisation.
4. If a member does not qualify for assistance under clause 8.6.3, the Director General Defence Community Organisation may approve reasonable financial assistance when both of the following apply.
 - a. The member does not qualify for assistance because of circumstances beyond their reasonable control.
 - b. The financial assistance would be consistent with providing assistance for a dependant with special needs under this Part.

8.6.7 Special needs pre-posting visits

1. A pre-posting visit allows a member to plan and make arrangements for the dependant with special needs at the new posting location when the arrangements cannot be made from the old posting location.
2. The member must apply in writing using Form AC 834 – Application for special needs pre-posting visit, in Annex 8.6.A, including all relevant supporting documentation.

See: Annex 8.6.A, Dependants with special needs

3. The application must be provided to the member's Commanding Officer at the losing location for a pre-posting visit.
4. The Commanding Officer must assess the application and make a written recommendation to the Director General Defence Community Organisation.
5. The Director General Defence Community Organisation may approve the application for a special needs pre-posting visit, having regard to the following.
 - a. Evidence of recognition as a member with a dependant with special needs.
See: Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs
 - b. Evidence of the requirement for the dependant with special needs to have direct contact with the relevant departments or institutions in the new posting location.
 - c. A proposed detailed itinerary for the pre-posting visit.
 - d. Any other information to support a pre-posting visit.

6. Special needs pre-posting visits are separate from, and in addition to, approved house-hunting trips.

Relevant information: Chapter 7 Part 1 Division 4, House-hunting trips

7. When a special needs pre-posting visit has been granted the member, spouse or interdependent partner, and the dependant with special needs are entitled to travel and accommodation at Commonwealth expense at the rates outlined in Chapter 9 Part 5.

See: Chapter 9 Part 5, Payment of travel costs

8. The Director General Defence Community Organisation may approve additional funding if it is necessary for two people to accompany the dependant with special needs on a pre-posting visit.
9. Special needs pre-posting visits are to be made using the most economical means of travel. The Director General Defence Community Organisation may grant an alternative means of travel having regards to the needs of the dependant.

Example: A member has been granted a special needs pre-posting visit between Sydney and Brisbane. The most economical means of travel is by plane. The dependant with special needs is unable to fly due to medical reasons. The member may be granted the use of a private vehicle to drive to Brisbane for the visit.

See: Chapter 9 Part 1 clause 9.1.2, Most economical means of travel

8.6.8 Assistance at the new posting location

1. All assistance provided under clause 8.6.9 and 8.6.10 at the new posting location is for services and equipment that the dependant with special needs is eligible to receive from Government funded agencies but is on a waiting list for.

See:

Clause 8.6.9, Assistance with respite, personal care or therapy services
Clause 8.6.10, Assistance with equipment hire

2. If a member is receiving, or starts to receive, services from State or Territory Government agencies, support under this Part for those services will no longer be provided.

Example: A member is receiving assistance for therapy services for a dependant with special needs in the new posting location while on the waiting list for State funded assistance. The State funded therapy service becomes available to the member's dependant. The member is no longer entitled to assistance for therapy services under this Part.

3. Assistance under clauses 8.6.9 and 8.6.10 may be approved by the Director General Defence Community Organisation. Advice from the State or Territory Government agency will be considered when determining the period of assistance.
4. The Director General Defence Community Organisation may approve an extended period of assistance on written application from the member, when access to assistance provided by the State or Territory agencies takes a longer period. The member needs to provide advice from the relevant State or Territory agency that the dependant with special needs is still on a waiting list.
5. Assistance that is approved for a member with a dependant with special needs is paid by the following means.

Item	If the services were...	Defence Community Organisation will...
1.	paid for by the member	reimburse the cost of the services on presentation of receipts to DCO.
2.	provided and an invoice was issued by the service provider	pay the service provider on presentation of the invoice.

8.6.9 Assistance with respite, personal care or therapy services

1. Members with dependants with special needs may be provided with financial support for the following services when State or Territory assistance is not available or has a waiting period.
 - a. Respite care.
 - b. Personal care.
 - c. Therapy services.
 - d. Early intervention programs.

2. The member must apply in writing for the services listed in subclause 1 to the Director General Defence Community Organisation using Form AC 835 – Application for assistance with respite, personal care or therapy services (set out in Annex 8.6.A), including all relevant supporting paperwork.

See: Annex 8.6.A, Dependants with special needs

3. The Director General Defence Community Organisation may approve an application for assistance, having regard to the following.
 - a. Evidence of recognition as a member with a dependant with special needs.

See: Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs
 - b. Evidence of the placement on a waiting list for therapy and respite services.

- c. Evidence that the assistance applied for was provided in the previous posting location, or that the family was on a waiting list in that location.
- 4. Financial assistance is only provided until State or Territory assistance is received by the member.
- 5. Respite care at Commonwealth expense will only be provided when no other forms of care are available.

Example: A member with a dependant with special needs who is eligible to receive respite care through a State or Territory agency may be placed on a waiting list. They may not be able to be provided with the care under formal or informal arrangements. Then respite care will be provided at Commonwealth expense.

8.6.10 Assistance with equipment hire

- 1. A member with a dependant with special needs may be provided with financial support to allow them to hire equipment in the new posting location when some or all of the following conditions apply.
 - a. Specialist equipment that was used at the old posting location was provided by a local Government service or was not transportable.
 - b. The dependant was on a waiting list for the equipment at the old posting location.
 - c. The dependant is on a waiting list in the new location.
- 2. The member must apply in writing to the Director General Defence Community Organisation using Form AC 836 – Application for assistance to hire equipment (set out in Annex 8.6.A), including all relevant supporting paperwork for assistance with financial costs for equipment hire.

See: Annex 8.6.A, Dependants with special needs

- 3. The Director General Defence Community Organisation may approve the application for financial assistance under this clause, having regard to the following.
 - a. Evidence of recognition as a member with family with special needs.

See: Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs
 - b. Evidence of an approved application for placement on waiting lists for Government funded services at the new posting location.
 - c. Evidence that the type of equipment applied for was provided at the previous posting location, or that the family was on a waiting list in that location.
 - d. Evidence that equipment is not transportable or was provided by Government funded services at the previous posting location.
- 4. Financial assistance is only provided until State or Territory assistance is received by the member.

8.6.11 Education assistance for children with special needs

Education assistance for children with special needs is provided under clause 8.4.12.

See: Part 4 Division 2 clause 8.4.12, Children with special needs

8.6.12 Special housing needs

1. Housing support may be provided to a member with a dependant with special needs at the new posting location if there is a special accommodation requirement.
2. The support provided is limited to the following.
 - a. Consideration of the special needs by Defence Housing Australia when allocating a Service residence.
 - b. Modifications that do not significantly alter the structure of the house.

Example: Some modifications that may be provided include:
 - a. Installation of a ramp at the front door and at one other door if the dependant with special needs is in a wheelchair.
 - b. Removal of a shower door and replacement with a heavy duty shower curtain.
 - c. Modification of taps.
 - c. Housing located close to the dependant's school.
 - d. Increased rent ceiling for a rental property required to accommodate the special needs.

See: Chapter 7 Part 6 Division 2 paragraph 7.6.12.2.b, CDF may increase rent ceiling
3. The Director of Entitlements may approve any of the following modifications on written application from the member.
 - a. Modifications that are similar to those at the member's residence in the previous posting location.
 - b. Window mounted air conditioners and heaters that are portable and have been purchased by the member may be installed or removed at Commonwealth expense.

Note: Split-system air conditions are not classified as portable. Installation and removal costs of these units will not be assisted by the Commonwealth.

See: Chapter 6 Part 6 Division 2 clause 6.6.14, Technical help for dismantling and installing items.
 - c. Removal of carpets where specialist medical advice based on appropriate allergy testing (for example, skin prick tests), has identified carpet as a trigger for a severe allergic reaction.
 - d. Modifications that improve accessibility for the dependant.

Example: Ramps, alterations to showers and toilets.
4. Members who have a dependant with special needs and have received a posting order must contact Defence Housing Australia with their requirements, if they would like them taken into account.
5. Members who have a dependant with special needs, but have not been posted, may apply in writing to the Director of Entitlements for housing assistance provided under this clause.
6. When a member has been granted installation and removal at Commonwealth expense of a split system air conditioner purchased before 29 June 2007, the member is entitled to have that system installed and removed at Commonwealth expense until 30 June 2012.

8.6.13 Special accommodation during removal

1. If a member requires special accommodation during a removal for a dependant with special needs, the CDF will approve additional assistance for the special accommodation.

Examples: Some of special accommodation requirements can include the following.

- a. Wheelchair accessible shower.
- b. Room with a bath.
- c. Lift access.

2. Accommodation costs during a removal for a member and their dependants can be found in Chapter 9 Part 5.

See: Chapter 9 Part 5, Payment of travel costs

8.6.14 Allowable travel time

A member with a dependant with special needs may be entitled to travel shorter distances each day when travelling.

See: Chapter 9 Part 6 Division 1 clause 9.6.7, Definitions, item 2.c

8.6.15 Remote location leave travel

A member with a dependant with special needs living in a remote location, who is entitled to remote location leave travel, may be entitled to an alternate means of travel.

See: Chapter 9 Part 4 Division 4 subclause 9.4.31.2A, Scheme B – member with dependants

17 Chapter 8 Part 6 (Dependants with special needs)

insert at the end

the Annex set out in Attachment B

18 Subclause 9.4.31.2A (Scheme B – member with dependants), table item 1

substitute

1.	has a disability	has been classified under either of the following. a. Social Security Act 1991 . b. Clause 1.3.82, Dependant with special needs. See: Chapter 1 Part 3 Division 2 clause 1.3.82, Dependant with special needs
----	------------------	---

19 Paragraph 15.6.7.f (Extending periods of eligibility)

substitute

- f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

See: Chapter 8 Part 6, Dependants with special needs

NOTE

- 1. Defence Determination 2005/15 commenced on 31 May 2005. For previous amendments see Note to Defence Determination 2007/1 and see also Defence Determinations 2007/2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35.

ATTACHMENT A

Annex 1.3.A: Application for recognition of member with dependant with special needs

See: Chapter 1 Part 3 Division 2 Clause 1.3.82

Copy of:
Application for recognition of member with dependant with special needs (AC 832)

STAFF-IN-CONFIDENCE (After first entry)

AC 832
Revised May 2007

Department of Defence

Application for Recognition of Member With Dependant With Special Needs

• [PACMAN Chapter 1, Part 3, Clause 1.3.82](#) refers

Section A - Member details	
Family name	Initials
Rank	Employee ID
Unit, ship or establishment (Do not use abbreviations)	
Current home address	
Name of person with special needs	
Member's relationship with dependant with special needs	
Nature of the special need (Please provide comment in support of your application, including the background to your circumstance, any recognition by Commonwealth, State or Territory authorities of your dependant, or the medical circumstances surrounding your special need. The formal interview with the Defence Community Organisation(DCO) will focus more fully on the defined criteria to be recognised as Member With Dependant With Special Needs (MWDSN).	
If you have recently been, or are about to be posted, please provide details of the posting.	
Previous or current posting locality	
New posting locality	
Date	
Are you aware of the Defence Special Needs Support Group (DSNSG)? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are you or your family willing to be contacted by, and to have this information passed on to the DSNSG National Coordinator? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If 'Yes', contact name	
Telephone number	Mobile number (If applicable)

Do you wish to make any further comments in support of your application? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Comments		
Members acknowledgement statement I acknowledge that the information provided by me in this application for recognition as a Member With Dependant With Special Needs status is true and accurate. I also acknowledge that I need a Defence Community Organisation report in regard to this matter before the application can be considered by the Approving Authority. I understand that to make a false or misleading statement to gain benefit may make me liable for disciplinary action.		
Signature	Date	
Once Section A is complete, you are to make an appointment with DCO for an interview in relation to this application. A copy of the DCO report must be attached.		
Section B - DGDCO approval		
Date	Approved <input type="checkbox"/>	Not approved <input type="checkbox"/>
If 'Not approved' please comment		
Signature		
Printed name		
Position		
Rank	Date	
Date reply sent		
Recognition as a Member With Dependant With Special Needs will be recorded on PMKeyS. A copy of the letter of recognition will be forwarded to: <ul style="list-style-type: none">• The member• CO of the member's unit• DCO office in the location• Career managers		

ATTACHMENT B

Annex 8.6.A: Dependants with special needs

See: Chapter 8 Part 6

Copies of:

Assessment of assistance on posting (AD 355)

Application for special needs pre-posting visit (AC 834)

Application for assistance with respite, personal care or therapy services (AC 835)

Application for assistance to hire equipment (AC 836)

STAFF-IN-CONFIDENCE (After first entry)

Section B - Needs of the dependant - Continued

Do you wish to make any further comments in support of your application?

Yes No



If 'Yes', please comment
(You may wish to include advice given by relevant qualified persons as described in the Definition of Special Needs Dependant in PACMAN Chapter 1, Part 3, Division 2, Clause 1.3.82)

Please attach any letter or other documents to support your application, list the attachments here, and then attach and sign this form.

Member's acknowledgement statement

I acknowledge that the information provided by me in this application is true and accurate. I understand that to make a false or misleading statement to gain a benefit may make me liable to disciplinary action.

Signature	Date
-----------	------

Section C - DGDCO's approval

Date received

Approved Not approved



If 'Not approved', please comment

Signature

Printed name

Appointment

Rank	Date
------	------

STAFF-IN-CONFIDENCE (After first entry)

Department of Defence

Application for Special Needs Pre-Posting Visit

- [PACMAN Chapter 8, Part 6, Clause 8.6.7](#) refers

Assistance in completing this form is available from the DCO

Section A - Member's details

Family name		Initials
Rank	Employee ID	
Gaining unit, ship or establishment (Do not use abbreviations.)		
Posting order		
Date posting order issued	Effective date	
Name of dependant with special needs		

Have you been approved as a Member with Dependant With Special Needs (MWDSN)

Yes No If 'No', complete form AC 832

If 'Yes', are the details contained in the approved form AC 832 - Application for Recognition of Member With Dependant With Special Needs that relate to this special needs dependant still correct?

Yes No

If 'No', please comment
(If insufficient space, please attach an extra sheet.)

If you have been approved as a Member With Dependant With Special Needs, please attach a copy of the approval from DGDCO.

Have you had a House Hunting Trip (HHT) approved for this removal?

Yes No

List the special needs authorities or institutions in the gaining locality you intend to visit on the Special Needs Pre-Posting Visit (SNPPV), together with details of recent contact with these authorities or institutions
(Include dates of contact, authorities or institutions contacted, etc).
If applying for SNPPV for educational purposes the Regional Education Liaison Officer (REDLO) in your area will assist. Please contact.
In addition, the Defence Special Needs National Coordinator may be contacted for assistance with other special need requirements, eg posting plan.

Proposed itinerary for the SNPPV
(Include dates, appointment times, name of authority or institution and person and position with whom the appointment is made).
(If insufficient space, please attach an extra sheet)

STAFF-IN-CONFIDENCE (After first entry)

Section A - Member's details - Continued

Do you wish to make any further comments in support of your application?

Yes No



If 'Yes', please comment.

(You may wish to include advice given by relevant qualified persons as described in the Definition of Special Needs Dependant in PACMAN Chapter 1, Part 3, Division 2, Clause 1.3.82.)

If you wish to attach any letters or other documents to support your application, please list the attachments here, and then attach and sign this form.

Member's acknowledgement statement

I acknowledge that the information provided by me in this application for Special Needs Pre-Posting Visit is true and accurate. I understand that to make a false or misleading statement to gain a benefit may make me liable to disciplinary action.

Signature

Date

Section B - Commanding Officer's recommendation (Losing locality)

Recommended Not recommended



Comments *(If insufficient space, please attach an extra sheet.)*

Signature

Printed name

Appointment

Rank

Date

Section C - DGDCO's approval

Approved Not approved



If 'Not approved', please comment.

Signature

Printed name

Appointment

Rank

Date

STAFF-IN-CONFIDENCE (After first entry)

AC 835
Revised May 2007

Department of Defence

**Application for Assistance with Respite,
Personal Care or Therapy Services**

• [PACMAN Chapter 8, Part 6, Clause 8.6.9](#) refers

Section A - Member's details

Family name		Initials
Rank	Employee ID	
Unit, ship or establishment <i>(Do not use abbreviations)</i>		
Home address		
Posting location	Date of arrival	
Name of dependant with special needs		

Do you wish to apply for assistance with: *(Tick appropriate box)*

Therapy service Respite service
Personal care

Have you been approved as a Member with Dependant With Special Needs (MWDSN)?

Yes No **▶** If 'No', then you must complete form AC 832 - Application for Recognition of Member With Dependant With Special Needs and be approved before you can apply for any assistance.

If 'Yes', are the details contained in the approved form AC 832 - Application for Recognition of Member With Dependant With Special Needs that relate to this special needs dependant still correct?

Yes No **▶**

If 'No' please comment

Did you apply for a special needs pre-posting visit?

Yes **▶** If 'Yes', was it approved? Yes No
No

Has the dependant with special needs been assessed for respite, personal care or therapy through the relevant local organisation?
(This is essential for consideration of your application.)

Yes No



If 'No' please comment

If 'Yes', please attach a letter from the organisation stating the following:

- the extent or limit of eligibility for service, eg nature of service to be provided, duration and frequency of sessions;
- confirmation that the dependant with special needs is on the waiting list for services;
- estimate of likely waiting period prior to services being available to dependant with special needs;
- date of review of entitlement or waiting time;
- the level of assistance that the dependant with special needs will receive upon completion of waiting period; and
- confirmation from the relevant organisation that the assistance required is able to be provided to the dependant with special needs, upon approval of this application and funding by Defence. This will need to include such details as:
 - when the service will commence;
 - an itemised list of all costs of care *(including travel and administration, etc.);*
 - proposed method of payment of invoices;
 - a contact person for further information; and
 - a letter from the old locality stating the person was receiving the services or on a waiting list.

STAFF-IN-CONFIDENCE *(After first entry)*

Section A - Member's details *(Continued)*

Is the proposed service to be provided the same as the dependant with special needs was receiving in the previous locality?

Yes No

(Please provide documentary evidence.)

If 'No' please comment

Is the dependant with special needs able to use any short term or emergency respite care through the relevant local organisation?

Yes No

If 'Yes' please provide details

Member's acknowledgement statement

I acknowledge that the information provided by me in this application is true and correct. I understand that to make a false or misleading statement to gain a benefit may make me liable to disciplinary action.

Signature	Date
-----------	------

Section B - DCO's recommendation

Assessed by

Printed name

Position

Location

Recommended Not recommended

If 'Not recommended', please comment

Signature	Date
-----------	------

Section C - DGDCO's approval

Date received

Approved <input type="checkbox"/>	For a period of
-----------------------------------	-----------------

Not approved

If 'Not approved', please comment

Signature

Printed name

Appointment

Rank	Date
------	------

STAFF-IN-CONFIDENCE *(After first entry)*

Department of Defence

Application for Assistance to Hire Equipment

• [PACMAN Chapter 8, Part 6, Clause 8.6.10](#) refers

Section A - Member's details		Provide details of the equipment required, explain how it is used and why it is essential.
Family name	Initials	
Rank	Employee ID	
Unit, ship or establishment <i>(Do not use abbreviations.)</i>		
Home address		
Posting location	Date of arrival	
Name of dependant with special needs		
<p>Have you been approved as a Member with Dependant With Special Needs (MWDSN)</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> ➔ If 'No', then you must complete form AC 832 - Application for Recognition of Member With Dependant With Special Needs and be approved before you can apply for assistance.</p> <p>If 'Yes', are the details contained in the approved form AC 832 - Application for Recognition of Member With Dependant With Special Needs that relate to this special needs dependant still correct?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p style="text-align: center;">↓</p> <div style="border: 1px solid black; padding: 5px; min-height: 150px;"> <p>If 'No', please comment <i>(If insufficient space, please attach an extra sheet.)</i></p> </div> <p>Have you been approved as a Member with Dependant With Special Needs (MWDSN)</p> <p>Yes <input type="checkbox"/> ➔ If 'Yes', was it approved? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>		
<p>What equipment was used by the special needs dependant in the previous locality? <i>(If different from that already outlined, please provide comments.)</i> <i>(A letter from the previous locality equipment scheme or agency stating that the equipment cannot be taken to a new locality and is needed by the person must be included.)</i></p>		
<p>Has the dependant with special needs been assessed for equipment use through the relevant local organisation? <i>(This is essential for consideration of your application.)</i></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> ➔ If 'No', you should make arrangements for this to occur prior to completing this application.</p>		

STAFF-IN-CONFIDENCE (After first entry)

Section A - Member's details (Continued)

Has the dependant with special needs been assessed as eligible for equipment use?

Yes No



If 'No', please explain why the dependant is not eligible.

If 'Yes', please attach a letter from the organisation stating the following:

- the extent or limit of eligibility for service, eg type of equipment to be provided, duration of use, any other conditions that apply, etc;
- confirmation that the dependant with special needs is on the waiting list for services;
- estimate of likely waiting period prior to services being available to dependant with special needs;
- date of review of entitlement or waiting time;
- the level of assistance that the dependant with special needs will receive upon completion of waiting period; and
- a contact person for further information.

Please attach confirmation from the relevant organisation that the equipment required is available, upon approval of the application and funding by Defence. This will include details such as:

- when equipment can be provided;
- an itemised list of all costs of care (including delivery if applicable and any deposit required); and
- proposed method for payment of invoices.

Member's acknowledgement statement

I acknowledge that the information provided by me in this application is true and correct. I understand that to make a false or misleading statement to gain a benefit may make me liable to disciplinary action.

Signature	Date
-----------	------

Section B - DCO's recommendation

Assessed by

Printed name
Position
Location

Section B - DCO's recommendation (Continued)

Comments (If insufficient space, please attach an additional sheet.)

Recommended Not recommended



If 'Not recommended', please comment.

Signature	Date
-----------	------

Section C - DGDCO's approval

Date received

This assistance is for the hire of appropriate equipment until the equipment agency can take over the responsibility. The equipment was being used by a family on a waiting list. Equipment hire can be from a number of sources, eg the state equipment scheme, independent living centres, pharmacies, etc.

Approved for a period of

Not approved

If 'Not approved', please comment.

Signature	
Printed name	
Appointment	
Rank	Date

EXPLANATORY STATEMENT

Defence Determination 2007/36

This Determination amends Defence Determination 2005/15, Conditions of Service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Act). Chapter 8 of the Principal Determination sets out provisions dealing with members of the Australian Defence Force (ADF) and their dependants.

The purpose of this Determination is to implement a new assistance policy for members who have dependants with special needs. This program is designed to provide members who have been posted assistance with special housing, equipment and professional care that is required by the dependant with special needs at the new posting location. The support helps to maintain the well-being of the member's dependant with special needs during and after a posting occurs. This policy was formerly provided by Defence Instruction (General) PERS 42-5.

Clause 1 of this Determination sets out the manner in which this Determination may be cited.

Clause 2 of this Determination provides that the Determination commences on the day on which it is made, as provided by subsection 58B(4) of the Act.

Clause 3 specifies that the amendment is made to the Principal Determination, as amended.

Clause 4 replaces clause 1.3.82 of the Principal Determination. This clause defines the term Dependant with special needs. The new clause also implements the process required for a member to have a dependant with special needs recognised by the Defence Community Organisation to enable them to be entitled to the provisions provided by this determination.

Clause 5 inserts Annex 1.3.A into the Principal Determination. This Annex provides an application form for the recognition of a dependant with special needs.

Clause 6 amends clause 6.3.1 of the Principal Determination. This clause adds an exception to ensure that items that were obtained through a grant are not claimed for loss on sale when the member posts to a new location.

Clause 7 substitutes clause 7.1.25 of the Principal Determination. This clause amends a cross reference from the Defence Instruction to the new dependant with special needs policy in the Principal Determination.

Clause 8 amends subclause 7.5.6.1 of the Principal Determination. This clause inserts a reference to the dependant with special needs policy for information regarding modifications to a Service residence.

Clause 9 inserts a reference to Dependants with special needs in clause 8.0.2 of the Principal Determination.

Clauses 10 to 15 amend various cross references from the Defence Instruction to the new dependant with special needs policy in Chapter 8 of the Principal Determination.

Clause 16 inserts a new Part 6 into the Principal Determination. This new part provides support to members who have a dependant with special needs during posting.

- Clause 8.6.1 sets out the purposes of the Part.
- Clause 8.6.2 provides definitions of terms which are used within the Part.
- Clause 8.6.3 sets out who is eligible for assistance under the Part.

- Clause 8.6.4 sets out what kind of assistance can be provided under the new Part.
- Clause 8.6.5 sets out restrictions on a member's entitlement to assistance under the new Part. These restrictions provide that if a member receives assistance through another Government funded agency they will not have an entitlement under this Part. It also provides that when both partners are members they only have one entitlement under this Part.
- Clause 8.6.6 sets out how a member is assessed for assistance on posting when they have a recognised dependant with special needs.
- Clause 8.6.7 sets out the provisions for pre-posting visits which allows a member with a dependant with special needs to travel to the new posting location to organise arrangements at that location for the dependant.
- Clause 8.6.8 sets out general provisions for clauses 8.6.9 and 8.6.10. This clause provides who may approve assistance and how financial assistance for services is to be paid.
- Clause 8.6.9 sets out the assistance with respite, personal care and therapy services that may be provided to a dependant with special needs.
- Clause 8.6.10 sets out the assistance available for the hire of specialised equipment.
- Clause 8.6.11 provides a cross reference to the education assistance policy in clause 8.4.12 of the Principal Determination. Clause 8.4.12 outlines the education assistance available to a member when they have a child with special needs.
- Clause 8.6.12 sets out the provisions for special housing needs at the new posting location. This provision allows for modifications to be made to a residence at Commonwealth expense to meet the requirements of the dependant with special needs.
- Clause 8.6.13 sets out the provisions for special accommodation requirements during removal between the old and new posting locations.
- Clause 8.6.14 provides a cross reference to table item 2.c in clause 9.6.7 of the Principal Determination. This table item provides for a shorter allowable distance to be travelled each day when a member is travelling with a dependant with special needs.
- Clause 8.6.15 provides a cross reference to remote location leave travel policy in clause 9.4.31.2A of the Principal Determination. Clause 9.4.31.2A allows for an alternate means of travel for members posted to a remote location when they have a dependant with special needs.

Clause 17 inserts Annex 8.6.A into the Principal Determination. This Annex provides application forms for the following provisions.

- Assistance on posting.
- Pre-posting visits.
- Assistance with respite, personal care and therapy services.
- Assistance with equipment hire.

Clauses 18 and 19 amend the table in subclause 9.4.31.2A and clause 15.6.7 of the Principal Determination, respectively. These clauses amend cross references from the Defence Instruction to the new dependant with special needs policy in the Principal Determination.

Criteria are provided for the exercise of discretions under the Principal Determination, as amended by this Determination. Adverse decisions are subject to merits review under the ADF redress of grievance system, including an appeal to the Defence Force Ombudsman.

Authority: Section 58B of the
Defence Act 1903