



Defence Determination 2007/7

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 1 March 2007

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

1 Citation

This Determination is Defence Determination 2007/7, Army - Expansion and rank retention and completion bonus.

2 Commencement

This Determination commences on 1 March 2007.

3 Amendment

Defence Determination 2005/15, Conditions of Service, as amended¹, is amended as set out in this Determination.

4 Clause 3.5.2 (Contents)

add at the end

Division 19 Army - Expansion and rank retention and completion bonus.

5 Chapter 3 Part 5 Division 18 (Navy – Naval Police Coxswain completion bonus scheme)

after the Division , insert

Division 19: Army – Expansion and rank retention and completion bonus

3.5.181 Purpose

The purpose of this Determination is to pay a bonus to members in certain ranks to encourage them to serve longer in those or higher ranks.

3.5.182 Payments under this Division

This Division deals with the following three types of payment.

- a. A retention bonus paid in advance for one year of service.
- b. A completion bonus that is paid at the end of three more years of service.
- c. A pro rata completion bonus, paid to members who remain in the scheme for fewer than three years, in some circumstances.

See: Clause 3.5.190, Payment of the completion bonus

3.5.183 Member eligible for the one-year retention bonus

1. A member is eligible for a retention bonus under this Division if they meet all of the following conditions.
 - a. The member is in the Australian Regular Army.
 - b. On a date listed in the table, the member has held their rank for the specified period.

Item	On this date...	the member has held the rank of...	for a continuous period of...
1.	1 March 2007	Corporal	two years.
2.	1 March 2008		
3.	1 March 2007	Sergeant	
4.	1 March 2008		
5.	1 March 2007	Captain	three years.
6.	1 March 2008		
7.	1 March 2007	Major	
8.	1 March 2008		

- c. The member accepts the offer of a retention bonus and agrees to provide one year of service using the form at Annex 3.5.T.

See: Annex 3.5.T, Army – Expansion and rank retention and completion bonus

2. The specified period listed for a rank in the table in paragraph 1.b includes service the member performed at the rank in either of the following periods.
 - a. A period of acting rank performed just before the period the member was promoted to that substantive rank.
 - b. A period of continuous full-time service in that rank in the Reserves that the member performed just before they started serving in that rank as a member of the Permanent Forces in the Australian Regular Army.

3. The service under paragraph 1.b must be completed in the rank the member is in, or a higher rank.
4. A member may accept the offered retention bonus only once.

3.5.184 Member eligible for the completion bonus

1. A member is eligible for a completion bonus under this Division if they meet all of the following conditions.
 - a. The member has been offered a retention bonus in return for one year of service under this Division.
 - b. The member holds the substantive rank of Corporal, Sergeant, Captain or Major.
 - c. The member accepts the offer of a completion bonus and agrees to provide three years of effective service using the form at Annex 3.5.T.
 - d. The member is not performing an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 *Defence Legislation Amendment Act (No. 1) 2005*).
2. The service under paragraph 1.c must be completed in the rank the member is in, or a higher rank.
3. The three-year period of effective service for the completion bonus must be completed after the member has performed their one-year period of service under the retention bonus.
4. A member may accept the offered completion bonus only once.

3.5.185 Service that counts towards a member's completion bonus

1. The three years' service the member undertakes to perform in return for the completion bonus must be served as effective service.
2. For the purpose of a completion bonus under this Division, **effective service** means service that meets all these conditions.
 - a. It is continuous full-time service in the Australian Regular Army.
 - b. It is paid.
Exception: Unpaid leave of less than 21 calendar days.
 - c. It is not ineffective service under subclause 3.

3. The following table lists a range of leave types and activities and sets out how a period of that leave or activity counts towards a member's three-year period of effective service.

Item	Activity	Effect
1.	Part-time leave without pay.	The unpaid component does not count as effective service.
2.	Leave at full pay. Examples: Recreation leave, long service leave taken at full pay.	All of this leave counts as effective service.
3.	Unpaid leave for less than 21 calendar days. Examples: Leave without pay, maternity leave without pay.	
4.	Leave at half pay. Example: Long service leave at half pay.	
5.	Unpaid leave for 21 calendar days or more. Examples: Leave without pay, maternity leave without pay.	No time spent on these types of leave and activity counts as effective service.
6.	Absence without leave.	
7.	Imprisonment, detention or suspension from duty without pay.	
8.	An undertaking for further service under Part 8 of the <i>Military Superannuation and Benefits Act 1991</i> , as preserved by item 4 of Schedule 4 <i>Defence Legislation Amendment Act (No. 1) 2005</i> .	
9.	A period when the member was discharging an initial minimum period of service, a return of service obligation or another undertaking for further service. Exception: An undertaking for further service associated with a promotion.	

See: Clause 3.5.194, Calculating a pro rata amount of the three-year completion bonus

3.5.186 Member who is not eligible for any bonus under this Division

A member is not eligible to accept the offer of a bonus under this Division if any of the following circumstances apply to them.

- a. The member has undertaken to perform a period of service for the purpose of Division 20, Army – Critical employment category retention bonus.
- b. The member has undertaken to perform a period of service for the purpose of Division 7, Army completion bonus scheme – various pay categories.

- c. The member has undertaken to perform a period of service for the purpose of a trade transfer retention bonus.
- d. The member has been notified of a reduction in rank to a rank below Corporal.
- e. If the member is a Captain or Major, the member has been notified of a reduction in rank to a rank below Captain.
- f. The member will reach compulsory retirement age before the end of the period of service they must undertake in return for the bonus they have been offered, and the member has not applied to have their retirement date extended to cover that period of service.
- g. The member's fixed period of service will end before the end of the period of service they must undertake in return for the bonus they have been offered, and the member has not applied to have their fixed period of service extended to cover the period of service required for the bonus.
- h. The member has voluntarily reduced their rank from a higher rank to a rank listed in clause 3.5.183.1.

Exception: A member who has reduced in rank to change trade due to a restructure of their trade.

See: Subclause 3.5.183.1, Member eligible for the one-year retention bonus

3.5.187 Member who is not eligible for the three-year completion bonus

A member may not accept an offer of a three-year completion bonus under this Division if the member is serving an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 *Defence Legislation Amendment Act (No. 1) 2005*).

3.5.188 How to accept a bonus offered under this Division

1. Subject to subclause 3.5.188.3, an eligible member may accept the offer of a bonus under this Division any time after they receive the offer for it, until the latest of the following dates.
 - a. Ninety days after the day the offer is made.
 - b. If the member was deployed when the offer under paragraph a. was made — the day 90 days after the day the member returns to Australia after a deployment.
 - c. A longer period that the member's Commanding Officer or Officer Commanding of an Army Unit or non-Army group decides is reasonable, having regard to the member's circumstances.

Example: The Commanding Officer of the Soldier Career Management Agency decides to extend a member's ability to apply because the member is deployed for six months in an area where there is no ability to send an application form.

2. An acceptance of a bonus under this Division must be on the application form at Parts A to E of Annex 3.5.T.

See: Annex 3.5.T, Army – Expansion and rank retention and completion bonus

3. A member may not accept the offer of retention bonus under this Division after 30 June 2008, unless permitted by a decision under paragraph 1.c.

3.5.189 Payment of the retention bonus

1. A retention bonus of \$10,000 is payable to an eligible member on receipt of the member's completed acceptance form.
2. The member's year of service commences from whichever of the following dates is relevant.
 - a. If the member was offered a retention bonus for a period of service commencing on 1 March 2007 – that day.
 - b. If the member was offered a retention bonus for a period of service commencing on 1 March 2008 – that day.
 - c. If the member performed an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 *Defence Legislation Amendment Act (No. 1) 2005*) on the day the period of service was to have commenced – the day that undertaking for further service ends.
 - d. If the member performed a return of service obligation on the day the period of service was to have commenced – the day that return of service obligation ends.

Related Information: The *Defence (Personnel) Regulations 2002* permit a Service Chief to determine a period of service that must be performed for certain reasons. The period of service is called a 'return of service obligation'.

3. If the member commences either of the following periods during the one-year period of service for the retention bonus, the remaining part of that year must be served after the undertaking for further service has been completed.
 - a. A return of service obligation.
 - b. An undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 *Defence Legislation Amendment Act (No. 1) 2005*).
4. If the member fails to complete the one year of service for a reason not listed in clause 3.5.191, then they must repay a part of the bonus, representing the portion of the year not performed, to the Commonwealth.

Example:

The member leaves the Army to work in the private sector after doing only nine months' service in return for the retention bonus. They have not done three months of service and so must repay a portion of the bonus, which is worked out under clause 3.5.193.

The member must repay \$2,500 of the \$10,000 originally paid.

3.5.190 Payment of the completion bonus

1. A completion bonus of \$30,000 is payable to an eligible member when the member has performed the three years of effective service they agreed to perform in return for the completion bonus.
2. The member's three years of effective service for the purposes of the completion bonus commences from whichever of the following dates is relevant.
 - a. If the member was offered a completion bonus for a period of service commencing on 1 March 2008 – that day.
 - b. If the member was offered a completion bonus for a period of service commencing on 1 March 2009 – that day.

- c. If the member performed a return of service obligation on the day the period of service was to have commenced – the day that return of service obligation ends.

Related Information: The *Defence (Personnel) Regulations 2002* permit a Service Chief to determine a period of service that must be performed for certain reasons. The period of service is called a 'return of service obligation'.

3. If the member fails to complete the three years of effective service by 30 June 2012, for any reason including, but not limited to, those listed in clause 3.5.192, then only part of the bonus representing the portion of the period of effective service performed is payable to the member.

Example 1:

The member leaves the Army after doing only two years of effective service in return for the retention bonus. They have not done one year of the service and so will only be paid a two-thirds pro rata portion of the bonus.

The member will be paid only \$20,000 of the possible \$30,000 bonus.

Example 2:

When the member accepted the offer of a completion bonus, they already had a prior return of service obligation (ROSO) to serve first. The time spent on the ROSO does not count towards the member's three years of effective service for the completion bonus.

On the last day of the completion bonus scheme, 30 June 2012, the member has only done one year of effective service and so they are paid a one-third pro rata amount of the completion bonus worked out under clause 3.5.194.

The member gets \$10,000.

4. No amount of the completion bonus under this Division is payable to a member who takes either of the following actions.
 - a. The member resigns from the Australian Regular Army for a reason not listed in clause 3.5.192.
 - b. The member makes an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 *Defence Legislation Amendment Act (No. 1) 2005*).

3.5.191 Pro rata repayment of the retention bonus not required

A member is not required to repay a pro rata amount of the retention bonus to the Commonwealth if they fail to complete their year of service under the retention bonus for any of the following reasons.

- a. The member ceases to serve in Army for a reason that is beyond the member's control.

Example: The member reaches compulsory retirement age, the end of a fixed period of service, or is terminated because of medical unfitness.

- b. The member transfers from the Australian Regular Army to the Reserves at Army's initiative.

Authority: Chapter 8 Part 2 Division 2 or 3 of the Defence (Personnel) Regulations 2002.

Example: A member reaches compulsory retirement age and leaves the Australian Regular Army after their application to extend service is refused. The member is transferred to the Reserves. The member is eligible for a pro rata bonus.

- c. The member commences to serve an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 of the *Defence Legislation Amendment Act (No. 1) 2005*).
- d. The member is promoted out of the relevant rank groups to the rank of either Warrant Officer Class 2 or Lieutenant Colonel.
- e. The scheme ends on 30 June 2012 and the member has not completed their period of service under the retention bonus in this Division.

3.5.192 Reasons for making a pro rata payment of the completion bonus

A member is to be paid the completion bonus on a pro rata basis if they fail to complete their required three years of effective service under the completion bonus in this Division for any reason, including but not limited to one of the following reasons.

- a. The member ceases to serve in the Australian Regular Army for a reason that is beyond the member's control.

Example: The member is terminated because of medical unfitness.

Example: A member reaches compulsory retirement age and leaves the Australian Regular Army after their application to extend service is refused. The member is transferred to the Reserves. The member is eligible for a pro rata bonus.

- b. The scheme ends on 30 June 2012 and the member has not completed their period of effective service under the completion bonus in this Division.

Example: When the member accepted the offer of a completion bonus, the member was on a return of service obligation (ROSO). That ROSO ended on 30 June 2010 and so the member has only served for two of the three years of effective service when the completion bonus scheme ends.

The member is paid a pro rata completion bonus of \$20,000 worked out under clause 3.5.194.

3.5.193 Calculating a pro rata amount of the one-year retention bonus

The following table shows how to calculate a pro rata amount of completion bonus that a member must repay to the Commonwealth under subclause 3.5.189.4.

Step	Action
1.	Work out the number of calendar days in the one-year period. a. The period starts on the day the member is taken to start their undertaking to serve one year in return for a retention bonus. (See: Subclause 3.5.189.2) b. The period ends on the day before the date the member is entitled to be paid the completion bonus.
2.	Work out the number of days of ineffective service in the period in Step 1.
3.	Subtract the outcome of Step 2 from the outcome of Step 1.
4.	Divide the outcome of Step 3 by 365. If the period includes 29 February, divide by 366. This represents the number of days in three calendar years.
5.	Multiply the outcome of Step 4 by \$10,000.
6.	The member may be paid the outcome of Step 5.

3.5.194 Calculating a pro rata amount of the three-year completion bonus

The following table shows how to calculate a pro rata amount of completion bonus payable to a member under subclause 3.5.190.3.

Step	Action
1.	Work out the number of calendar days in this period. a. The period starts on the day the member is taken to start their undertaking to serve three years in return for a completion bonus. (See: Clause 3.5.190) b. The period ends on the day before the date the member is entitled to be paid the completion bonus.
2.	Work out the number of days of ineffective service in the period in Step 1.
3.	Subtract the outcome of Step 2 from the outcome of Step 1.
4.	Divide the outcome of Step 3 by 1095. If the period includes 29 February, divide by 1096. This represents the number of days in three calendar years.
5.	Multiply the outcome of Step 4 by \$30,000.
6.	The member may be paid the outcome of Step 5.

Example: A member joins the bonus scheme on 12 January 2007. On 5 August 2008 the member becomes permanently medically unfit for service. The member had 25 days of leave without pay in December 2007.

Step	Action
1.	There were 571 calendar days between 12 January 2007 and 5 August 2008.
2.	The 25 days the member was on leave without pay was ineffective service.
3.	$571 - 25 = 546$ calendar days
4.	$546 \text{ divided by } 1095 = 0.4986301$
5.	$0.4986301 \text{ multiplied by } \$30,000 = \$14,958.90.$
6.	The member may be paid \$14,958.90.

6 Annex 3.5.S (Navy – Naval Police Coxswain completion bonus)

insert at the end

the Annex set out in the Attachment to this Determination.

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 and 6.

ATTACHMENT

Annex 3.5.T: Army – Expansion and rank retention and completion bonus scheme

This form is in five parts.

Part A – information about the bonus scheme, and is for you to keep.

Part B – your agreement to serve in the rank for one year.

Part C – your agreement to serve in the rank for three additional years.

Part D – your election about how the bonus is paid.

Part E – additional payment information if you choose to pay the money into a superannuation fund.

Part A: Information about the retention and completion bonus scheme

This Part provides information about the bonus scheme, and is for you to keep.

I am accepting an offer made to me under the Army – Expansion and rank retention and completion bonus scheme. This is authorised under Chapter 3 Part 5 Division 19 of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* ('the Determination').

I understand that my acceptance of a bonus is subject to the following terms and conditions.

1. I meet the requirements to be eligible to accept the offer of the bonus under the Determination.
2. If I have less than one year to serve in the Army I cannot accept the offer of the retention bonus, unless I apply to extend my fixed period of service or my compulsory retirement age.
3. The scheme has a \$10,000 retention bonus, paid on accepting the offer of a retention bonus.
 - a. I must serve for one year if I accept the offer of a retention bonus under this Division.
 - b. If I leave Army for a reason within my control, I may have to repay a part of the bonus.
4. If I accept the offer of a completion bonus, an amount of up to \$30,000 may be paid when I leave the scheme.
 - a. I must serve in my rank or a higher rank for an additional three years of effective service if I accept the offer of a completion bonus under this Division. The three years are served after I have completed my one year of service for the retention bonus.
 - b. I may be paid a pro rata amount of completion bonus if I do not complete it for a reason beyond my control. Examples are if I transfer out of the rank I am in for Service reasons; am retrenched or made redundant; reach the end of a fixed period of service or compulsory retirement age; am discharged for medical reasons; or die.
- 5.. Effective service for the completion bonus is continuous full-time service for which salary is paid. Leave or other events may not be effective service and may reduce my amount of completion bonus. The table in clause 3.5.185 of the Determination shows what counts as effective service.
6. If I start to serve an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 of the *Defence Legislation Amendment Act (No. 1) 2005*) ('an MSBS undertaking') before I finish the retention bonus I will not be able to accept the offer of a completion bonus.
7. If I resign from the Australian Regular Army, or start to serve an MSBS undertaking for further service after I have accepted the offer of a completion bonus, I will not receive any of the completion bonus payment.
8. If I am serving on a return of service obligation (ROSO), I may accept an offer of a retention bonus but I will have to do my one year of service for the bonus after my ROSO period is served. If the ROSO delays my finishing my year of service, then I may only be able to

perform part of the three-year period of effective service for the completion bonus.

9. I may elect to pay the scheme payments into a superannuation fund using the forms provided at Parts D and E.
10. I am advised to seek professional legal and/or financial advice about this decision. ADF members are not qualified to provide this advice.

Full details of the completion bonus scheme are contained in Chapter 3 Part 5 Division 19 of Defence Determination 2005/15, Conditions of Service.

This application, and the related parts of Defence Determination 2005/15, is the whole agreement between us about the nature of this scheme. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things I may have been told about the scheme or things I may have read elsewhere.

Part B: Undertaking to serve one year for a retention bonus

I,.....
 (Rank) (Last name) (Given name)
 ,
 (Service number) (Employee ID)

accept the offer of a bonus under the Army – Expansion and rank retention and completion bonus scheme.

This is my first acceptance of an offer of a retention bonus under the scheme.

I agree to serve for one year at my current rank or a higher rank.

I acknowledge that the provisions of Chapter 3 Part 5 Division 19 of Defence Determination 2005/15, Conditions of Service ('the Determination'), have been brought to my notice.

Please tick the boxes that apply below.

I have read and understood Part A of this form. Yes No

I have completed the options for payment (see Parts C and D of this form.) Yes No

I have applied to extend my fixed period of service, or have sought extension of my compulsory retirement age beyond the period of service required for the bonus. Yes No

This is my first acceptance of a place in the scheme.

I am not currently in receipt of any other retention or completion bonus.

I am required to serve under these other bonus schemes before I serve my two years for this bonus:

(List any other bonus schemes).....

Dated this day of 20

 Signed

 Printed name

Witness

(This person must not be below the applicant in the chain of command)

 Signed

 Printed name

I,

.....
(Rank) (Last name) (Given name) (Employee ID)

verify that the member has met all the requirements for payment of the retention bonus.

Approved

I,

.....
(Rank) (Last name) (Given name) (Employee ID)

verify that the member has met all requirements for payment of the completion bonus.

Approved

Part D: Payment details

.....
(Rank) (Last name) (Given name) (Employee ID)

This form must be submitted along with the acknowledgment and undertaking to serve form (Parts A, and B and/or C).

There are three options for payment.

- Option one: Paid into the member's normal pay account. The amounts will be taxed at the applicable tax rate at the time of payment.
- Option two: As an employer contribution to superannuation. This election is made once, but you will later be able to vary this election.
- Option three: As a combination of these.

All members are strongly advised to seek professional financial advice when making this decision. ADF members are not qualified to provide this advice.

Retention bonus payment

I choose this payment method for my retention bonus:

- Option one:** [] Paid into my normal pay account. The amounts will be taxed at the applicable tax rate at the time of payment.
- Option two:** [] The full amount paid as an employer contribution to superannuation. I have nominated a superannuation fund in Part E of this form.
- Option three:** [] 1. _____% of the bonus payment as an employer contribution to superannuation. I have nominated a superannuation fund in Part E of this form.
2. The balance of the amount paid into my normal pay account. These will be taxed at the applicable tax rate.

*Tick one box. Only select **one** of the options.*

Completion bonus payment

I choose this payment method for my payment of my completion bonus:

- Option one:** [] Paid into my normal pay account. The amounts will be taxed at the applicable tax rate at the time of payment.
- Option two:** [] The full amount paid as an employer contribution to superannuation. I have nominated a superannuation fund in Part E of this form.
- Option three:** [] 1. _____% of the bonus payment as an employer contribution to superannuation. I have nominated a superannuation fund in Part E of this form.
2. The balance of the amount paid into my normal pay account. These will be taxed at the applicable tax rate.

*Tick one box. Only select **one** of the options.*

EXPLANATORY STATEMENT

Defence Determination 2007/7

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 3 of the Principal Determination sets out provisions dealing with salaries and bonuses for members of the Australian Defence Force (ADF).

This Determination provides for a retention bonus and completion bonus scheme for members of Army with a specified period of service at the rank of Corporal, Sergeant, Captain or Major. The payments are designed to encourage members to stay in their rank for at least one year and to stay in Army for the longer term.

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

Clause 2 provides that the Determination commences on 1 March 2007.

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

Clause 4 inserts a new item in clause 3.5.2 of the Principal Determination, to advise of a new Division 19 in the contents of Chapter 3 Part 5.

Clause 5 inserts new Division 19 Army Expansion and rank retention and completion bonus. The new Division has these features.

- Clause 3.5.181 outlines the purpose of the Determination.
- Clause 3.5.182 provides an overview of the three bonus payment types.
- Clause 3.5.183 outlines the members eligible for the retention bonus under the Division. The retention bonus is \$10,000 and is paid to eligible members who complete a years' service in the specified rank or a higher rank in Army.
- Clause 3.5.184 outlines the members eligible for the completion bonus under the Division. The completion bonus is paid to eligible members who complete three years' service in the specified rank or a higher rank in Army. When added to the year of retention bonus service, this will produce a total retention period for a member of 4 years.
- Clause 3.5.185 provides for a definition of "effective service" used to measure service under the completion bonus in the Division.
- Clause 3.5.186 and 3.5.187 describe classes of members who are not eligible to accept the offer of a bonus under the Division. These classes are those who are already in receipt of another bonus, who fall below the rank groups or who are unable to serve for the period of the bonus.
- Clause 3.5.188 provides the process for application. Under this Division, applications take the form of acceptance of offers made to those members who meet the broad eligibility conditions for the bonuses. Members have 90 days to respond to the offer, or a longer period where there are special circumstances that prevent earlier acceptance. Once received, service under the bonus schemes is measured from specified days, which may predate the date of the acceptance. This means a soldier will not be disadvantaged if they take time to consider the offer.
- Clause 3.5.189 provides for a \$10,000 retention payment to be made in recognition of the member's commitment to serve under the Division. It also provides that members who do not complete their first year of service must repay a part of the bonus, in some circumstances.

- Clause 3.5.190 provides for a \$30,000 retention payment to be made in recognition of the member's commitment to serve an additional three years of effective service under the Division. It also provides that members who do not complete the three years of effective service must repay a part of the bonus, in some circumstances.
- Clause 3.5.191 sets out the circumstances in which members do not have to repay any part of the retention bonus if they leave the bonus scheme before the first year has elapsed. It also sets out those members who are entitled to a partial bonus if they leave the scheme within that year.
- Clause 3.5.92 sets out the circumstances in which members may be paid a pro rata amount of the completion bonus if they leave the bonus scheme before they have completed their undertaking to give three years of effective service. It also sets out those members who are not entitled to any amount of completion bonus if they leave the scheme within that year by voluntarily resigning or taking up a bonus under the Military Superannuation and Benefits Scheme.
- Clauses 3.5.193 and 3.5.194 describe how the retention bonus repayment and pro rata amount of completion bonus may be calculated.

Clause 6 inserts a new Annex 3.5.T in the Principal Determination. This Annex provides a suite of forms for the administration of the bonus scheme.

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