

## Chapter 8: Members and their dependants

### 8.0.1 Overview

This Chapter contains information about conditions of service relating to member's dependants. It deals with the range of conditions available, including education assistance, emergency support for families, dependants with special needs, assistance on relationship breakdown and other related conditions.

### 8.0.2 Contents

This Chapter includes the following Parts:

<a href="#">Part 1</a>	Categories of member – dependants
<a href="#">Part 2</a>	Recognition of interdependent partnerships
<a href="#">Part 3</a>	Summary of conditions assisting dependants within Australia
<a href="#">Part 3A</a>	Member with dependants (unaccompanied)
<a href="#">Part 4</a>	Education assistance
<a href="#">Part 5</a>	Emergency Support for Families Scheme
<a href="#">Part 6</a>	Dependants with special needs
<a href="#">Part 7</a>	Family assistance for attendance at a Court of Inquiry

## Part 1: Categories of member – dependants

This Part is reserved for publication in the *ADF Pay and Conditions Manual* of an administrative description of the three categories in which ADF members are placed in relation to their dependants. The categories are: member with dependants, member with dependants (unaccompanied), and member without dependants. These terms are defined in Chapter 1 Part 3 Division 2.

## Part 2: Recognition of de facto marriage

This Part is reserved for publication in the *ADF Pay and Conditions Manual* of an administrative description of the processes for recognition of de facto marriage in relation to ADF members.

### **Part 3: Summary of conditions assisting dependants within Australia**

This Part is reserved for publication in the *ADF Pay and Conditions Manual* of an administrative description of conditions of service assisting dependants of ADF members within Australia.

## **Part 3A: Member with dependants (unaccompanied)**

### **8.3A.1 Overview**

This Part provides information about the member with dependants (unaccompanied) category.

### **8.3A.2 Contents**

This Part includes the following Divisions:

- |            |   |
|------------|---|
| Division 1 | Becoming a member with dependants (unaccompanied) |
| Division 2 | Member with dependants (unaccompanied) summary    |

## Division 1: Becoming a member with dependants (unaccompanied)

### 8.3A.3 Purpose

1. Clause 1.3.81 defines a member with dependants (unaccompanied) as a member who meets the requirements of this Division.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.81, Member with dependants (unaccompanied)

2. This Division describes who may be a member with dependants (unaccompanied), and some associated administrative matters.

### 8.3A.4 Purpose of member with dependants (unaccompanied) category

The purpose of the member with dependants (unaccompanied) category is to describe a group of members with dependants who become eligible for special benefits in any of the following circumstances. This is not a complete list.

- a. The member performs duty in a location where their dependants do not live.
- b. The couple are both ADF members, and one member does not proceed to a new posting location.
- c. The couple are both ADF members, and one member moves to a new location. Each member has at least one dependant living with them.
- d. The member's dependants live at a personal location for reasons that are described in Division 2.

**See:** Division 2, Member with dependants (unaccompanied) summary

### 8.3A.5 Members who may not be a member with dependants (unaccompanied)

The member with dependants (unaccompanied) category is not for members in the following situations. This is not a complete list.

- a. The member has not formed a common household with their spouse, partner or other dependant.

**Example:** A member is posted to Brisbane, and marries a man who is studying in Melbourne. After the marriage the couple continue their former living arrangements so the spouse can finish his degree. Even though they are apart the member can not be a member with dependants (unaccompanied).

**Exception:** Paragraph a does not apply if all the following conditions apply to the member.

- i. The member is the spouse or partner of another member.
- ii. The members are not able to form a common household for Service reasons.
- iii. The CDF recognises one member of the couple as a dependant for conditions of service.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.79, CDF-recognised dependants

- iv. The members are posted to separate locations.
- b. The member meets all of the following conditions.
    - i. The member proceeds on duty unaccompanied by their dependants.

- ii. The member's dependants live in a household at the member's losing location.
- iii. All of the member's dependants in the household at the losing location are dependent children.

**Example:** A member is a single parent with two dependent children, aged 18 and 20. The member is posted to another location. The children remain in the family home. Even though the family is apart the member can not be a member with dependants (unaccompanied). The member may be eligible for education assistance, including tertiary education assistance.

- c. The member is a member without dependants.

**Exception:** Subclause 8.3A.6.6 provides a power that may be used to approve member with dependants (unaccompanied) status for a member who could otherwise fall into any of the above groups.

### 8.3A.6 Member who may be classified as a member with dependants (unaccompanied)

- 1. There are a number of ways to be classified as a member with dependants (unaccompanied).

Item	If...	the rules are in...
1.	the member is posted away from their dependants for six months or more	subclause 2.
2.	the member is on short-term duty away from their posting location	subclause 3.
3.	the member and their member spouse are posted apart	subclauses 4 and 5.
4.	there are Service or compassionate reasons that prevent a member from meeting the rules in subclauses 2 or 3	subclause 6.
5.	the dependants move to a personal location for which removal benefits are not provided	subclause 7.

- 2. A member may be categorised as a member with dependants (unaccompanied) for any period in which they meet all the following conditions.

- a. The member falls into a class described in the following table.

Item	Class	Description
1.	Class 1	The member is categorised as a member with dependants.
2.	Class 2	The member was categorised as a member with dependants (unaccompanied) for the member's last posting.
3.	Class 3	The member meets both the following conditions. <ul style="list-style-type: none"> <li>a. The member was recruited from overseas and moved to Australia at Commonwealth expense.</li> <li>b. The member's dependants' first Australian home is not at the member's first posting location.</li> </ul>
4.	Class 4	The member meets all the following conditions. <ul style="list-style-type: none"> <li>a. Before 17 February 2011 the member's family chose to live in a different location to the member.</li> <li>b. The member's family are still living apart from the member.</li> <li>c. The CDF determines that the member's situation is similar to a member whose dependants moved to a personal location after 17 February 2011. The CDF should consider the following criteria. <ul style="list-style-type: none"> <li>i. Whether the member's family would be dependants, if they lived with the member.</li> </ul> </li> </ul>

ii. The ongoing commitment to a shared family life.

**Example:** In 2008 a member's spouse did not accompany the member on a new posting. The member and her spouse still live in different locations. The member shows the CDF that she and her spouse are still a family. The CDF decides the member's current situation is similar to that of a member who makes a current decision to move their dependants to a personal location.

b. The member is posted to a new posting location for a period of six months or more.

**Exception 1:** The member does not need to satisfy the condition in paragraph b. if their dependants are granted Commonwealth assistance for a removal in compassionate circumstances during the member's posting.

**See:** Chapter 6 Part 6 Division 3 subclause 6.6.19.1, Removal to a personal location where benefits are provided

**Exception 2:** A member's dependants may be moved to live with extended family support while the member is deployed. In this case, the member does not need to satisfy the condition in paragraph b. for the part of their posting that remains to be served on return from deployment.

**Exception 3:** The member does not need to satisfy the condition in paragraph b. if the separation from dependants occurs because the member's dependants leave the gaining location to move back to the losing location.

**Exception 4:** A member does not need to satisfy the requirements in paragraph b if they are described in item 4 of the table in paragraph a.

c. The member lives at their normal place of duty without their dependants.

**Exception:** If only children remain in the dependants' location, the member is not eligible to be categorised as a member with dependants (unaccompanied) under this subclause.

**See:** Clause 8.3A.5, Members who may not be a member with dependants (unaccompanied)

**Non-example:** A member has part-time care of a child, for fewer than 90 nights in a year. The child is not taken to be a dependant of the member for conditions of service purposes. The member stays categorised as a member without dependants in any period when the child is in the member's care.

3. A member is categorised as a member with dependants (unaccompanied) for any period during which all of the following circumstances apply.

a. The member is categorised as a member with dependants.

b. The member is required to perform duty away from their posting location.

**Exception:** If only children remain at the losing location, the member is not eligible to be categorised as a member with dependants (unaccompanied).

c. The period of duty away from the member's posting location is more than 14 days but less than six months.

**Exception:** Paragraph c. does not apply if separate consecutive periods of duty in a location total more than six months. They are individual periods of duty and so meet this condition.

**Example:** A member with dependants goes to a new location on temporary duty to support a contractor for a four-month contract. The member is automatically categorised as a member with dependants (unaccompanied). At the end of the four months the contract is varied. It will run for four more months. The member is required to stay another four months but is not formally posted to the location. The member is recognised as a member with dependants (unaccompanied) for the extra period. Even though the total period is longer than six months, the two periods are separate periods of duty. The member can be categorised under subclause 3 for both periods.

**Note:** The member does not need to lodge form AD 291 to be categorised as a member with dependants (unaccompanied) under subclause 3.

**Example:** A member is loan posted from Rockingham, where her family live, to a seagoing ship in Sydney for less than six months. The member is automatically categorised as member with dependants (unaccompanied).

4. A member is eligible to be categorised as a member with dependants (unaccompanied) in the circumstances set out in subclause 5 if they meet all the following conditions.

a. The member has a spouse or partner who is also a member.

**See:** Subclause 5 provides more information about who may be categorised as a member with dependants (unaccompanied) in this situation.

b. One of the members is posted to a new posting location.

c. The member's spouse or partner provides a home for dependants.

**Note:** The member may or may not also provide a home for dependants.

d. The member or their spouse or partner occupied the home at their losing location with at least one dependant before the posting.

5. The following table describes how a member who is described in subclause 4 may be classified as a member with dependants (unaccompanied).

Item	Situation	Categorisation
1.	<p>One of the members is unaccompanied by any dependants.</p> <p>The other member provides a home for dependants.</p> <p><b>Examples:</b></p> <p>1. A Service couple are separated for Service reasons. One member moves to a new location alone, leaving their member spouse and other dependants behind.</p> <p>2. A Service couple are separated for Service reasons. One member moves to a new location with the children, leaving their member spouse home alone.</p>	<p>The member who does not live with dependants is categorised as a member with dependants (unaccompanied). The other member is a member with dependants.</p> <p><b>Exception:</b> The member with dependants may be required to temporarily leave the family home for Service reasons, such as a course. That member may also be categorised as member with dependants (unaccompanied) under subclause 3.</p> <p><b>Example:</b> An ADF couple is posted to Sydney. One member of the couple is later posted to Melbourne. The couple decide that the dependants stay in the family home in Sydney. The member posted to Melbourne can be classified as a member with dependants (unaccompanied).</p>

2.	<p>Both members are accompanied by dependants.</p> <p><b>Example:</b> A Service couple are separated for Service reasons. One member moves to the new location with a child. The couple's other child stays behind in the old location with the other member.</p>	<p>a. One member of the couple is eligible to be categorised as a member with dependants (unaccompanied). The other member is a member with dependants.</p> <p><b>Exception:</b> The member with dependants may be required to temporarily leave the family home for Service reasons, such as a course. That member may also be categorised as member with dependants (unaccompanied) under subclause 3.</p> <p>b. The members may elect which member is to be the member with dependants (unaccompanied).</p> <p>c. If members are unable to elect which member is to be the member with dependants (unaccompanied), the senior member is taken to be the member with dependants (unaccompanied).</p>
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6. The CDF may decide that a member is taken to be a member with dependants (unaccompanied) having regard to the following criteria.

**Note:** This discretion may be used for a member categorised as a member with dependants under subclause 1.3.80.1A (see subclause 7).

- a. Whether Service or compassionate reasons meant the member was unable to meet the requirements of subclauses 2 or 3.

**Example:** A couple have already been recognised as members with dependants. They are posted apart and are unable to form a common household. The CDF decides that it is reasonable to recognise one of the couple as a member with dependants (unaccompanied).

**See:** Chapter 1 Part 3 Division 2 clause 1.3.76, Dependants

- b. The health and welfare of the member and dependants.
- c. Any other relevant matter.

7. The CDF may approve a member as a member with dependants (unaccompanied) because the member's dependants have moved to a personal location for which removal benefits are not provided.

- a. A member categorised under this subclause is only eligible to receive benefits for their own use. The member receives limited dependant benefits.
- b. The CDF may specify a clause in Division 2 that forms the list of benefits the member and their dependants can access.

**See:**

Clause 8.3A.5, Members who may not be a member with dependants (unaccompanied) Division 2, Member with dependants (unaccompanied) summary, for a summary of conditions of service that apply to a member with dependants (unaccompanied) in different situations

### 8.3A.7 Ending member with dependants (unaccompanied) categorisation

A member stops being a member with dependants (unaccompanied) if any of the following circumstances apply to them.

- a. The member's circumstances have changed, and the member does not qualify for the member with dependants (unaccompanied) category.
- b. The CDF determines that a categorisation ceases for a member even though the circumstances on which it was granted have not changed. The CDF must be satisfied that the member no longer meets the purpose of the category. The CDF must inform the member of the decision.

**Example:** The member ceases duty for a long period of leave during which the member could reunite with their dependants.

**Note:** The member could seek to have the decision redressed if the member does not agree.

- c. The CDF decides that a categorisation ceases for a member as the member's circumstances have changed, and the member does not qualify for the former category.

**See:** Chapter 1 Part 5 clause 1.5.2, Change in member's circumstances

### 8.3A.8 Processes for categorisation as member with dependants (unaccompanied)

1. A member who wishes to be categorised as a member with dependants (unaccompanied) under clause 8.3A.6 must apply in writing.

**Exception:** An application is not required for categorisation as a short-term member with dependants (unaccompanied) under subclause 8.3A.6.3.

**See:**

Chapter 1 Part 5 Annex 1.5.A, Categorisation forms, Form AD 291, Application for categorisation as a member with dependants (unaccompanied) – MWD(U)  
Section 56 of the *Defence Force Discipline Act 1982*, False statement in relation to application for a benefit

2. Each time their family or posting circumstances change, a member must make a fresh application for categorisation under clause 8.3A.6, if they wish to stay in the member with dependants (unaccompanied) category.

**Example:** The member lodges a new form each time their posting location changes, even though their dependants may not move house.

**Non-example:** The member is not required to lodge a form when their posting at a location is extended and they do not move house or job.

**Note:** Clause 1.5.2 requires a member to inform their Commanding Officer about any change in circumstances that could affect their categorisation.

**See:**

Chapter 1 Part 5 clause 1.5.2, Change in member's circumstances  
Clause 8.3A.6, Member who may be classified as a member with dependants (unaccompanied)  
Division 2, Member with dependants (unaccompanied) summary, for a summary of conditions of service that apply to a member with dependants (unaccompanied) in different situations

## Division 2: Member with dependants (unaccompanied) summary

### 8.3A.9 Overview

1. This Part provides a summary of conditions of service that apply to a member with dependants (unaccompanied).
2. The tables in this Part are an index to other rules that apply. They may not show every condition that applies.
3. Conditions of service cannot be granted using this Part as the authority. The clauses show the references that may be used to grant the condition.
4. If a reference conflicts with this Part for a particular member's case, the reference applies.
5. This Division does not cover every situation in which a member may be a member with dependants (unaccompanied). Eligibility for the member with dependants (unaccompanied) category is set out in Division 1. Conditions for a member with dependants (unaccompanied) who is not described in this Division are set out in other Chapters.

**See:** Division 1, Becoming a member with dependants (unaccompanied)

### 8.3A.10 Member's dependants elect to remain in the member's losing location

1. The table in subclause 2 applies in either of the following situations.

Item	Situation	Members who are eligible
1.	Situation 1	<p>Both the following conditions apply.</p> <ol style="list-style-type: none"><li>a. A member is posted to a new location.</li><li>b. The member's dependants elect to remain in the member's losing location.</li></ol> <p><b>Exception:</b> If all of the member's dependants in the household at the losing location are dependent children the member is not taken to meet paragraph b.</p> <p><b>See:</b> Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children</p>
2.	Situation 2	<p>All the following conditions apply.</p> <ol style="list-style-type: none"><li>a. A member is posted to a new location.</li><li>b. The member was categorised as a member with dependants (unaccompanied) at the member's last posting.</li><li>c. The member's application for member with dependants (unaccompanied) status at the new location is successful.</li></ol>

2. The following table applies to a member described in subclause 1.

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b> The member is categorised as a member with dependants (unaccompanied).</p>	<p><b>Categorisation:</b> Division 1 subclause 8.3A.6.2, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Benefits</b> Member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>Housing assistance may be provided for dependants at the losing location. The member is required to make a contribution.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p>
5.	<p><b>Other effects</b> Dependants may be eligible for removal assistance to rejoin the member.</p>	<p><b>Removals:</b> Chapter 6 Part 6 Division 3 Subclause 6.6.22, Removal of dependants from personal location to current posting location</p>

### 8.3A.11 Member's dependants live in a personal location

The following table applies if a member's dependants have lived in a personal location since before 17 February 2011.

**Example:** A member's dependants chose to live in another location before 17 February 2011. At that time that choice did not give the member an option to be categorised as a member with dependants (unaccompanied).

**Exceptions:**

The member is not taken to be covered by this clause in either of the following situations.

- a. If all of the member's dependants in the household at the personal location are dependent children.
- b. If the member and the dependants have never formed a common household.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b> The member may apply to change to member with dependants (unaccompanied), even if the dependants have already moved to the personal location.</p> <p>If the member changed from member with dependants to member without dependants when the dependants moved away, this is a two-stage process.</p> <ol style="list-style-type: none"> <li>1. The member must first be classified as a member with dependants, under subclause 1.3.79.2A.</li> <li>2. They are then eligible to apply to become a member with dependants (unaccompanied).</li> </ol> <p>Member with dependants (unaccompanied) conditions of service apply from the date the member is recategorised.</p>	<p><b>Categorisation:</b> Division 1 subclause 8.3A.6.2 table item 4, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Benefits</b> Member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>
3.	<p>Benefits can be applied from the date of the member's approval as a member with dependants (unaccompanied).</p>	

Item	Effects	Reference
4.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
5.	<p><b>Other effects</b> The member's dependants do not get housing assistance.</p>	
6.	<p>If the dependants choose to re-join the member in the posting location, removal assistance is not provided.</p> <p>After dependants have rejoined the member at their own expense, future removals may be at Commonwealth expense.</p>	<p><b>Removals:</b> Chapter 6 Part 6 Division 3 Subclause 6.6.22, Removal of dependants from personal location to current posting location</p>

### 8.3A.12 Member's dependants move to a personal location

The following table applies if a member's dependants move to a personal location.

**Exception:** If all of the member's dependants in the household at the personal location are dependent children the member is not taken to be covered by this clause.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Related Information:**

Clause 8.3A.11, Member's dependants live in a personal location sets out arrangements for members whose dependants moved to a personal location before 17 February 2011

Clause 8.3A.17, Dependants move for compassionate reasons

Clause 8.3A.18, Dependants move for employment or study

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b> The member remains at the posting location and is categorised as a member with dependants (unaccompanied).</p>	<p><b>Categorisation:</b> Division 1 subclauses 8.3A.6.6 and 8.3A.6.7, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Benefits</b> Member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p><b>Other effects</b> The member's dependants do not get removal assistance to the personal location.</p>	
5.	<p>The member's dependants do not get housing assistance.</p>	
6.	<p>If the dependants choose to re-join the member in the posting location removal assistance is not provided.</p> <p>After dependants have rejoined the member at their own expense, future removals may be at Commonwealth expense.</p>	<p><b>Removals:</b> Chapter 6 Part 6 Division 3 Subclause 6.6.22, Removal of dependants from personal location to current posting location</p>

### 8.3A.13 Service couple live apart

The following table applies if all the following conditions apply.

- a. A member is the spouse or partner of another member.
- b. The members are not able to form a common household for Service reasons.
- c. The CDF recognises one member of the couple as a dependant for conditions of service.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.79, CDF-recognised dependants

- d. The members are posted to separate locations.

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<b>Change in category</b> One member is categorised as a member with dependants. The other member is categorised as a member with dependants (unaccompanied).  The member with dependants (unaccompanied) category is designed for temporary separations. If the couple do not intend to live together in the future, they should be categorised as members without dependants.	<b>Categorisation:</b> Division 1 subclause 8.3A.6.4, Member who may be classified as a member with dependants (unaccompanied)
2.	<b>Benefits</b> The member categorised as member with dependants may live in a family home at their posting location. Housing assistance may be provided.	<b>Housing:</b> Chapter 7, ADF housing and meals
3.	Reunion travel.	<b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members

4.	<p>The member categorised as member with dependants (unaccompanied) gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>If the member lives in they may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
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#### 8.3A.14 Dependants removed to personal location on deployment

The following table applies if a member's dependants move to a personal location when a member is deployed.

**Exception:** If all of the member's dependants in the household at the personal location are dependent children the member is not taken to be covered by this clause.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b></p> <p><b><i>Before and during deployment</i></b> The member is categorised as a member with dependants (unaccompanied) for the period between the dependants leaving the posting location and the member's return from deployment.</p> <p><b><i>After deployment</i></b> The member either returns to the posting location or posts to a new location. In either case the member may be categorised as a member with dependants (unaccompanied) until their dependants rejoin them.</p>	<p><b>Categorisation:</b> Division 1 subclause 8.3A.6.6, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Reunion travel</b> Before and after the deployment the member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>

<p>3.</p>	<p><b>Housing for the member</b></p> <p>Before and after the deployment the member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
<p>4.</p>	<p><b>1. Before and during the deployment</b></p> <p>The member's dependants get a full or limited removal to the personal location.</p> <p>The housing package for a member who is deployed is complex.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p> <p>If the deployment is for less than six months, dependants have no housing or removal entitlement for a personal location.</p> <p>If the deployment is for six months or more, housing assistance may be provided for dependants. In order to be eligible the member must have been granted a full or limited removal to the personal location. The member is required to make a contribution.</p> <p>Housing is not provided where the member has kept housing in the predeployment location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5 Division 7 clause 7.5.36B, Service residence in personal location for member on deployment Chapter 7 Part 6 Division 1, subclause 7.6.5.1, Member entitled and period of entitlement</p>
<p>5.</p>	<p><b>2. After the deployment</b></p> <p>The member's dependants may continue to get housing at the personal location if the member has less than 6 months to serve in their current posting location.</p> <p>The member's dependants get a removal when they rejoin the member.</p>	<p><b>Service residences:</b> Chapter 7 Part 5 Division 7 subclause 7.5.28.1, Member with dependants (unaccompanied) eligibility in two locations</p> <p><b>Rent allowance:</b> Chapter 7 Part 6 Division 1 paragraphs 7.6.6.5.b and 7.6.6.5.c, Member not entitled</p>

### 8.3A.15 Dependants return to a losing posting location

The following table applies if both these conditions apply.

- a. A member's dependants are approved to move to a new posting location with the member.
- b. The dependants choose to move back to the losing location at their own expense.

**Exception:** If all of the member's dependants in the household at the losing location are dependent children the member is not taken to be covered by this clause.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b> The member remains at the new posting location and is categorised as a member with dependants (unaccompanied).</p>	<p><b>Categorisation:</b> Division 1 subclauses 8.3A.6.6 or 7, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Benefits</b> The member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>Housing assistance may be provided for dependants at the personal location. The member is required to make a contribution.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p>

Item	Effects	Reference
5.	<b>Other effects</b> The dependants move back to the losing location at their own expense.	
6.	If the dependants choose to re-join the member in the posting location removal assistance is not provided.	<b>Removal:</b> Chapter 6 Part 6 Division 3 Subclause 6.6.22, Removal of dependants from personal location to current posting location
7.	Dependants who have chosen to move to a personal location must make their next removal at their own expense. After dependants have rejoined the member, future removals may be at Commonwealth expense.	

### 8.3A.16 Member recruited from overseas

The following table applies if both these conditions apply.

- a. A member is recruited from overseas and moved to Australia at Commonwealth expense.
- b. The member's dependants live in a personal location in Australia.

**Exception:** If all of the member's dependants in the household at the losing location are dependent children the member is not taken to be covered by paragraph b.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<b>Change in category</b> The member is categorised as a member with dependants (unaccompanied). <b>See:</b> Division 1 paragraph 8.3A.6.2.a, table item 3, Member who may be classified as a member with dependants (unaccompanied)	<b>Categorisation:</b> Division 1 subclause 8.3A.6.2, table item 3, Member who is eligible to be a member with dependants (unaccompanied)
2.	<b>Benefits</b> The member gets reunion travel.	<b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members

Item	Effects	Reference
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>Housing assistance may be provided for dependants at the personal location. The member is required to make a contribution.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p>
5.	<p><b>Other effects</b> Dependants at a personal location may get a removal to rejoin the member in conjunction with the member's next posting.</p>	<p>Chapter 6 Part 6 Division 3 clause 6.6.22, Removal of dependants from personal location to current posting location</p>
6.	<p>Members and dependants are given a range of benefits to move to the posting and personal locations. These include fares and removal of a reasonable amount of items.</p>	<p>Chapter 14 Part 3 Division 1 clause 14.3.13, Entitlements if enlisted overseas</p>

### 8.3A.17 Dependants move for compassionate reasons

The following table applies if both these conditions apply.

- a. The CDF approves a member's dependants to move for compassionate reasons.

**See:** Chapter 6 Part 6 Division 3 subclause 6.6.19.1, Compassionate removal to a personal location where benefits are provided

- b. The dependants then move to a personal location.

**Exception:** If all of the member's dependants in the household at the personal location are dependent children the member is not taken to be covered by paragraph b.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

#### Related Information:

Clause 8.3A.12, Member's dependants move to a personal location

Clause 8.3A.18, Dependants move for employment or study

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b> The member is categorised as a member with dependants (unaccompanied).</p> <p>A member may apply for this category change at any time during the posting cycle.</p>	<p><b>Categorisation:</b> Division 1 subclause 8.3A.6.6, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Benefits</b> The member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>Housing assistance may be provided for dependants at the personal location. The member is required to make a contribution.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 5 Division 7 clause 7.5.28, Member with dependants (unaccompanied) eligibility in two locations Chapter 7 Part 5 Division 9 clause 7.5.43, Contribution for Service residence or rent band choice home Chapter 7 Part 6, Rent allowance Chapter 7 Part 6 Division 1 subclause 7.6.5.2, Member entitled and period of entitlement</p>

Item	Effects	Reference
5.	The dependants may be given a limited removal to the personal location.	<b>Removal:</b> Chapter 6 Part 6 Division 3 clause 6.6.19, Compassionate removal to a personal location where benefits are provided
6.	Removal assistance for the dependants to rejoin the member is provided in some circumstances.	<b>Removal:</b> Chapter 6 Part 6 Division 3 Subclause 6.6.22, Removal of dependants from personal location to current posting location
7.	The member is not required to pay for meals eaten in the mess.	<b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to

### 8.3A.18 Dependants move for employment or study

The following table applies if both these conditions apply.

- a. The CDF approves a member's spouse or partner to move to continue in employment or study.

**See:** Chapter 6 Part 6 Division 3 subclause 6.6.19.2, Compassionate removal to a personal location where benefits are provided

- b. The dependants then move to a personal location.

**Exception:** If all of the member's dependants in the household at the personal location are dependent children the member is not taken to be covered by paragraph b.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Related Information:**

Clause 8.3A.12, Member's dependants move to a personal location

Clause 8.3A.17, Dependants move for compassionate reasons

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<b>Change in category</b> The member is categorised as a member with dependants (unaccompanied).	<b>Categorisation:</b> Division 1 subclause 8.3A.6.6, Member who may be classified as a member with dependants (unaccompanied)
2.	<b>Benefits</b> The member gets reunion travel.	<b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members

Item	Effects	Reference
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>Housing assistance may be provided for dependants at the personal location. The member is required to make a contribution.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 5 Division 9 clause 7.5.43, Contribution for Service residence or rent band choice home Chapter 7 Part 6, Rent allowance</p>
5.	<p>The dependants may be given a limited removal to the personal location.</p>	<p><b>Removal:</b> Chapter 6 Part 6 Division 3 clause 6.6.19, Compassionate removal to a personal location where benefits are provided</p>
6.	<p>Removal assistance for the dependants to rejoin the member is provided in some circumstances.</p>	<p><b>Removal:</b> Chapter 6 Part 6 Division 3 clause 6.6.22, Removal of dependants from personal location to current posting location</p>

### 8.3A.19 Member moves to a remote location

The following table applies to a member who meets both the following conditions.

- a. The member is posted to a remote location for six months or more.
- b. The dependants then move to a personal location.

**Exception:** If all of the member's dependants in the household at the personal location are dependent children the member is not taken to be covered by paragraph b.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

**Related Information:** Clause 8.3A.12 provides conditions that apply if a member is posted to a remote location for less than six months.

**See:** Clause 8.3A.12 Member's dependants move to a personal location

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<p><b>Change in category</b> The member is categorised as a member with dependants (unaccompanied).</p>	<p><b>Categorisation:</b> Division 1 subclause 8.3A.6.6, Member who may be classified as a member with dependants (unaccompanied)</p>
2.	<p><b>Benefits</b> The member gets reunion travel.</p>	<p><b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members</p>
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>The member's dependants may get housing assistance.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p>

Item	Effects	Reference
5.	<p>The member is entitled to limited removal costs to the personal location.</p> <p>a. <b>For a member in the Army or Air Force:</b> The member's dependants get removal assistance for items that would have been approved for removal to the remote location. There is a cost limit of the cost of removal of the items to the remote location. Items may also be stored at Commonwealth expense.</p> <p>b. <b>For a member in the Navy:</b> The member's dependants get removal assistance. The amount of that assistance is limited. A complex ceiling formula applies. Different arrangements apply if the member elects to only move their effects to the personal location.</p>	<p><b>Removal:</b> Chapter 6 Part 6 Division 3 clause 6.6.20, Removal to a personal location where benefits are provided instead of a remote location – Army and Air Force</p> <p><b>Removal:</b> Chapter 6 Part 6 Division 3 clause 6.6.21, Removal to a personal location where benefits are provided instead of a remote location – Navy</p>
6.	Removal assistance for the dependants to rejoin the member is provided in some circumstances.	<b>Removal:</b> Chapter 6 Part 6 Division 3 clause 6.6.22, Removal of dependants from personal location to current posting location

### 8.3A.20 Dependants removed before the member's discharge

The following table applies if a member's dependants are removed before the member's discharge.

**Exception:** If all of the member's dependants in the household at the removal location are dependent children the member is not taken to be covered by this clause.

**See:**

Chapter 1 Part 3 Division 2 clause 1.3.78, Dependent children

Chapter 6 Part 6 Division 6 clause 6.6.39, Removal on ceasing continuous full-time service

**Note:** This table must be read in conjunction with the explanation in clause 8.3A.9, Overview.

Item	Effects	Reference
1.	<b>Change in category</b> The member remains at the final posting location and is categorised as a member with dependants (unaccompanied).	<b>Categorisation:</b> Division 1 subclause 8.3A.6.6, Member who may be classified as a member with dependants (unaccompanied)
2.	<b>Benefits</b> The member gets reunion travel.	<b>Reunion travel:</b> Chapter 9 Part 3 Division 3, Reunion travel for members

Item	Effects	Reference
3.	<p>The member gets housing assistance at the posting location, plus separation, food and utilities allowances where applicable. The member is not required to make a housing contribution for their own accommodation.</p> <p>A member who lives in may choose to have free meals in the mess. A member who gets free meals is not also entitled to food allowance.</p> <p>Utilities allowances are not paid to a member who lives in.</p>	<p><b>Housing:</b> Chapter 7 Part 3, Living-in accommodation Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p> <p><b>Separation allowance:</b> Chapter 6 Part 1 Division 1 clause 5.1, Member eligible for separation allowance</p> <p><b>Food allowance:</b> Chapter 7 Part 7 Division 2 clause 7.7.15, Entitlement to allowance</p> <p><b>Meals in the mess:</b> Chapter 7 Part 7 Division 1 clause 7.7.3A, Member this Division does not apply to</p> <p><b>Utilities allowance:</b> Chapter 7 Part 8 clause 7.8.3, Member clauses 7.8.4 and 7.8.5 apply to</p>
4.	<p>Housing assistance may be provided for dependants at the personal location. The member is required to make a contribution.</p> <p>Housing assistance for dependants is not provided to a member with a suitable own home in the personal location.</p>	<p><b>Housing:</b> Chapter 7 Part 1 Division 1 clause 7.1.6, Eligibility for housing assistance Chapter 7 Part 5, Service residences Chapter 7 Part 6, Rent allowance</p>
5.	<p><b>Other effects</b> The member is entitled to a discharge removal. This may be used to get the dependants to the personal location. If the member has a discharge authority this removal may happen before the member is discharged.</p>	<p><b>Removal:</b> Chapter 6 Part 6 Division 6 clause 6.6.39, Removal on ceasing continuous full-time service</p>
6.	<p>If the member accepts further permanent full-time service, the cost of the removal must be repaid and conditions of service are as for clause 8.3A.11.</p> <p><b>See:</b> Clause 8.3A.11, Member's dependants live in a personal location</p>	<p><b>Removal:</b> Chapter 6 Part 6 Division 6 subclause 6.6.39.3, Removal on ceasing continuous full-time service</p>

### 8.3A.21 Members who cannot be a member with dependants (unaccompanied)

The member with dependants (unaccompanied) category is not for members in the following situations.

- a. The member has never formed a common household with their spouse or other dependant.

**Example:** A member is posted to Brisbane, and marries a man who is studying in Melbourne. After the marriage the couple continue their former living arrangements so the spouse can finish his degree. Even though they are apart the member can not be a member with dependants (unaccompanied).

**Exception:** Where all the following conditions apply the member is taken to meet the requirements of paragraph a.

- i. A member is the spouse or partner of another member.
- ii. The members are not able to form a common household for Service reasons.
- iii. The CDF recognises one member of the couple as a dependant for conditions of service.

**See:** Chapter 1 Part 3 Division 2 clause 1.3.79, CDF-recognised dependants

- iv. The members are posted to separate locations.
- b. If all of the member's dependants in the household at the personal location are dependent children.

**Example:** A member is a single parent with two dependent children, aged 18 and 20. The member is posted to another location. The children remain in the family home. Even though the family is apart the member can not be a member with dependants (unaccompanied). The member may be eligible for education assistance, including tertiary education assistance.

**Exception:** Subclauses 8.3A.6.6 and 8.3A.6.7 are CDF powers that may be used to approve a member as a member with dependants (unaccompanied). These powers may be used for a member who falls into a category described in paragraphs a or b.

**See:**

Division 1 clause 8.3A.6, Member who may be classified as a member with dependants (unaccompanied)

Division 1 clause 8.3A.4, Purpose of member with dependants (unaccompanied) category

**Note:** This clause must be read in conjunction with the explanation in clause 8.3A.9, Overview.

## Part 4: Education assistance

### 8.4.1 Overview

When a member is posted within Australia, they may incur extra costs to educate or accommodate their child. Education assistance helps with these costs. This Part outlines the education assistance available to members for their children.

**Exception:** Division 5 outlines assistance for a member's tertiary student children living away from the member's location of residence. The member does not have to be posted to be eligible for this assistance.

### 8.4.2 Definition

The following definition applies to this Part.

Term	Definition in this Part
Compulsory tuition fees	Compulsory amounts levied by the school for educating the child, including compulsory sports levies. This does not include boarding fees.

### 8.4.3 Contents

This Part includes the following Divisions:

<a href="#">Division 1</a>	General information on education assistance
<a href="#">Division 2</a>	School students at the gaining location
<a href="#">Division 3</a>	Loss of scholarship
<a href="#">Division 4</a>	School students not at a posting location
<a href="#">Division 5</a>	Tertiary students not at member's location of residence

## Division 1: General information on education assistance

### 8.4.4 Purpose

Education assistance helps members pay for additional education costs for their children caused by a posting to a location within Australia.

**Note:** Clause 1.6.1 deals with situations where a member's adult dependant is also a member, and they would both be entitled to education assistance for a child. Only one of the members is entitled.

**See:** Chapter 1 Part 6 clause 1.6.1, Dual entitlement – member's adult dependant is also a member.

### 8.4.5 Components of education assistance

Education assistance is organised into Three main components:

Item	For...	reimbursement of costs is available for...
1.	school students at the gaining location	additional tuition fees to maintain academic achievement.
2.	school students not at posting location	compulsory tuition fees and accommodation costs.
3.	tertiary students not at member's location of residence	accommodation costs to live near the institution offering the chosen course.

### 8.4.6 Changes to eligibility periods

The CDF may bring forward or extend periods of eligibility outlined in this Part. Before approving, the CDF must consider all these factors.

- a. The child's age, school history, educational needs, family circumstances and general welfare.
- b. Facilities offered by schools and educational institutions in the former and gaining locations.
- c. The nature of the education system in the gaining location.

**Examples:** Are Years 11 and 12 offered? Is assessment by coursework, exams or a combination?

- d. Staff advice from schools and educational institutions in the former and gaining locations.
- e. The circumstances of the member's posting and the likely location of future postings.
- f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

**See:** Part 6, Dependants with special needs

- g. Any other disabilities of the child.
- h. The interests of the Commonwealth.
- i. Any other factor relevant to the child's educational progress.

### 8.4.7 Assistance in special circumstances

Where a member is not entitled to any education assistance in this Part, the CDF may approve assistance for special reasons. These reasons need to be beyond the member's control.

Before approving, the CDF must consider both these factors.

- a. The special circumstances are reasonable and consistent with the purposes of education assistance.
- b. The member cannot be provided with any other type of education assistance outlined in this Part.

**Note:** The amount of assistance approved must not exceed the amount outlined in this Part for eligible members in similar circumstances.

**Note:** **Travel entitlements related to education assistance**

For travel entitlements related to education assistance, see the following provisions in [Chapter 9](#), ADF travel in Australia.

Topic	Reference
Reunion travel for school students	Chapter 9 Part 3 <a href="#">Division 4</a>
Student reunion travel to members in remote locations	Chapter 9 Part 3 <a href="#">Division 5</a>
Reunion travel for tertiary students	Chapter 9 Part 3 <a href="#">Division 6</a>

## Division 2: School students at the gaining location

### 8.4.8 Purpose

1. If a member's child changes schools due to posting in Australia, their education may be disrupted. This Division assists with the cost of additional educational services. These services help the child meet the academic standards of the new school.
2. Only these three changes of school are within the purpose of this Part.

Item	From...	To...
1.	Primary	Primary
2.	Primary	Secondary
3.	Secondary	Secondary

3. Education assistance in this Division is designed to overcome immediate difficulties as a result of posting. Assistance is limited. If the child continues to experience education difficulties beyond the limits, any further costs are the member's responsibility.

### 8.4.9 Member this Division applies to

For this Division, all these conditions must be met.

- a. The member is granted a removal to a new posting location.
- b. The member has a child changing school to the gaining location. The child must meet all these conditions.
  - i. They are under 20 years old.
  - ii. They normally live with the member or adult dependant.
  - iii. They attend a registered primary or secondary school full-time.
  - iv. They are not repeating a school year to improve results.
- c. The principal or the child's teacher at the new school certifies at least one of the following.
  - i. The child has not reached, or is unlikely to maintain, a sufficient standard in a subject. They require additional tuition that the school cannot provide.
  - ii. The school cannot provide a subject. This must be critical to the child's educational progress or career-choice.
  - iii. The school cannot provide a therapy service or tuition. This must be critical to the child's educational progress.
  - iv. The child needs to have a special need assessed to develop a suitable educational program. A government agency is not able to do this within six months of the child's arrival at the gaining location.
  - v. A child with a special need critically needs a program or service. A government school at the location cannot provide it. A non-government school at the location can provide it, or another directly related program or service.
  - vi. The child is academically gifted and needs a special education program. A government school at the location cannot provide it.

**Note:** The requirement to certify under this paragraph is met when the school principal or the child's teacher signs the member's application form.

#### 8.4.10 Rate and period of reimbursement

1. This clause applies to a member who buys face-to-face tutoring for their child.

**Related Information:** Clause 8.4.10A, Web-based tutoring

- 1A. The member may be reimbursed for one hour of additional tuition a week for each subject certified under paragraph 8.4.9.c.
2. Reimbursement must be no more than \$69 an hour.
3. This table outlines the maximum periods for reimbursement.

Item	If the child...	then the maximum period for reimbursement is...
1.	has previously studied a subject offered at the new school	14 weeks
2.	has not previously studied a subject offered at the new school <b>Example:</b> A new language not previously studied.	6 months
3.	is in Year 10, 11 or 12 and studying a subject essential to career aims, but not provided at the new school <b>Example:</b> A student wishes to pursue a career in music. Music courses are not available at the new school.	1 school year

4. Tuition costs can be reimbursed to a member for more than one subject.
5. Reimbursement of costs to the member is the common payment option.

**Exception:** The CDF may accept an invoice directly from a tutor and pay it on behalf of the member. The CDF must be satisfied the member cannot be reimbursed, as they are away for service reasons.

#### 8.4.10A Web-based tutoring

1. This clause applies to a member who buys web-based tutoring for their child.

**Related Information:** Clause 8.4.10A, Face-to-face tutoring

2. If a teacher or principal recommends that a child begin tutoring, a member may be paid for the cost of a subscription to a web-based tutoring service that the member chooses.
3. A member may not be paid under this clause for any of the following costs.
  - a. Computer software costs.
  - b. Computer hardware costs.
  - c. Internet access costs.
4. Payment is by reimbursement of the member's costs.

**Exception:** If clause 8.4.11A applies.

**See:** Clause 8.4.11A, Payments to tutor

5. Payments under this clause are limited to an amount calculated in accordance with the following table.

<b>Step</b>	<b>Action</b>
1.	Find the maximum limit for the child and the certified subject in the table in subclause 6.
2.	Find the number of subjects that meet both these requirements. a. The subject was certified by the child's new school under paragraph 8.4.9.c. b. The child is provided with online tuition on the subject.  <b>See:</b> Clause 8.4.9, Member this Division applies to
3.	Multiply the outcome of Step 1 by the outcome of Step 2.
4.	Find the amount paid to the member for any face-to-face tutoring under clause 8.4.10.  <b>See:</b> Clause 8.4.10, Face-to-face tutoring
5.	Subtract the outcome of Step 4 from the outcome of Step 3.
6.	The outcome of Step 5 is the limit that may be reimbursed for web-based tutoring.

**Example:**

A member is posted to a new location. The member's child needs some catch-up coaching in maths. The child has face-to-face tutoring for four hours, and then the tutor advises that a web-based tutoring program would help consolidate the child's new skills. The child's teacher approves the plan.

<b>Step</b>	<b>Action</b>
1.	The child has studied maths before. The maximum limit is in Item 1 of the table in subclause 6, and is \$966.
2.	The child only has one subject recommended, and had the coaching.  $\$966 \times 1 = \$966$
3.	The child had 4 hours of face-to-face tutoring.  4 hours face-to-face tutoring x \$69 an hour = \$276
4.	$\$966 - \$276 = \$690$
5.	The member may be reimbursed \$690 for web-based tutoring.

6. The following table provides figures used in Step 1 of the calculation in subclause 5.

Item	If the subject...	and the child...	then the maximum limit is...
1.	is offered at the new school	has studied the subject before	\$966.
2.		has not studied the subject before	\$1794.
3.	is not offered at the new school	meets both of the following conditions: 1. The child is in Year 10, 11 or 12. 2. The child needs to study the subject, as it is essential to their career aims. <b>Example:</b> A student wishes to pursue a career in music. Music courses are not available at the new school.	\$3588.

#### 8.4.11 Conditions for reimbursement to member

For a member to be reimbursed their costs, the educational services must meet both these conditions.

- a. They must be provided within 18 months of the child starting study at the new school.
- b. They must be provided by a qualified person or accredited organisation.

#### 8.4.11A Payments to tutor

A member who meets both the following conditions may elect to have payments made directly to the body that supplied the tutoring, instead of by reimbursement.

- a. The member is away for Service reasons.
- b. It is not practical for the member to apply for a reimbursement.

#### 8.4.12 Children with special needs

1. Education assistance also covers members' children with special needs. It supports access to programs or services not available in the new school or other Government agencies.
2. To be eligible for education assistance in this clause, the child must be a dependant with a special need.  
**See:** Chapter 1 Part 3 [Division 2](#) clause 1.3.82, Dependant with special needs
3. This table outlines entitlements for children with special needs.

Item	If the special needs child requires...	then the entitlement is...
1.	a therapy service or tuition not provided at the school, but critical to educational progress	one hour a week for 14 weeks, at a maximum of \$69 an hour for each service needed.
2.	an assessment of the need, critical to the development of an educational program	a private assessment of the need, up to \$513.

4. These conditions apply to the entitlements outlined in subclause 8.4.12.3.
  - a. For item 1 in the above table, both these conditions apply.
    - i. A therapy service must have been provided to the child with a special need at the previous location.
    - ii. Tuition or therapy must be provided by a qualified person or accredited organisation. It must also be provided within 18 months of the child starting at the new school.
  - b. For item 2. in the table above, a member is only reimbursed for a private assessment if a government agency cannot provide the assessment.
5. The CDF may approve attendance at a private school to access a special program. If approved, the member may receive the cost of compulsory tuition fees up to \$18,347 a year. A member contribution of \$244 a year is required.
6. For approval under subclause 5, all these conditions must be met.
  - a. The program or service must have been provided to the child by a government school at the losing location.
  - b. The program or service cannot be provided by an accessible government school at the gaining location.
  - c. The program or service can be provided by a private school.
  - d. It is critical that the child attends the private school for educational progress.
7. For subclause 5, the CDF must also consider all these factors.
  - a. The child's age, school history, educational needs, family circumstances and general welfare.
  - b. Facilities offered by schools and educational institutions in the former and gaining locations.
  - c. The nature of the education system in the gaining location.

**Examples:** Is Year 11 and 12 offered? Is assessment by coursework, exams or a combination?
  - d. Staff advice from schools and educational institutions in the former and gaining locations.
  - e. The circumstances of the member's posting and the likely location of future postings.
  - f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

**See:** Part 6, Dependants with special needs
  - g. Any other disabilities of the child.

- h. The interests of the Commonwealth.
- i. Any other factor relevant to the child's educational progress.

#### **8.4.13 CDF discretion to extend education assistance**

1. The CDF can decide to extend limits of education assistance in this Division. The CDF must be satisfied the child requires further tuition or therapy to sustain academic performance.
2. Under subclause 1, the CDF can only extend education assistance outlined in subclauses 8.4.10.3 (table item 1) and 8.4.12.3 (table item 1).
3. Before approving an extension under subclause 1, the CDF must do the following.
  - i. Receive a new certification as outlined in paragraph 8.4.9.c. This must state that extension is required because of the disruption caused by changing school.
  - ii. Consider all the criteria listed in subclause 8.4.12.7.
4. The extended entitlement is an additional 14 weeks' reimbursement for each subject. This must be no more than \$69 an hour.

#### **8.4.14 Applying for education assistance**

This clause is reserved for publication in the *ADF Pay and Conditions Manual* of an administrative description of the process for applying for education assistance at the member's posting location.

## Division 3: Loss of scholarship

### 8.4.15 Purpose

If a member's child changes schools due to posting, they may have to give up a scholarship. This Division pays the member for educational costs, to the value of that scholarship.

### 8.4.16 Member this Division applies to

For this Division, the member must meet all these conditions.

- a. The member is posted to another location.
- b. The member's child held a scholarship for education at a school in the losing location. The child could not use the scholarship because they changed schools to the gaining location.

**Note:** A scholarship includes a bursary.

- c. The member is not entitled to any other education assistance outlined in this Part.

**Note:** Clause 1.6.1 deals with situations where a member's adult dependant is also a member, and they would both be entitled to reimbursement for loss of a child's scholarship. Only one of the members is entitled.

**See:** Chapter 1 Part 6 clause 1.6.1, Dual entitlement – member's adult dependant is also a member.

### 8.4.17 Loss of scholarship

1. The member is entitled to be reimbursed for the following educational costs. The costs are limited to the value of the part of the scholarship that is not yet used.
  - a. Compulsory tuition fees at the gaining location, to the value of the scholarship.
  - b. Costs for textbooks, to the value of any separate amount the scholarship paid for textbooks.
2. The costs must be for education of a kind that the child would have received under the scholarship.

## Division 4: School students not at a posting location

### 8.4.18 Purpose

Sometimes a member's child does not accompany them to the gaining location. This Division assists the member with compulsory tuition fees and accommodation costs in some circumstances.

### 8.4.19 Member this Division applies to

1. For this Division, the member must meet all these conditions.
  - a. The member is granted a removal to a new posting location.
  - b. The member has a child who meets all these conditions.
    - i. They are under 20 years old.
    - ii. They normally live with the member or adult dependant.
    - iii. They are in Year 9, 10, 11 or 12, or an earlier year that the CDF decides is critical to the child's education.
    - iv. They are not repeating a school year to improve results.
  - c. The member elects for the child to attend school at one of these locations.
    - i. The losing location.
    - ii. A personal location approved by the CDF.

**Example:** A family is moving from Nowra to Perth. The member wishes to keep the child in the same school system. The child enrolls in a boarding school in Sydney, because there are no boarding schools in Nowra.

2. For subparagraphs 1.b.iii and 1.c.ii, the CDF must consider all these factors.
  - a. The child's age, school history, educational needs, family circumstances and general welfare.
  - b. Facilities offered by schools and educational institutions in the former and gaining locations.
  - c. The nature of the education system in the gaining location.

**Examples:** Is Year 11 and 12 offered? Is assessment by coursework, exams or a combination?
  - d. Staff advice from schools and educational institutions in the former and gaining locations.
  - e. The circumstances of the member's posting and the likely location of future postings.
  - f. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

**See:** Part 6, Dependants with special needs
  - g. Any other disabilities of the child.
  - h. The interests of the Commonwealth.
  - i. Any other factor relevant to the child's educational progress.

3. For subparagraph 1.c.ii, the CDF must additionally consider any family support available to the child in the personal location.

#### 8.4.20 Rates of reimbursement

1. This table outlines the rates of reimbursement to a member.

Item	The annual maximum reimbursement is...	less an annual member contribution of...
<b>Compulsory tuition fees</b>		
1.	The cost of compulsory tuition fees to a maximum of \$18,347	\$244.
<b>Accommodation</b>		
2.	If in boarding school or a commercial establishment, the cost of board to maximum of \$17,318	\$2,600. (\$2,152 if the first year of boarding)
3.	If accommodated privately, the cost of board to a maximum of \$8,952 <b>Example:</b> A lodger boarding in a private home.	

2. ...
3. Reimbursement under this clause must be reduced if other assistance is provided. This table outlines these reductions.

Item	If the member receives...	the entitlement must be reduced by...
1.	other government assistance for the cost of attendance at school	the total value of that assistance. <b>Example:</b> If the member received \$100 from another government scheme, \$100 must be reduced from the entitlement.
2.	assistance for the purchase of textbooks and equipment	half the value of that assistance. <b>Example:</b> If the member received \$100 from another government scheme, \$50 must be reduced from the entitlement.

#### 8.4.21 Period of reimbursement

1. For this Division, the period of reimbursement to a member begins on the later of these days.
  - i. The first day of the child's next school term, after the member is notified of posting.
  - ii. The day the child begins to board at the other location.
2. The reimbursement period ends on the earlier of these days.
  - i. The last day of the child's attendance at the school.
  - ii. The day the member ceases continuous full-time service.
3. If a child is absent from school for 12 weeks or more, the member is not entitled to education assistance for the period.
4. In certain cases, a child may stop attending the school for reasons beyond the control of the child or member. This includes Service, medical or other compassionate reasons. If the member has paid school fees or accommodation in advance, the member will be reimbursed for the period they have paid for.

**Note:** This subclause only applies where the member cannot be refunded costs by the

school.

5. A member receiving education assistance may become ineligible during the reimbursement period.

**Example:** A member is posted back to the location where the child is attending school.

In this case, the period of education assistance ends on whichever of these days applies.

- a. The last day of the school year.
- b. If the child is in Year 11 or 12, the day they complete secondary education.

For boarding costs, see also subclause 6.

6. A member cannot be reimbursed boarding costs during school holidays, or while the member or an adult dependant lives within the student's location.

**Exception:** The CDF may approve reimbursement of the accommodation costs to the member in special circumstances.

**Example:** A member is posted back to the location where the child is attending school. The member lives in. The rest of the member's family remains at the previous location. The member has not yet established a home in the child's location, therefore the child remains in boarding school.

7. For subclause 6, the CDF must consider all these factors.

- a. Any family support available to the child in the personal location.
- b. The child's age, school history, educational needs, family circumstances and general welfare.
- c. Staff advice from schools and educational institutions in the former and gaining locations.
- d. The circumstances of the member's posting and the likely location of future postings.
- e. Any other assistance available from the Defence Community Organisation to support dependants with special needs.

**See:** Part 6, Dependants with special needs

- f. Any other disabilities of the child.
- g. The interests of the Commonwealth.
- h. Any other factor relevant to the child's educational progress.

#### 8.4.22 Applying for education assistance

This clause is reserved for publication in the *ADF Pay and Conditions Manual* of an administrative description of the process for applying for education assistance at a location other than the member's posting location.

## Division 5: Tertiary students not at member's location of residence

### 8.4.23 Purpose

This Division assists posted members with the accommodation costs of a child in tertiary education. This is only available if the child is studying away from the member's location of residence.

### 8.4.24 Member this Division applies to

1. This Division applies to a member who meets both these conditions.
  - a. The member has a child who meets all these conditions.
    - i. They are less than 25 years old.
    - ii. They are doing a full-time undergraduate course at a tertiary institution within Australia.
    - iii. They are unable to take the selected course at an institution within the member's location of residence.
    - iv. They are not eligible for Youth Allowance for an independent full-time student living away from home.

**Note:** A member must show a statement from Centrelink that the child is ineligible for Youth Allowance, under the [Social Security Act 1991](#).

- b. The member incurs costs for the child's accommodation.

**Note:** Accommodation includes accommodation owned or rented by the member.

2. The CDF can approve assistance in special cases. This is where a student can attend an equivalent course in the member's location of residence, but the student needs to study elsewhere.

**Example:** The member is posted when the child has completed two years of a three-year degree in the member's former location. It would be disruptive to change universities.

3. For subclause 2, the CDF must consider all these factors. Paragraphs d, e and f only apply if the need for assistance arises from the member's posting to a new location.
  - a. If family members can provide support to the student.
  - b. Factors relevant to the course of study or research, including the availability of specialist academic staff.
  - c. The child's age, school history, educational needs, family circumstances and general welfare.
  - d. Facilities offered by educational institutions in the former and gaining locations.
  - e. The nature of the education system in the gaining location.

**Examples:** Are different subjects needed for the degree? Is assessment by coursework, exams or a combination?

  - f. Staff advice from educational institutions in the former and gaining locations.
  - g. The circumstances of the member's posting and the likely location of future postings.

- h. Any other assistance available from the Defence Community Organisation to support dependants with special needs.  
**See:** Part 6, Dependants with special needs
- i. Any other disabilities of the child.
- j. The interests of the Commonwealth.
- k. Any other factor relevant to the child's educational progress.

#### 8.4.25 Rate and period of assistance

1. The member is entitled to be reimbursed up to \$156 a week for accommodation costs.
2. The period for reimbursement of these costs begins on the day the child begins tertiary education. The period ends on the earliest of these events.
  - a. The day the child fulfils the minimum requirements to complete the course.
  - b. After a total of three years' assistance.  
**Example:** Three academic years, or six semesters over a number of years.
  - c. If any change in circumstances make the child ineligible for assistance under this Division.  
**Example:** The student becomes eligible for the independent rate of Youth Allowance.
  - d. The day the member ceases to be entitled under this Division, for any other reason.  
**Example:** The student withdraws from their course.
3. A member cannot be reimbursed for accommodation costs during semester breaks, or while the member or an adult dependant lives in the student's location.  
**Exception:** The CDF may approve accommodation costs in special circumstances.  
**Example:** The student has a lease that includes payment of rent in semester breaks.
4. For subclause 3, the CDF must consider all these factors.
  - a. The child's age, school history, educational needs, family circumstances and general welfare.
  - b. Staff advice from educational institutions in the former and gaining locations.
  - c. The circumstances of the member's posting and the likely location of future postings.
  - d. Any other assistance available from the Defence Community Organisation to support dependants with special needs.  
**See:** Part 6, Dependants with special needs
  - e. Any other disabilities of the child.
  - f. The interests of the Commonwealth.
  - g. Any other factor relevant to the child's educational progress.

## Part 5: Emergency Support for Families Scheme

### 8.5.1 Purpose

This Part has two purposes.

- a. To support the well-being of a member's dependants while the member is absent on duty.
- b. To provide short-term emergency support for a member's dependants during an emergency situation.

**See:** Definitions of member and dependant.  
Chapter 1 Part 3 Division 1 clause 1.3.39, Member  
Chapter 1 Part 3 Division 2, Dependants

### 8.5.2 Emergency situation

1. In this Part, an **emergency situation** is an event that has these features.
  - a. It is unforeseen.
  - b. It is sudden.
  - c. It exceeds the member's dependants' immediate coping mechanisms.
2. An **emergency situation** is not an event that occurs due to a member's ordinary work situation.

**Example:** The member is at home but may be required to undertake a regular forecast duty. The family has three children. One child requires scheduled surgery and is still being breast fed which requires the member's partner to remain at the hospital. As the hospitalisation was planned for, the member should have arranged with his unit not to be on duty. This event **is not** an emergency situation.

### 8.5.3 Eligibility for emergency support

A member's dependants may be eligible for emergency support for an emergency situation if the member is in any of the following situations.

- a. Absent from home for Service reasons.

**Example:** A member is away from home on a work related activity. During the member's absence, one of their children becomes seriously ill and is taken to hospital for tests. The member's partner is with the sick child, leaving another child at home alone and in need of care.

- b. Required to perform duty outside their working hours with less than 48 hours notice.
- c. In hospital or unable to provide care to their dependants for a medical reason.

### 8.5.4 Applying for emergency support

1. If a member's dependants are eligible for emergency support under clause 8.5.3, either of the following persons may apply for it.
  - a. The member.
  - b. The member's dependants.

2. The unit commander may apply for emergency support on behalf of a member's dependants when any of the following agree to receive the support.
  - a. The member.
  - b. The member's dependants.
  - c. The dependants' authorised representative.

**Example:** The member is posted overseas. The spouse of the member is incapacitated in an accident and the member has dependant children who are minors. The children's aunt is appointed the guardian and authorised representative of the children. The unit commander is then given permission by the aunt to apply for support.

3. To apply, the applicant may contact whichever of the following is available.
  - a. During business hours -- the Defence Community Organisation Area Manager at the applicant's local Defence Community Organisation.
  - b. After business hours -- the National Welfare Coordination Centre on 1800 801 026.
4. The applicant must apply in writing using the form at Annex 8.5.A.

**See:** Annex 8.5.A, Application for Emergency Support for Families Scheme

5. When the written application has been lodged, a Defence Community Organisation social worker is made available to support the member's dependants and drafts a support plan that includes the following information.

- a. The types of services recommended for the member's dependants.

**See:** Clause 8.5.6, Types of services available

- b. A list of people or organisations who the member's dependants or authorised representative agree may be informed and consulted with during this time.

6. The support plan is drafted in consultation with the member's dependants or authorised representative and any of the following people, if relevant.

- a. The unit commander.
- b. Chaplains.
- c. ADF health staff.

7. The social worker also assesses the written application and then makes a recommendation to the CDF.

8. The CDF may approve the application for emergency support and the support plan, having regard to the following.

- a. Whether the member's dependants have experienced an emergency situation.
- b. Whether the member's dependants have insufficient immediate family or local support.
- c. The types of services recommended by the social worker.
- d. The needs of the member's dependants.

### 8.5.5 When emergency support has been approved

1. The social worker may provide the following support.
  - a. Organisation of professional care and emotional support for the family.
  - b. Case management services to the family throughout the emergency, with regular feedback to the people who have been agreed upon in the support plan.  
**See:** Paragraph 8.5.4.5.b
  - c. Other support measures as required in consultation with the affected family.
  - d. Development of a longer term strategy to ensure the well-being of the family for the remainder of the member's period of absence.
2. A formal review of the situation is made by the Defence Community Organisation social worker after three days and a written report is then forwarded to CDF through the Area Manager. A copy is placed on the member's case file.

### 8.5.6 Types of services available

1. The types of emergency services available to a member's dependants may include any or all of the following.

Item	These services may be provided...	by...	for up to...
1.	Dependant care	professional providers or family members	five days and a combined maximum cost of \$2,500 for each emergency.
2.	Specialist dependant care		
3.	Housekeeping		
4.	Child minding		
5.	Respite care		
6.	Travel for immediate family to provide support to the member's dependants	professional providers organised through the Defence Travel Contract	

2. Despite subclause 1, if a service listed at items 1-5 is not available in the dependant's location, the CDF may approve payment of travel and associated costs to a provider sourced from another location. The service providers' travel and associated costs are taken into account as part of the cap on assistance payments in subclause 1.
3. Assistance under this clause is only provided to a member's dependants for emergency services recommended in the social worker's support plan.
4. The assistance toward the cost of the emergency services is paid by the following means, up to the maximum cost for the emergency.

Item	If the services were...	Defence Community Organisation will...
1.	paid for by the member's dependants	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.

**Staff-in-Confidence (on first entry)**

**Annex 8.5.A: Application for Emergency Support for Families Scheme**

**Details of Applicant**

Family Name ----- First Name -----

Home address -----  
-----

Telephone number ----- Mobile -----

**Service Member**

Rank ----- PMKeys Number -----

Family Name (if different to Applicant) ----- First Name -----

Unit, ship or establishment -----

Reason for Service absence -----

Dates of absence -----

Emergency situation (describe the current situation and the assistance that may be needed) -----  
-----  
-----  
-----  
-----  
-----  
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-----  
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**Privacy Notice**

Defence is collecting your personal information in order to consider your application for assistance under the Emergency Support for Families Scheme.

All information collected will be treated as staff-in-confidence and is protected by the *Privacy Act 1988*. Defence will take all reasonable steps to secure your personal information against misuse, loss and unauthorised access.

You may choose not to provide some or all of your personal information, but this may affect Defence's ability to assess your application.

Defence will use your information in calculating the Department's total fringe benefits tax (FBT) liability. It will be made available to your social work case manager, and to the Defence Community Organisation.

Defence will not use or disclose your personal information without your express permission, for a purpose other than the purpose for which the information is being collected.

## **Staff-in-Confidence (on first entry)**

### **Applicants acknowledgement (must be signed by either the Applicant or Service Member)**

I am aware that data relating to the Emergency Family Support Scheme will be used in calculating the total fringe benefits tax (FBT) liability for the Department of Defence, and while I do not have to pay this amount, the grossed-up fringe benefits amount will be reported on the member's (ADF member) payment summary where the total of all benefits received by the member over the FBT year (1 April to 31 March) exceeds \$1,000. Services provided through the Emergency Family Support Scheme could potentially result in a reportable fringe benefits amount of up approximately \$5,000. I am aware this may have financial implications for the member (for example, payments to/from Centrelink, Family Assistance Office and the Child Support Agency), which may require notification to other Government agencies of the assistance.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Staff-in-Confidence (on first entry)**

**Social Work Case Manager Assessment (attach case management plan to this application)**

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-----  
-----  
-----  
-----

**DCO recommendation** **Recommended / not recommended**

Name ----- Signature ----- Date -----

**Commanding Officer Comments**

-----  
-----  
-----  
-----

**Commanding Officer Recommendation** **Recommended / not recommended**

Name ----- Signature ----- Date -----

**DCO Area Manager** **Approved / not approved**

(on behalf of the CDF under subclause 8.5.4.7)

-----  
-----  
-----  
-----

Name ----- Signature ----- Date -----

**SERVICE PROVIDER NAME** -----

Type of Assistance ----- Duration -----

Cost -----

Invoice to be forwarded to: -----

**Review date:** -----

## Staff-in-Confidence (on first entry)

### Method of Payment for Reimbursement

Payment can be made into your partner's bank account (as identified by the Defence accounting system) by completing the details below

#### ORDER TO PAY AGENT

Date: .....

I ..... request that you pay to my agent

**CLAIMANT'S NAME**

..... the sum of  
**PARTNER'S NAME/RANK/PMKEYS NUMBER**

..... being the amount payable to me for  
**AMOUNT**

*Reimbursement for expenses incurred for the Emergency Support for Families Scheme.*

.....  
**SIGNATURE**

#### DIRECT DEPOSIT TO ANOTHER ACCOUNT

If preferred payment is by Direct Deposit to another account a "No ABN Withholding" form should be completed and forwarded with your application. If you choose not to complete the "No ABN Withholding" Defence will be obliged to withhold from the payment an amount calculated at the top marginal rate of tax plus Medicare levy. The Form is available as an Adobe download from the ESFS page on the DCO website.

**See:** <http://www.defence.gov.au/dco/esfs.htm>

Banking details as listed below are required for this option:

Name of Financial Institution .....

Account Name .....

Account Number .....

BSB Number .....

# 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 Assessment of assistance on posting

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 Annex 9.5.A.

**See:** Annex 9.5.A, Amounts for accommodation, meals and incidentals for travelling allowance and travel card

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, therapy services or equipment hire** (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 835 – Application for assistance with respite, personal care, therapy services or equipment hire** (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 Annex 9.5.A.

**See:** Annex 9.5.A, Amounts for accommodation, meals and incidentals for travelling allowance and travel card

### 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

## 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, therapy services or equipment hire (AC835)

## Part 7: Family assistance for attendance at a Court of Inquiry

### 8.7.1 Purpose

1. A Court of Inquiry provides a benefit to members as it determines the facts and circumstances surrounding an incident or situation they may have been involved in.
2. The purpose of this Part is to provide assistance to a member's family for their attendance at a Court of Inquiry involving an injured or deceased member.
3. This assistance is provided on the basis that a person does not gain or lose financially when attending a Court of Inquiry.

### 8.7.2 Definitions used in this Division

In this Division **Court of Inquiry** has the same meaning as in regulation 3 of the *Defence (Inquiry) Regulations 1985*.

### 8.7.3 Persons who this Part applies to

1. This Part applies to the following people.
  - a. The spouse or interdependent partner of the member.  
**See:** Chapter 1 Part 3 Division 2, Definitions – dependants
  - b. A child of the member.
  - c. A parent of the member.
  - d. A parent of the member's spouse or interdependent partner.
  - e. A dependant of the member.  
**See:** Chapter 1 Part 3 Division 2, Definitions – dependants
2. The CDF may approve assistance under this Part for people other than those listed subclause 8.7.3.1 having regard to the following.
  - a. Any recommendation made by the Director General Defence Community Organisation.
  - b. Whether the person has been authorised to appear under regulation 33 or regulation 121 of the *Defence (Inquiry) Regulations 1985*.
  - c. Whether the person's presence is necessary to provide support to a person under paragraph b.

### 8.7.4 Persons this Part does not apply to

This Part does not apply to a person who is not covered by either subclause 8.7.3.1 or subclause 8.7.3.2 even if they have an interest in a Court of Inquiry for any period.

### 8.7.5 Assistance for attendance

1. A person may be provided with the following assistance under this Part.
  - a. Travel.  
**See:** Clause 8.7.6, Assistance with domestic travel
  - b. Accommodation.  
**See:** Clause 8.7.7, Assistance with accommodation
  - c. Meals.  
**See:** Clause 8.7.8, Assistance with meals
  - d. Other expenses.  
**See:** Clause 8.7.9, Assistance with incidental expenses
  - e. Dependant or child care.  
**See:** Clause 8.7.10, Assistance with dependant or child care
  - f. Additional Support.  
**See:** Clause 8.7.11, Additional financial support
2. The provision of assistance under this Part ends on the day after the close of the Court of Inquiry hearings.  
**Exception:** The CDF may approve assistance for attendance at a briefing before the public release of the report.

### 8.7.6 Assistance with domestic travel

1. This clause does not apply to a person who lives within 30 kilometres of the location of the Court of Inquiry.
2. The CDF may approve payment of vehicle allowance to a person if the CDF considers it reasonable to assist the person to travel to attend the Court of Inquiry on a daily basis.  
**See:** Chapter 9 Part 6 Division 5 clause 9.6.24, Amount of allowance and calculation of distance
3. A person who gets vehicle allowance under this clause is to be reimbursed any parking fees and road tolls incurred for the purpose of attending the Court of Inquiry. The person must provide official receipts.  
**Exception:** This does not include the cost of any parking or traffic fines.
4. If the CDF considers it unreasonable for a person to travel to attend the Court of Inquiry on a daily basis, the CDF may approve a return economy class trip within Australia at Commonwealth expense.  
**Example:** The person lives in Perth and the Court of Inquiry is being held in Sydney.
5. Approval to travel under subclause 4 may include travel on the day before the Inquiry starts and the day after the Inquiry finishes.
6. If there is a break of more than five days between sitting days, a person may choose to travel back to their home at Commonwealth expense. A maximum of three return trips at Commonwealth expense may be provided under this subclause in any two month period.

7. The Director General Defence Community Organisation may approve additional return trips at Commonwealth expense in extenuating circumstances. The Director General Defence Community Organisation must consider the following circumstances.
  - a. The number of times the Court sits.
  - b. The nature of the evidence being presented.
  - c. Family emergency.
8. A person is to be provided with cab charges at Commonwealth expense for the trip from their home to the airport or station and to their accommodation.
9. A person who makes their own arrangements for travel cannot apply for reimbursement under this clause.

### 8.7.7 Assistance with accommodation

1. The CDF may approve accommodation at Commonwealth expense if the CDF considers it unreasonable for a person to travel to attend the Court of Inquiry on a daily basis. The CDF must have regard to advice from the Defence Community Organisation.
2. If the CDF considers it unreasonable for the person to walk from the accommodation under subclause 1 to attend the Court of Inquiry the person may be provided with assistance.

**Example 1:** The person uses a walking stick and the accommodation is a 15 minute walk from the venue of the Court of Inquiry. The person may be provided with a cab charge voucher.

**Example 2:** There are a number of people attending the Court of Inquiry staying in accommodation that is a 30 minute walk from the venue of the Court of Inquiry. The Commonwealth may provide a shuttle bus.

3. A person who makes their own arrangements for accommodation or travel to the Court of Inquiry venue cannot apply for reimbursement under this clause.

### 8.7.8 Assistance with meals

1. A person who is receiving assistance with accommodation under clause 8.7.7 is entitled to payments for breakfast, lunch and dinner. This table sets out their entitlements.

Item	If the person is ...	then they are to be paid ...	this does not apply if ...
1.	under the age of 10	half the rate set out in clause 9.5.33 for the rank of colonel or lower	a meal is provided by the Commonwealth. <b>Example:</b> Lunch is provided at the Court of Inquiry venue. The person is not entitled to a payment for lunch even when they choose not to eat at the venue.
2.	any other person	the rate set out in clause 9.5.33 for the rank of colonel or lower	a meal is provided by the Commonwealth.

**See:** Clause 8.7.7, Assistance with accommodation.

2. If a child under 18 years of age is entitled to be paid meal allowance under this clause, the payment will be made to the parent, adult relative or legal guardian they are travelling with. If the child is travelling alone, the meal allowance will be paid to them.

### 8.7.9 Assistance with incidental expenses

1. Each family unit of people eligible for accommodation under clause 8.7.7 may also be provided with a weekly allowance for incidental expenses. This allowance is to assist in covering incidental expenses such as phone calls and laundry expenses.
2. For the purposes of this Part, one family unit includes all of the following people.
  - a. The spouse or interdependent partner and children of the member.
  - b. Parents of the member.
  - c. A parent of the member's spouse or interdependent partner.
3. The weekly amount for incidentals allowance is payable to a person nominated by the family unit.

**See:** Chapter 9 Part 5 Division 3 subclause 9.5.39.2, Travel for more than 21 days

4. The CDF may approve a higher rate of payment for incidental expenses if it is reasonable, on a case by case basis.

### 8.7.10 Assistance with dependant or child care

1. A person may require assistance with dependant caring responsibilities to enable them to attend a Court of Inquiry.
2. The CDF may approve payment of reasonable costs for this dependant care.
3. The types of dependant care available to a person under this Part may include any or all of the following.

Item	These services may be provided...	by...
1.	Travel for extended family to provide support to the member's dependants	professional providers organised through the Defence Travel Contract
2.	Dependant care	family members or professional providers
3.	Specialist dependant care	
4.	Child minding	
5.	Respite care	

4. Travel for extended family arranged under item 1 of subclause 3 may be to either of the home location of the member's dependants or to the location of the Court of Inquiry.
5. If it is not reasonably practicable for the extended family to travel to the home location of the member's dependants or the location of the Court of Inquiry, travel may be provided for the member's dependants to travel to the home location of the extended family.

### 8.7.11 Additional support

The Director General Defence Community Organisation will provide people with unclassified, publicly released, daily transcripts from the Court of Inquiry. This benefit may only be provided for the duration of the Court of Inquiry hearings.

**Note:** Legal representation may be provided in accordance with regulation 33 or regulation 121 of the *Defence (Inquiry) Regulations 1985*.

### **8.7.12 Accountability**

A person must sign the attendance diary maintained by the Court of Inquiry for each day that they receive benefits under this Part.