

## PROCESS TITLE: **TERMINATION NOTICE**

### REFERENCES:

- A. CAF Directive 09/16 - Improved Administrative Systems for Addressing Sub-Standard Performance and Conduct
- B. DI(AF) PERS 53-13—Physical Fitness in the Royal Australian Air Force
- C. MILPERSMAN - Part 4 Chap 1 Annex K -Royal Australian Air Force Policy on Alcohol
- D. DI(G) ADMIN 10-8—*Conduct Reporting and Tracking System*
- E. <http://drnet.defence.gov.au/raaf/DPAF/ASMRMSCO/ERAS/Pages/Exception-Reporting---Admin-Sanction.aspx>
- F. Defence Regulation 2016
- G. Command Authorisations Instrument Personnel-Related Decision-Making Functions dated 26 Oct 16

POLICY SPONSOR: Director General Personnel – Air Force (DGPERS)

### DEFINITIONS:

**Initiating Authority.** An initiating authority is detailed at Reference F/G and would normally be the subject member's CO or OC.

**Imposing Authority.** Is an Australian Defence Force member who is authorised under Reference F/G to decide whether or not to terminate a member. An imposing authority is usually an authorised delegate at AFHQ DP-AF.

**Note:** The initiating and imposing authorities must not be the same person and must be appointed into and able to execute the delegations of the position they hold, otherwise it will render the administrative action invalid.

### PURPOSE:

A Termination Notice is to be raised if the member either fails to respond to counselling, or the issue necessitates the immediate imposition of a notice. A notice is notification to the member their conduct/performance/standards have been below standard.

### CHECKLIST

A checklist has been provided at the end of this document to assist with the preparation of a TN and correlates to the process steps below in the process breakdown.

### PROCESS BREAKDOWN:

STEP	DESCRIPTION	RESPONSIBLE
1	<p><b><u>Selection of Appropriate Sanction</u></b> Contact Exception Reporting to discuss case. Contact previous units to obtain a synopsis of member's history for potential inclusion.</p> <p>The notice must clearly state the reasons for the proposed termination and must not rely on information obtained in a Quick Assessment (QA) as this information can not be relied upon to establish the facts, as this is not the purpose of a QA.</p>	Initiating Authority

	Templates for the notice are available on the DP-AF ASMR website (Reference E)	
2	<b><u>Review and Register case</u></b> Send the draft notice to Exception Reporting who will register the case, provide guidance on suggested changes/inclusions to the notice and issue you a reference number which is to be included on your documentation. ER(AS) case officer will provide additional information such as PARs, Previous Admin Action etc from members History file for inclusion to the notice as appropriate.	ER(AS) Case Officer
3	<b><u>Issue of Notice</u></b> Case officer is to return the document to Initiating Authority to implement suggested changes and issue to the member (for Airmen) or take over the case (Officers).	Initiating Authority
4	<b><u>Member Signs Acknowledge to Notice</u></b> Attached to the Notice is an acknowledgement that the member has received the notice. An acknowledgment of receipt of the Notice is to be obtained and the date recorded. If the member does not wish to provide a receipt or acknowledgment of delivery, then the person delivering the notice should make a file record of the time and date of delivery and an annotation that the member declined to provide the acknowledgment.	Member
5	<b><u>Member afforded 'Reasonable' time to respond</u></b> The member must be afforded at least 14 days to respond should they choose.  The Initiating Authority is not required to wait the full time afforded to the member before passing to Imposing Authority if the member has elected not to provide a response.	Initiating Authority/Member
6	<b><u>Member responds</u></b> The member must (if he elects to submit a response) provide the Initiating Authority his/her response within the time frame allocated.  The initiating authority may extend the time given to a member to respond to the notice. An application of extension of time and the decision to grant the extra time should be in writing. The member may enlist the assistance of an 'Airmen's friend', Legal Officer (if available – there is no entitlement to legal advice) or other personnel to assist in the compilation of the response to the notice.	Member
7	<b><u>Review of Members response</u></b> The Initiating Authority is to review the members response if provided and determine if he/she should forward the notice to the Imposing Authority or decide to impose a lesser sanction.	Initiating Authority
8	<b><u>Forward All documents to Imposing Authority.</u></b> Ensure all documentation is dated correctly and the initiating authority has the authority under the Defence Personnel Regulations.  Forward ALL documents to Imposing Authority at DP-AF. Including TN, Enclosures, Acknowledgement and Members response if provided via adminsanctions.airforce group email address.	Initiating Authority

9	<b><u>Decision Brief</u></b> The ER(AS) allocated case officer is to raise a Decision Brief (DB) for the Imposing Authority combining the details contained in the notice along with the members statement (if provided), annotating any conclusion/recommendation drawn from the respective documents.	Case Officer
10	<b><u>Imposing Authority Decision</u></b> The imposing authority will consider all documentation received from the initiating authority and member via the DB and base their decision on the facts provided. No new information is to be included that was not included in the notice or the members response. If new information is introduced the member is to be provided a copy of the new information and have the opportunity to respond or the administrative sanction will be deemed invalid.  The imposing authority must provide a Statement of Reasons (SoR) as to why they came to their decision. The SoR must be specific in identifying the precise nature of the conduct/performance/standard that are unsatisfactory. The Statement of Reasons for the decision must align with those in the notice. These comments may be scribed on the DB.	Imposing Authority
11	<b><u>Imposing Decision Outcome and SoR</u></b> Once the Imposing Authority has determined the outcome is to be a Termination Decision (TD) the ER(AS) case officer is to draft the relevant paperwork including the SoR and Termination date.  Note: always make the Termination day either Mon, Tue or Wed for ease of changing last minute (prior to a weekend)  Templates are found in the ER(AS) area on OBJ and only available for DP-AF ER(AS) Case Officers	Imposing Authority/Case Officer
12	<b><u>Approval</u></b> Once drafted, the documents are to be presented to the Imposing Authority for signature.	Imposing Authority / Case Officer
13	<b><u>Outcome</u></b> The case officer is to send the signed paperwork to the members CO for presentation to the member via email. Copies are also sent to DP-AF SEAT transitions Cell and the members Career Manager.	Case Officer
14	<b><u>Member Acknowledgement</u></b> The member is informed of the outcome and provided a copy of the TD. The Members CO is to advise case officer via email that member has been advised.	Members CO
15 – 21	<b><u>Case Closure</u></b> Case is closed off IAW Closing off of ER(AS) Cases BLI at DP-AF	Case Officer

Termination CHECKLIST			
Name:		PMKeyS:	
ER Reference No:			
Step	Action	Initial/Date	Comments
***Initiating and Imposing Authority MUST be different and promulgated into position to exercise delegation***			
<b>Initiating Authority</b>			
1	Unit raises a notice for Termination		
2	Unit sends notice to ER(AS) for review, registering on ER(AS) Database and providing additional information as required (PARs, other discipline history etc)		
3	ER(AS) returns notice for unit to amend as appropriate and issue to member		
4	Members signs acknowledgement to notice		
5	Member afforded 'reasonable' time to respond (at least 14 days)		
6	Member responds / elects not to respond		
7	Initiating Authority reviews members response (if provided) and forwards to ER(AS) if they wish to proceed with the notice.		
8	Forward ALL documents to ER(AS) including notice, Enclosures, Acknowledgement, Members response (if provided)		
<b>Imposing Decision</b>			
9	Decision Brief raised for Imposing Authority		
10	Imposing Authority Imposes Sanction ensuring no new information is introduced that is not in notice or members response		
11	Case Officer drafts outcome including Statement of Reasons		
12	Imposing Authority signs appropriate outcome documentation		
13	Case Officer sends outcome to member via their CO. Outcome also goes to SEAT, Career Manager, Promotion Cell as appropriate.		
14	Member ACK decision, unit sends ACK to ER(AS)		
<b>DP-AF Case Officer / Closing off of Case</b>			
15	Confirm all documents have been signed and dated		
16	Send a copy to Relevant Career Manager and DP-AF SEAT Transitions		
17	Update spreadsheet IAW Closing off of ER(AS) Cases BLI (steps 1,2 and 3)		
18	Close case on OBJ IAW Closing off of ER(AS) Cases BLI (step 4)		
19	Place a copy on members H file IAW Closing off of ER(AS) Cases BLI (step 5)		
20	Action steps entered on PMKeyS Discipline Tracking System IAW Closing off of ER(AS) Cases BLI (step 6)		
21	Notify DVA if TN for Alcohol or Drug use IAW Closing off of ER(AS) Cases BLI (Step 7)		



PROCESS TITLE: **TERMINATION NOTICE**

REFERENCES:

- A. [CAF Directive 09/16 - Improved Administrative Systems for Addressing Sub-Standard Performance and Conduct](#)
- B. [Air Force Physical Training and Testing Manual](#)
- C. [MILPERSMAN - Part 4 Chap 1 Annex K -Royal Australian Air Force Policy on Alcohol](#)
- D. [MILPERSMAN – Chapter 8 – Conduct Reporting and Tracking System](#)
- E. [Directorate of Personnel – Air Force – Exception Reporting \(Administrative Sanction\) Website](#)
- F. [Defence Regulation 2016](#)
- G. [Command Authorisations Instrument Personnel-Related Decision-Making Functions dated 05 Apr 18](#)
- H. [DGADFLS Directive No 1/14 \(Interim\) – Legal Aid and Legal Assistance dated 08 Dec 14](#)

POLICY SPONSOR: Director General Personnel – Air Force (DGPERS)

DEFINITIONS:

**Initiating Authority.** An initiating authority is detailed at Reference F/G and would normally be the subject member's CO or OC.

**Imposing Authority.** Is an Australian Defence Force member who is authorised under Reference F/G to decide whether or not to terminate a member. An imposing authority is usually an authorised delegate at AFHQ DP-AF.

**Note:** The initiating and imposing authorities must not be the same person and must be appointed into and able to execute the delegations of the position they hold, otherwise it will render the administrative action invalid.

PURPOSE:

A Termination Notice is to be raised if the member either fails to respond to counselling, or the issue necessitates the immediate imposition of a notice. A notice is notification to the member their conduct, performance or standards have been below standard.

CHECKLIST

A checklist has been provided at the end of this document to assist with the preparation of a TN and correlates to the process steps below in the process breakdown.

PROCESS BREAKDOWN:

STEP	DESCRIPTION	RESPONSIBLE
1	<b><u>Selection of appropriate sanction</u></b> Member's unit, including either the Personnel Capability Officer or Initiating Authority, is to contact Exception Reporting to discuss case. Member's unit is to contact previous units to obtain a synopsis of member's history for potential inclusion.  Member's unit is to consider the member's current conduct,	Initiating Authority

	<p>performance or behaviour in addition to the member's history and any previous administrative action in order to determine the most appropriate administrative action.</p> <p>The notice must clearly state the reasons for the proposed termination and must not rely on information obtained in a Defence Incident Record (DIR) as this information can not be relied upon to establish the facts, as this is not the purpose of a DIR.</p> <p>Templates for the notice are available on the DP-AF ASMR website (Reference E)</p>	
2	<p><b><u>Review and register case</u></b> Member's unit is to send the draft notice to Exception Reporting who will register the case, provide guidance on suggested changes/inclusions to the notice and issue you a reference number which is to be included on your documentation. ER(AS) case officer will provide additional information such as PARs or previous administrative action from member's history file for inclusion to the notice as appropriate.</p>	ER(AS) Case Officer
3	<p><b><u>Issue of notice</u></b> Case officer is to return the document to unit PCO or Initiating Authority to implement suggested changes. Initiating Authority is to issue the notice to the member.</p>	Initiating Authority
4	<p><b><u>Member to sign acknowledgement of notice</u></b> Attached to the notice is an acknowledgement that the member has received the notice. An acknowledgment of receipt of the notice is to be obtained and the date recorded. If the member does not wish to provide a receipt or acknowledgment of delivery, then the person delivering the notice should make a file record of the time and date of delivery and an annotation that the member declined to provide the acknowledgment.</p>	Member
5	<p><b><u>Member afforded 'reasonable' time to respond</u></b> The member must be afforded at least 14 days to respond should they choose.</p> <p>If the member elects not to provide a response, the Initiating Authority is not required to wait the full time afforded to the member before passing to Imposing Authority.</p>	Initiating Authority/Member
6	<p><b><u>Member responds</u></b> The member must (if they elect to submit a response) provide the Initiating Authority their response within the time frame allocated.</p> <p>The Initiating Authority may extend the time given to a member to respond to the notice. An application of extension of time and the decision to grant the extra time should be in writing. The member may enlist the assistance of an 'Airmen's friend', Legal Officer (IAW Reference H) or other personnel to assist in the compilation of the response to the notice.</p>	Member
7	<p><b><u>Review of member's response</u></b> The Initiating Authority is to review the member's response if provided and determine if, after reviewing the</p>	Initiating Authority

	member's response that they believe the matter should be forwarded to the Imposing Authority for consideration or whether to impose a lesser sanction.	
8	<p><b><u>Forward all documents to Imposing Authority.</u></b> Ensure all documentation is dated correctly and the Initiating Authority has the authority under Reference G.</p> <p>Forward ALL documents to Imposing Authority at DP-AF. Including termination notice, enclosures, acknowledgement and member's response if provided via <a href="#">admin sanctions</a> group email address.</p>	Initiating Authority
9	<b><u>Decision brief</u></b> Decision Brief raised by the ER(AS) case officer for Imposing Authority ensuring no new information is introduced that is not in the Notice or the member's response	Case Officer
10	<p><b><u>Imposing Authority decision</u></b></p> <p>The Imposing Authority will ensure that they are free of bias and able to exercise their delegation. The Imposing Authority will consider all documentation received from the Initiating Authority and member via the DB and base their decision on the information provided. No new information is to be included that was not included in the notice or the member's response. If new information is introduced the member is to be provided a copy of the new information and have the opportunity to respond or the administrative sanction will be deemed invalid.</p> <p>The Imposing Authority must provide a Statement of Reasons (SoR) as to why they came to their decision. The SoR must identify the precise nature of the conduct, performance or standard that is unsatisfactory. The basis for the termination decision must align with the grounds contained in the notice. The Imposing Authority must record their decision and not base their decision on information that was not contained in the termination notice.</p>	Imposing Authority
11	<p><b><u>Imposing Authority decision and SoR</u></b> Once the Imposing Authority has decided to terminate the member's service, the ER(AS) case officer is to draft the relevant paperwork including the SoR and determine the termination date.</p> <p>Note: Make the termination day either Mon, Tue or Wed.</p> <p>Templates are found in the ER(AS) area on objective and only available for DP-AF ER(AS) Case Officers.</p>	Imposing Authority/Case Officer
12	<p><b><u>Approval</u></b> Once drafted, the termination decision is to be presented to the Imposing Authority for signature.</p> <p>Imposing Authority to review termination decision and amend accordingly IOT reflect their decision.</p>	Imposing Authority / Case Officer
13	<b><u>Legal Review</u></b> If required, the Imposing Authority may refer decision to PERSBR-AF Legal Officer for legal review.	Legal Officer

14	<b><u>Decision not to termination</u></b> In the event that the Imposing Authority does not exercise their delegation to terminate a member's service and decides to impose an alternative administrative sanction, the delegate is to inform DGPERS-AF of the decision.	Imposing Authority
15	<b><u>Outcome</u></b> The Case Officer is to send the signed paperwork, via email, to the member's CO for presentation to the member. Copies are to be sent to DP-AF SEAT Transitions Cell and the member's Career Manager.	Case Officer
16	<b><u>Member acknowledgement</u></b> The member is informed of the outcome and provided a copy of the TD. The member's CO is to advise case officer via email that member has been advised.	Members CO
17	<b><u>Case Closure</u></b> Case is closed off IAW Closing Off of ER(AS) Cases BLI at DP-AF	Case Officer

Termination CHECKLIST			
Name:		PMKeyS:	
ER Reference No:			
Step	Action	Initial/Date	Comments
***Initiating and Imposing Authority MUST be different and promulgated into position to exercise delegation***			
<b>Initiating Authority</b>			
1	Unit raises a notice for termination		
2	Unit sends notice to ER(AS) for review, registering on ER(AS) database and providing additional information as required (PARs, other discipline history etc)		
3	ER(AS) returns notice for unit to amend as appropriate and issue to member		
4	Member signs acknowledgement to notice		
5	Member afforded 'reasonable' time to respond (at least 14 days)		
6	Member responds / elects not to respond		
7	Initiating Authority reviews member's response (if provided) and forwards to ER(AS) if they wish to proceed with the notice.		
8	Forward ALL documents to ER(AS) including notice, enclosures, Acknowledgement, member's response (if provided)		
<b>Imposing Decision</b>			
9	Decision Brief raised for Imposing Authority		
10	Imposing Authority imposes administrative action ensuring no new information is introduced that is not in notice or member's response		
11	Case Officer drafts outcome including statement of reasons		
12	Imposing Authority reviews statement of reasons, amends where required and signs appropriate outcome documentation		
13	Where termination notice is not upheld, Imposing Authority is to inform DGPERS-AF		
14	Case Officer sends outcome to member via their CO. Outcome also goes to SEAT, Career Manager, Promotion Cell as appropriate.		
15	Member acknowledge decision, unit sends acknowledgement to ER(AS)		
<b>DP-AF Case Officer / Closing off of case</b>			
16	Confirm all documents have been signed and dated		
17	Send a copy to relevant Career Manager and DP-AF SEAT Transitions		
18	Update spreadsheet IAW Closing off of ER(AS) Cases BLI (steps 1,2 and 3)		
19	Close case on OBJ IAW Closing off of ER(AS) Cases BLI (step 4)		
20	Place a copy on member's H file IAW Closing off of ER(AS) Cases BLI (step 5)		
21	Action steps entered on PMKeyS Discipline Tracking System IAW Closing off of ER(AS) Cases BLI (step 6)		
22	Notify DVA if TN for Alcohol or Drug use IAW Closing off of ER(AS) Cases BLI (Step 7)		

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## EXCEPTION REPORTING (ADMINISTRATIVE SANCTIONS) BENCH LEVEL INSTRUCTION

**PROCESS TITLE:** TERMINATION NOTICES

**REFERENCES:**

- A. *Defence Regulation 2016*
- B. Chief of Air Force Command Authorisations Instrument: Personnel-Related Decision-Making Functions
- C. Defence (Chief of the Defence Force) Delegations 2019, dated 05 Nov 20
- D. MILPERSMAN Part 7, Chapter 9 - Disclosure of Certain Personal Information to the Department of Veterans' Affairs and the Commonwealth Superannuation Corporation

**PURPOSE:** A Termination Notice is to be raised if a member's retention is deemed to be **not in the interests of the Defence Force**, for one or more of the reasons outlined in section 6(2) of Reference A.

**DEFINITIONS:**

**Initiating Authority.** An authorised delegate under item 8 of Reference B (usually a member's CO). The Initiating Authority is responsible for issuing TN to the member that clearly outlines the reasons for proposed termination IAW sections 24 and 30 of Reference A.

**Imposing Authority.** An authorised delegate under item 3.21 of Reference C (usually XO DP-AF). The Imposing Authority is responsible for deciding whether or not to terminate a member IAW section 101 of Reference A.

**Note:** The initiating and imposing authorities must not be the same person and must be appointed into and able to execute the delegations of the position they hold, otherwise it will render the administrative action invalid.

**PROCESS:**

Step	Action	Responsible
<b>Raising Notice</b>		
1	Member's unit (either the Personnel Capability Officer or Initiating Authority) is to contact ER(AS) to discuss case and request a Pers Check to check if there is any previous admin/discipline action or information in the member's history e.g. PPRs, which may be relevant.	Initiating Authority
2	ER(AS) conducts Pers Check on member IAW ER(AS) BLI – Personnel Checks.	ER(AS)
3	Initiating Authority is to draft the TN. The TN must clearly state the reasons for the proposed termination and invites the member to respond.  <i>A TN template is available on the DP-AF ER(AS) website.</i>	Initiating Authority



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4	Member's unit is to have draft TN reviewed by FEG/WG Legal Officer. Once checked, member's unit is to send draft TN to ER(AS) for review.	Member's Unit
5	ER(AS) registers new case on ER(AS) spreadsheet and checks if the member has a folder in ER(AS) Obj folder structure: <ul style="list-style-type: none"> <li>- If <b>Yes</b>, and the folder is in the current year's Active structure: add new subfolder within the member's case folder to add NPTR documents (if not already done).</li> <li>- If <b>Yes</b>, but the folder is in a previous year or has been Archived, create a new case folder in the current year and add an alias to previous folders.</li> </ul> If <b>No</b> , create a new case folder in the current year.	ER(AS)
6	Review case and provide guidance to member's unit on suggested changes/inclusions to the TN, as well as any additional information such as PPRs or previous administrative action from member's History file for inclusion, as appropriate.	ER(AS)
7	Initiating Authority reviews draft TN, makes amendments as required, and signs.	Initiating Authority
8	Once signed, Initiating Authority (or designated representative) presents TN to member.	Initiating Authority
9	Member signs acknowledgement to TN. Unit returns acknowledgement to ER(AS) for retention on file.	Member / Unit
10	Member must be afforded a minimum of <b>14 days</b> to respond IAW sections 24 and 30 of Reference A.  The Initiating Authority may extend the time given to a member to respond to the TN. An application of extension of time and the decision to grant the extra time should be in writing.	Initiating Authority / Member
11	Initiating Authority reviews member's response (if provided) and, if they wish to proceed with the TN, refers to Imposing Authority. To do this, the member's unit is to send an email to the ER(AS) group mailbox with the TN (and all enclosures), member's response (and all enclosures), and Member Acknowledgement Proforma.	Initiating Authority
<b>Imposing Decision</b>		
12	Imposing Authority reviews the TN, member's response (if provided) and all enclosures to decide on a course of action. <i>No new information is to be introduced that is not in TN or member's response.</i>  The imposing authority has the delegation to determine if the member should be terminated or retained, as well as lesser forms of administrative sanction, such as a Formal Warning or Censure.	Imposing Authority

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13	ER(AS) drafts decision document for Imposing Authority.	ER(AS)
14	Imposing Authority reviews decision document, amends where required, and signs.	Imposing Authority
15	ER(AS) sends decision member's CO via email for presentation to the member. If the decision is Termination, use <b>Email Template 2</b> in Annex A.	ER(AS)
16	Member acknowledges decision, unit sends acknowledgement to ER(AS) for retention on file.	Member / Unit
<b>Closing Case</b>		
17	Confirm all documents have been signed and dated.	ER(AS)
18	If the decision is Termination, send a copy of Annex A to the Termination Decision (Member Acknowledgement Proforma) to DP-AF Total Workforce – Transitions Cell and CC: the relevant Career Manager.	ER(AS)
19	<b>Finalise Case Status in ER(AS) Spreadsheet:</b> Update the Case Status to 'Completed'.	ER(AS)
20	<b>Close Case on Objective:</b> Make sure all files within the member's case folder on Objective are labelled properly for easy referencing.  Drag the member's case folder in the Archived Cases section of the current year.	ER(AS)
21	<b>Member's History file:</b> Place a copy of the Notice (with all enclosures), Member's Response (with all enclosures), Decision, and signed Acknowledgement Proformas, into to the member's "08 Administrative Sanctions and Discipline" folder on their History file IAW ER(AS) BLI – History File Recording.	ER(AS)
22	<b>Conduct, Reporting and Tracking System (CRTS):</b> Action steps entered on PMKeyS Conduct Reporting and Tracking System (CRTS) IAW ER(AS) BLI - CRTS Inputting.	ER(AS)
23	<b>Notify DVA (if reason for termination is alcohol misuse):</b> ER(AS) is to notify DVA for any terminations that result from alcohol misuse IAW Reference D. This is to be done using <b>Email Template 3</b> in Annex A.	ER(AS)
24	Retain hard copy documents for <b>six months</b> to save having to reprint in the event that a member submits a Redress of Grievance. After six months, shred all hard copies and return the now empty white folder to the filing draw ready for the next case.	ER(AS)

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ANNEX A TO  
ER(AS) BLI  
TERMINATION NOTICES

EMAIL TEMPLATES

Email Template 1: Sending Decision to Unit CO for Issuing to Member

<b>To:</b>	Member's CO
<b>CC:</b>	Member's PCO
<b>Subject:</b>	Termination Decision – Rank, Name, PMKeyS, SPEC/MUST
<b>Body:</b>	<p>Good morning / afternoon Ma'am / Sir,</p> <p>A delegate at DP-AF has made a decision in regards to the Termination Notice issued to <b>Rank Initials Surname PMKeyS</b>. Termination from the ADF will be effected on <b>Wednesday, DD Mmm YY</b>. This Termination Decision (TD) is to be presented to the member by <b>CO XX</b>, or a representative of the CO.</p> <p><b>Welfare Considerations</b></p> <p>Prior to this TD being presented to the member, the member's supervisor should ensure that a suitable management and welfare plan is put in place. This plan should include mental health, medical issues and family complexities that need to be considered as having any potential impact on the circumstances of delivery. Should you think it necessary, you may request a Member Support Coordinator (MSC) through <a href="#">Member Support Coordination Office - Air Force</a> (MSCO-AF). MSCO-AF provides assistance to Command and Air Force members experiencing complex circumstances as they transition out of service. If you wish to request an MSC appointment for this member, please click <a href="#">Request for Appointment</a> and forward to <sup>547E(d)</sup> [REDACTED]</p> <p><b>Consideration should be given to issuing the TD earlier in the week (Mon – Wed) and prior to midday, regardless of the day. This is to mitigate risks associated with presenting the decision to the member later in the week, or before a leave period, and the member being sent home with little or no Defence support.</b></p> <p>It is important that the member understands what is being presented to them, or has a support member that understands the information. The Chain of Command should monitor the member following the issue of this TD. If the member is dislocated from the normal workspace through being suspended, a remote Unit Welfare Officer should be appointed to monitor/contact and support the member, and the Chain of Command is to be advised what contact has occurred.</p> <p><b>Required Unit Action</b></p> <p>The member is requested to sign the acknowledgement declaration at Annex A and a copy is to be returned to <sup>547E(d)</sup> [REDACTED]. This acknowledgement declaration triggers all further action to process the member's termination including: PMKeyS action by Transitions Cell, cessation of pay etc. Consequently, it is important that we receive this back <b>as soon as possible</b>.</p> <p>Should you have any questions, please feel free to contact me directly.</p>

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ANNEX A TO  
ER(AS) BLI  
TERMINATION NOTICES

Email Template 2: Notifying DVA of Termination Arising from Alcohol Misuse

<b>To:</b>	s47E(d)
<b>Subject:</b>	SEPARATION: Rank, Name, PMKeyS, SPEC/MUST
<b>Body:</b>	<p>a. Member's Rank, Name, PMKeyS, SPEC/MUST, Air Force</p> <p>b. The member is to separate from Defence for administrative reasons</p> <p>c. Member's Unit XXX, RAAF Base XXX, State, Postcode</p> <p>d. Member's termination date is DD MMM YY</p> <p>e. Member's work email <a href="mailto:xxxxxxxxxxxxxx@defence.gov.au">xxxxxxxxxxxxxx@defence.gov.au</a></p> <p>f. Member's work phone - (XX) XXXX XXXX</p> <p>g. Member's mobile number – XXXXXXXXXXXXXXXX</p> <p>h. Member's home address – XX XXXXXX, State, Postcode.</p>

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## **COMMAND AUTHORISATIONS INSTRUMENT PERSONNEL-RELATED DECISION-MAKING FUNCTIONS**

### **1 Authority**

I, Air Marshal GAVIN NEIL DAVIES AO, CSC, Chief of Air Force, make this instrument in accordance with my authority to command the Air Force (subject to the Chief of the Defence Force's direction), consistent with the Chief of the Defence Force's Charter Letter to me of 28 June 2016 and the capability objectives that I have been directed to achieve.

### **2 Revocation**

I hereby revoke all previous Command Authorisations Instruments governing personnel-relation decision making functions.

### **3 Authorisations**

Schedule 1 contains a list of personnel-related decision-making functions held by me, in my capacity as Chief of Air Force, and a list of positions to which I have assigned those functions.

I hereby authorise the personnel from time to time holding or performing the duties of the positions listed in abbreviated form in column 3 of Schedule 1 (explained in Schedule 2) to perform the corresponding functions as described in column 2 of Schedule 1.

### **4 Limitations**

The functions set out in Schedule 1 are subject to the limitations (if any) specified in Schedule 1 and any other direction(s) given by the Chief of the Defence Force, the Chief of Air Force, or a duly authorised person.

The authority to undertake the personnel functions set out in Schedule 1 is not to be delegated.

Subject to any contrary intent expressed by the Chief of the Defence Force or the Chief of Air Force, the personnel functions set out in Schedule 1 must only be exercised by a person duly authorised in Schedule 1, the Chief of Air Force or the Chief of the Defence Force.

### **5 Commencement**

This instrument commences on date of signature.

522

**G.N. DAVIES**  
Air Marshal  
Chief of Air Force

6 March 2017

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
1	Give notice of proposal to reduce a member's rank under s14(1)(a) of Defence Regulation 2016 where retention at current rank is considered not to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	
				The notice given must be consistent with the requirements of s30 of Defence Regulation 2016
2	Give notice of proposal to reduce a member's rank under s14(1)(b) of Defence Regulation 2016 where member cannot usefully serve at current rank because of redundancy in the Defence Force	DCAF	WGCDR, CHAP 3	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	WGCDR, CHAP 3	
		DP-AF	SQNLDR, CHAP 2	
3	In conjunction with reducing a member's rank under s14(1) of Defence Regulation 2016, determine conditions associated with reduction in rank	CDF Delegates under s14(1) of Defence Regulation 2016	IAW CDF s14(1) Delegation	When determining conditions associated with rank reduction, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
4	Give notice of proposal to transfer a member from the Permanent Air Force to the Air Force Reserve under s16(1) of Defence Regulation 2016 where transfer is considered to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be one rank higher than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	
				The notice given must be consistent with the requirements of s30 of Defence Regulation 2016



CAF Command Authorisations  
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5	In conjunction with compulsorily transferring a member from the Permanent Air Force to the Air Force Reserve under s16(1) of Defence Regulation 2016, determine conditions associated with transfer	CDF Delegates under s16(1) of Defence Regulation 2016	IAW CDF s16(1) Delegation	When determining conditions associated with compulsory transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
6	Give notice of proposal to terminate a member's service under s24(1)(a) of Defence Regulation 2016 where the member is medically unfit for service in the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be equal to or higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	GPCAPT, CHAP 4	
		Officers performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	
7	Give notice of proposal to terminate a member's service under s24(1)(b) of Defence Regulation 2016 where member cannot usefully serve because of redundancy in the Defence Force	DCAF	WGCDR, CHAP 3	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	WGCDR, CHAP 3	
		DP-AF	SQNLDR, CHAP 2	
8	Give notice of proposal to terminate a member's service under s24(1)(c) of Defence Regulation 2016 where retention of the member's service is considered not to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility  The notice given must be consistent with the requirements of s30 of Defence Regulation 2016

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
9	<p>Give notice of proposal to suspend a member from duty without pay or on part pay under s28(1) of Defence Regulation 2016 where:</p> <ul style="list-style-type: none"> <li>- the member has been given a notice proposing termination of their service under s24(2) and has not been informed that the termination will not proceed; or</li> <li>- the member has been given a notice proposing termination of their service under s100 of the Defence Act of the return of a positive test result for a prohibited substance test and has not been informed they will not be terminated because of the result; or</li> <li>- the CDF has decided to terminated the member's service under s24(1), but the decision has not yet taken effect.</li> </ul>	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than then member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	<p>Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility</p> <p>The notice given must be consistent with the requirements of s30 of Defence Regulation 2016</p>
10	Determine the period of covered service applicable to a member or class of members	CDF Delegates under s25(3)	IAW CDF s25(3) Delegation	When determining a period of covered service, decision makers should have regard to any Air Force policy guidance or overarching Instrument or Determination authorised by CAF or CDF
11	Issue a notice proposing to compulsorily transfer a member between SERCATs 2, 3, 4, and 5, or between employment categories on the grounds of poor performance, poor conduct or unsuitability	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member
		DGPERS-AF	GPCAPT, CHAP 4	Where required, the notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016
		DP-AF	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	<p>Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility</p> <p>Where required, the notice given should be similar in character to the notice requirements specified under section 30 of Defence Regulation 2016</p> <p>Before proposing transfer to an alternate SERCAT or employment category initiating authorities are to investigate the feasibility of their proposal with the relevant PERSBR-AF decision maker</p>
		OIC ACMC	FLGOFF	Must be higher in rank than the member and may only make decisions in relation to OA Officers
		SO2 PERS ACMC	FLGOFF	
		SO3 PERS ACMC	FLGOFF	The notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
12	Compulsorily transfer members between SERCATs 2, 3, 4, and 5, or between employment categories and determine conditions of transfer	DCAF	GPCAPT, CHAP 4	Must be an officer not below the rank of SQNLDR and must be at least two ranks higher than the member
		DGPERS-AF	WGCDR, CHAP 3	ACMC Staff may only make decisions in relation to OA Officers
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		Officers performing duties in a DP-AF WGCDR position	FLTLT, CHAP 1	
		Officers performing duties in a DP-AF SQNLDR position	FLGOFF	
		OIC ACMC	FLGOFF	
		SO2 PERS ACMC	FLGOFF	
13	Transfer members between SERCATs 2, 3, 4, and 5, or between employment categories and determine conditions of transfer where:  - the member applies for, or agrees to the transfer,  - the transfer aligns with the member's planned date out of the relevant posted position, or  - the member has not attended for duty as required.	DCAF	GPCAPT, CHAP 4	Must be at least equal in rank to the member
		DGPERS-AF	WGCDR, CHAP 3	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		DP-AF Staff	Subject to prescribed limitations	Must be an officer or WOFF who is both posted to the DP-AF and higher in rank than the member  When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		OIC ACMC	FLGOFF	ACMC Staff may only make decisions in relation to OA Officers
		SO2 PERS ACMC	FLGOFF	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		SO3 PERS ACMC	FLGOFF	

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
14	Issue a notice proposing to remove a member from post on the grounds of poor performance, poor conduct, or unsuitability	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member
		DGPERS-AF	GPCAPT, CHAP 4	Where required, the notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016 and should not propose a specific posting solution in the event that removal from post is approved
		DP-AF	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	In the context of Reservists, formally issuing a notice as detailed in this Item is not necessary where the member's unsuitability is premised on not attending for duty as required
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility
		OIC APMC	FLGOFF	Where required, the notice given should be similar in character to the notice requirements specified under section 30 of Defence Regulation 2016 and should not propose a specific posting solution in the event that removal from post is approved
		SO2 PERS APMC	FLGOFF	
		SO3 PERS APMC	FLGOFF	
				In the context of Reservists, formally issuing a notice as detailed in this Item is not necessary where the member's unsuitability is premised on not attending for duty as required

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
15	Post, or change the posting order of a member and to determine conditions attached to the posting	DCAF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	Must be equal to or higher in rank than the member except for removal from post decisions made following the issue of a notice as prescribed at Item 14
		DGPERS-AF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer who is at least two ranks higher than the member
		DSOM-AF	GPCAPT, CHAP 4 (AFR)	
		DP-AF	WGCDR, CHAP 3	Must be an officer or WOFF who is both posted to the DP-AF and higher in rank than the member  Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer not below the rank of SQNLDR who is also at least two ranks higher than the member
		DP-AF Staff	Subject to prescribed limitations	
		OIC APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO2 PERS APMC	FLGOFF	Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer who is at least two ranks higher than the member
		SO3 PERS APMC	FLGOFF	
16	Issue a notice proposing to deny or delay promotion on the grounds that poor performance, poor conduct, or unsuitability means the member is not fit and proper to perform duties at the higher rank	Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
17	Attach members to another unit for a period less than six months and to determine conditions of the attachment other than financial conditions of service governed by the Pay and Conditions Manual	Officers	Subject to prescribed limitations	Must meet all of the following: (a) must be an officer who is appointed as Wing OC or Director or who is higher within the command/reporting chain; (b) must be higher in rank; and (c) if attachment is across commands, agreement of equivalent appointment in gaining command must be granted.
		Officers and WOFFs	Subject to prescribed limitations	Must be posted to the DP-AF and higher in rank than the member
		OIC APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO2 PERS APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO3 PERS APMC	FLGOFF	May only make decisions in relation to OA Officers
	Attach members to another unit to undertake a training course or courses for a period less than six months	DP-AF Staff	Subject to prescribed limitations	Must be posted to a position responsible for panelling members on training courses
	Attach members to another unit for a period less than three months and to determine conditions of the attachment other than financial conditions of service governed by the Pay and Conditions Manual	Combat Support Group Officers	Subject to prescribed limitations	Must meet all of the following: (a) must be an officer who is appointed as Wing XO or SO2PERS; (b) if attachment is across commands, agreement of Wing OC, Director, Wing XO or Deputy Director in gaining command must be granted.

CAF Command Authorisations  
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Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
18	Attach members for the purpose of supporting domestic exercises	ACAUST		
		DACAUST		
		A1 HQAC		
	Attach members for the purpose of supporting domestic exercises in accordance with HQAC A3/5 Task Orders	HQAC Personnel Operations Staff		
	Attach formed units for the purpose of conducting domestic exercises in support of Task Orders issued by HQAC A3/5	Officers	Subject to prescribed limitations	Must be a Commanding Officer, or an officer higher within the chain of command, in respect of a member who is lower in rank and within that officer's command
19	Issue a notice proposing to formally warn or censure a member	Officers	Subject to prescribed limitations	Must be an officer not below the rank of FLGOFF (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
20	Impose a formal warning or censure on a member	Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
21	Determine those employment categories which constitute the Permanent and Reserve elements of the Air Force	DCAF		
		DGPERS-AF		
22	Determine the workforce structure and establishment required to meet capability requirements	DCAF		
		DGPERS-AF		
		DWP-AF		
23	Approve voluntary unpaid duty or attendance in the Air Force Reserves	SQNLDR and above	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF





## COMMAND AUTHORISATIONS INSTRUMENT PERSONNEL-RELATED DECISION-MAKING FUNCTIONS

### 1 Authority

I, Air Marshal GAVIN NEIL DAVIES AO, CSC, Chief of Air Force, make this instrument in accordance with my authority to command the Air Force (subject to the Chief of the Defence Force's direction), consistent with the Chief of the Defence Force's Charter Letter to me of 28 June 2016 and the capability objectives that I have been directed to achieve.

### 2 Revocation

I hereby revoke all previous Command Authorisations Instruments governing personnel-relation decision making functions.

### 3 Authorisations

Schedule 1 contains a list of personnel-related decision-making functions held by me, in my capacity as Chief of Air Force, and a list of positions to which I have assigned those functions.

I hereby authorise the personnel from time to time holding or performing the duties of the positions listed in abbreviated form in column 3 of Schedule 1 (explained in Schedule 2) to perform the corresponding functions as described in column 2 of Schedule 1.

### 4 Limitations

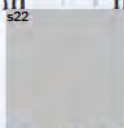
The functions set out in Schedule 1 are subject to the limitations (if any) specified in Schedule 1 and any other direction(s) given by the Chief of the Defence Force, the Chief of Air Force, or a duly authorised person.

The authority to undertake the personnel functions set out in Schedule 1 is not to be delegated.

Subject to any contrary intent expressed by the Chief of the Defence Force or the Chief of Air Force, the personnel functions set out in Schedule 1 must only be exercised by a person duly authorised in Schedule 1, the Chief of Air Force or the Chief of the Defence Force.

### 5 Commencement

This instrument commences on date of signature.

  
**G.N. DAVIES**  
Air Marshal  
Chief of Air Force

5 April 2018



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
1	Give notice of proposal to reduce a member's rank under s14(1)(a) of Defence Regulation 2016 where retention at current rank is considered not to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility  The notice given must be consistent with the requirements of s30 of Defence Regulation 2016
2	Give notice of proposal to reduce a member's rank under s14(1)(b) of Defence Regulation 2016 where member cannot usefully serve at current rank because of redundancy in the Defence Force	DCAF	WGCDR, CHAP 3	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	WGCDR, CHAP 3	
		DP-AF	SQNLDR, CHAP 2	
3	In conjunction with reducing a member's rank under s14(1) of Defence Regulation 2016, determine conditions associated with reduction in rank	CDF Delegates under s14(1) of Defence Regulation 2016	IAW CDF s14(1) Delegation	When determining conditions associated with rank reduction, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
4	Give notice of proposal to transfer a member from the Permanent Air Force to the Air Force Reserve under s16(1) of Defence Regulation 2016 where transfer is considered to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be one rank higher than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility  The notice given must be consistent with the requirements of s30 of Defence Regulation 2016



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		DGPERS-AF	AIRCDRE, CHAP 5	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	GPCAPT, CHAP 4	
		Officers performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	
7	Give notice of proposal to terminate a member's service under s24(1)(b) of Defence Regulation 2016 where member cannot usefully serve because of redundancy in the Defence Force	DCAF	WGCDR, CHAP 3	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	WGCDR, CHAP 3	
		DP-AF	SQNLDR, CHAP 2	
8	Give notice of proposal to terminate a member's service under s24(1)(c) of Defence Regulation 2016 where retention of the member's service is considered not to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility  The notice given must be consistent with the requirements of s30 of Defence Regulation 2016



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		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	<p>Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility</p> <p>The notice given must be consistent with the requirements of s30 of Defence Regulation 2016</p>
10	Determine the period of covered service applicable to a member or class of members	CDF Delegates under s25(3)	IAW CDF s25(3) Delegation	When determining a period of covered service, decision makers should have regard to any Air Force policy guidance or overarching Instrument or Determination authorised by CAF or CDF
11	Issue a notice proposing to compulsorily transfer a member between SERCATs 2, 3, 4, and 5, or between employment categories on the grounds of poor performance, poor conduct or unsuitability	DCAF	AIRCDRE, CHAP 5	<p>Must be higher in rank than the member</p> <p>Where required, the notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016</p>
		DGPERS-AF	GPCAPT, CHAP 4	
		DP-AF	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	<p>Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility</p> <p>Where required, the notice given should be similar in character to the notice requirements specified under section 30 of Defence Regulation 2016</p> <p>Before proposing transfer to an alternate SERCAT or employment category initiating authorities are to investigate the feasibility of their proposal with the relevant PERSBR-AF decision maker</p>
		OIC ACMC	FLGOFF	
		SO2 PERS ACMC	FLGOFF	
		SO3 PERS ACMC	FLGOFF	The notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016



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Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
12	Following a proposal to transfer a member pursuant to Item 11, compulsorily transfer members between SERCATs 2, 3, 4, and 5, or between employment categories and determine conditions of transfer	DCAF	GPCAPT, CHAP 4	Must be an officer not below the rank of SQNLDR and must be at least two ranks higher than the member
		DGPERS-AF	WGCDR, CHAP 3	ACMC Staff may only make decisions in relation to OA Officers
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		Officers performing duties in a DP-AF WGCDR position	FLTLT, CHAP 1	
		Officers performing duties in a DP-AF SQNLDR position	FLGOFF	
		OIC ACMC	FLGOFF	
		SO2 PERS ACMC	FLGOFF	
13	Transfer members between SERCATs 2, 3, 4, and 5, or between employment categories and determine conditions of transfer where:  - the member applies for, or agrees to the transfer,  - the transfer aligns with the member's planned date out of the relevant posted position,  - the member has not attended for duty as required, or  - an employment category is disbanded or replaced by one or more related employment categories.	DCAF	AIRCDRE, CHAP 5	Must be at least equal in rank to the member
		DGPERS-AF	AIRCDRE, CHAP 5	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		DSOM-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		DP-AF Staff	Subject to prescribed limitations	Must be an officer or WOFF who is both posted to the DP-AF and higher in rank than the member
				When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		OIC ACMC	FLGOFF	ACMC Staff may only make decisions in relation to OA Officers
		SO2 PERS ACMC	FLGOFF	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
		SO3 PERS ACMC	FLGOFF	

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
14	Issue a notice proposing to remove a member from post on the grounds of poor performance, poor conduct, or unsuitability	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member
		DGPERS-AF	GPCAPT, CHAP 4	Where required, the notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016 and should not propose a specific posting solution in the event that removal from post is approved
		DP-AF	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	In the context of Reservists, formally issuing a notice as detailed in this Item is not necessary where the member's unsuitability is premised on not attending for duty as required
		Officers performing duties in a DP-AF SQNLDR position	FLTTLT, CHAP 1	
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility
		OIC ACMC	FLGOFF	Where required, the notice given should be similar in character to the notice requirements specified under section 30 of Defence Regulation 2016 and should not propose a specific posting solution in the event that removal from post is approved
		SO2 PERS ACMC	FLGOFF	
		SO3 PERS ACMC	FLGOFF	
				In the context of Reservists, formally issuing a notice as detailed in this Item is not necessary where the member's unsuitability is premised on not attending for duty as required



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
15	Post, or change the posting order of a member and to determine conditions attached to the posting	DCAF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	Must be equal to or higher in rank than the member except for removal from post decisions made following the issue of a notice as prescribed at Item 14
		DGPERS-AF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	
		DSOM-AF	GPCAPT, CHAP 4 (AFR)	Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer who is at least two ranks higher than the member
		DP-AF	WGCDR, CHAP 3	
		DP-AF Staff	Subject to prescribed limitations	Must be an officer or WOFF who is both posted to the DP-AF and higher in rank than the member
				Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer not below the rank of SQNLDR who is also at least two ranks higher than the member
		OIC APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO2 PERS APMC	FLGOFF	Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer who is at least two ranks higher than the member
		SO3 PERS APMC	FLGOFF	
16	Issue a notice proposing to deny or delay promotion on the grounds that poor performance, poor conduct, or unsuitability means the member is not fit and proper to perform duties at the higher rank	Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
17	Attach members to another unit for a period less than six months and to determine conditions of the attachment other than financial conditions of service governed by the Pay and Conditions Manual	Officers	Subject to prescribed limitations	Must meet all of the following: (a) must be an officer who is appointed as Wing OC or Director or who is higher within the command/reporting chain; (b) must be higher in rank; and (c) if attachment is across commands, agreement of equivalent appointment in gaining command must be granted.
		Officers and WOFFs	Subject to prescribed limitations	Must be posted to the DP-AF and higher in rank than the member
		OIC APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO2 PERS APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO3 PERS APMC	FLGOFF	May only make decisions in relation to OA Officers
	Attach members to another unit to undertake a training course or courses for a period less than six months	DP-AF Staff	Subject to prescribed limitations	Must be posted to a position responsible for panelling members on training courses
	Attach members to another unit for a period less than three months and to determine conditions of the attachment other than financial conditions of service governed by the Pay and Conditions Manual	Combat Support Group Officers	Subject to prescribed limitations	Must meet all of the following: (a) must be an officer who is appointed as Wing XO or SO2PERS; (b) if attachment is across commands, agreement of Wing OC, Director, Wing XO or Deputy Director in gaining command must be granted.



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
18	Attach members for the purpose of supporting domestic exercises	ACAUST		
		DACAUST		
		A1 HQAC		
	Attach members for the purpose of supporting domestic exercises in accordance with HQAC A3/5 Task Orders	HQAC Personnel Operations Staff		
	Attach formed units for the purpose of conducting domestic exercises in support of Task Orders issued by HQAC A3/5	Officers	Subject to prescribed limitations	Must be a Commanding Officer, or an officer higher within the chain of command, in respect of a member who is lower in rank and within that officer's command
19	Issue a notice proposing to formally warn or censure a member	Officers	Subject to prescribed limitations	Must be an officer not below the rank of FLGOFF (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
20	Impose a formal warning or censure on a member	Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
21	Determine those employment categories which constitute the Permanent and Reserve elements of the Air Force	DCAF		
		DGPERS-AF		
22	Determine the workforce structure and establishment required to meet capability requirements	DCAF		
		DGPERS-AF		
		DWP-AF		
23	Approve voluntary unpaid duty or attendance in the Air Force Reserves	SQNLDR and above	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF



## COMMAND AUTHORISATIONS INSTRUMENT PERSONNEL-RELATED DECISION-MAKING FUNCTIONS

### 1 Authority

I, Air Marshal MELVIN ERNEST GLANVILLE HUPFELD, AO, DSC, Chief of Air Force, make this instrument in accordance with my authority to command the Air Force (subject to the Chief of the Defence Force's direction).

### 2 Revocation

I hereby revoke all previous Command Authorisations Instruments governing personnel-related decision making functions.

### 3 Authorisations

Schedule 1 contains a list of personnel-related decision-making functions held by me, in my capacity as Chief of Air Force, and a list of positions to which I have assigned those functions.

I hereby authorise the personnel from time to time holding or performing the duties of the positions listed in abbreviated form in column 3 of Schedule 1, to perform the corresponding functions as described in column 2 of Schedule 1.

### 4 Limitations

The functions set out in Schedule 1 are subject to the limitations (if any) specified in Schedule 1 and any other direction(s) given by the Chief of the Defence Force, the Chief of Air Force, or a duly authorised person.

The authority to undertake the personnel functions set out in Schedule 1 is not to be delegated.

Subject to any contrary intent expressed by the Chief of the Defence Force or the Chief of Air Force, the personnel functions set out in Schedule 1 must only be exercised by a person duly authorised in Schedule 1, the Chief of Air Force or the Chief of the Defence Force.

### 5 Commencement

This instrument commences on date of signature.

622

**MEG Hupfeld, AO, DSC**  
Air Marshal  
Chief of Air Force

6 November 2019



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
1	Give notice of proposal to reduce a member's rank under s14(1)(a) of Defence Regulation 2016 where retention at current rank is considered not to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	
2	Give notice of proposal to reduce a member's rank under s14(1)(b) of Defence Regulation 2016 where member cannot usefully serve at current rank because of redundancy in the Defence Force	DCAF	WGCDR, CHAP 3	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	WGCDR, CHAP 3	
		DP-AF	SQNLDR, CHAP 2	
3	In conjunction with reducing a member's rank under s14(1) of Defence Regulation 2016, determine conditions associated with reduction in rank	CDF Delegates under s14(1) of Defence Regulation 2016	IAW CDF s14(1) Delegation	When determining conditions associated with rank reduction, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
4	Give notice of proposal to transfer a member from the Permanent Air Force to the Air Force Reserve under s16(1) of Defence Regulation 2016 where transfer is considered to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be one rank higher than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	
				Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility
				The notice given must be consistent with the requirements of s30 of Defence Regulation 2016

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
5	In conjunction with compulsorily transferring a member from the Permanent Air Force to the Air Force Reserve under s16(1) of Defence Regulation 2016, determine conditions associated with transfer	CDF Delegates under s16(1) of Defence Regulation 2016	IAW CDF s16(1) Delegation	When determining conditions associated with compulsory transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF such as financial conditions governed by the Pay and Conditions Manual
6	Give notice of proposal to terminate a member's service under s24(1)(a) of Defence Regulation 2016 where the member is medically unfit for service in the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be equal to or higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	AIRCDRE, CHAP 5	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	GPCAPT, CHAP 4	
		Officers performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	
		OIC ER (MEC)	FLTLT, CHAP 1	
		OIC ER (AS)	FLTLT, CHAP 1	
7	Give notice of proposal to terminate a member's service under s24(1)(b) of Defence Regulation 2016 where member cannot usefully serve because of redundancy in the Defence Force	DCAF	WGCDR, CHAP 3	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	WGCDR, CHAP 3	
		DP-AF	SQNLDR, CHAP 2	
8	Give notice of proposal to terminate a member's service under s24(1)(c) of Defence Regulation 2016 where retention of the member's service is considered not to be in the interests of the Defence Force	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility  The notice given must be consistent with the requirements of s30 of Defence Regulation 2016



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
9	<p>Give notice of proposal to suspend a member from duty without pay or on part pay under s28(1) of Defence Regulation 2016 where:</p> <ul style="list-style-type: none"> <li>- the member has been given a notice proposing termination of their service under s24(2) and has not been informed that the termination will not proceed; or</li> <li>- the member has been given a notice proposing termination of their service under s100 of the Defence Act of the return of a positive test result for a prohibited substance test and has not been informed they will not be terminated because of the result; or</li> <li>- the CDF has decided to terminated the member's service under s24(1), but the decision has not yet taken effect.</li> </ul>	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than then member and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		DGPERS-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	Not below SQNLDR and the notice given must be consistent with the requirements of s30 of Defence Regulation 2016
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	
10	Determine the period of covered service applicable to a member or class of members	CDF Delegates under s25(3)	IAW CDF s25(3) Delegation	When determining a period of covered service, decision makers should have regard to any Air Force policy guidance or overarching Instrument or Determination authorised by CAF or CDF
11	Issue a notice proposing to compulsorily transfer a member between SERCATs 2, 3, 4, and 5, or between employment categories on the grounds of poor performance, poor conduct or unsuitability	DCAF	AIRCDRE, CHAP 5	<p>Must be higher in rank than the member</p> <p>Where required, the notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016</p>
		DGPERS-AF	GPCAPT, CHAP 4	
		DP-AF	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	<p>Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility</p> <p>Where required, the notice given should be similar in character to the notice requirements specified under section 30 of Defence Regulation 2016</p> <p>Before proposing transfer to an alternate SERCAT or employment category initiating authorities are to investigate the feasibility of their proposal with the relevant PERSBR-AF decision maker</p>
		OIC ACMC	FLTLT	
		SO2 PERS ACMC	FLGOFF	
		SO3 PERS ACMC	FLGOFF	
				The notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
12	Following a proposal to transfer a member pursuant to Item 11, compulsorily transfer members between SERCATs 2, 3, 4, and 5, or between employment categories and determine conditions of transfer	DCAF	GPCAPT, CHAP 4	Must be an officer not below the rank of SQNLDR and must be at least two ranks higher than the member
		DGPERS-AF	WGCDR, CHAP 3	ACMC Staff may only make decisions in relation to OA Officers
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF, the Minister or the DFRT such as financial conditions governed by the Pay and Conditions Manual
		Officers performing duties in a DP-AF WGCDR position	FLTTLT, CHAP 1	
		Officers performing duties in a DP-AF SQNLDR position	FLGOFF	
		OIC ACMC	FLTTLT	
		SO2 PERS ACMC	FLGOFF	
13	Transfer members between SERCATs 2, 3, 4, and 5, or between employment categories and determine conditions of transfer where:  - the member applies for, or agrees to the transfer,  - the transfer aligns with the member's planned date out of the relevant posted position,  - the member has not attended for duty as required, or  - an employment category is disbanded or replaced by one or more related employment categories.	DCAF	AIRCDRE, CHAP 5	Must be at least equal in rank to the member
		DGPERS-AF	AIRCDRE, CHAP 5	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF, the Minister or the DFRT such as financial conditions governed by the Pay and Conditions Manual
		DSOM-AF	GPCAPT, CHAP 4	
		Officers performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	Must be an officer or WOFF who is both posted to the DP-AF and higher in rank than the member
		DP-AF Staff	Subject to prescribed limitations	
		OIC ACMC	FLTTLT	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF, the Minister or the DFRT such as financial conditions governed by the Pay and Conditions Manual
		SO2 PERS ACMC	FLGOFF	ACMC Staff may only make decisions in relation to OA Officers
		SO3 PERS ACMC	FLGOFF	
				When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF, the Minister or the DFRT such as financial conditions governed by the Pay and Conditions Manual



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
14	Issue a notice proposing to remove a member from post on the grounds of poor performance, poor conduct, or unsuitability	DCAF	AIRCDRE, CHAP 5	Must be higher in rank than the member
		DGPERS-AF	GPCAPT, CHAP 4	Where required, the notice given should be similar in character to the notice requirements specified under s30 of Defence Regulation 2016 and should not propose a specific posting solution in the event that removal from post is approved
		DP-AF	WGCDR, CHAP 3	
		Officers performing duties in a DP-AF WGCDR position	SQNLDR, CHAP 2	In the context of Reservists, formally issuing a notice as detailed in this Item is not necessary where the member's unsuitability is premised on not attending for duty as required
		Officers performing duties in a DP-AF SQNLDR position	FLTLT, CHAP 1	
		Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility
		OIC ACMC	FLTLT	Where required, the notice given should be similar in character to the notice requirements specified under section 30 of Defence Regulation 2016 and should not propose a specific posting solution in the event that removal from post is approved
		SO2 PERS ACMC	FLGOFF	
		SO3 PERS ACMC	FLGOFF	
				In the context of Reservists, formally issuing a notice as detailed in this Item is not necessary where the member's unsuitability is premised on not attending for duty as required

CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
15	Post, or change the posting order of a member and to determine conditions attached to the posting	DCAF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	Must be equal to or higher in rank than the member except for removal from post decisions made following the issue of a notice as prescribed at Item 14
		DGPERS-AF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	
		DSOM-AF	GPCAPT, CHAP 4 (AFR)	Removal from post decisions made following the issue of a notice as prescribed at Item 14 must be made by an officer who is at least two ranks higher than the member
		DP-AF	WGCDR, CHAP 3	
		DP-AF Staff	Subject to prescribed limitations	Must be an officer or WOFF who is both posted to the DP-AF and higher in rank than the member
		OIC APMC	FLTLT	May only make decisions in relation to OA Officers
		SO2 PERS APMC	FLGOFF	
		SO3 PERS APMC	FLGOFF	
16	Issue a notice proposing to deny or delay promotion on the grounds that poor performance, poor conduct, or unsuitability means the member is not fit and proper to perform duties at the higher rank	Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
17	Attach members to another unit for a period less than six months and to determine conditions of the attachment other than financial conditions of service governed by the Pay and Conditions Manual	Officers	Subject to prescribed limitations	Must meet all of the following: (a) must be an officer who is appointed as Wing OC or Director or who is higher within the command/reporting chain; (b) must be higher in rank; and (c) if attachment is across commands, agreement of equivalent appointment in gaining command must be granted.
		Officers and WOFFs	Subject to prescribed limitations	Must be posted to the DP-AF and higher in rank than the member
		OIC APMC	FLTLT	May only make decisions in relation to OA Officers
		SO2 PERS APMC	FLGOFF	May only make decisions in relation to OA Officers
		SO3 PERS APMC	FLGOFF	May only make decisions in relation to OA Officers
	Attach members to another unit to undertake a training course or courses for a period less than six months	DP-AF Staff	Subject to prescribed limitations	Must be posted to a position responsible for panelling members on training courses
		AFTG Staff		
	Attach members to another unit for a period less than three months and to determine conditions of the attachment other than financial conditions of service governed by the Pay and Conditions Manual	Combat Support Group Officers	Subject to prescribed limitations	Must meet all of the following: (a) must be an officer who is appointed as Wing XO or SO2PERS; (b) if attachment is across commands, agreement of Wing OC, Director, Wing XO or Deputy Director in gaining command must be granted.



CAF Command Authorisations  
Schedule 1

Item	Description	Authorised Persons	Maximum rank level to which the Authorised Person may exercise	Authorisation and any Limitations or Directions
18	Attach members for the purpose of supporting domestic exercises	ACAUST		
		DACAUST		
		A1 HQAC		
	Attach members for the purpose of supporting domestic exercises in accordance with HQAC A3/5 Task Orders	HQAC Personnel Operations Staff		
	Attach formed units for the purpose of conducting domestic exercises in support of Task Orders issued by HQAC A3/5	Officers	Subject to prescribed limitations	Must be a Commanding Officer, or an officer higher within the chain of command, in respect of a member who is lower in rank and within that officer's command
19	Issue a notice proposing to formally warn or censure a member	Officers	Subject to prescribed limitations	Must be an officer not below the rank of FLGOFF (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
20	Impose a formal warning or censure on a member	Officers	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR (E) in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
21	Determine those employment categories which constitute the Permanent and Reserve elements of the Air Force	DCAF		
		DGPERS-AF		
22	Determine the workforce structure and establishment required to meet capability requirements	DCAF		
		DGPERS-AF		
		DWP-AF		
23	Approve voluntary unpaid duty or attendance in the Air Force Reserves	SQNLDR and above	Subject to prescribed limitations	Must be an officer not below the rank of SQNLDR in respect of a member who is lower in rank and within that officer's command, control or area of responsibility or posted to PERSBR-AF
24	Transfer members from any salary structure to the Air Force Officer Aviation Pay Structure	DCAF	GPCAPT	Must at least equal in rank to the member
		DGPERS-AF	GPCAPT	
		DP-AF	WGCDR	When determining conditions of transfer, decision makers should have regard to any tri-service or Air Force policy guidance and comply with any direction or rules specified by CDF, the Minister or the DFRT such as financial conditions governed by the Pay and Conditions Manual
		XO DP-AF	SQNLDR	
		DDTW	SQNLDR	
		TW 1,2,3,4,5,6	FLGOFF	
		OIC ACMC	FLTLT	
		SO2 PERS ACMC	FLGOFF	
		SO3 PERS ACMC	FLGOFF	

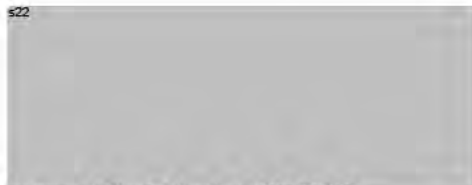


## Defence (Chief of the Defence Force) Delegations 2019

I, General Angus J Campbell, AO, DSC, Chief of the Defence Force, make the following delegations and authorisations using powers vested in me under:

- (a) section 84 of the *Defence Regulation 2016*; and
- (b) section 35 of the *Navy (Canteen) Regulation 2016*.

Dated 5<sup>th</sup> Nov 2019



Angus J Campbell AO, DSC  
General  
Chief of the Defence Force

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## Contents

1	Name of instrument .....	2
2	Commencement.....	2
3	Revocation .....	2
4	Authority.....	2
5	Delegations.....	2
6	Definitions and abbreviations .....	2
<b>Schedule 1</b>	<b>Delegations for decision-making under Defence Regulation 2016 .....</b>	<b>3</b>
	Part 1 – Navy .....	3
	Part 2 – Army .....	20
	Part 3 – Air Force .....	28
<b>Schedule 2</b>	<b>Delegations for decision-making under Navy (Canteens) Regulation 2016 .....</b>	<b>40</b>
	Part 1 – Delegations.....	40
	Part 2 – Authorisations .....	41
<b>Schedule 3</b>	<b>Abbreviations .....</b>	<b>42</b>

**1 Name of instrument**

This delegation and authorisation is the Defence (Chief of the Defence Force) Delegations 2019.

**2 Commencement**

The delegations and authorisations in this instrument commence on the day after signature.

**3 Revocation**

This delegation and authorisation revokes Defence (Chief of the Defence Force) Delegations and Authorisations (No. 1).

**4 Authority**

I make these delegations using my powers under:

- (a) section 84 of the *Defence Regulation 2016*; and
- (b) section 35 of the *Navy (Canteen) Regulation 2016*.

**5 Delegations**

- a. I delegate those functions mentioned in Schedules 1 and 2 to the persons from time to time holding, occupying, acting in or performing the duties of the classifications, ranks or positions listed in that Schedule for the relevant function.
- b. Any function delegated or authorised in this instrument must be exercised subject to relevant directions mentioned for the function in Schedules 1 and 2.

**Note:** Delegations made by the Governor-General, a Minister in the Defence portfolio, Chief of the Defence Force or a service chief under the *Defence (Personnel) Regulations 2002* and *Defence Force Regulations 1952* prior to 1 October 2016 may only be exercised in relation to matters where those regulations continue to apply under Part 17 of the *Defence Regulation 2016*.

**6 Definitions and abbreviations**

Definitions and abbreviations used in this instrument are set out in Schedule 3.

## Part 3 – Air Force

Item	Provision	Function	Delegate	Directions	Other directions:
3.1	Paragraph 12(1)(a)	Appoint a person as an officer of the Air Force.	VCDF CAF DCAF DGPERS-AF DP-AF DDTW XO DP-AF RLO-AF TW 1,2,3,4,5,6 AFGY FLTCDR OIC ACMC SO2 PERS ACMC MECRB Chairperson VCDF CAF DCAF DGPERS-AF DP-AF DDTW RLO-AF XO DP-AF TW 1,2,3,4,5,6 AFGY FLTCDR	<p>The delegate may make a decision about any of the following:</p> <p>a. A member of the Air Force at or below the specified rank or Chaplain Division.</p> <p>b. A person seeking to enlist or be appointed into the Air Force.</p> <p>c. A former member of the ADF who was in the Air Force.</p> <p>AIRCDRE, CHAP 5</p> <p>WGCDR, CHAP 3</p> <p>SQNDR, CHAP 2</p> <p>FLTLT, CHAP 1</p> <p>FLGOFF</p> <p>FLTLT</p> <p>FLGOFF</p> <p>WGCDR, CHAP 3</p> <p>WOFF</p>	<p>A delegate must give consideration to any Chief of Navy or other single service direction, instruction, policy or other such guidance.</p> <p>The delegate must hold a rank one rank higher than the rank the person is being appointed to.</p>
3.2	Paragraph 12(1)(b)	Enlist a person in the Air Force.			



			Members posted to DFR	AC	The member must hold a minimum rank of WO2(E)
3.3	Paragraph 13(1)(a)	Promote a member to a higher rank.	MECRB Chairperson VCDF CAF	WOFF AIRCDR, CHAP 5	The delegate must: a. hold a rank one rank higher than the rank to which the member is being promoted to. b. hold a minimum rank of FLTLT.
			DCAF DGPERS-AF DP-AF	WGCDR, CHAP 3	
			DDCMB XO DP-AF DDTW	FLTLT, CHAP 1	
			TW 1,2,3,4,5,6 AFGY FLTCDR OIC ACMC	FLGOFF	
			OIC ACMC	FLTLT	
			SO2 PERS ACMC SO2 CMB	FLGOFF	
			SO3 CMB	SGT	
3.4	Paragraph 13(1)(b)	Direct a member to act in a higher rank.	VCDF CAF	AIRCDR, CHAP 5	
			DCAF DGPERS-AF DP-AF	WGCDR, CHAP 3	
			DDCMB XO DP-AF	FLTLT, CHAP 1	
3.5	Paragraph 14(1)(a)	Reduce the rank of a member where retention of the member at his or her current rank is not in the interests of the Defence Force.	SO2 CMB VCDF CAF	FLGOFF AIRCDR, CHAP 5	The delegate must hold a rank two ranks higher than member.
			DCAF DGPERS-AF	WGCDR, CHAP 3	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLD, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
			An officer performing duties in a DP-AF SQNLD Position	CPL	
			VCDF CAF	AIRCDR, CHAP 5	
3.6	Paragraph 14(1)(b)	Reduce the rank of a member where the member cannot be usefully serve at his or			

3.7	Paragraph 14(1)(c)	her current rank because of redundancy in the Defence Force.  Reduce the rank of a member where the member has failed to meet a condition of appointment or promotion to his or her current rank.	<p>DCAF DGPERS-AF</p> <p>DP-AF</p> <p>VCDF CAF</p> <p>DCAF DGPERS-AF</p> <p>An officer performing duties in a PERSBR-AF GPCAPT Director Position</p> <p>An officer performing duties in a DP-AF WGCDR Position</p> <p>OIC ACMC</p> <p>CDR AFTG OC GA CO OTS</p>	<p>WGCDR, CHAP 3</p> <p>SQNLDR, CHAP 2</p> <p>AIRCDRE, CHAP 5</p> <p>WGCDR, CHAP 3</p> <p>SQNLDR, CHAP 2</p> <p>FLTLT, CHAP 1</p> <p>FLTLT</p> <p>FLTLT, CHAP 1</p>	<p>The delegate must hold a rank two ranks higher than member.</p> <p>1. The delegate must hold a rank two ranks higher than member. 2. The member must be posted to OTS for initial officer training.</p>
3.8	Paragraph 14(1)(d)	Reduce the rank of a member where the member applies for, or agrees to, the reduction.	<p>An officer performing duties in a DP-AF SQNLDR Position</p> <p>VCDF CAF</p> <p>DCAF DGPERS-AF</p> <p>DP-AF</p> <p>XO DP-AF</p> <p>OIC ACMC</p>	<p>CPL</p> <p>AIRCDRE, CHAP 5</p> <p>GPCAPT, CHAP 4</p> <p>SQNLDR, CHAP 2</p> <p>FLTLT, CHAP 1</p> <p>FLTLT</p>	<p>The delegate must: a. hold a rank two ranks higher than member. b. hold minimum rank of FLTLT.</p>
3.9	Subsection 15(1)	Transfer a member from one arm of the Defence Force to another arm of the Defence Force.	<p>VCDF CAF</p> <p>DCAF DGPERS-AF</p> <p>DP-AF</p> <p>DDTW</p> <p>XO DP-AF</p> <p>OIC ACMC</p> <p>SO2 PERS ACMC</p>	<p>AIRCDRE, CHAP 5</p> <p>WGCDR, CHAP 3</p> <p>SQNLDR, CHAP 2</p> <p>FLTLT, CHAP 1</p> <p>FLTLT</p> <p>FLGOFF</p>	<p>1. If the member is being transferred without the consent of the member, the delegate must hold a rank two ranks higher than member. 2. If the member is being transferred with consent of the member, the delegate must hold a rank equal to, or higher than, the member.</p>
3.10	Subsection 16(1)	Transfer member from Permanent Forces to Reserves.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.

3.11	Subsection 17(1)	Transfer a member from the Reserves to the Permanent Forces if the member applies for, or agrees to, the transfer.	DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	The delegate must: a. hold a rank two ranks higher than member b. hold a minimum rank of FLTLT. c. must not make a decision to transfer a member for reasons other than workforce planning.
			An officer performing duties in a DP-AF WGCDR Position An officer performing duties in a DP-AF SQNLDR Position VCDF CAF	SQNLDR, CHAP 2 FLTLT, CHAP 1 CPL AVM, CHAP 5	
3.12	Subsection 18(1)	Change a period of service for a member if the member applies for, or agrees to, the change.	DCAF DGPERS-AF DP-AF An officer performing duties in a DP-AF WGCDR Position An officer performing duties in a DP-AF SQNLDR Position OIC ACMC SO2 PERS ACMC An officer performing duties in a DP-AF FLTLT Position	WGCDR, CHAP 3	The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT. c. must not make a decision to transfer a member for reasons other than workforce planning.
			VCDF CAF	FLTLT FLGOFF WOFF	
			VCDF CAF	AIRCDRE, CHAP 5	
			DCAF DGPERS-AF DSOM-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF) GPCAPT, CHAP 4 (AFR) WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position An officer performing duties in a DP-AF SQNLDR Position	SQNLDR, CHAP 2 FLTLT, CHAP 1	
			OIC ACMC SO2 PERS ACMC An officer performing duties in a DP-AF FLTLT Position	FLTLT FLGOFF WOFF	
			VCDF CAF	AIRCDRE, CHAP 5	
			DCAF DGPERS-AF DSOM-AF An officer performing duties in a DP-AF WGCDR Position An officer performing duties in a DP-AF SQNLDR Position	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF) GPCAPT, CHAP 4 (AFR) WGCDR, CHAP 3	
			OIC ACMC SO2 PERS ACMC An officer performing duties in a DP-AF FLTLT Position	SQNLDR, CHAP 2 FLTLT, CHAP 1 FLTLT FLGOFF WOFF	
			VCDF CAF	AIRCDRE, CHAP 5	
3.13	Subsection 19(1)	Extend period of service during time of war/defence emergency.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.



[illegible]

3.18	Paragraph 23(2)(b)	ends at another time.	DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	than, the member. b. hold a minimum rank of FLTLT.
			An officer performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF SQNLDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			An officer performing duties in a DP-AF FLTLT Position	WOFF	
			VCDF CAF	AIRCDRE, CHAP 5	
3.19	Paragraph 24(1)(a)	Allow member to serve beyond retirement age.	DCAF DGPERS-AF DSOM-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF) GPCAPT, CHAP 4 (AFR) WGCDR, CHAP 3	The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT.
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			An officer performing duties in a DP-AF FLTLT Position	WOFF	
			VCDF CAF	AIRCDRE, CHAP 5	
			DCAF DGPERS-AF DGSP-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	GPCAPT, CHAP 4 WGCDR, CHAP 3	
3.20	Paragraph 24(1)(b)	Terminate the service of a member if the member is medically unfit for service in the Defence Force.	An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	The delegate must only be exercised if a member does not to respond as described at s30(2)(b) or (c) The delegate must hold a rank two ranks higher than member.
			OIC ER (AS) OIC ER (MEC)	FLTLT	
			VCDF CAF	AIRCDRE, CHAP 5	
			VCDF CAF	AIRCDRE, CHAP 5	
			VCDF CAF	AIRCDRE, CHAP 5	
			VCDF CAF	AIRCDRE, CHAP 5	



3.21	Paragraph 24(1)(c)	<p>redundancy in the Defence Force.</p> <p>Terminate the service of a member if retention of the member's service is not in the interests of the Defence Force.</p>	DCAF DGPERS-AF	WGCDR, CHAP 3		
			DP-AF		SQNLDR, CHAP 2	
			VCDF CAF		AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.
			DCAF		WGCDR, CHAP 3	
			DGPERS-AF			
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2		
			An officer performing duties in a DP-AF WGCDR Position	FLTTLT, CHAP 1		
			OIC ACMC	FLTTLT		
			CDR AFTG OC GA	FLTTLT, CHAP 1		The member must be posted to either of the following: a. OTS for initial officer training. b. IRTU for recruit training.
			CO OTS	FLTTLT, CHAP 1		1. The delegate must hold a rank two ranks higher than the member.
		<p>Terminate the service of a member if the member has failed to meet a condition of his or her appointment or enlistment.</p>	CO IRTU	AC		2. The member must be posted to OTS for initial officer training. Member must be posted to IRTU for recruit training.
			An officer performing duties in a DP-AF SQNLDR Position	CPL		
			VCDF CAF	AIRCDRE, CHAP 5		
			DCAF	WGCDR, CHAP 3		
			DGPERS-AF			
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2		
			An officer performing duties in a DP-AF WGCDR Position	FLTTLT, CHAP 1		
			An officer performing duties in a DP-AF SQNLDR Position	CPL		

		Specified Commanders	FLTLT, CHAP 1	1. The delegate must: a. hold a minimum rank of WGCDR. b. be promulgated as Officer Commanding or Commanding Officer. 2. The member must: a. be in the delegate's chain of command. b. be posted to the unit to undertake initial employment training.
		CDR AFTG OC GA	FLTLT, CHAP 1	The member must be posted to either of the following: a. OTS for initial officer training. b. IRTU for recruit training.
		CO OTS	FLTLT, CHAP 1	1. The delegate holds a rank two ranks higher than the member.
		CO IRTU	AC	2. The member must be posted to OTS for initial officer training. Member must be posted to IRTU for recruit training.
3.24	Paragraph 24(1)(c)	VCDF CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position An officer performing duties in a DP-AF WGCDR Position An officer performing duties in a DP-AF SQNLDR Position	AIRCDRE, CHAP 5 GPCAPT, CHAP 4 WGCDR, CHAP 3 SQNLDR, CHAP 2 CPL	The delegate must hold a rank higher than the member.
3.25	Subsection 25(3)	VCDF CAF DCAF DGPERS-AF DP-AF An officer performing duties in a DP-AF WGCDR Position OIC, ACMC	AIRCDRE, CHAP 5 WGCDR, CHAP 3 SQNLDR, CHAP 2 FLTLT	The delegate must: a. hold a rank higher than the member. b. make a decision consistent with the <i>Defence (Chief of the Defence Force) (Service Obligation Debts) Determination 2016</i> .

3.26	Subsection 25(5)	Determine the separation debt if the period of service began before 1 October 2016.	<p>SO2 PERS ACMC</p> <p>VCDF CAF</p> <p>DCAF DGPERS-AF</p> <p>An officer performing duties in a PERSBR-AF GPCAPT Director Position</p> <p>An officer performing duties in a DP-AF WGCDR Position</p> <p>OIC ACMC</p> <p>SO2 PERS ACMC</p> <p>VCDF CAF</p> <p>DCAF DGPERS-AF</p> <p>An officer performing duties in a PERSBR-AF GPCAPT Director Position</p> <p>An officer performing duties in a DP-AF WGCDR Position</p> <p>OIC ACMC</p> <p>SO2 PERS ACMC</p> <p>VCDF CAF</p> <p>DCAF DGPERS-AF</p> <p>An officer performing duties in a PERSBR-AF GPCAPT Director Position</p> <p>An officer performing duties in a DP-AF WGCDR Position</p> <p>VCDF CAF</p> <p>DCAF DGPERS-AF</p>	<p>FLGOFF</p> <p>AIRCDRE, CHAP 5</p> <p>WGCDR, CHAP 3</p> <p>SQNLDR, CHAP 2</p> <p>FLTLT</p> <p>FLGOFF</p> <p>AIRCDRE, CHAP 5</p> <p>WGCDR, CHAP 3</p> <p>SQNLDR, CHAP 2</p> <p>FLTLT</p> <p>FLGOFF</p> <p>AIRCDRE, CHAP 5</p> <p>GPCAPT, CHAP 4</p> <p>WGCDR, CHAP 3</p>	<p>The delegate must hold a rank higher than the member.</p> <p>The delegate must hold a rank higher than the member.</p> <p>The delegate must hold a rank equal to, or higher than, the member.</p> <p>The delegate must not make a decision about a member who was transferred to the Reserves for reasons other than workforce planning.</p> <p>The delegate must hold a rank higher than the member.</p>
3.27	Subsection 25(6)	Waive an early separation debt.			
3.28	Section 26	Change of reason for the end of service.			
3.29	Section 27	Require a member of the Reserves to render service.			
3.30	Section 28	28(1) Suspend a member from duty.	VCDF CAF	AVM, CHAP 5	



3.31	Subsection 28(2)(b) End or vary a period of suspension. 28(5) Retrospectively vary a suspension.		DCAF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than the member.
			DGPERS-AF	GPCAPT, CHAP 4	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDLDR, CHAP 2	
3.32	Subsection 29(3)	Determine that some or all pay otherwise forfeited when absent without leave is not forfeited.	An officer performing duties in a DP-AF SQNLDLDR Position	CPL	The delegate must: a. hold a minimum rank of SQNLDLDR. b. only make decisions about a member who is lower in rank and within that officer's command, control or area of responsibility.
			An officer		
			VCDF	AIRCDRE, CHAP 5	
			CAF		
3.33	Subsection 31(1)	Appoint an officer or another person to an officers' rank that is to be held as an honorary rank.	DCAF	GPCAPT, CHAP 4	The delegate must hold a rank higher than the member.
			DGPERS-AF	WGCDR, CHAP 3	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDLDR, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
3.33	Subsection 31(1)	Confer or imply a right to command on an	An officer	SQNLDLDR	1. The delegate must hold a minimum rank of WGCDR. 2. The member must be in the member's chain of command. The delegate must hold a rank higher than honorary rank to be granted.
			CAF		
			DCAF	AIRCDRE, CHAP 5	
			DGPERS-AF	WGCDR, CHAP 3	
3.33	Subsection 31(1)	Confer or imply a right to command on an	An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDLDR, CHAP 2	The delegate must hold a rank higher than honorary rank to be granted.
			XO DP-AF		
			DDTW	FLTLT, CHAP 1	
			CAF	AIRCDRE, CHAP 5	

3.34	31(2) Subsection 31(3)	honorary officer or person.  Revoke a person's honorary officer rank.	DCAF DGPERS-AF CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position XO DP-AF DDTW	WGCDR, CHAP 3  AIRCDR, CHAP 5 WGCDR, CHAP 3  SQNLDR, CHAP 2  FLTLT, CHAP 1	The delegate must hold a rank higher than honorary rank.
3.35	Subsection 32(1)	Appoint an enlisted member or another person to an enlisted rank that is to be held as an honorary rank.	CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position XO DP-AF DDTW	WOFF	
3.36	Subsection 32(2)	Confer or imply a right to command on an honorary enlisted member or person.	CAF DCAF DGPERS-AF	WOFF	
3.37	Subsection 32(3)	Revoke a person's honorary enlisted rank.	CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position XO DP-AF DDTW	WOFF	
3.38	Subsection 33(1)	Grant to a former member an honorary title relating to the member's former appointment.	CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position An officer performing duties in a DP-AF WGCDR Position	AVM, CHAP 5 AIRCDR, CHAP 5 GPCAPT, CHAP 4 WGCDR, CHAP 3	The delegate must hold a rank higher than the former member held before their service in the ADF ended.
3.39	Subsection 33(3)	Revoke the grant of an honorary title to a former member.	CAF DCAF DGPERS-AF	AVM, CHAP 5 AIRCDR, CHAP 5 GPCAPT, CHAP 4	The delegate must hold a rank higher than the former member held before their service in the ADF

3.40	Paragraph 34(1)(a)	Permit a former member to wear a uniform relating to the former member's service.	An officer performing duties in a PERSBR-AF GPCAPT Director Position CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position An officer performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3 AVM, CHAP 5 AIRCDR, CHAP 5 GPCAPT, CHAP 4 WGCDR, CHAP 3	ended.   1. The delegate may permit a former member to wear uniform on occasions such as parades, funerals and ANZAC Day ceremonies. 2. The delegate must not permit a former member to wear a uniform other than ceremonial orders of dress.
3.41	Paragraph 34(1)(b)	Specify conditions to permit a former member to wear a uniform relating to the former member's service.	CAF DCAF DGPERS-AF	AVM, CHAP 5 AIRCDR, CHAP 5	
3.41	Subsection 34(2)	Revoke permission for a former member to wear a particular uniform.	CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	AVM, CHAP 5 AIRCDR, CHAP 5 GPCAPT, CHAP 4 WGCDR, CHAP 3	The delegate must hold a rank higher than the former member held before their service in the ADF ended.
3.43	Subsection 39(1)	Authorise persons to receive complaints made under Part 7 of <i>Defence Regulation 2016</i> .	VCDF CN CA CAF		The delegate must notify Inspector-General ADF of persons they have authorised to receive complaints.



## Schedule 3 – Abbreviations

Abbreviation	Full term	Service
AB	Able Seaman	Navy
AC	Aircraftman/Aircraftwoman	Air Force
ACO	Administrative Commanding Officer	Army
AFGY FLTCDR	Air Force Gap Year Flight Commander	Air Force
AFR	Air Force Reserve	Air Force
AIRCDRE	Air Commodore	Air Force
APS6	Australian Public Service Level 6	Navy
AVM	Air Vice-Marshal	Air Force
BDR	Bombardier	Army
BRIG	Brigadier	Army
CA	Chief of Army	Army
CAF	Chief of Air Force	Air Force
CAPT	Captain (in Schedule 1, part 1 - a Captain in the Navy)	Navy
CAPT	Captain (in Schedule 1, part 2 - a Captain in the Army)	Army
CDRAFTG	Commander Air Force Training Group	Air Force
CDRE	Commodore	Navy
CHAP 1	Chaplain eligible for salary as a Chaplain Division 1 under DFRT Determination No. 2 of 2017, Salaries.	ADF
CHAP 2	Chaplain eligible for salary as a Chaplain Division 2 under DFRT Determination No. 2 of 2017, Salaries.	ADF
CHAP 3	Chaplain eligible for salary as a Chaplain Division 3 under DFRT Determination No. 2 of 2017, Salaries.	ADF
CHAP 4	Chaplain eligible for salary as a Chaplain Division 4 under DFRT Determination No. 2 of 2017, Salaries.	ADF
CHAP 5	Chaplain eligible for salary as a Chaplain Division 5 under DFRT Determination No. 2 of 2017, Salaries.	ADF
CM-A	Career Management – Army	Army
CMDR	Commander	Navy
CN	Chief of Navy	Navy
CO	Commanding Officer	ADF
CO IRTU	Commanding Officer No 1 Recruit Training Unit	Air Force
CO OTS	Commanding Officer – Officer Training School	Air Force
CO RFSU	Commanding Officer Regional Force Surveillance Unit	Army
CO RS	Commanding Officer Recruit School	Navy
COFS ARTC	Chief of Staff Army Recruit Training Centre	Army
COFS HQ FORCOMD	Chief of Staff, Headquarters Forces Command	Army
COL	Colonel	Army
COMAUSFLT	Commander Australian Fleet	Navy
COMD 16 AVN BDE	Commander 16th Aviation Brigade	Army
COMDT ADFA	Commandant Australian Defence Force Academy	ADF
COMDT ARTC	Commandant Army Recruit Training Centre	Army
COMDT RMC-A	Commandant Royal Military College of Australia	Army
COMFAA	Commander Fleet Air Arm	Navy
COMFLOT	Commodore Flotillas	Navy
COMIWFOR	Commander Information Warfare Force	Navy
COMMHP	Commander Mine Warfare, Clearance Diving, Hydrographic, Meteorological and Patrol Force	Navy
COMSHORE	Commander Shore Force	Navy
COMSUB	Commander Submarines	Navy
COMSURF	Commander Surface Force	Navy
COMTRAIN	Commodore Training	Navy
COS-NHQ	Chief of Staff - Navy Headquarters	Navy
CPL	Corporal	Army/Air Force
CPO	Chief Petty Officer	Navy
DCA	Deputy Chief of Army	Army
DCAF	Deputy Chief of Air Force	Air Force
DCN	Deputy Chief of Navy	Navy
DCOMFAA	Deputy Commander Fleet Air Arm	Navy
DCOMFLOT	Deputy Commodore Flotillas	Navy
DCOMMHP	Deputy Commander Mine Warfare, Hydrographic and Patrol Boat Force	Navy
DCOMSHORE	Deputy Commander Shore Force	Navy
DCOMSUB	Deputy Commander Submarines	Navy
DCOMSURF	Deputy Commander Surface Force	Navy
DDCMB	Deputy Director Career Management Boards	Air Force

DDNR	Deputy Director Navy Recruitment	Navy
DDNT	Deputy Director Navy Transition	Navy
DDTW	Deputy Director Total Workforce	Air Force
DFC	Deputy Fleet Commander	Navy
DFR	Defence Force Recruiting	ADF
DFRO	Defence Force Recruiting Officer	Navy
DGAPC	Director General Army People Capability	Army
DGCM-A	Director General Career Management – Army	Army
DGNP	Director General Navy People	Navy
DGPERS-AF	Director General Personnel – Air Force	Air Force
DGTRADOC	Director General Training and Doctrine	Army
DNPCMA	Director Navy People Career Management Agency	Navy
DNRRT	Director Navy Recruitment, Retention and Transition	Navy
DP-AF	Director of Personnel – Air Force	Air Force
DRR-A	Directorate of Recruiting and Retention – Army	Army
DSOM-AF	Director Senior Officer Management – Air Force	Air Force
DTA	Director Training Authority	Navy
DTA-ITLM	Director Training Authority – Initial Training, Leadership and Management	Navy
ELI	Australian Public Service Executive Level One	ADF
FLGOFF	Flying Officer	Air Force
FLTLT	Flight Lieutenant	Air Force
GPCAPT	Group Captain	Air Force
HNPTR	Head Navy People Training and Resources	Navy
LAC	Leading Aircraftman/Aircraftwoman	Air Force
LCDR	Lieutenant Commander	Navy
LEUT	Lieutenant	Navy
LOE	Local Observer Element	Army
LS	Leading Seaman	Navy
LTCOL	Lieutenant Colonel	Army
MAJ	Major	Army
MAJGEN	Major General	Army
MECRB Chairperson	Medical Employment Classification Review Board Chairperson	Air Force
MIDN	Midshipman	Navy
OC	Officer Commanding	Army
OC DT	Officer Cadet	Army
OC GA	Officer Commanding Ground Academy	Air Force
OFFCDT	Officer Cadet	Air Force
OIC ACMC	Officer in Command Aviation Candidate Management Centre	Air Force
PAF	Permanent Air Force	Air Force
PO	Petty Officer	Navy
PTE	Private	Army
RADM	Rear Admiral	Navy
RLO-AF	Recruiting Liaison Officer - Air Force	Air Force
SBLT	Sub-Lieutenant	Navy
SGT	Sergeant	Army/Air Force
SMN	Seaman	Navy
SO1 in CM-A	Staff Officer Grade 1 in Career Management -Army	Army
SO2 in CM-A	Staff Officer Grade 2 in Career Management -Army	Army
SO2 CMB	Staff Officer Grade 2 Career Management Boards	Air Force
SO3 CMB	Staff Officer Grade 3 Career Management Boards	Air Force
SO2 PERS ACMC	Staff Officer Grade 2 Personnel Aviation Candidate Management Centre	Air Force
SQNLDR	Squadron Leader	Air Force
TW 1,2,3,4,5,6	Total Workforce 1-6	Air Force
VCDF	Vice Chief of the Defence Force	ADF
WGCDR	Wing Commander	Air Force
WO	Warrant Officer	Navy
WO1	Warrant Officer Class One	Army
WO2	Warrant Officer Class Two	Army
WOFF	Warrant Officer	Air Force
XO	Executive Officer	Navy
XO DP-AF	Executive Officer Directorate of Personnel – Air Force	Air Force



## Defence (Chief of the Defence Force) Delegations 2020

I, General Angus J Campbell, AO, DSC, Chief of the Defence Force, make the following delegations and authorisations using powers vested in me under:

- (a) section 84 of the *Defence Regulation 2016*; and
- (b) section 35 of the *Navy (Canteen) Regulation 2016*.

Dated 20 January 2020

s22 [Redacted Signature]

Angus J Campbell, AO, DSC  
General [Redacted]  
Chief of the Defence Force



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## Contents

1	Name of instrument .....	2
2	Commencement .....	2
3	Revocation .....	2
4	Authority .....	2
5	Delegations .....	2
6	Definitions and abbreviations .....	2
<b>Schedule 1</b>	<b>Delegations for decision-making under Defence Regulation 2016 .....</b>	<b>3</b>
	Part 1 – Navy .....	3
	Part 2 – Army .....	27
	Part 3 – Air Force .....	36
<b>Schedule 2</b>	<b>Delegations for decision-making under Navy (Canteens) Regulation 2016 .....</b>	<b>50</b>
	Part 1 – Delegations .....	50
	Part 2 – Authorisations .....	51
<b>Schedule 3</b>	<b>Abbreviations .....</b>	<b>52</b>

**1 Name of instrument**

This delegation and authorisation is the Defence (Chief of the Defence Force) Delegations 2020.

**2 Commencement**

The delegations and authorisations in this instrument commence on the day after signature.

**3 Revocation**

This delegation and authorisation revokes the *Defence (Chief of the Defence Force) Delegations 2019*.

**4 Authority**

I make these delegations using my powers under:

- (a) section 84 of the *Defence Regulation 2016*; and
- (b) section 35 of the *Navy (Canteen) Regulation 2016*.

**5 Delegations**

- a. I delegate those functions mentioned in Schedules 1 and 2 to the persons from time to time holding, occupying, acting in or performing the duties of the classifications, ranks or positions listed in that Schedule for the relevant function.
- b. Any function delegated or authorised in this instrument must be exercised subject to relevant directions mentioned for the function in Schedules 1 and 2.

**Note:** Delegations made by the Governor-General, a Minister in the Defence portfolio, Chief of the Defence Force or a service chief under the *Defence (Personnel) Regulations 2002* and *Defence Force Regulations 1952* prior to 1 October 2016 may only be exercised in relation to matters where those regulations continue to apply under Part 17 of the *Defence Regulation 2016*.

**6 Definitions and abbreviations**

Definitions and abbreviations used in this instrument are set out in Schedule 3

## Part 3 – Air Force

Item	Provision	Function	Delegate	Directions	
				The delegate may make a decision about any of the following:  a. A member of the Air Force at or below the specified rank or Chaplain Division.  b. A person seeking to enlist or be appointed into the Air Force.  c. A former member of the ADF who was in the Air Force.	Other directions:  A delegate must give consideration to any Chief of Air Force or other single service direction, instruction, policy or other such guidance.
3.1	Paragraph 12(1)(a)	Appoint a person as an officer of the Air Force.	VCDF	AIRCDRE, CHAP 5	The delegate must hold a rank one rank higher than the rank the person is being appointed to.
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			DP-AF	SQNLDR, CHAP 2	
			DDTW	FLTLT, CHAP 1	
			XO DP-AF		
			RLO-AF		
			TW 1.2.3.4.5.6	FLGOFF	
			AFGY FLTCDR		
			OIC ACMC	FLTLT	
			SO2 PERS ACMC	FLGOFF	
			MECRB Chairperson	WGCDR, CHAP 3	



3.2	Paragraph 12(1)(b)	Enlist a person in the Air Force.	VCDF CAF DCAF DGPERS-AF DP-AF DDTW RLO-AF XO DP-AF TW 1,2,3,4,5,6 AFGY FLTCDR	WOFF	
			Members posted to DFR	AC	
			MECRB Chairperson	WOFF	
3.3	Paragraph 13(1)(a)	Promote a member to a higher rank.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must: a. hold a rank one rank higher than the rank to which the member is being promoted to. b. hold a minimum rank of FLTLT
			DCAF DGPERS-AF DP-AF	WGCDR, CHAP 3	
			DDCMB XO DP-AF DDTW	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
			TW 1,2,3,4,5,6 AFGY FLTCDR	FLGOFF	
			SO2 PERS ACMC SO2 CMB	FLGOFF	
			SO3 CMB	SGT	
			VCDF CAF	AIRCDRE, CHAP 5	
			DCAF DGPERS-AF DP-AF	WGCDR, CHAP 3	
3.4	Paragraph 13(1)(b)	Direct a member to act in a higher rank.	DDCMB XO DP-AF	FLTLT, CHAP 1	The delegate must: a. hold a rank one rank higher than the rank to which the member is being promoted to. b. hold a minimum rank of FLTLT.
			SO2 CMB	FLGOFF	

3.5	Paragraph 14(1)(a)	Reduce the rank of a member where retention of the member at his or her current rank is not in the interests of the Defence Force.	VCDF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
3.6	Paragraph 14(1)(b)	Reduce the rank of a member where the member cannot be usefully serve at his or her current rank because of redundancy in the Defence Force.	OIC ACMC	FLTLT	The delegate must hold a rank two ranks higher than member.
			An officer performing duties in a DP-AF SQNLDR Position	CPL	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
3.7	Paragraph 14(1)(c)	Reduce the rank of a member where the member has failed to meet a condition of appointment or promotion to his or her current rank.	DCAF	WGCDR, CHAP 3	The delegate must hold a rank one rank higher than member.
			DGPERS-AF		
			DP-AF	SQNLDR, CHAP 2	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	1. The delegate must hold a rank two ranks higher than member.  2. The member must be posted to OTS for initial officer training.
			OIC ACMC	FLTLT	
			CDR AFTG	FLTLT, CHAP 1	
			OC GA		
			CO OTS		
			An officer performing duties in a DP-AF SQNLDR Position	CPL	

3.8	Paragraph 14(1)(d)	Reduce the rank of a member where the member applies for, or agrees to, the reduction.	VCDF	AIRCDRE, CHAP 5	The delegate must: a. hold a rank two ranks higher than member. b. hold minimum rank of FLTLT.
			CAF		
			DCAF	GPCAPT, CHAP 4	
			DGPERS-AF		
			DP-AF	SQNLDR, CHAP 2	
			XO DP-AF	FLTLT, CHAP 1	
3.9	Subsection 15(1)	Transfer a member from one arm of the Defence Force to another arm of the Defence Force.	OIC ACMC	FLTLT	1. If the member is being transferred without the consent of the member, the delegate must hold a rank two ranks higher than member.  2. If the member is being transferred with consent of the member, the delegate must hold a rank equal to, or higher than, the member.
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			DP-AF	SQNLDR, CHAP 2	
			DDTW	FLTLT, CHAP 1	
			XO DP-AF		
3.10	Subsection 16(1)	Transfer member from Permanent Forces to Reserves.	OIC ACMC	FLTLT	The delegate must hold a rank two ranks higher than member.  The delegate must: a. hold a rank two ranks higher than member b. hold a minimum rank of FLTLT. c. must not make a decision to transfer a member for reasons other than workforce planning.
			SO2 PERS ACMC	FLGOFF	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
3.11	Subsection 17(1)	Transfer a member from the Reserves to the Permanent Forces if the member applies for, or agrees to, the transfer.	An officer performing duties in a DP-AF SQNLDR Position	CPL	The delegate must hold a rank equal to, or higher than, the member.  The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT. c. must not make a decision to transfer a member for reasons other than workforce planning.
			VCDF	AVM, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			DP-AF		
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
			SO2 PERS ACMC	FLGOFF	
			An officer performing duties in a DP-AF FLTLT Position	WOFF	



3.12	Subsection 18(1)	Change a period of service for a member if the member applies for, or agrees to, the change.	VCDF	AIRCDRE, CHAP 5	The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT
			CAF		
			DCAF	AIRCDRE, CHAP 5 (AFR)	
			DGPERS-AF	GPCAPT, CHAP 4 (PAF)	
			DSOM-AF	GPCAPT, CHAP 4 (AFR)	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
3.13	Subsection 19(1)	Extend period of service during time of war/ defence emergency.	VCDF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
3.14	Section 20	Extend a period of service for the purpose of ensuring that a process under the <i>Defence Force Discipline Act 1982</i> is completed before their period of service ends.	DP-AF	SQNLDR, CHAP 2	The delegate must hold a rank two ranks higher than member.
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
3.15	Subsection 21(2)	Specify period of service in Reserves after automatic transfer.	DGPERS-AF		The delegate must hold a rank equal to, or higher than, the member.
			DP-AF	SQNLDR, CHAP 2	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position		
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
			SO2 PERS ACMC	FLGOFF	The delegate must hold a minimum rank of FLTLT.
			An officer performing duties in a DP-AF FLTLT Position	WOFF	

3.16	Paragraph 21(3)(a)	Direct that a member is not to become a member of the Reserves.	VCDF	AIRCDRE, CHAP 5	The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position		
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
3.17	Subsection 22(2)	Before service ends under subsection 22(1), direct that service continues indefinitely or ends at another time.	SO2 PERS ACMC	FLGOFF	The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT
			An officer performing duties in a DP-AF FLTLT Position	WOFF	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			An officer performing duties in a DP-AF FLTLT Position	WOFF	

3.18	Paragraph 23(2)(b)	Allow member to serve beyond retirement age.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must: a. hold a rank equal to, or higher than, the member. b. hold a minimum rank of FLTLT.
			DCAF DGPERS-AF	AIRCDRE, CHAP 5 (AFR) WGCDR, CHAP 3 (PAF)	
			DSOM-AF	GPCAPT, CHAP 4 (AFR)	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF SQNLDR Position	FLTLT, CHAP 1	
			An officer performing duties in a DP-AF FLTLT Position	WOFF	
3.19	Paragraph 24(1)(a)	Terminate the service of a member if the member is medically unfit for service in the Defence Force.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than the member.
			DCAF DGPERS-AF DGSP-AF	GPCAPT, CHAP 4	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			OIC ER (AS) OIC ER (MEC)	FLTLT	The delegate must only be exercised if a member does not to respond as described at s30(2)(b) or (c)
3.20	Paragraph 24(1)(b)	Terminate the service of a member if the member cannot usefully serve because of redundancy in the Defence Force.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.
			DCAF DGPERS-AF	WGCDR, CHAP 3	
			DP-AF	SQNLDR, CHAP 2	



3.21	Paragraph 24(1)(c)	Terminate the service of a member if retention of the member's service is not in the interests of the Defence Force.	VCDF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	The member must be posted to either of the following: a. OTS for initial officer training. b. 1RTU for recruit training.
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
			OIC APMC	FLTLT	
			CDR AFTG OC GA	FLTLT, CHAP 1	
			CO OTS	FLTLT, CHAP 1	1. The delegate must hold a rank two ranks higher than the member.
					2. The member must be posted to OTS for initial officer training.
			CO 1RTU	AC	Member must be posted to 1RTU for recruit training.
			An officer performing duties in a DP-AF SQNLDR Position	CPL	

3.22	Paragraph 24(1)(d)	Terminate the service of a member if the member has failed to meet a condition of his or her appointment or enlistment.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must hold a rank two ranks higher than member.
			DCAF DGPERS-AF	WGCDR, CHAP 3	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
			OIC ACMC	FLTLT	
			An officer performing duties in a DP-AF SQNLDR Position	CPL	1. The delegate must: <ol style="list-style-type: none"> <li>hold a minimum rank of WGCDR.</li> <li>be promulgated as Officer Commanding or Commanding Officer.</li> </ol> 2. The member must: <ol style="list-style-type: none"> <li>be in the delegate's chain of command.</li> <li>be posted to the unit to undertake initial employment training.</li> </ol>
			Specified Commanders	FLTLT, CHAP 1	
			CDR AFTG OC GA	FLTLT, CHAP 1	
			CO OTS	FLTLT, CHAP 1	
			CO 1RTU	AC	1. The delegate holds a rank two ranks higher than the member.  2. The member must be posted to OTS for initial officer training.  Member must be posted to 1RTU for recruit training.

3.24	Paragraph 24(1)(e)	Terminate the service of a member if the member has been absent without leave for a continuous period of 3 months or more.	VCDF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than the member.
			CAF		
			DCAF	GPCAPT, CHAP 4	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
3.25	Subsection 25(3)	Determine the initial obligation amount for covered service.	An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	The delegate must: a. hold a rank higher than the member. b. make a decision consistent with the <i>Defence (Chief of the Defence Force) (Service Obligation Debts) Determination 2016</i> .
			An officer performing duties in a DP-AF SQNLDR Position	CPL	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
3.26	Subsection 25(5)	Determine the separation debt if the period of service began before 1 October 2016.	DGPERS-AF		The delegate must hold a rank higher than the member.
			DP-AF		
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			OIC ACMC	FLTLT	
			SO2 PERS ACMC	FLGOFF	
			VCDF	AIRCDRE, CHAP 5	
			CAF		
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position		
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	
			OIC ACMC	FLTLT	
			SO2 PERS ACMC	FLGOFF	



3.27	Subsection 25(6)	Waive an early separation debt.	VCDF CAF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than the member.
			DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDLDR, CHAP 2	
			OIC ACMC	FLTLT	
			SO2 PERS ACMC	FLGOFF	
3.28	Section 26	Change of reason for the end of service.	VCDF CAF DCAF DGPERS-AF	AIRCDRE, CHAP 5	The delegate must hold a rank equal to, or higher than, the member.
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	GPCAPT, CHAP 4	
			An officer performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	
3.29	Section 27	Require a member of the Reserves to render service.	VCDF CAF DCAF DGPERS-AF		

3.30	Section 28	28(1) Suspend a member from duty.	VCDF CAF	AVM, CHAP 5	The delegate must hold a rank higher than the member.
		28(2)(b) End or vary a period of suspension.	DCAF DGPERS-AF	AIRCDRE, CHAP 5 GPCAPT, CHAP 4	
		28(5) Retrospectively vary a suspension.	An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
			An officer performing duties in a DP-AF WGCDR Position	SQNLDR, CHAP 2	The delegate must hold a rank higher than the member.
			An officer performing duties in a DP-AF SQNLDR Position	CPL	
			An officer		The delegate must: a. hold a minimum rank of SQNLDR. b. only make decisions about a member who is lower in rank and within that officer's command, control or area of responsibility.
3.31	Subsection 29(3)	Determine that some or all pay otherwise forfeited when absent without leave is not forfeited.	VCDF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than the member.
			CAF		
			DCAF	GPCAPT, CHAP 4	
			DGPERS-AF	WGCDR, CHAP 3	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
			An officer performing duties in a DP-AF WGCDR Position	FLTLT, CHAP 1	
3.32	Subsection 31(1)	Appoint an officer or another person to an officers' rank that is to be held as an honorary rank.	An officer	SQNLDR	1. The delegate must hold a minimum rank of WGCDR.
					2. The member must be in the member's chain of command.
			CAF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than honorary rank to be granted.
			DCAF	WGCDR, CHAP 3	
			DGPERS-AF		
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
3.32	Subsection 31(1)	Appoint an officer or another person to an officers' rank that is to be held as an honorary rank.	XO DP-AF	FLTLT, CHAP 1	
			DDTW		

3.33	Subsection 31(2)	Confer or imply a right to command on an honorary officer or person.	CAF	AIRCDRE, CHAP 5	
			DCAF DGPERS-AF	WGCDR, CHAP 3	
3.34	Subsection 31(3)	Revoke a person's honorary officer rank.	CAF	AIRCDRE, CHAP 5	The delegate must hold a rank higher than honorary rank.
			DCAF DGPERS-AF	WGCDR, CHAP 3	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	SQNLDR, CHAP 2	
			XO DP-AF DDTW	FLTLT, CHAP 1	
3.35	Subsection 32(1)	Appoint an enlisted member or another person to an enlisted rank that is to be held as an honorary rank.	CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position XO DP-AF DDTW	WOFF	
3.36	Subsection 32(2)	Confer or imply a right to command on an honorary enlisted member or person.	CAF DCAF DGPERS-AF	WOFF	
3.37	Subsection 32(3)	Revoke a person's honorary enlisted rank.	CAF DCAF DGPERS-AF An officer performing duties in a PERSBR-AF GPCAPT Director Position XO DP-AF DDTW	WOFF	
3.38	Subsection 33(1)	Grant to a former member an honorary title relating to the member's former appointment.	CAF	AVM, CHAP 5	The delegate must hold a rank higher than the former member held before their service in the ADF ended.
			DCAF DGPERS-AF	AIRCDRE, CHAP 5	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	GPCAPT, CHAP 4	
			An officer performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	



3.39	Subsection 33(3)	Revoke the grant of an honorary title to a former member.	CAF	AVM, CHAP 5	The delegate must hold a rank higher than the former member held before their service in the ADF ended.
			DCAF	AIRCDRE, CHAP 5	
			DGPERS-AF	GPCAPT, CHAP 4	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
3.40	Paragraph 34(1)(a)	Permit a former member to wear a uniform relating to the former member's service.	CAF	AVM, CHAP 5	1. The delegate may permit a former member to wear uniform on occasions such as parades, funerals and ANZAC Day ceremonies.  2. The delegate must not permit a former member to wear a uniform other than ceremonial orders of dress.
			DCAF	AIRCDRE, CHAP 5	
			DGPERS-AF	GPCAPT, CHAP 4	
			An officer performing duties in a DP-AF WGCDR Position	WGCDR, CHAP 3	
3.41	Paragraph 34(1)(b)	Specify conditions to permit a former member to wear a uniform relating to the former member's service.	CAF	AVM, CHAP 5	The delegate must hold a rank higher than the former member held before their service in the ADF ended.
3.41	Subsection 34(2)	Revoke permission for a former member to wear a particular uniform.	DCAF	AIRCDRE, CHAP 5	
			DGPERS-AF	GPCAPT, CHAP 4	
			An officer performing duties in a PERSBR-AF GPCAPT Director Position	WGCDR, CHAP 3	
3.43	Subsection 39(1)	Authorise persons to receive complaints made under Part 7 of <i>Defence Regulation 2016</i> .	VCDF CN CA CAF		The delegate must notify Inspector-General ADF of persons they have authorised to receive complaints.

## Schedule 3 – Abbreviations

Abbreviation	Full term	Service
AB	Able Seaman	Navy
AC	Aircraftman/Aircraftwoman	Air Force
ACO	Administrative Commanding Officer	Army
AFGY FLTCDR	Air Force Gap Year Flight Commander	Air Force
AFR	Air Force Reserve	Air Force
AIRCDRE	Air Commodore	Air Force
APS6	Australian Public Service Level 6	Navy
AVM	Air Vice-Marshal	Air Force
BDR	Bombardier	Army
BRIG	Brigadier	Army
CA	Chief of Army	Army
CAF	Chief of Air Force	Air Force
CAPT	Captain (in Schedule 1, part 1 - a Captain in the Navy)	Navy
CAPT	Captain (in Schedule 1, part 2 - a Captain in the Army)	Army
CDRAFTG	Commander Air Force Training Group	Air Force
CDRE	Commodore	Navy
CHAP 1	Chaplain eligible for salary as a Chaplain Division 1 under DFRT Determination No. 2 of 2017 Salaries.	ADF
CHAP 2	Chaplain eligible for salary as a Chaplain Division 2 under DFRT Determination No. 2 of 2017 Salaries.	ADF
CHAP 3	Chaplain eligible for salary as a Chaplain Division 3 under DFRT Determination No. 2 of 2017 Salaries.	ADF
CHAP 4	Chaplain eligible for salary as a Chaplain Division 4 under DFRT Determination No. 2 of 2017 Salaries.	ADF
CHAP 5	Chaplain eligible for salary as a Chaplain Division 5 under DFRT Determination No. 2 of 2017 Salaries.	ADF
CM-A	Career Management - Army	Army
CMDR	Commander	Navy
CN	Chief of Navy	Navy
CO	Commanding Officer	ADF
CO 1RTU	Commanding Officer No 1 Recruit Training Unit	Air Force
CO OTS	Commanding Officer - Officer Training School	Air Force
CO RANC	Commanding Officer Royal Australian Navy College	Navy
CO RESU	Commanding Officer Regional Force Surveillance Unit	Army
CO RS	Commanding Officer Recruit School	Navy
COFS ARTC	Chief of Staff Army Recruit Training Centre	Army
COFS HQ FORCMD	Chief of Staff, Headquarters Forces Command	Army
COL	Colonel	Army
COMAUSFLT	Commander Australian Fleet	Navy
COMD 16 AVN BDE	Commander 16th Aviation Brigade	Army
COMDT ADFA	Commandant Australian Defence Force Academy	ADF
COMDT ARTC	Commandant Army Recruit Training Centre	Army
COMDT RMC-A	Commandant Royal Military College of Australia	Army
COMFAA	Commander Fleet Air Arm	Navy
COMFLOT	Commodore Flotillas	Navy
COMIWFOR	Commander Information Warfare Force	Navy
COMMHP	Commander Mine Warfare, Clearance Diving, Hydrographic, Meteorological and Patrol Force	Navy
COMSHORE	Commander Shore Force	Navy
COMSUB	Commander Submarines	Navy
COMSURF	Commander Surface Force	Navy
COMTRAIN	Commodore Training	Navy
COS-NHQ	Chief of Staff - Navy Headquarters	Navy
CPL	Corporal	Army/Air Force
CPO	Chief Petty Officer	Navy
DCA	Deputy Chief of Army	Army
DCAF	Deputy Chief of Air Force	Air Force
DCN	Deputy Chief of Navy	Navy
DCOMFAA	Deputy Commander Fleet Air Arm	Navy
DCOMFLOT	Deputy Commodore Flotillas	Navy
DCOMMHP	Deputy Commander Mine Warfare, Hydrographic and Patrol Boat Force	Navy
DCOMSHORE	Deputy Commander Shore Force	Navy
DCOMSUB	Deputy Commander Submarines	Navy
DCOMSURF	Deputy Commander Surface Force	Navy

DDCMB	Deputy Director Career Management Boards	Air Force
DDNR	Deputy Director Navy Recruitment	Navy
DDNT	Deputy Director Navy Transition	Navy
DDTW	Deputy Director Total Workforce	Air Force
DFC	Deputy Fleet Commander	Navy
DFR	Defence Force Recruiting	ADF
DFRO	Defence Force Recruiting Officer	Navy
DGAPC	Director General Army People Capability	Army
DGCM-A	Director General Career Management – Army	Army
DGNP	Director General Navy People	Navy
DGPERS-AF	Director General Personnel – Air Force	Air Force
DGTRADOC	Director General Training and Doctrine	Army
DNPCMA	Director Navy People Career Management Agency	Navy
DNRRRT	Director Navy Recruitment, Retention and Transition	Navy
DP-AF	Director of Personnel – Air Force	Air Force
DRR-A	Directorate of Recruiting and Retention – Army	Army
DSOM-AF	Director Senior Officer Management – Air Force	Air Force
DTA	Director Training Authority	Navy
DTA-ITLM	Director Training Authority – Initial Training, Leadership and Management	Navy
ELI	Australian Public Service Executive Level One	ADF
FLGOFF	Flight Officer	Air Force
FLTLT	Flight Lieutenant	Air Force
GPCAPT	Group Captain	Air Force
HNPTAR	Head Navy People Training and Resources	Navy
LAC	Leading Aircraftman/Aircraftwoman	Air Force
LCDR	Lieutenant Commander	Navy
LEUT	Lieutenant	Navy
LOE	Local Observer Element	Army
LS	Leading Seaman	Navy
LTCOL	Lieutenant Colonel	Army
MAJ	Major	Army
MAJGEN	Major General	Army
MECRB Chairperson	Medical Employment Classification Review Board Chairperson	Air Force
MIDN	Midshipman	Navy
OC	Officer Commanding	Army
OCDT	Officer Cadet	Army
OC GA	Officer Commanding Ground Academy	Air Force
OFFCDT	Officer Cadet	Air Force
OIC ACMC	Officer in Command Aviation Candidate Management Centre	Air Force
PAF	Permanent Air Force	Air Force
PO	Pet Officer	Navy
PTE	Private	Army
RADM	Rear Admiral	Navy
RLO-AF	Recruiting Liaison Officer – Air Force	Air Force
SBLT	Sub-Lieutenant	Navy
SGT	Sergeant	Army / Air Force
SMN	Seaman	Navy
SO1 in CM-A	Staff Officer Grade 1 in Career Management – Army	Army
SO2 in CM-A	Staff Officer Grade 2 in Career Management – Army	Army
SO2 CMB	Staff Officer Grade 2 Career Management Boards	Air Force
SO3 CMB	Staff Officer Grade 3 Career Management Boards	Air Force
SO2 PERS ACMC	Staff Officer Grade 2 Personnel Aviation Candidate Management Centre	Air Force
SQNLDR	Squadron Leader	Air Force
TW 1,2,3,4,5,6	Total Workforce 1-6	Air Force
VCDF	Vice Chief of the Defence Force	ADF
WGCDR	Wing Commander	Air Force
WO	Warrant Officer	Navy
WO1	Warrant Officer Class One	Army
WO2	Warrant Officer Class Two	Army
WOFF	Warrant Officer	Air Force
XO	Executive Officer	Navy
XO DP-AF	Executive Officer Directorate of Personnel – Air Force	Air Force



# INSTRUMENT OF DELEGATION BY THE CHIEF OF AIR FORCE OF POWERS TO PERFORM FUNCTIONS REGARDING PERSONNEL IN THE ROYAL AUSTRALIAN AIR FORCE

COMMONWEALTH OF AUSTRALIA

Defence (Personnel) Regulation 2002

Delegation of powers to perform functions regarding personnel in the Royal Australian Air Force

I, GEOFFREY CHARLES BROWN, AO Chief of the Air Force, acting pursuant to subregulation 119(3) AND 119(4) of the *Defence (Personnel) Regulations 2002*:

- (a) delegate my powers and functions as described in a provision of those Regulations specified in column 1 of Schedule 1 to a person for the time being holding or performing the duties of an office or position described in column 2 of Schedule 1 in abbreviated form (and explained in Schedule 2), subject to:
  - (i) the limitation as to the maximum rank level in relation to which the delegate may exercise the power or function set out in column 3; and
  - (ii) any other limitations or directions set out in column 2.

Dated: 10 April 2014

G.C. BROWN  
Air Marshal  
Chief of Air Force

## Definitions

**Trained force.** For the purposes of these delegations, references to the 'trained force' should be read as including officers and enlisted members who have been posted for duties appropriate to their employment category following completion of ab-initio training and any initial employment training that normally precedes unrestricted employment.

**Commander.** For the purposes of these delegations, any generic reference to Commanders should be read to include officers who have been formally appointed as Commanding Officers, Officers Commanding, Force Element Group Commanders, Air Commander Australia, Director Coordination Air Force, and the Deputy Chief of the Air Force.

## Limitations on Delegations

Regulation 119 of the Defence (Personnel) Regulations specifies the minimum **substantive** rank at which delegations may be authorised. Consequently, the following limitations apply:

- Pilot Officers and Flying Officers on higher duties allowance or who are temporarily promoted to the rank of Flight Lieutenant may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Flight Sergeants on higher duties allowance or who are temporarily promoted to the rank of Warrant Officer may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Warrant Officers acting in a Flight Lieutenant position may only exercise delegations under regulations 42, 95, 96 and 97.

Additionally, a number of potentially sensitive delegations to the DGPERS-AF and DP-AF appointments are constrained to the rank of the appointment holder (ie. subordinates acting in the position are not permitted to exercise the delegation).

## SCHEDULE 1

## TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 10 APRIL 2014

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
9(3)	DGPERS-AF, DP-AF XO DP-AF, DDFE&R	Power to receive an election made under sub-regulation 9(2).
12(1)	DGPERS-AF, DP-AF XO DP-AF, WGCDR PMs DDFE&R SQNLDR PMs, FE&RMGR	Power to extend the compulsory retirement age of an enlisted member of the Air Force.
14(1)	DGPERS-AF (Not below AIRCDRE)  DP-AF (Not below GPCAPT)  DDSEAT XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force.  Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of SQNLDR.  Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of FLTLT.
14(2)	DGPERS-AF DP-AF (Not below GPCAPT)  DDSEAT XO DP-AF, AFRLO (Not below WGCDR)	Power to determine that a person appointed as an officer at a rank up to and including the rank of SQNLDR is not required to comply with a specified condition of appointment under Regulation 14(1).  Power to determine that a person appointed as an officer at a rank up to and including the rank of FLTLT is not required to comply with a specified condition of appointment under Regulation 14(1).
16	DGPERS-AF DP-AF (Not below GPCAPT)  DDSEAT XO DP-AF (Not below WGCDR)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of SQNLDR.  Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of FLTLT.
17(3)	DGPERS-AF DP-AF & COS DGPERS-AF (Not below GPCAPT)  DDASMR, XO DP-AF (Not below WGCDR)	Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of SQNLDR/CHAP DIV 2 for failure to meet appointment conditions.  Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of FLTLT/CHAP DIV 1 for failure to meet appointment conditions.
18	DGPERS-AF DP-AF (Not below GPCAPT)  DDSEAT XO DP-AF	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of SQNLDR/CHAP DIV 2.  Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of FLTLT/CHAP DIV 1.
19(2)	DGPERS-AF DP-AF & COS DGPERS-AF (Not below GPCAPT)  DDASMR, XO DP-AF (Not below WGCDR)  COMDT RAAFCOL CO OTS	Power to terminate the service of a probationary officer up to and including the rank of SQNLDR/CHAP DIV 2.  Power to terminate the service of a probationary officer up to and including the rank of FLTLT/CHAP DIV 1.  Power to terminate the service of a probationary officer up to and including the rank of FLTLT/CHAP DIV 1 who is posted to the Officer Training School.

**SCHEDULE 1**

**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
20	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.
	DDSEAT XO DP-AF	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of FLTLT/CHAP DIV 1.
21	DGPERS-AF, DP-AF, XO DP-AF, DDSEAT (Not below WGCDR)	Power to temporarily appoint an enlisted member to be an officer of a rank not higher than FLTLT and to extend or terminate that appointment.
22	DGPERS-AF	Power to confirm appointment to the Air Force of an officer up to and including the rank of GPCAPT/CHAP DIV 4.
	DP-AF	Power to confirm appointment to the Air Force of an officer up to and including the rank of WGCDR/CHAP DIV 3.
	DDSEAT, XO DP-AF	Power to confirm appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	Power to confirm appointment to the Air Force of an officer up to and including the rank of FLTLT/CHAP DIV 1.
23(1)	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for enlistment in the Air Force.
23(2)	DGPERS-AF DP-AF, XO DP-AF DDSEAT, AFRLO	Power to determine that a person is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to determine that a person enlisted at a rank up to and including the rank of CPL is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.
25(4)	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.
	Officer not below the rank of FLTLT (E) posted to a recruiting position	Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at the rank of AC on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
26	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to determine seniority of a person on enlistment to the Air Force.  Power to determine seniority of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force.
27(1)(3)	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to provisionally enlist a member in the Air Force and to terminate the member's service at any time during the period of provisional enlistment.  Power to provisionally enlist a member in the Air Force up to and including the rank of CPL and to terminate the member's service at any time during the period of provisional enlistment.
28	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to extend a period of provisional enlistment in the Air Force of an enlisted member.  Power to extend a period of provisional enlistment in the Air Force of an enlisted member up to and including the rank of CPL.
29	DGPERS-AF DP-AF DDSEAT, XO DP-AF SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to confirm enlistment in the Air Force of a provisionally enlisted member.
31(1)	DGPERS-AF (Not below AIRCDRE)  DP-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion.  Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of WGCDR.  Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of FLTLT.
31(2)	DGPERS-AF DP-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to determine that an officer up to and including the rank of WGCDR is not required to comply with a specified condition of promotion under regulation 31(1).  Power to determine that an officer up to and including the rank of FLTLT is not required to comply with a specified condition of promotion under regulation 31(1).

**SCHEDULE 1**

**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
33(4)	DGPERS-AF  DP-AF XO DP-AF (Not below WGCDR)  OIC PROM (Not below SQNLDR)  PROMO	Power to confirm a provisional promotion of an officer up to and including the rank of GPCAPT.  Power to confirm a provisional promotion of an officer up to and including the rank of WGCDR.  Power to confirm a provisional promotion of an officer up to and including the rank of SQNLDR.  Power to confirm a provisional promotion of an officer up to and including the rank of FLTLT.
33(5)	DGPERS-AF  DP-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to extend a period of provisional promotion for an officer up to and including the rank of GPCAPT for a period not exceeding 3 years.  Power to extend a period of provisional promotion for an officer up to and including the rank of WGCDR for a period not exceeding 3 years.  Power to extend a period of provisional promotion for an officer up to and including the rank of SQNLDR for a period not exceeding 3 years.
34(2)	DGPERS-AF DP-AF(Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to extend a period of temporary promotion of an officer up to and including the rank of WGCDR.  Power to extend a period of temporary promotion of an officer up to and including the rank of SQNLDR.
35(2)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend a period of limited tenure promotion for an officer up to and including the rank of WGCDR.
37(1)	DGPERS-AF DP-AF XO DP-AF (Not below WGCDR)	Power to determine conditions with which an enlisted member must comply to be eligible for provisional or substantive promotion.
37(2)	DGPERS-AF DP-AF XO DP-AF (Not below WGCDR)	Power to determine that an enlisted member is not required to comply with a specified condition of promotion determined under Regulation 37(1).
38(1)	DGPERS-AF DP-AF XO DP-AF  OIC PROM  PROMO	Power to promote an enlisted member to a non-commissioned rank.  Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL.  Power to promote an enlisted member to the rank of LAC.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
39(1)	DGPERS-AF DP-AF XO DP-AF  OIC PROM  PROMO	Power to promote an enlisted member on a provisional basis.  Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL on a provisional basis.  Power to promote an enlisted member to the rank of LAC on a provisional basis.
39(4)	DGPERS-AF DP-AF XO DP-AF OIC PROM PROMO	Power to confirm promotion of an enlisted member on compliance with conditions of provisional promotion.
39(5)	DGPERS-AF DP-AF XO DP-AF  OIC PROM	Power to extend a period of provisional promotion of an enlisted member to a period not exceeding 3 years.  Power to extend a period of provisional promotion of an enlisted member up to and including the rank of CPL to a period not exceeding 3 years.
39(6)	DGPERS-AF DP-AF XO DP-AF  OIC PROM	Power to revoke a provisional promotion of an enlisted member.  Power to revoke a provisional promotion of an enlisted member up to and including the rank of CPL.
40(1)(2)(3)	DGPERS-AF DP-AF XO DP-AF  OIC PROM	Power to temporarily promote an enlisted member and to extend the period of temporary promotion or revoke the promotion at any time.  Power to temporarily promote an enlisted member to a rank up to and including the rank of CPL and to extend the period of temporary promotion or revoke the promotion at any time.
41(1)	DGPERS-AF DP-AF	Power to promote an enlisted member to the rank of WOFF for a limited tenure.
41(3)	DGPERS-AF DP-AF	Power to extend a period of limited tenure promotion of an enlisted member.



SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT FROM 10 APRIL 2014

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
42	DGPERS-AF  COS DGPERS-AF  DP-AF  WGCDR PMs DDASMR, DDSEAT XO DP-AF  SQNLDR PMs OIC ER (MEC) OIC ER (AS) SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6  FLTLT PMs SEAT-A, SEAT-B, SEAT-C  WOFF PMs	Power to post a member of the Air Force up to and including the rank of AIRCDRE.  Power to post a member of the Air Force Reserve up to and including the rank of GPCAPT.  Power to post a member of the Air Force up to and including the rank of WGCDR.  Power to post a member of the Air Force up to and including the rank of SQNLDR.  Power to post a member of the Air Force up to and including the rank of FLTLT.  Power to post a member of the Air Force up to and including the rank of OFFCDT.  Power to post a member of the Air Force up to and including the rank of FSGT.
46(1)	DGPERS-AF DP-AF COS DGPERS-AF DDASMR XO DP-AF Commanders  OIC ER (AS) OIC ER (MEC)	Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force.  Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.
46(2)(3)	DGPERS-AF DP-AF COS DGPERS-AF  DDASMR XO DP-AF	Power to reduce the rank of an enlisted member of the Air Force.  Power to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.
47	DGPERS-AF DP-AF COS DGPERS-AF  DDASMR XO DP-AF	Power to cancel the reduction in rank of an enlisted member of the Air Force.  Power to cancel the reduction in rank of an enlisted member of the Air Force up to and including the rank of CPL.
48(4)	DGPERS-AF DP-AF XO DP-AF	Power to grant or refuse an application for voluntary reduction in rank by an enlisted member of the Air Force.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
49(2)	DGPERS-AF  DP-AF  XO DP-AF, DDSE&R WGCDR PMs  FE&RMGR SQNLDR PMs	Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of WGCDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of FLTLT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.
49(4)	DGPERS-AF  DP-AF  XO DP-AF	Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to convert their period of appointment for an indefinite period to an appointment for a fixed period.  Power to grant or refuse an application by an officer up to and including the rank of WGCDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.  Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.
50(2)	DGPERS-AF DP-AF XO DP-AF, DDSE&R WGCDR PMs SQNLDR PMs FE&RMGR	Power to grant or refuse an application by an enlisted member to extend their enlistment for a fixed period or to convert their enlistment to an indefinite period.
50(4)	DGPERS-AF DP-AF XO DP-AF	Power to grant or refuse an application by an enlisted member to convert their period of enlistment for an indefinite period to an enlistment for a fixed period.
51(2)(3)(4)	DGPERS-AF  DP-AF	Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of GPCAPT to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.  Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of WGCDR to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.
52(1)	DGPERS-AF DP-AF  WGCDR PMs XO DP-AF DDSEAT  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	Power to transfer a member of the Air Force up to and including the rank of WGCDR to another Service.  Power to transfer a member of the Air Force up to and including the rank of SQNLDR to another Service.  Power to transfer a member of the Air Force up to and including the rank of FLTLT who is yet to enter the trained force to another Service.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

WITH EFFECT 10 APRIL 2014

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
52(2)(b)(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to transfer a member from another Service to the Air Force, up to and including the rank of WGCDR and to specify conditions with which the transferee must comply.
	DDSEAT XO DP-AF (Not below WGCDR)	Power to transfer a member from another Service to the Air Force, up to and including the rank of FLTLT and to specify conditions with which the transferee must comply.
53(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine that a member up to and including the rank of WGCDR transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
	DDSEAT XO DP-AF (Not below WGCDR)	Power to determine that a member up to and including the rank of FLTLT transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DGPERS-AF	For applications made under Regulation 56 by a member up to and including the rank of AIRCDRE, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	DP-AF COS DGPERS-AF	For applications made under Regulation 56 by a member up to and including the rank of GPCAPT, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	DDSEAT	For applications made under Regulation 56 (a) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering), determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	XO DP-AF	For applications made under Regulation 56 (b) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	WGCDR PMs DDASMR	For applications made under Regulation 56 (b) by a member who is not bound by a service obligation up to and including the rank of SQNLDR, power to grant or refuse transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	WGCDR PMs XO DP-AF	For applications made under Regulation 56 (c) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR whilst remaining in the equivalent specialisation or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	DDSEAT	For applications made under Regulation 56 (c) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR or to transfer between Air Force Reserve specialisations or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DDSEAT	For applications made under Regulation 56 (d) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from the Air Force Reserve to an equivalent specialisation or mustering in the PAF, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulation 56 (a) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering), determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SQNLDR PMs OIC ER (AS) OIC ER (MEC)	For applications made under Regulation 56 (b) by a member who is not bound by a service obligation up to and including the rank of FLTLT, power to grant or refuse transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SQNLDR PMs	For applications made under Regulation 56 (c) by a member up to and including the rank of FLTLT, power to grant or refuse transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR whilst remaining in the equivalent specialisation or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulation 56 (c) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR or to transfer between Air Force Reserve specialisations or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulation 56 (d) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from the Air Force Reserve to an equivalent specialisation or mustering in the PAF, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT-A, SEAT-B, SEAT-C	For applications made under Regulation 56 (a) by an enlisted member, power to grant or refuse transfer from one part of the PAF (mustering) to another part of the PAF (mustering), determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	FLTLT PMs	For applications made under Regulation 56 (b) by an enlisted member who is not bound by a service obligation, power to grant or refuse transfer from the PAF to an equivalent mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	FLTLT PMs  SEAT-A, SEAT-B, SEAT-C  SEAT-A, SEAT-B, SEAT-C	For applications made under Regulation 56 (c) by an enlisted member, power to grant or refuse transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR whilst remaining in the equivalent mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.  For applications made under Regulation 56 (c) by an enlisted member, power to grant or refuse transfer from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR or to transfer between Air Force Reserve mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.  For applications made under Regulation 56 (d) by an enlisted member, power to grant or refuse transfer from the Air Force Reserve to an equivalent mustering in the PAF, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
63(a)	DGPERS-AF  DP-AF COS DGPERS-AF  DDASMR XO DP-AF (Not below WGCDR)	Power to transfer a member up to and including the rank of WGCDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).  Power to transfer a member up to and including the rank of SQNLDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).  Power to transfer a member up to and including the rank of FLTLT from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
63(b)(c)	DGPERS-AF  DP-AF COS DGPERS-AF  DDASMR DDFE&R (Not below WGCDR)	Power to transfer a member up to and including the rank of AIRCDRE from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.  Power to transfer a member up to and including the rank of WGCDR from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.  Power to transfer a member up to and including the rank of FLTLT from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
64(4)(b)	DGPERS-AF  DP-AF  WGCDR PMs, DDFE&R XO DP-AF  SQNLDR PMs FE&RMGR  FLTLT PMs	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of AIRCDRE after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of WGCDR after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of SQNLDR after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of FLTLT after 5 years service.  Power to accept an application to resign from an enlisted member of the Standby Reserve after 5 years service.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
68(1)(2)	DGPERS-AF  DP-AF	In relation to members of the PAF upto and including the rank of WGCDR, the power to issue a document identifying transfer to the Standby Reserve as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to transfer the member's accordingly.  In relation to enlisted members of the PAF, the power to issue a document identifying transfer to the Standby Reserve as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to transfer the member's accordingly.
69(1)	DGPERS-AF  DP-AF COS DGPERS-AF  DDASMR XO DP-AF DDFE&R FE&RMGR  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 OIC ER (AS) OIC ER (MEC)	Power to transfer an officer of the Air Force Reserve up to and including the rank of AIRCDRE from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer an officer of the Air Force Reserve up to and including the rank of WGCDR from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer a member of the Air Force Reserve up to and including the rank of SQNLDR from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer an enlisted member of the Air Force Reserve from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.
70	DGPERS-AF  DP-AF COS DGPERS-AF  DDASMR, DDFE&R XO DP-AF (Not below WGCDR)	Power to terminate the service of a member in the Standby Reserve up to and including the rank of AIRCDRE.  Power to terminate the service of an officer in the Standby Reserve up to and including the rank of WGCDR.  Power to terminate the service of a member in the Standby Reserve up to and including the rank of SQNLDR.
73	DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of an intention to make an offer of special benefit.
74(2)	DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of entitlement to a special benefit should the member agree to transfer to a category of the Air Force Reserve in the initial period specified in the notice.
78(2)	DGPERS-AF	Power to transfer an eligible member up to and including the rank of WGCDR to the Standby Reserve or terminate the member's service in the Air Force should the member decline an offer of special benefit.
82(2)(3)	DGPERS-AF DP-AF  XO DP-AF WGCDR PMs	Power to terminate the service of a member up to and including the rank of WGCDR where the member provides notification that they propose to become or have become a permanent resident in another country.  Power to terminate the service of a member up to and including the rank of SQNLDR where the member provides notification that they propose to become or have become a permanent resident in another country.
83(1)(2)	DGPERS-AF  DP-AF	In relation to members of the PAF upto and including the rank of WGCDR, the power to issue a document identifying termination of service as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to terminate the member's service accordingly.  In relation to enlisted members of the PAF, the power to issue a document identifying termination of service as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to terminate the member's service accordingly.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
85(1)(d)	CDF DGPERS-AF & DGSP-AF DP-AF COS DGPERS-AF DDASMR XO DP-AF Commanders	Power to determine that retention of the officer is not in the interests of the Defence Force or the Air Force, including for reasons relating to the officer's: performance, behaviour, or conviction of an offence or a service offence.
86	DGPERS-AF DP-AF COS DGPERS-AF DDASMR XO DP-AF OIC ER (AS) OIC ER MEC)	Power to terminate the service of an enlisted member up to and including the rank of WOFF if the member has been absent without leave for a continuous period of more than 3 months.
87(2)	DGPERS-AF DP-AF & COS DGPERS-AF DDASMR & XO DP-AF  OIC ER (AS) OIC ER (MEC)  CO 1RTU SADMINO 1RTU CI 1RTU  CO RAAFSTT SADMINO RAAFSTT XO RAAFSTT CO RAAFSALT CI RAAFSALT CO RAAFSFS CI RAAFSFS XO RAAFSFS CO SACTU XO SACTU CO DEOTS XO DEOTS  Commanders	Power to issue a termination notice to an enlisted member for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an enlisted member up to and including the rank of CPL for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)(f)(g)(h).  Power to issue a termination notice to an AC undergoing initial employment training at their posted unit under Regulation 87(1)(e)(g).  Power to issue a termination notice to an enlisted member for any of the reasons specified in Regulation 87(1)(e)(g)(h)(i)(j).
87(3)(4)	DGPERS-AF DP-AF & COS DGPERS-AF DDASMR & XO DP-AF  CO 1RTU COMDT RAAFCOL  CO RAAFSTT CO RAAFSALT CO RAAFSFS CO DEOTS OC GTW CO SACTU OC 41WG	Power to terminate the service of an enlisted member for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to terminate the service of an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)(f)(g)(h)  Power to terminate the service of an AC undergoing initial employment training at the unit under their command under Regulation 87(1)(e)(g)

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 10 APRIL 2014

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
87(2)(3)	DGPERS-AF COS DGPERS-AF DP-AF	Power to issue a termination notice and to terminate service of an enlisted member up to and including the rank of WOFF for reasons specified at regulation 87(1)(c).
87(3)	DDASMR OIC ER (AS) OIC ER (MEC)	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c) where the member does not provide a statement of reasons why they should not be terminated.
87(4)	DGPERS-AF COS DGPERS-AF & DP-AF	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c).
88(2) 89(2) 90(1)(2)(3)(4)(5) (6)(7)(8) 91(1)(3)	DGPERS-AF  DP-AF COS DGPERS-AF  XO DP-AF	For applications made under Regulations 88 or 89 by an officer up to and including the rank of AIRCDRE, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer up to and including the rank of GPCAPT, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer up to and including the rank of SQNLDR, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
88(2) 89(2) 90(1)(2)(3)(4)(5) (6)(7)(8) 91(1)(3)	WGCDR PMs, DDSE&R DDASMR, DDSEAT  SQNLDR PMs FE&RMGR OIC ER (AS) OIC ER (MEC)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulations 88 or 89 by an officer up to and including the rank of SQNLDR who is also not bound by a service obligation, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer who is not bound by a service obligation up to and including the rank of FLTLT, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer who is not bound by a service obligation and is yet to enter the trained force, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
91(2)	DGPERS-AF DP-AF COS DGPERS-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to specify a condition and to not grant an application to resign by an officer up to and including the rank of WGCDR until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.  Power to specify a condition and to not grant an application to resign by an officer up to and including the rank of FLTLT until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.

## SCHEDULE 1

**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

**WITH EFFECT 10 APRIL 2014**

[illegible]



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 10 APRIL 2014**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
105(1)	DCAF (Not below AVM)  DGPERS-AF COS DGPERS-AF DSOM-AF  DP-AF DDFE&R  XO DP-AF WGCDR PMs FE&RMGR	Power to grant a former officer of the Air Force an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of AIRCDRE an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of WGCDR an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of SQNLDR an honorary title related to the officer's former appointment on completion of service.
106	DCAF (Not below AVM)  DGPERS-AF COS DGPERS-AF DSOM-AF  DP-AF DDFE&R  XO DP-AF WGCDR PMs FE&RMGR	Power to permit a former member to wear a uniform and specify conditions to which permission is subject.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of AIRCDRE, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of WGCDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of SQNLDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.
107	DCAF (Not below AVM)  DGPERS-AF	Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of AIRCDRE and revoke permission for a former member to wear a particular uniform.  Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of WGCDR and revoke permission for a former member to wear a particular uniform.
108	DGPERS-AF  DP-AF	Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for officers up to and including the rank of GPCAPT.  Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for members of the Air Force up to and including the rank of WGCDR.
110(4)	DGPERS-AF  DP-AF  XO DP-AF DDSEAT (Not below WGCDR)	Power to determine the seniority of a Chaplain up to and including CHAP DIV 3 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 2 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 1 on appointment to the Air Force.

**SCHEDULE 2****TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION****WITH EFFECT 10 APRIL 2014****ABBREVIATIONS**

<b>Appointment – Abbreviation</b>	<b>Appointment – Long Title</b>
DGPERS-AF	Director General Personnel – Air Force
DP-AF	Director Personnel – Air Force
COS DGPERS-AF	Chief of Staff Director General Personnel – Air Force
DSOM-AF	Director Senior Officer Management – Air Force
XO DP-AF	Executive Officer DP-AF
DDASMR	Deputy Director Administrative Sanctions and Medical; Review
OIC ER (MEC)	Officer in Charge of Exception Reporting (Medical Employment Classification)
OIC ER (AS)	Officer in Charge of Exception Reporting (Administrative Sanctions)
OIC PROM	Officer in Charge of Promotions
PROMO	Promotions Officers
DDSEAT	Deputy Director Selection, Enlistment, Appointment and Transition
SEAT1	Selection, Enlistment, Appointment and Transition 1
SEAT2	Selection, Enlistment, Appointment and Transition 2
SEAT3	Selection, Enlistment, Appointment and Transition 3
SEAT4	Selection, Enlistment, Appointment and Transition 4
SEAT5	Selection, Enlistment, Appointment and Transition 5
SEAT6	Selection, Enlistment, Appointment and Transition 6
SEAT-A	Selection, Enlistment, Appointment and Transition-A
SEAT-B	Selection, Enlistment, Appointment and Transition-B
SEAT-C	Selection, Enlistment, Appointment and Transition-C
AFRLO	Air Force Recruiting and Liaison Officer
WGCDR Personnel Managers	Officers posted as WGCDR Personnel Managers within DP-AF (includes DDFE&R)
SQNLDR Personnel Managers	Officers posted as SQNLDR Personnel Managers within the DP-AF (includes DDUTW and FE&RMGR)
FLTLT Personnel Managers	Officers posted as FLTLT Personnel Managers within DP-AF
WOFF Personnel Managers	WOFFs posted as WOFF Personnel Managers within DP-AF
DDFE&R	Deputy Director Flexible Employment and Remuneration
FE&RMGR	Flexible Employment and Remuneration Manager
COMDT RAAFCOL	Commandant Royal Australian Air Force (RAAF) College
OC GTW	OC Ground Training Wing
OC 41WG	OC 41 Wing
CO 1RTU	CO No1 Recruit Training Unit
CO RAAFSTT	CO RAAF School of Technical Training
CO RAAFSALT	CO RAAF School of Administration and Logistics Training
CO RAAFSFS	CO RAAF Security and Fire School
CO DEOTS	CO Defence Explosive Ordnance Training School
CO OTS	CO Officer Training School
SADMINO 1RTU	Senior Administrative Officer No1 Recruit Training Unit
CI 1RTU	Chief Instructor No1 Recruit Training Unit
SADMINO RAAFSTT	Senior Administrative Officer RAAF School of Technical Training
XO RAAFSTT	Executive Officer RAAF School of Technical Training
CI RAAFSALT	Chief Instructor RAAF of Administration and Logistics Training
XO RAAFSFS	Executive Officer RAAF Security and Fire School
CI RAAFSFS	Chief Instructor Royal Australian Air Force Security and Fire School
XO DEOTS	Executive Officer Defence Explosive Ordnance Training School



# INSTRUMENT OF DELEGATION BY THE CHIEF OF AIR FORCE OF POWERS TO PERFORM FUNCTIONS REGARDING PERSONNEL IN THE ROYAL AUSTRALIAN AIR FORCE

COMMONWEALTH OF AUSTRALIA

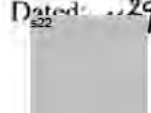
Defence (Personnel) Regulation 2002

Delegation of powers to perform functions regarding personnel in the Royal Australian Air Force

I, GAVIN NEIL DAVIES, AO, CSC Chief of the Air Force, acting pursuant to subregulation 119(3) AND 119(4) of the *Defence (Personnel) Regulations 2002*:

- (a) delegate my powers and functions as described in a provision of those Regulations specified in column 1 of Schedule 1 to a person for the time being holding or performing the duties of an office or position described in column 2 of Schedule 1 in abbreviated form (and explained in Schedule 2), subject to:
  - (i) the limitation as to the maximum rank level in relation to which the delegate may exercise the power or function set out in column 3; and
  - (ii) any other limitations or directions set out in column 2.

Dated: 29<sup>th</sup> November 2015

  
**G.N. DAVIES**  
Air Marshal  
Chief of Air Force

## Definitions

**Trained force.** For the purposes of these delegations, references to the 'trained force' should be read as including officers and enlisted members who have been posted for duties appropriate to their employment category following completion of ab-initio training and any initial employment training that normally precedes unrestricted employment.

**Commander.** For the purposes of these delegations, any general reference to the term 'commander' or 'commanders' includes Air Force officers posted or appointed as (or performing the duties of) a Commanding Officer (including officers posted to any position with a 'Commanding Officer' designation in its title), Officer Commanding, Force Element Group Commander, Director, Director-General, Air Commander Australia, Deputy Air Commander Australia, A1 Headquarters Air Command, Chief of Staff Air Force Headquarters and Deputy Chief of Air Force as well as Navy, Army and Air Force officers posted or appointed as (or performing the duties of) a Commanding Officer of a Joint unit or as Commander of a Task Force, Group, Unit or Element force assigned to Joint Operations Command.

## Limitations on Delegations

Regulation 119 of the Defence (Personnel) Regulations specifies the minimum **substantive** rank at which delegations may be authorised. Consequently, the following limitations apply:

- Pilot Officers and Flying Officers on higher duties allowance or who are temporarily promoted to the rank of Flight Lieutenant may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Flight Sergeants on higher duties allowance or who are temporarily promoted to the rank of Warrant Officer may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Warrant Officers acting in a Flight Lieutenant position may only exercise delegations under regulations 42, 95, 96 and 97.

Additionally, a number of potentially sensitive delegations to the DGPERS-AF and DP-AF appointments are constrained to the rank of the appointment holder (ie, subordinates acting in the position are not permitted to exercise the delegation).



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
9(3)	DCAF, DGPERS-AF, DP-AF, XO DP-AF, DDFE	Power to receive an election made under sub-regulation 9(2).
12(1)	DCAF, DGPERS-AF, DP-AF, XO DP-AF, WGCDR PMs, DDFE, SQNLDR PMs, FE MGR	Power to extend the compulsory retirement age of an enlisted member of the Air Force.
14(1)	DCAF, DGPERS-AF (Not below AIRCDRE)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force.
	DP-AF (Not below GPCAPT)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of SQNLDR.
	DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of FLTTLT.
14(2)	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to determine that a person appointed as an officer at a rank up to and including the rank of SQNLDR is not required to comply with a specified condition of appointment under Regulation 14(1).
	DDSEAT, XO DP-AF, AFRLO (Not below WGCDR)	Power to determine that a person appointed as an officer at a rank up to and including the rank of FLTTLT is not required to comply with a specified condition of appointment under Regulation 14(1).
16	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of SQNLDR.
	DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of FLTTLT.
17(3)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF (Not below GPCAPT)	Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of SQNLDR/CHAP DIV 2 for failure to meet appointment conditions.
	DDASMR, XO DP-AF, DDSEAT (Not below WGCDR)	Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of FLTTLT/CHAP DIV 1 for failure to meet appointment conditions.
	COMDT RAAFCOL, CO OTS (Not below WGCDR)	Where the officer is posted to the Officer Training School, power to terminate the service of an officer appointed on a provisional basis up to and including the rank of FLTTLT/CHAP DIV 1 for failure to meet appointment conditions.
18	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of SQNLDR/CHAP DIV 2.
	DDSEAT, XO DP-AF	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of FLTTLT/CHAP DIV 1.
19(2)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF (Not below GPCAPT)	Power to terminate the service of a probationary officer up to and including the rank of SQNLDR/CHAP DIV 2.
	DDASMR, XO DP-AF, DDSEAT (Not below WGCDR)	Power to terminate the service of a probationary officer up to and including the rank of FLTTLT/CHAP DIV 1.
	COMDT RAAFCOL CO OTS (Not below WGCDR)	Power to terminate the service of a probationary officer up to and including the rank of FLTTLT/CHAP DIV 1 who is posted to the Officer Training School.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
20	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)  DDSEAT, XO DP-AF	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.  Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of FLTLT/CHAP DIV 1.
21	DCAF, DGPERS-AF, DP-AF, XO DP-AF, DDSEAT (Not below WGCDR)	Power to temporarily appoint an enlisted member to be an officer of a rank not higher than FLTLT and to extend or terminate that appointment.
22	DCAF, DGPERS-AF  DP-AF  DDSEAT, XO DP-AF  SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6	Power to confirm appointment to the Air Force of an officer up to and including the rank of GPCAPT/CHAP DIV 4.  Power to confirm appointment to the Air Force of an officer up to and including the rank of WGCDR/CHAP DIV 3.  Power to confirm appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.  Power to confirm appointment to the Air Force of an officer up to and including the rank of FLTLT/CHAP DIV 1.
23(1)	DCAF, DGPERS-AF, DP-AF, DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for enlistment in the Air Force.
23(2)	DCAF, DGPERS-AF, DP-AF, XO DP-AF, DDSEAT, AFRLO  SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 (Not below SQNLDR)	Power to determine that a person is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.  Power to determine that a person enlisted at a rank up to and including the rank of CPL is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.
23(1) 25(4) 26	COMDT RAAFCOL, CO OTS	In respect of persons who were enlisted members of the Air Force immediately before becoming commissioned officers in the Air Force, and who are unwilling or unable to successfully complete initial officer training at the Officers' Training School, power to determine: conditions with which an officer in the Air Force must comply to be eligible for enlistment in the Air Force immediately upon the termination of their service as an officer under regulation 17 or 19; a member's period of service (which may include a period of service in the Standby Reserve); the part of the Air Force in which the member is to commence service; and the member's seniority upon enlistment.  Note: This power can only be exercised if a member has agreed to be re-enlisted upon termination of their service as an officer.
25(4)	DCAF, DGPERS-AF, DP-AF, DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 (Not below SQNLDR)  Officer not below the rank of FLTLT (E) posted to a recruiting position	Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.  Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.  Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at the rank of AC on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.

**SCHEDULE 1**

**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
26	DCAF, DGPERS-AF, DP-AF, DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine seniority of a person on enlistment to the Air Force.
	SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 (Not below SQNLDR)	Power to determine seniority of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force.
27(1)(3)	DCAF, DGPERS-AF, DP-AF, DDSEAT, XO DP-AF (Not below WGCDR)	Power to provisionally enlist a member in the Air Force and to terminate the member's service at any time during the period of their provisional enlistment.
	SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 (Not below SQNLDR)	Power to provisionally enlist a member in the Air Force up to and including the rank of CPL and to terminate the member's service at any time during the period of their provisional enlistment.
27(3)	Commanders	Power to terminate an enlisted member's service at any time during the period of their provisional enlistment.
28	DCAF, DGPERS-AF, DP-AF, DDSEAT, XO DP-AF (Not below WGCDR)	Power to extend a period of provisional enlistment in the Air Force of an enlisted member.
	SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 (Not below SQNLDR)	Power to extend a period of provisional enlistment in the Air Force of an enlisted member up to and including the rank of CPL.
29	DCAF, DGPERS-AF, DP-AF, DDSEAT, XO DP-AF, SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 (Not below SQNLDR)	Power to confirm enlistment in the Air Force of a provisionally enlisted member.
31(1)	DCAF, DGPERS-AF (Not below AIRCDRE)	Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion.
	DP-AF (Not below GPCAPT)	Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of WGCDR.
	XO DP-AF (Not below WGCDR)	Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of FLTLT.
31(2)	DCAF, DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine that an officer up to and including the rank of WGCDR is not required to comply with a specified condition of promotion under regulation 31(1).
	XO DP-AF (Not below WGCDR)	Power to determine that an officer up to and including the rank of FLTLT is not required to comply with a specified condition of promotion under regulation 31(1).



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
33(4)	DCAF, DGPERS-AF	Power to confirm a provisional promotion of an officer up to and including the rank of GPCAPT.
	DP-AF, XO DP-AF (Not below WGCDR)	Power to confirm a provisional promotion of an officer up to and including the rank of WGCDR.
	DDPROM (Not below SQNLDR)	Power to confirm a provisional promotion of an officer up to and including the rank of SQNLDR.
	PROMO	Power to confirm a provisional promotion of an officer up to and including the rank of FLTLT.
33(5)	DCAF, DGPERS-AF	Power to extend a period of provisional promotion for an officer up to and including the rank of GPCAPT for a period not exceeding 3 years.
	DP-AF (Not below GPCAPT)	Power to extend a period of provisional promotion for an officer up to and including the rank of WGCDR for a period not exceeding 3 years.
	XO DP-AF (Not below WGCDR)	Power to extend a period of provisional promotion for an officer up to and including the rank of SQNLDR for a period not exceeding 3 years.
34(2)	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to extend a period of temporary promotion of an officer up to and including the rank of WGCDR.
	XO DP-AF (Not below WGCDR)	Power to extend a period of temporary promotion of an officer up to and including the rank of SQNLDR.
35(2)	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to extend a period of limited tenure promotion for an officer up to and including the rank of WGCDR.
37(1)	DCAF, DGPERS-AF, DP-AF, XO DP-AF (Not below WGCDR)	Power to determine conditions with which an enlisted member must comply to be eligible for provisional or substantive promotion.
37(2)	DCAF, DGPERS-AF, DP-AF, XO DP-AF (Not below WGCDR)	Power to determine that an enlisted member is not required to comply with a specified condition of promotion determined under Regulation 37(1).
38(1)	DCAF, DGPERS-AF, DP-AF, XO DP-AF	Power to promote an enlisted member to a non-commissioned rank.
	DDPROM	Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL.
	PROMO	Power to promote an enlisted member to the rank of LAC.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
39(1)	DCAF, DGPERS-AF, DP-AF, XO DP-AF  DDPROM  PROMO	Power to promote an enlisted member on a provisional basis.  Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL on a provisional basis.  Power to promote an enlisted member to the rank of LAC on a provisional basis.
39(4)	DCAF, DGPERS-AF, DP-AF, XO DP-AF, DDPROM, PROMO	Power to confirm promotion of an enlisted member on compliance with conditions of provisional promotion.
39(5)	DCAF, DGPERS-AF, DP-AF, XO DP-AF  DDPROM	Power to extend a period of provisional promotion of an enlisted member to a period not exceeding 3 years.  Power to extend a period of provisional promotion of an enlisted member up to and including the rank of CPL to a period not exceeding 3 years.
39(6)	DCAF, DGPERS-AF, DP-AF, XO DP-AF  DDPROM	Power to revoke a provisional promotion of an enlisted member.  Power to revoke a provisional promotion of an enlisted member up to and including the rank of CPL.
40(1)(2)(3)	DCAF, DGPERS-AF, DP-AF, XO DP-AF  DDPROM	Power to temporarily promote an enlisted member and to extend the period of temporary promotion or revoke the promotion at any time.  Power to temporarily promote an enlisted member to a rank up to and including the rank of CPL and to extend the period of temporary promotion or revoke the promotion at any time.
41(1)	DCAF, DGPERS-AF, DP-AF	Power to promote an enlisted member to the rank of WOFF for a limited tenure.
41(3)	DCAF, DGPERS-AF, DP-AF	Power to extend a period of limited tenure promotion of an enlisted member.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
42	<p>DCAF, DGPERS-AF</p> <p>DSOM-AF, COS DGPERS-AF</p> <p>DP-AF</p> <p>WGCDR PMs, DDASMR, DDSEAT, XO DP-AF, DDFE</p> <p>SQNLDR PMs, OIC ER (AS), OIC ER (MEC), FE MGR, SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6</p> <p>FLTLT PMs, ER(AS)1, ER(AS)2, SEAT-A, SEAT-B, SEAT-C</p> <p>WOFF PMs</p>	<p>Power to post a member of the Air Force up to and including the rank of AIRCDRE.</p> <p>Power to post a member of the Air Force Reserve up to and including the rank of GPCAPT.</p> <p>Power to post a member of the Air Force up to and including the rank of WGCDR.</p> <p>Power to post a member of the Air Force up to and including the rank of SQNLDR.</p> <p>Power to post a member of the Air Force up to and including the rank of FLTLT.</p> <p>Power to post a member of the Air Force up to and including the rank of OFFCDT.</p> <p>Power to post a member of the Air Force up to and including the rank of FSGT.</p>
46(1)	<p>DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, DDASMR, XO DP-AF, Commanders</p> <p>OIC ER (AS), OIC ER (MEC)</p>	<p>Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force.</p> <p>Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.</p>
46(2)(3)	<p>DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF</p> <p>DDASMR, XO DP-AF</p>	<p>Power to reduce the rank of an enlisted member of the Air Force.</p> <p>Power to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.</p>
47	<p>DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF</p> <p>DDASMR, XO DP-AF</p>	<p>Power to cancel the reduction in rank of an enlisted member of the Air Force.</p> <p>Power to cancel the reduction in rank of an enlisted member of the Air Force up to and including the rank of CPL.</p>
48(4)	DCAF, DGPERS-AF, DP-AF, XO DP-AF	Power to grant or refuse an application for voluntary reduction in rank by an enlisted member of the Air Force.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
49(2)	DCAF, DGPERS-AF  DP-AF  XO DP-AF, DDFE, WGCDR PMs  FE MGR, SQNLDR PMs	Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of WGCDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of FLTLT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.
49(4)	DCAF, DGPERS-AF  DP-AF  XO DP-AF	Power to grant or refuse an application by an officer up to an including the rank of GPCAPT to convert their period of appointment for an indefinite period to an appointment for a fixed period.  Power to grant or refuse an application by an officer up to an including the rank of WGCDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.  Power to grant or refuse an application by an officer up to an including the rank of SQNLDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.
50(2)	DCAF, DGPERS-AF, DP-AF, XO DP-AF, DDFE, WGCDR PMs, SQNLDR PMs, FE MGR	Power to grant or refuse an application by an enlisted member to extend their enlistment for a fixed period or to convert their enlistment to an indefinite period.
50(4)	DCAF, DGPERS-AF, DP-AF, XO DP-AF	Power to grant or refuse an application by an enlisted member to convert their period of enlistment for an indefinite period to an enlistment for a fixed period.
51(2)(3)(4)	DCAF, DGPERS-AF  DP-AF	Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of GPCAPT to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.  Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of WGCDR to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.
52(1)	DCAF, DGPERS-AF, DP-AF  WGCDR PMs, XO DP-AF, DDSEAT  SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6	Power to transfer a member of the Air Force up to and including the rank of WGCDR to another Service.  Power to transfer a member of the Air Force up to and including the rank of SQNLDR to another Service.  Power to transfer a member of the Air Force up to and including the rank of FLTLT who is yet to enter the trained force to another Service.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
52(2)(b)(3)	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to transfer a member from another Service to the Air Force, up to and including the rank of WGCDR and to specify conditions with which the transferee must comply.
	DDSEAT, XO DP-AF (Not below WGCDR)	Power to transfer a member from another Service to the Air Force, up to and including the rank of FLTLT and to specify conditions with which the transferee must comply.
53(3)	DCAF, DGPERS-AF, DP-AF (Not below GPCAPT)	Power to determine that a member up to and including the rank of WGCDR transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
	DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine that a member up to and including the rank of FLTLT transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DCAF, DGPERS-AF	For applications made under Regulation 56 by a member up to and including the rank of AIRCDRE, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of a transfer request.
	DP-AF, COS DGPERS-AF, DSOM-AF	For applications made under Regulation 56 by a member up to and including the rank of GPCAPT, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of a transfer request.
	XO DP-AF	For applications made under Regulation 56 by a member up to and including the rank of SQNLDR, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of a transfer request. When making such decisions, delegates must have regard to the availability of established transfer targets and vacant positions as applicable.
	DDSEAT, WGCDR PMs, DDASMR, DDFE	For applications made under Regulation 56 by a member up to and including the rank of SQNLDR ( <u>except where the member's application is made under Reg 56(b) and they are bound by a service obligation</u> ), power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of a transfer request. When making such decisions, delegates must have regard to the availability of established transfer targets and vacant positions as applicable.
	SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6, SQNLDR PMs, OIC ER (AS), OIC ER (MEC), FE MGR	For applications made under Regulation 56 by a member up to and including the rank of FLTLT ( <u>except where the member's application is made under Reg 56(b) and they are bound by a service obligation</u> ), power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of a transfer request. When making such decisions, delegates must have regard to the availability of established transfer targets and vacant positions as applicable.
	SEAT-A, SEAT-B, SEAT-C, FLTLT PMs	For applications made under Regulation 56 by an enlisted member ( <u>except where the member's application is made under Reg 56(b) and they are bound by a service obligation</u> ), power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of a transfer request. When making such decisions, delegates must have regard to the availability of established transfer targets and vacant positions as applicable.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
63(a)	DCAF, DGPERS-AF	Power to transfer a member up to and including the rank of WGCDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DP-AF, COS DGPERS-AF	Power to transfer a member up to and including the rank of SQNLDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DDASMR, XO DP-AF (Not below WGCDR)	Power to transfer a member up to and including the rank of FLTLT from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
63(b)(c)	DCAF, DGPERS-AF	Power to transfer a member up to and including the rank of AIRCDRE from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
	DP-AF, COS DGPERS-AF	Power to transfer a member up to and including the rank of WGCDR from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
	DDASMR, DDFE (Not below WGCDR)	Power to transfer a member up to and including the rank of FLTLT from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
64(4)(b)	DCAF, DGPERS-AF	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of AIRCDRE after 5 years service.
	COS DGPERS-AF DSOM-AF	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of GPCAPT after 5 years service.
	DP-AF	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of WGCDR after 5 years service.
	WGCDR PMs, DDFE, XO DP-AF, DDSEAT, DDASMR	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of SQNLDR after 5 years service.
	SQNLDR PMs, FE MGR, SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 OIC ER (AS), OIC ER (MEC)	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of FLTLT after 5 years service.
	SEAT-A, SEAT-B, SEAT-C, FLTLT PMs	Power to accept an application to resign from an enlisted member of the Standby Reserve after 5 years service.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
68(1)(2)	DCAF, DGPERS-AF  DP-AF	In relation to members of the PAF upto and including the rank of WGCDR, the power to issue a document identifying transfer to the Standby Reserve as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to transfer the member's accordingly.  In relation to enlisted members of the PAF, the power to issue a document identifying transfer to the Standby Reserve as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to transfer the member's accordingly.
69(1)	DCAF, DGPERS-AF  DP-AF, COS DGPERS-AF  DDASMR, XO DP-AF DDFE, FE MGR  SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 OIC ER (AS), OIC ER (MEC)	Power to transfer an officer of the Air Force Reserve up to and including the rank of AIRCDRE from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer an officer of the Air Force Reserve up to and including the rank of WGCDR from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer a member of the Air Force Reserve up to and including the rank of SQNLDR from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer an enlisted member of the Air Force Reserve from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.
70	DCAF, DGPERS-AF  DP-AF, COS DGPERS-AF  DDASMR, DDFE XO DP-AF (Not below WGCDR)	Power to terminate the service of a member in the Standby Reserve up to and including the rank of AIRCDRE.  Power to terminate the service of an officer in the Standby Reserve up to and including the rank of WGCDR.  Power to terminate the service of a member in the Standby Reserve up to and including the rank of SQNLDR.
73	DCAF, DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of an intention to make an offer of special benefit.
74(2)	DCAF, DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of entitlement to a special benefit should the member agree to transfer to a category of the Air Force Reserve in the initial period specified in the notice.
78(2)	DCAF, DGPERS-AF	Power to transfer an eligible member up to and including the rank of WGCDR to the Standby Reserve or terminate the member's service in the Air Force should the member decline an offer of special benefit.
82(2)(3)	DCAF, DGPERS-AF, DP-AF COS DGPERS-AF  XO DP-AF, WGCDR PMs	Power to terminate the service of a member up to and including the rank of WGCDR where the member provides notification that they propose to become or have become a permanent resident in another country.  Power to terminate the service of a member up to and including the rank of SQNLDR where the member provides notification that they propose to become or have become a permanent resident in another country.
83(1)(2)	DCAF, DGPERS-AF  DP-AF	In relation to members of the PAF upto and including the rank of WGCDR, the power to issue a document identifying termination of service as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to terminate the member's service accordingly.  In relation to enlisted members of the PAF, the power to issue a document identifying termination of service as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to terminate the member's service accordingly.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
85(1)(d)	CDF, DCAF, DGPERS-AF, DGSP-AF, DP-AF, COS DGPERS-AF, DDASMR, XO DP-AF, Commanders	Power to determine that retention of the officer is not in the interests of the Defence Force or the Air Force, including for reasons relating to the officer's: performance, behaviour, or conviction of an offence or a service offence.
86	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, DDASMR, XO DP-AF, OIC ER (AS), OIC ER MEC)	Power to terminate the service of an enlisted member up to and including the rank of WOFF if the member has been absent without leave for a continuous period of more than 3 months.
87(2)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, DDASMR, XO DP-AF DDSEAT  OIC ER (AS), OIC ER (MEC)  Commanders  COMDT RAAFCOL, CO 1RTU  OC GTW, OC 41WG CO RAAFSTT, CO SACTU, CO RAAFSALT, CO RAAFSFS, CO DEOTS,  SADMINO 1RTU, CI 1RTU  XO&SADMINO RAAFSTT, CI RAAFSALT, XO&CI RAAFSFS, XO SACTU, XO DEOTS	Power to issue a termination notice to an enlisted member for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an enlisted member up to and including the rank of CPL for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an enlisted member for any of the reasons specified in Regulation 87(1)(e)(g)(h)(i)(j).  In addition to the power specified above for Commanders pursuant to Reg 87(1)(2), power to issue a termination notice to AC undergoing recruit training pursuant to Regulation 87(1)(f).  In addition to the power specified above for Commanders pursuant to Reg 87(1)(2), power to issue a termination notice to AC undergoing initial employment training at their posted unit pursuant to Regulation 87(1)(f).  Power to issue a termination notice to an AC undergoing recruit training under Regulation 87(1)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an AC undergoing initial employment training at their posted unit under Regulation 87(1)(e)(f)(g)(h)(i)(j).
87(3)(4)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, DDASMR, XO DP-AF DDSEAT  CO 1RTU, COMDT RAAFCOL  OC GTW, OC 41WG CO RAAFSTT, CO SACTU, CO RAAFSALT, CO RAAFSFS, CO DEOTS,	Power to terminate the service of an enlisted member for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to terminate the service of an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)(f)(g)(h)(i)(j).  Power to terminate the service of an AC undergoing initial employment training at the unit under their command under Regulation 87(1)(e)(g)(h)(i)(j).

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
87(2)(3)	DCAF, DGPERS-AF, COS DGPERS-AF, DP-AF	Power to issue a termination notice and to terminate service of an enlisted member up to and including the rank of WOFF for reasons specified at regulation 87(1)(c).
87(3)	DDASMR, XO DP-AF OIC ER (AS), OIC ER (MEC)	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c) where the member does not provide a statement of reasons why they should not be terminated.
87(4)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, DDASMR, XO DP-AF	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c).
88(2) 89(2) 90(1)(2)(3)(4)(5) (6)(7)(8) 91(1)(3)	DCAF, DGPERS-AF	For applications made under Regulations 88 or 89 by an officer up to and including the rank of AIRCDRE, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
	DSOM-AF, COS DGPERS-AF	For applications made under Regulations 88 or 89 by an officer up to and including the rank of GPCAPT, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
	DP-AF	For applications made under Regulations 88 or 89 by an officer up to and including the rank of WGCDR, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
	XO DP-AF	For applications made under Regulations 88 or 89 by an officer up to and including the rank of SQNLDR, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
88(2) 89(2) 90(1)(2)(3)(4)(5) (6)(7)(8) 91(1)(3)	WGCDR PMs, DDFE, DDASMR, DDSEAT	For applications made under Regulations 88 or 89 by an officer <u>who is not bound by a service obligation</u> up to and including the rank of SQNLDR, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
	SQNLDR PMs, FE MGR OIC ER (AS), OIC ER (MEC) SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6	For applications made under Regulations 88 or 89 by an officer <u>who is not bound by a service obligation</u> up to and including the rank of FLTLT, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
91(2)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF (Not below GPCAPT)	Power to specify a condition and to not grant an application to resign by an officer up to and including the rank of WGCDR until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.
	XO DP-AF (Not below WGCDR)	Power to specify a condition and to not grant an application to resign by an officer up to and including the rank of FLTLT until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
95(2)(b)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, WGCDR PMs, XO DP-AF, DDASMR, DDFE, DDSEAT, SQNLDR PMs, FE MGR, OIC ER (AS), OIC ER (MEC), SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 FLTTLT PMs, SEAT-A, SEAT-B, SEAT-C	Power to determine a lesser period of notice to resign for an enlisted member.
95(3) 96(2) 97(1)(2)(3)(4)(5) (6)(7) 98(1)(3)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, XO DP-AF	For applications made under Regulations 95 or 96 by an enlisted member, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 98, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 97.
95(3) 96(2) 97(1)(2)(3)(4)(5) (6)(7) 98(1)(3)	WGCDR PMs, DDSEAT, DDASMR, DDFE, SQNLDR PMs, FE MGR, OIC ER (AS), OIC ER (MEC), SEAT1, SEAT2, SEAT3, SEAT4, SEAT5, SEAT6 FLTTLT PMs SEAT-A, SEAT-B, SEAT-C	For applications made under Regulations 95 or 96 by an enlisted member <u>who is not bound by a service obligation</u> , power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 98, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 97.
98(2)	DCAF, DGPERS-AF, DP-AF, COS DGPERS-AF, XO DP-AF (Not below WGCDR)	Power to specify a condition and to not grant an application to resign by an enlisted member of the Air Force until the member has complied with that condition or to determine compliance with the condition is no longer necessary.
99(2)	DCAF, DGPERS-AF  DP-AF	Power to change the reason for termination of service of a member up to and including the rank of GPCAPT.  Power to change the reason for termination of service of a member up to and including the rank of WGCDR.
100	DCAF, DGPERS-AF	Power to determine training period and training requirements within a training period for Air Force Reserves.
101	DCAF	Power to determine the uniform to be worn and the circumstances in which the uniform is or is not permitted to be worn.
103(2)	DCAF, DGPERS-AF	Power to confer a right to command on an officer of the Air Force appointed to honorary rank up to and including WGCDR.
104(1)	DCAF, DGPERS-AF	Power to appoint an enlisted member to the non commissioned rank of FSGT or WOFF as an honorary rank.
104(2)	DCAF, DGPERS-AF	Power to confer a right to command on an enlisted member of the Air Force appointed to the honorary rank of FSGT or WOFF.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 29 NOVEMBER 2015**

<b>COLUMN 1 REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
105(1)	DCAF (Not below AVM)  DGPERS-AF, DSOM-AF, COS DGPERS-AF  DP-AF, DDFE  XO DP-AF, WGCDR PMs, FE MGR	Power to grant a former officer of the Air Force an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of AIRCDRE an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of WGCDR an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of SQNLDR an honorary title related to the officer's former appointment on completion of service.
106	DCAF (Not below AVM)  DGPERS-AF, DSOM-AF, COS DGPERS-AF  DP-AF, DDFE  XO DP-AF, WGCDR PMs, FE MGR	Power to permit a former member to wear a uniform and specify conditions to which permission is subject.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of AIRCDRE, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of WGCDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of SQNLDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.
107	DCAF (Not below AVM)  DGPERS-AF	Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of AIRCDRE and revoke permission for a former member to wear a particular uniform.  Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of WGCDR and revoke permission for a former member to wear a particular uniform.
108	DCAF, DGPERS-AF  DP-AF	Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for officers up to and including the rank of GPCAPT.  Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for members of the Air Force up to and including the rank of WGCDR.
110(4)	DCAF, DGPERS-AF  DP-AF  XO DP-AF, DDSEAT (Not below WGCDR)	Power to determine the seniority of a Chaplain up to and including CHAP DIV 3 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 2 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 1 on appointment to the Air Force.

**SCHEDULE 2****TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION****WITH EFFECT 29 NOVEMBER 2015****ABBREVIATIONS**

<b>Appointment – Abbreviation</b>	<b>Appointment – Long Title</b>
DGPERS-AF	Director General Personnel – Air Force
DP-AF	Director Personnel – Air Force
COS DGPERS-AF	Chief of Staff Director General Personnel – Air Force
DSOM-AF	Director Senior Officer Management – Air Force
XO DP-AF	Executive Officer DP-AF
DDASMR	Deputy Director Administrative Sanctions and Medical Review
OIC ER (MEC)	Officer in Charge of Exception Reporting (Medical Employment Classification)
OIC ER (AS)	Officer in Charge of Exception Reporting (Administrative Sanctions)
ER (AS)1	Exception Reporting (Administrative Sanctions) 1
ER (AS)2	Exception Reporting (Administrative Sanctions) 2
DDPROM	Deputy Director Promotions
PROMO	Promotions Officers
DDSEAT	Deputy Director Selection, Enlistment, Appointment and Transition
SEAT1	Selection, Enlistment, Appointment and Transition 1
SEAT2	Selection, Enlistment, Appointment and Transition 2
SEAT3	Selection, Enlistment, Appointment and Transition 3
SEAT4	Selection, Enlistment, Appointment and Transition 4
SEAT5	Selection, Enlistment, Appointment and Transition 5
SEAT6	Selection, Enlistment, Appointment and Transition 6
SEAT-A	Selection, Enlistment, Appointment and Transition-A
SEAT-B	Selection, Enlistment, Appointment and Transition-B
SEAT-C	Selection, Enlistment, Appointment and Transition-C
AFRLO	Air Force Recruiting and Liaison Officer
WGCDR Personnel Managers	Officers posted as WGCDR Personnel Managers within DP-AF
SQNLDR Personnel Managers	Officers posted as SQNLDR Personnel Managers within the DP-AF
FLTLT Personnel Managers	Officers posted as FLTLT Personnel Managers within DP-AF
WOFF Personnel Managers	WOFFs posted as WOFF Personnel Managers within DP-AF
DDFE	Deputy Director Flexible Employment
FE MGR	Flexible Employment Manager
COMDT RAAFCOL	Commandant Royal Australian Air Force (RAAF) College
OC GTW	OC Ground Training Wing
OC 41WG	OC 41 Wing
CO 1RTU	CO No1 Recruit Training Unit
CO RAAFSTT	CO RAAF School of Technical Training
CO RAAFSALT	CO RAAF School of Administration and Logistics Training
CO RAAFSFS	CO RAAF Security and Fire School
CO DEOTS	CO Defence Explosive Ordnance Training School
CO OTS	CO Officer Training School
SADMINO 1RTU	Senior Administrative Officer No1 Recruit Training Unit
CI 1RTU	Chief Instructor No1 Recruit Training Unit
SADMINO RAAFSTT	Senior Administrative Officer RAAF School of Technical Training
XO RAAFSTT	Executive Officer RAAF School of Technical Training
CI RAAFSALT	Chief Instructor RAAF of Administration and Logistics Training
XO RAAFSFS	Executive Officer RAAF Security and Fire School
CI RAAFSFS	Chief Instructor Royal Australian Air Force Security and Fire School
XO DEOTS	Executive Officer Defence Explosive Ordnance Training School



# INSTRUMENT OF DELEGATION BY THE CHIEF OF AIR FORCE OF POWERS TO PERFORM FUNCTIONS REGARDING PERSONNEL IN THE ROYAL AUSTRALIAN AIR FORCE

COMMONWEALTH OF AUSTRALIA

Defence (Personnel) Regulation 2002

Delegation of powers to perform functions regarding personnel in the Royal Australian Air Force

I, GEOFFREY CHARLES BROWN, AO Chief of the Air Force, acting pursuant to subregulations 119(3) and 119(4) of the *Defence (Personnel) Regulations 2002*:

- (a) delegate my powers and functions as described in a provision of those Regulations specified in column 1 of Schedule 1 to a person for the time being holding or performing the duties of an office or position described in column 2 of Schedule 1 in abbreviated form (and explained in Schedule 2), subject to:
- (i) the limitation as to the maximum rank level in relation to which the delegate may exercise the power or function set out in column 3; and
  - (ii) any other limitations or directions set out in column 2.

Dated: 16 April 2012

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G.C. BROWN  
Air Marshal  
Chief of Air Force

## Definitions

**Trained force.** For the purposes of these delegations, references to the 'trained force' should be read as including officers and enlisted members who have been posted for duties appropriate to their employment category following completion of ab-initio training and any initial employment training that normally precedes unrestricted employment.

## Limitations on Delegations

Regulation 119 of the Defence (Personnel) Regulations specifies the minimum **substantive** rank at which delegations may be authorised. Consequently, the following limitations apply:

- Pilot Officers and Flying Officers on higher duties allowance or who are temporarily promoted to the rank of Flight Lieutenant may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Flight Sergeants on higher duties allowance or who are temporarily promoted to the rank of Warrant Officer may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Warrant Officers acting in a Flight Lieutenant position may only exercise delegations under regulations 42, 95, 96 and 97.

Additionally, a number of potentially sensitive delegations to the DGPERS-AF and DP-AF appointments are constrained to the rank of the appointment holder (ie. subordinates acting in the position are not permitted to exercise the delegation).

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 16 APRIL 2012**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
9(3)	DGPERS-AF, DP-AF XO DP-AF, DDFE&R	Power to receive an election made under sub-regulation 9(2).
12(1)	DGPERS-AF, DP-AF XO DP-AF, WGCDR PMs DDFE&R SQNLDR PMs, FE&RMGR	Power to extend the compulsory retirement age of an enlisted member of the Air Force.
14(1)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of SQNLDR.
	DDSEAT XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of FLTTLT.
14(2)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine that a person appointed as an officer at a rank up to and including the rank of SQNLDR is not required to comply with a specified condition of appointment under Regulation 14(1).
	DDSEAT XO DP-AF, AFRLO (Not below WGCDR)	Power to determine that a person appointed as an officer at a rank up to and including the rank of FLTTLT is not required to comply with a specified condition of appointment under Regulation 14(1).
16	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of SQNLDR.
	DDSEAT XO DP-AF (Not below WGCDR)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of FLTTLT.
17(3)	DGPERS-AF DP-AF & COS DGPERS-AF (Not below GPCAPT)	Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of SQNLDR/CHAP DIV 2 for failure to meet appointment conditions.
	DDASMR, XO DP-AF (Not below WGCDR)	Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of FLTTLT/CHAP DIV 1 for failure to meet appointment conditions.
18	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of SQNLDR/CHAP DIV 2.
	DDSEAT XO DP-AF	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of FLTTLT/CHAP DIV 1.
19(2)	DGPERS-AF DP-AF & COS DGPERS-AF (Not below GPCAPT)	Power to terminate the service of a probationary officer up to and including the rank of SQNLDR/CHAP DIV 2.
	DDASMR, XO DP-AF (Not below WGCDR)	Power to terminate the service of a probationary officer up to and including the rank of FLTTLT/CHAP DIV 1.
	CO OTS	Power to terminate the service of a probationary officer up to and including the rank of FLTTLT/CHAP DIV 1 who is posted to the Officer Training School.
20	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.
	DDSEAT XO DP-AF	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of FLTTLT/CHAP DIV 1.

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
21	DGPERS-AF, DP-AF, XO DP-AF, DDSEAT (Not below WGCDR)	Power to temporarily appoint an enlisted member to be an officer of a rank not higher than FLTLT and to extend or terminate that appointment.
22	DGPERS-AF  DP-AF  DDSEAT, XO DP-AF  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	Power to confirm appointment to the Air Force of an officer up to and including the rank of GPCAPT/CHAP DIV 4.  Power to confirm appointment to the Air Force of an officer up to and including the rank of WGCDR/CHAP DIV 3.  Power to confirm appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.  Power to confirm appointment to the Air Force of an officer up to and including the rank of FLTLT/CHAP DIV 1.
23(1)	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for enlistment in the Air Force.
23(2)	DGPERS-AF DP-AF, XO DP-AF DDSEAT, AFRLO  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to determine that a person is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.  Power to determine that a person enlisted at a rank up to and including the rank of CPL is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.
25(4)	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)  Officer not below the rank of FLTLT (E) posted to a recruiting position	Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.  Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.  Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at the rank of AC on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.



SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
26	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to determine seniority of a person on enlistment to the Air Force.  Power to determine seniority of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force.
27(1)(3)	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to provisionally enlist a member in the Air Force and to terminate the member's service at any time during the period of provisional enlistment.  Power to provisionally enlist a member in the Air Force up to and including the rank of CPL and to terminate the member's service at any time during the period of provisional enlistment.
28	DGPERS-AF DP-AF DDSEAT, XO DP-AF (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to extend a period of provisional enlistment in the Air Force of an enlisted member.  Power to extend a period of provisional enlistment in the Air Force of an enlisted member up to and including the rank of CPL.
29	DGPERS-AF DP-AF DDSEAT, XO DP-AF SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 (Not below SQNLDR)	Power to confirm enlistment in the Air Force of a provisionally enlisted member.
31(1)	DGPERS-AF DP-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of WGCDR.  Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of FLTLT.
31(2)	DGPERS-AF DP-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to determine that an officer up to and including the rank of WGCDR is not required to comply with a specified condition of promotion under regulation 31(1).  Power to determine that an officer up to and including the rank of FLTLT is not required to comply with a specified condition of promotion under regulation 31(1).

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
33(4)	DGPERS-AF  DP-AF XO DP-AF (Not below WGCDR)  OIC PROM (Not below SQNLDR)  PROMO	Power to confirm a provisional promotion of an officer up to and including the rank of GPCAPT.  Power to confirm a provisional promotion of an officer up to and including the rank of WGCDR.  Power to confirm a provisional promotion of an officer up to and including the rank of SQNLDR.  Power to confirm a provisional promotion of an officer up to and including the rank of FLTLT.
33(5)	DGPERS-AF  DP-AF (Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to extend a period of provisional promotion for an officer up to and including the rank of GPCAPT for a period not exceeding 3 years.  Power to extend a period of provisional promotion for an officer up to and including the rank of WGCDR for a period not exceeding 3 years.  Power to extend a period of provisional promotion for an officer up to and including the rank of SQNLDR for a period not exceeding 3 years.
34(2)	DGPERS-AF DP-AF(Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to extend a period of temporary promotion of an officer up to and including the rank of WGCDR.  Power to extend a period of temporary promotion of an officer up to and including the rank of SQNLDR.
35(2)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend a period of limited tenure promotion for an officer up to and including the rank of WGCDR.
37(1)	DGPERS-AF DP-AF XO DP-AF (Not below WGCDR)	Power to determine conditions with which an enlisted member must comply to be eligible for provisional or substantive promotion.
37(2)	DGPERS-AF DP-AF XO DP-AF (Not below WGCDR)	Power to determine that an enlisted member is not required to comply with a specified condition of promotion determined under Regulation 37(1).
38(1)	DGPERS-AF DP-AF XO DP-AF  OIC PROM  PROMO	Power to promote an enlisted member to a non-commissioned rank.  Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL.  Power to promote an enlisted member to the rank of LAC.

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
39(1)	DGPERS-AF DP-AF XO DP-AF  OIC PROM  PROMO	Power to promote an enlisted member on a provisional basis.  Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL on a provisional basis.  Power to promote an enlisted member to the rank of LAC on a provisional basis.
39(4)	DGPERS-AF DP-AF XO DP-AF OIC PROM PROMO	Power to confirm promotion of an enlisted member on compliance with conditions of provisional promotion.
39(5)	DGPERS-AF DP-AF XO DP-AF  OIC PROM	Power to extend a period of provisional promotion of an enlisted member to a period not exceeding 3 years.  Power to extend a period of provisional promotion of an enlisted member up to and including the rank of CPL to a period not exceeding 3 years.
39(6)	DGPERS-AF DP-AF XO DP-AF  OIC PROM	Power to revoke a provisional promotion of an enlisted member.  Power to revoke a provisional promotion of an enlisted member up to and including the rank of CPL.
40(1)(2)(3)	DGPERS-AF DP-AF XO DP-AF  OIC PROM	Power to temporarily promote an enlisted member and to extend the period of temporary promotion or revoke the promotion at any time.  Power to temporarily promote an enlisted member to a rank up to and including the rank of CPL and to extend the period of temporary promotion or revoke the promotion at any time.
41(1)	DGPERS-AF DP-AF	Power to promote an enlisted member to the rank of WOFF for a limited tenure.
41(3)	DGPERS-AF DP-AF	Power to extend a period of limited tenure promotion of an enlisted member.



SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
42	DGPERS-AF  COS DGPERS-AF  DP-AF  WGCDR PMs DDASMR, DDSEAT XO DP-AF  SQNLDR PMs OIC ER (MEC) OIC ER (AS) SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6  FLTLT PMs SEAT-A, SEAT-B, SEAT-C  WOFF PMs	Power to post a member of the Air Force up to and including the rank of AIRCDRE.  Power to post a member of the Air Force Reserve up to and including the rank of GPCAPT.  Power to post a member of the Air Force up to and including the rank of WGCDR.  Power to post a member of the Air Force up to and including the rank of SQNLDR.  Power to post a member of the Air Force up to and including the rank of FLTLT.  Power to post a member of the Air Force up to and including the rank of OFFCDT.  Power to post a member of the Air Force up to and including the rank of FSGT.
46(1)	DGPERS-AF DP-AF COS DGPERS-AF DDASMR XO DP-AF  OIC ER (AS) OIC ER (MEC)	Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force.  Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.
46(2)(3)	DGPERS-AF DP-AF COS DGPERS-AF  DDASMR XO DP-AF	Power to reduce the rank of an enlisted member of the Air Force.  Power to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.
47	DGPERS-AF DP-AF COS DGPERS-AF  DDASMR XO DP-AF	Power to cancel the reduction in rank of an enlisted member of the Air Force.  Power to cancel the reduction in rank of an enlisted member of the Air Force up to and including the rank of CPL.
48(4)	DGPERS-AF DP-AF XO DP-AF	Power to grant or refuse an application for voluntary reduction in rank by an enlisted member of the Air Force.

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
49(2)	<p>DGPERS-AF</p> <p>DP-AF</p> <p>XO DP-AF, DDFE&amp;R WGCDR PMs</p> <p>FE&amp;RMGR SQNLDR PMs</p>	<p>Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.</p> <p>Power to grant or refuse an application by an officer up to and including the rank of WGCDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.</p> <p>Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.</p> <p>Power to grant or refuse an application by an officer up to and including the rank of FLTLT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.</p>
49(4)	<p>DGPERS-AF</p> <p>DP-AF</p> <p>XO DP-AF</p>	<p>Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to convert their period of appointment for an indefinite period to an appointment for a fixed period.</p> <p>Power to grant or refuse an application by an officer up to and including the rank of WGCDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.</p> <p>Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.</p>
50(2)	<p>DGPERS-AF</p> <p>DP-AF</p> <p>XO DP-AF, DDFE&amp;R WGCDR PMs SQNLDR PMs FE&amp;RMGR</p>	<p>Power to grant or refuse an application by an enlisted member to extend their enlistment for a fixed period or to convert their enlistment to an indefinite period.</p>
50(4)	<p>DGPERS-AF</p> <p>DP-AF</p> <p>XO DP-AF</p>	<p>Power to grant or refuse an application by an enlisted member to convert their period of enlistment for an indefinite period to an enlistment for a fixed period.</p>
51(2)(3)(4)	<p>DGPERS-AF</p> <p>DP-AF</p>	<p>Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of GPCAPT to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.</p> <p>Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of WGCDR to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.</p>
52(1)	<p>DGPERS-AF</p> <p>DP-AF</p> <p>WGCDR PMs XO DP-AF DDSEAT</p> <p>SEAT1 &amp; SEAT2 SEAT3 &amp; SEAT4 SEAT5 &amp; SEAT6</p>	<p>Power to transfer a member of the Air Force up to and including the rank of WGCDR to another Service.</p> <p>Power to transfer a member of the Air Force up to and including the rank of SQNLDR to another Service.</p> <p>Power to transfer a member of the Air Force up to and including the rank of FLTLT who is yet to enter the trained force to another Service.</p>

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 16 APRIL 2012**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
52(2)(b)(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to transfer a member from another Service to the Air Force, up to and including the rank of WGCDR and to specify conditions with which the transferee must comply.
	DDSEAT XO DP-AF (Not below WGCDR)	Power to transfer a member from another Service to the Air Force, up to and including the rank of FLTLT and to specify conditions with which the transferee must comply.
53(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine that a member up to and including the rank of WGCDR transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
	DDSEAT XO DP-AF (Not below WGCDR)	Power to determine that a member up to and including the rank of FLTLT transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DGPERS-AF	For applications made under Regulation 56 by a member up to and including the rank of AIRCDRE, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	DP-AF COS DGPERS-AF	For applications made under Regulation 56 by a member up to and including the rank of GPCAPT, power to grant or refuse transfer, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	DDSEAT,	For applications made under Regulation 56 (a) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering), determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	WGCDR PMs XO DP-AF DDASMR	For applications made under Regulation 56 (b) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	WGCDR PMs XO DP-AF	For applications made under Regulation 56 (c) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR whilst remaining in the equivalent specialisation or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	DDSEAT	For applications made under Regulation 56 (c) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR or to transfer between Air Force Reserve specialisations or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 16 APRIL 2012**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DDSEAT	For applications made under Regulation 56 (d) by a member up to and including the rank of SQNLDR, power to grant or refuse transfer from the Air Force Reserve to an equivalent specialisation or mustering in the PAF, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulation 56 (a) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering), determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SQNLDR PMs OIC ER (AS) OIC ER (MEC)	For applications made under Regulation 56 (b) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SQNLDR PMs	For applications made under Regulation 56 (c) by a member up to and including the rank of FLTLT, power to grant or refuse transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR whilst remaining in the equivalent specialisation or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulation 56 (c) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR or to transfer between Air Force Reserve specialisations or mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulation 56 (d) by a member up to and including the rank of FLTLT, power to grant or refuse transfer from the Air Force Reserve to an equivalent specialisation or mustering in the PAF, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT-A, SEAT-B, SEAT-C	For applications made under Regulation 56 (a) by an enlisted member, power to grant or refuse transfer from one part of the PAF (mustering) to another part of the PAF (mustering), determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	FLTLT PMs	For applications made under Regulation 56 (b) by an enlisted member, power to grant or refuse transfer from the PAF to an equivalent mustering in the Air Force Reserve, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
57 58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	FLTLT PMs	For applications made under Regulation 56 (c) by an enlisted member, power to grant or refuse transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFSr whilst remaining in the equivalent mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT-A, SEAT-B, SEAT-C	For applications made under Regulation 56 (c) by an enlisted member, power to grant or refuse transfer from the RAAFSr to the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR or to transfer between Air Force Reserve mustering, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
	SEAT-A, SEAT-B, SEAT-C	For applications made under Regulation 56 (d) by an enlisted member, power to grant or refuse transfer from the Air Force Reserve to an equivalent mustering in the PAF, determine terms of transfer, and to accept or refuse the withdrawal of an approved transfer request.
63(a)	DGPERS-AF	Power to transfer a member up to and including the rank of WGCDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DP-AF COS DGPERS-AF	Power to transfer a member up to and including the rank of SQNLDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DDASMR XO DP-AF (Not below WGCDR)	Power to transfer a member up to and including the rank of FLTLT from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
63(b)(c)	DGPERS-AF	Power to transfer a member up to and including the rank of AIRCDRE from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
	DP-AF COS DGPERS-AF	Power to transfer a member up to and including the rank of WGCDR from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
	DDASMR DDFE&R (Not below WGCDR)	Power to transfer a member up to and including the rank of FLTLT from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
64(4)(b)	DGPERS-AF	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of AIRCDRE after 5 years service.
	DP-AF	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of WGCDR after 5 years service.
	WGCDR PMs, DDFE&R XO DP-AF	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of SQNLDR after 5 years service.
	SQNLDR PMs FE&RMGR	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of FLTLT after 5 years service.
	FLTLT PMs	Power to accept an application to resign from an enlisted member of the Standby Reserve after 5 years service.

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
68(1)(2)	DGPERS-AF  DP-AF	In relation to members of the PAF upto and including the rank of WGCDR, the power to issue a document identifying transfer to the Standby Reserve as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to transfer the member's accordingly.  In relation to enlisted members of the PAF, the power to issue a document identifying transfer to the Standby Reserve as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to transfer the member's accordingly.
69(1)	DGPERS-AF  DP-AF COS DGPERS-AF  DDASMR XO DP-AF DDFE&R FE&RMGR  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6 OIC ER (AS) OIC ER (MEC)	Power to transfer an officer of the Air Force Reserve up to and including the rank of AIRCDRE from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer an officer of the Air Force Reserve up to and including the rank of WGCDR from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer a member of the Air Force Reserve up to and including the rank of SQNLDR from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.  Power to transfer an enlisted member of the Air Force Reserve from one category of the Air Force Reserve to another category of the Reserve for failure to meet training or other obligations.
70	DGPERS-AF  DP-AF COS DGPERS-AF  DDASMR, DDFE&R XO DP-AF (Not below WGCDR)	Power to terminate the service of a member in the Standby Reserve up to and including the rank of AIRCDRE.  Power to terminate the service of an officer in the Standby Reserve up to and including the rank of WGCDR.  Power to terminate the service of a member in the Standby Reserve up to and including the rank of SQNLDR.
73	DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of an intention to make an offer of special benefit.
74(2)	DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of entitlement to a special benefit should the member agree to transfer to a category of the Air Force Reserve in the initial period specified in the notice.
78(2)	DGPERS-AF	Power to transfer an eligible member up to and including the rank of WGCDR to the Standby Reserve or terminate the member's service in the Air Force should the member decline an offer of special benefit.
82(2)(3)	DGPERS-AF DP-AF  XO DP-AF WGCDR PMs	Power to terminate the service of a member up to and including the rank of WGCDR where the member provides notification that they propose to become or have become a permanent resident in another country.  Power to terminate the service of a member up to and including the rank of SQNLDR where the member provides notification that they propose to become or have become a permanent resident in another country.
83(1)(2)	DGPERS-AF  DP-AF	In relation to members of the PAF upto and including the rank of WGCDR, the power to issue a document identifying termination of service as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to terminate the member's service accordingly.  In relation to enlisted members of the PAF, the power to issue a document identifying termination of service as a way in which redundancy is to be carried out, power to declare the member to be redundant, and power to terminate the member's service accordingly.

SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
85(1)(d)	CDF DGPERS-AF DP-AF COS DGPERS-AF DDASMR XO DP-AF	Having regard to the nature and seriousness of an offence or a service offence an officer is convicted for, power to certify that the retention of the officer is not in the interests of the Defence Force
86	DGPERS-AF DP-AF COS DGPERS-AF DDASMR XO DP-AF OIC ER (AS) OIC ER MEC)	Power to terminate the service of an enlisted member up to and including the rank of WOFF if the member has been absent without leave for a continuous period of more than 3 months.
87(2)	DGPERS-AF DP-AF & COS DGPERS-AF DDASMR & XO DP-AF  OIC ER (AS) OIC ER (MEC)  CO 1RTU SADMINO 1RTU CI 1RTU  CO RAAFSTT SADMINO RAAFSTT XO RAAFSTT CO RAAFSALT CI RAAFSALT CO RAAFSFS CI RAAFSFS XO RAAFSFS CO SACTU XO SACTU CO DEOTS XO DEOTS	Power to issue a termination notice to an enlisted member for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an enlisted member up to and including the rank of CPL for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to issue a termination notice to an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)(f)(g)(h).  Power to issue a termination notice to an AC undergoing initial employment training at their posted unit under Regulation 87(1)(e)(g)
87(3)(4)	DGPERS-AF DP-AF & COS DGPERS-AF DDASMR & XO DP-AF  CO 1RTU COMDT RAAFCOL  CO RAAFSTT CO RAAFSALT CO RAAFSFS CO DEOTS OC GTW CO SACTU OC 41WG	Power to terminate the service of an enlisted member for any of the reasons specified in Regulation 87(1)(a)(b)(d)(e)(f)(g)(h)(i)(j).  Power to terminate the service of an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)(f)(g)(h)  Power to terminate the service of an AC undergoing initial employment training at the unit under their command under Regulation 87(1)(e)(g)



SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
87(2)(3)	DGPERS-AF COS DGPERS-AF DP-AF	Power to issue a termination notice and to terminate service of an enlisted member up to and including the rank of WOFF for reasons specified at regulation 87(1)(c).
87(3)	DDASMR OIC ER (AS) OIC ER (MEC)	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c) where the member does not provide a statement of reasons why they should not be terminated.
87(4)	DGPERS-AF	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c).
88(2) 89(2) 90(1)(2)(3)(4)(5) (6)(7)(8) 91(1)(3)	DGPERS-AF  DP-AF COS DGPERS-AF  WGCDR PMs, DDFE&R DDASMR, XO DP-AF DDSEAT  SQNLDR PMs FE&RMGR OIC ER (AS) OIC ER (MEC)  SEAT1 & SEAT2 SEAT3 & SEAT4 SEAT5 & SEAT6	For applications made under Regulations 88 or 89 by an officer up to and including the rank of AIRCDRE, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer up to and including the rank of GPCAPT, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer up to and including the rank of SQNLDR, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer up to and including the rank of FLTLT, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.  For applications made under Regulations 88 or 89 by an officer who is yet to enter the trained force, power to grant an application to resign and specify the date upon which the resignation takes effect under Regulation 91, refuse an application to resign under Regulation 90, and to grant or refuse an application to withdraw an application to resign under Regulation 89.
91(2)	DGPERS-AF DP-AF(Not below GPCAPT)  XO DP-AF (Not below WGCDR)	Power to specify a condition and to not grant an application to resign by an officer up to and including the rank of WGCDR until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.  Power to specify a condition and to not grant an application to resign by an officer up to and including the rank of FLTLT until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.



SCHEDULE 1

TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 16 APRIL 2012

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
105(1)	DCAF (Not below AVM)  DGPERS-AF COS DGPERS-AF  DP-AF DDFE&R  XO DP-AF WGCDR PMs FE&RMGR	Power to grant a former officer of the Air Force an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of AIRCDRE an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of WGCDR an honorary title related to the officer's former appointment on completion of service.  Power to grant a former officer of the Air Force up to and including the rank of SQNLDR an honorary title related to the officer's former appointment on completion of service.
106	DCAF (Not below AVM)  DGPERS-AF COS DGPERS-AF  DP-AF DDFE&R  XO DP-AF WGCDR PMs FE&RMGR	Power to permit a former member to wear a uniform and specify conditions to which permission is subject.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of AIRCDRE, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of WGCDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.  Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of SQNLDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.
107	DCAF (Not below AVM)  DGPERS-AF	Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of AIRCDRE and revoke permission for a former member to wear a particular uniform.  Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of WGCDR and revoke permission for a former member to wear a particular uniform.
108	DGPERS-AF  DP-AF	Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for officers up to and including the rank of GPCAPT.  Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for members of the Air Force up to and including the rank of WGCDR.
110(4)	DGPERS-AF  DP-AF  XO DP-AF DDSEAT (Not below WGCDR)	Power to determine the seniority of a Chaplain up to and including CHAP DIV 3 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 2 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 1 on appointment to the Air Force.

**SCHEDULE 2**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 16 APRIL 2012**

**ABBREVIATIONS**

<b>Appointment – Abbreviation</b>	<b>Appointment – Long Title</b>
DGPERS-AF	Director General Personnel – Air Force
DP-AF	Director Personnel – Air Force
COS DGPERS-AF	Chief of Staff Director General Personnel – Air Force
XO DP-AF	Executive Officer DP-AF
DDASMR	Deputy Director Administrative Sanctions and Medical; Review
OIC ER (MEC)	Officer in Charge of Exception Reporting (Medical Employment Classification)
OIC ER (AS)	Officer in Charge of Exception Reporting (Administrative Sanctions)
OIC PROM	Officer in Charge of Promotions
PROMO	Promotions Officers
DDSEAT	Deputy Director Selection, Enlistment, Appointment and Transition
SEAT1	Selection, Enlistment, Appointment and Transition 1
SEAT2	Selection, Enlistment, Appointment and Transition 2
SEAT3	Selection, Enlistment, Appointment and Transition 3
SEAT4	Selection, Enlistment, Appointment and Transition 4
SEAT5	Selection, Enlistment, Appointment and Transition 5
SEAT6	Selection, Enlistment, Appointment and Transition 6
SEAT-A	Selection, Enlistment, Appointment and Transition-A
SEAT-B	Selection, Enlistment, Appointment and Transition-B
SEAT-C	Selection, Enlistment, Appointment and Transition-C
AFRLO	Air Force Recruiting and Liaison Officer
WGCDR Personnel Managers	Officers posted as WGCDR Personnel Managers within DP-AF (includes DDFE)
SQNLDR Personnel Managers	Officers posted as SQNLDR Personnel Managers within the DP-AF (includes DDUTW and FEMGR)
FLTLT Personnel Managers	Officers posted as FLTLT Personnel Managers within DP-AF
WOFF Personnel Managers	WOFFs posted as WOFF Personnel Managers within DP-AF
DDFE&R	Deputy Director Flexible Employment and Remuneration
FE&RMGR	Flexible Employment and Remuneration Manager
COMDT RAAFCOL	Commandant Royal Australian Air Force (RAAF) College
OC GTW	Officer Commanding Ground Training Wing
OC 41 WG	Officer Commanding 41 Wing
CO 1RTU	Commanding Officer No1 Recruit Training Unit
CO RAAFSTT	Commanding Officer RAAF School of Technical Training
CO RAAFSALT	Commanding Officer RAAF School of Administration and Logistics Training
CO RAAFSFS	Commanding Officer RAAF Security and Fire School
CO DEOTS	Commanding Officer Defence Explosive Ordnance Training School
CO OTS	Commanding Officer Officer Training School
SADMNO 1RTU	Senior Administrative Officer No1 Recruit Training Unit
CI 1RTU	Chief Instructor No1 Recruit Training Unit
SADMNO RAAFSTT	Senior Administrative Officer RAAF School of Technical Training
XO RAAFSTT	Executive Officer RAAF School of Technical Training
CI RAAFSALT	Chief Instructor RAAF of Administration and Logistics Training
XO RAAFSFS	Executive Officer RAAF Security and Fire School
CI RAAFSFS	Chief Instructor Royal Australian Air Force Security and Fire School
XO DEOTS	Executive Officer Defence Explosive Ordnance Training School



# INSTRUMENT OF DELEGATION BY THE CHIEF OF AIR FORCE OF POWERS TO PERFORM FUNCTIONS REGARDING PERSONNEL IN THE ROYAL AUSTRALIAN AIR FORCE

COMMONWEALTH OF AUSTRALIA

Defence (Personnel) Regulation 2002

Delegation of powers to perform functions regarding personnel in the Royal Australian Air Force

I, MARK DONALD BINSKIN, AO Chief of the Air Force, acting pursuant to subregulation 119(1) of the *Defence (Personnel) Regulations 2002*:

- (a) delegate my powers and functions as described in a provision of those Regulations specified in column 1 of Schedule 1 to a person for the time being holding or performing the duties of an office or position described in column 2 of Schedule 1 in abbreviated form (and explained in Schedule 2), subject to:
- (i) the limitation as to the maximum rank level in relation to which the delegate may exercise the power or function set out in column 3; and
  - (ii) any other limitations or directions set out in column 2.

Dated: 17 January 2011

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**M.D. BINSKIN**  
Air Marshal  
Chief of Air Force

## Definitions

**Trained force.** For the purposes of these delegations, references to the 'trained force' should be read as including officers and enlisted members who have been posted for duties appropriate to their employment category following completion of ab-initio training and any initial employment training that normally precedes unrestricted employment.

## Limitations on Delegations

Regulation 119 of the Defence (Personnel) Regulations specifies the minimum **substantive** rank at which delegations may be authorised. Consequently, the following limitations apply:

- Pilot Officers and Flying Officers on higher duties allowance or who are temporarily promoted to the rank of Flight Lieutenant may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Flight Sergeants on higher duties allowance or who are temporarily promoted to the rank of Warrant Officer may **not** exercise delegations under the Defence (Personnel) Regulations irrespective of their posted position.
- Warrant Officers acting in a Flight Lieutenant position may only exercise delegations under regulations 42, 95, 96 and 97.

Additionally, a number of potentially sensitive delegations to the DGPERS-AF and DP-AF appointments are constrained to the rank of the appointment holder (ie. subordinates acting in the position are not permitted to exercise the delegation).

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
9(3)	DGPERS-AF DP-AF DDASPGIR	Power to receive an election made under sub-regulation 9(2).
12(1)	DGPERS-AF DP-AF DDASPGIR WGCDR PMs DDFE SQNLDR PMs FEMGR	Power to extend the compulsory retirement age of an enlisted member of the Air Force.
14(1)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of SQNLDR.
	DDSEAT, DDASPGIR XO DP-AF (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for appointment as an officer in the Air Force at a rank up to and including the rank of FLTTLT.
14(2)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine that a person appointed as an officer at a rank up to and including the rank of SQNLDR is not required to comply with a specified condition of appointment under Regulation 14(1).
	DDSEAT, DDASPGIR XO DP-AF, AFRLO (Not below WGCDR)	Power to determine that a person appointed as an officer at a rank up to and including the rank of FLTTLT is not required to comply with a specified condition of appointment under Regulation 14(1).
16	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of SQNLDR.
	DDSEAT, DDASPGIR XO DP-AF (Not below WGCDR)	Power to determine the seniority of a person appointed as an Air Force officer at a rank up to and including the rank of FLTTLT.
17(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to terminate the service of an officer appointed on a provisional basis up to and including the rank of SQNLDR/CHAP DIV 2 for failure to meet appointment conditions.
	DDASPGIR, XO DP-AF (Not below WGCDR)	Power to terminate the service of an FLTTLT/CHAP DIV 1 appointed on a provisional basis for failure to meet appointment conditions.
18	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of SQNLDR/CHAP DIV 2.
	DDUTW, DDASPGIR DDSEAT, XO DP-AF	Power to extend the period of an officer's provisional appointment to the Air Force up to and including the rank of FLTTLT/CHAP DIV 1.
19(2)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to terminate the service of an officer up to and including the rank of SQNLDR/CHAP DIV 2 appointed on probation.
	DDASPGIR, XO DP-AF (Not below WGCDR)	Power to terminate the service of an FLTTLT/CHAP DIV 1 appointed on probation.
20	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.
	DDUTW, DDASPGIR DDSEAT, XO DP-AF	Power to extend the period of probation in relation to appointment to the Air Force of an officer up to and including the rank of FLTTLT/CHAP DIV 1.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
21	DGPERS-AF DP-AF, XO DP-AF DDSEAT, DDASPGIR (Not below WGCDR)	Power to temporarily appoint an enlisted member to be an officer of a rank not higher than FLTLT and to extend or terminate that appointment.
22	DGPERS-AF  DP-AF  DDSEAT, DDUTW DDASPGIR  SEAT1 & SEAT2 SEAT3 & SEAT4	Power to confirm appointment to the Air Force of an officer up to and including the rank of GPCAPT/CHAP DIV 4.  Power to confirm appointment to the Air Force of an officer up to and including the rank of WGCDR/CHAP DIV 3.  Power to confirm appointment to the Air Force of an officer up to and including the rank of SQNLDR/CHAP DIV 2.  Power to confirm appointment to the Air Force of an officer up to and including the rank of FLTLT/CHAP DIV 1.
23(1)	DGPERS-AF DP-AF DDSEAT, DDASPGIR (Not below WGCDR)	Power to determine conditions with which a person must comply to be eligible for enlistment in the Air Force.
23(2)	DGPERS-AF DP-AF DDSEAT, DDASPGIR (Not below WGCDR)  DDUTW AFRLO SEAT1 & SEAT2 SEAT3 & SEAT4 (Not below SQNLDR)	Power to determine that a person is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.  Power to determine that a person enlisted at a rank up to and including the rank of CPL is not required to comply with a specified condition of enlistment under Regulation 23(1) upon enlistment.
25(4)	DGPERS-AF DP-AF DDSEAT, DDASPGIR (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 (Not below SQNLDR)  Officer not below the rank of FLTLT (E) posted to a recruiting position	Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.  Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.  Power to determine initial period of service (which may include a period of service in the Standby Reserve) of a person enlisted at the rank of AC on enlistment to the Air Force and to specify the part of the Air Force in which the member is to commence service.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
26	DGPERS-AF DP-AF DDSEAT, DDASPGIR (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 (Not below SQNLDR)	Power to determine seniority of a person on enlistment to the Air Force.  Power to determine seniority of a person enlisted at a rank up to and including the rank of CPL on enlistment to the Air Force.
27(1)(3)	DGPERS-AF DP-AF DDSEAT, DDASPGIR (Not below WGCDR)  SEAT1 & SEAT2 SEAT3 & SEAT4 (Not below SQNLDR)	Power to provisionally enlist a member in the Air Force and to terminate the member's service at any time during the period of provisional enlistment.  Power to provisionally enlist a member in the Air Force up to and including the rank of CPL and to terminate the member's service at any time during the period of provisional enlistment.
28	DGPERS-AF DP-AF DDSEAT, DDASPGIR (Not below WGCDR)  DDUTW SEAT1 & SEAT2 SEAT3 & SEAT4 (Not below SQNLDR)	Power to extend a period of provisional enlistment in the Air Force of an enlisted member.  Power to extend a period of provisional enlistment in the Air Force of an enlisted member up to and including the rank of CPL.
29	DGPERS-AF DP-AF DDUTW DDSEAT SEAT1 & SEAT2 SEAT3 & SEAT4	Power to confirm enlistment in the Air Force of a provisionally enlisted member.
31(1)	DGPERS-AF DP-AF (Not below GPCAPT)  DDASPGIR	Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of WGCDR.  Power to determine conditions with which an officer must comply to be eligible for provisional or substantive promotion up to and including the rank of FLTLT.
31(2)	DGPERS-AF DP-AF (Not below GPCAPT)  DDASPGIR (Not below WGCDR)	Power to determine that an officer up to and including the rank of WGCDR is not required to comply with a specified condition of promotion under regulation 31(1).  Power to determine that an officer up to and including the rank of FLTLT is not required to comply with a specified condition of promotion under regulation 31(1).



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
33(4)	DGPERS-AF	Power to confirm a provisional promotion of an officer up to and including the rank of GPCAPT.
	DP-AF DDASPGIR (Not below WGCDR)	Power to confirm a provisional promotion of an officer up to and including the rank of WGCDR.
	OIC PROM (Not below SQNLDR)	Power to confirm a provisional promotion of an officer up to and including the rank of SQNLDR.
	OIC PROMSPT	Power to confirm a provisional promotion of an officer up to and including the rank of FLTLT.
33(5)	DGPERS-AF	Power to extend a period of provisional promotion for an officer up to and including the rank of GPCAPT for a period not exceeding 3 years.
	DP-AF (Not below GPCAPT)	Power to extend a period of provisional promotion for an officer up to and including the rank of WGCDR for a period not exceeding 3 years.
	DDASPGIR (Not below WGCDR)	Power to extend a period of provisional promotion for an officer up to and including the rank of SQNLDR for a period not exceeding 3 years.
34(2)	DGPERS-AF DP-AF(Not below GPCAPT)	Power to extend a period of temporary promotion of an officer up to and including the rank of WGCDR.
	DDASPGIR (Not below WGCDR)	Power to extend a period of temporary promotion of an officer up to and including the rank of SQNLDR.
35(2)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to extend a period of limited tenure promotion for an officer up to and including the rank of WGCDR.
37(1)	DGPERS-AF DP-AF DDASPGIR (Not below WGCDR)	Power to determine conditions with which an enlisted member must comply to be eligible for provisional or substantive promotion.
37(2)	DGPERS-AF DP-AF DDASPGIR (Not below WGCDR)	Power to determine that an enlisted member is not required to comply with a specified condition of promotion determined under Regulation 37(1).
38(1)	DGPERS-AF DP-AF DDASPGIR	Power to promote an enlisted member to a non-commissioned rank.
	OIC PROM	Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL.
	OIC PROMSPT	Power to promote an enlisted member to the rank of LAC.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
39(1)	DGPERS-AF DP-AF DDASPGIR  OIC PROM  OIC PROMSPT	Power to promote an enlisted member on a provisional basis.  Power to promote an enlisted member to a non-commissioned rank up to and including the rank of CPL on a provisional basis.  Power to promote an enlisted member to the rank of LAC on a provisional basis.
39(4)	DGPERS-AF DP-AF DDASPGIR OIC PROM OIC PROMSPT	Power to confirm promotion of an enlisted member on compliance with conditions of provisional promotion.
39(5)	DGPERS-AF DP-AF DDASPGIR  OIC PROM	Power to extend a period of provisional promotion of an enlisted member to a period not exceeding 3 years.  Power to extend a period of provisional promotion of an enlisted member up to and including the rank of CPL to a period not exceeding 3 years.
39(6)	DGPERS-AF DP-AF DDASPGIR  OIC PROM	Power to revoke a provisional promotion of an enlisted member.  Power to revoke a provisional promotion of an enlisted member up to and including the rank of CPL.
40(1)(2)(3)	DGPERS-AF DP-AF DDASPGIR  OIC PROM	Power to temporarily promote an enlisted member and to extend the period of temporary promotion or revoke the promotion at any time.  Power to temporarily promote an enlisted member to a rank up to and including the rank of CPL and to extend the period of temporary promotion or revoke the promotion at any time.
41(1)	DGPERS-AF DP-AF	Power to promote an enlisted member to the rank of WOFF for a limited tenure.
41(3)	DGPERS-AF DP-AF	Power to extend a period of limited tenure promotion of an enlisted member.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
42	DGPERS-AF  COS DGPERS-AF  DP-AF  WGCDR PMs DDASPGIR, DDSEAT XO DP-AF  SQNLDR PMs OIC ER (MEC) OIC ER (AS) SEAT1 & SEAT2 SEAT3 & SEAT4  FLTTLT PMs SEAT1A&SEAT1B  WOFF PMs  DDUTW  UTW1 & UTW2	Power to post a member of the Air Force up to and including the rank of AIRCDRE.  Power to post a member of the Air Force Reserve up to and including the rank of GPCAPT.  Power to post a member of the Air Force up to and including the rank of WGCDR.  Power to post a member of the Air Force up to and including the rank of SQNLDR.  Power to post a member of the Air Force up to and including the rank of FLTTLT.  Power to post a member of the Air Force up to and including the rank of WOFF.  Power to post a member of the Air Force up to and including the rank of FSGT.  Power to post a member of the Air Force up to and including the rank of FLTTLT who is not yet part of the trained force.  Power to post a member of the Air Force up to and including the rank of OFFCDT who is not yet part of the trained force.
46(1)	DGPERS-AF DP-AF DDASPGIR  OIC ER (AS) OIC PROM	Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force.  Power to issue a notice proposing to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.
46(2)(3)	DGPERS-AF DP-AF  DDASPGIR	Power to reduce the rank of an enlisted member of the Air Force.  Power to reduce the rank of an enlisted member of the Air Force up to and including the rank of CPL.
47	DGPERS-AF DP-AF  DDASPGIR	Power to cancel the reduction in rank of an enlisted member of the Air Force.  Power to cancel the reduction in rank of an enlisted member of the Air Force up to and including the rank of CPL.
48(4)	DGPERS-AF DP-AF DDASPGIR	Power to grant or refuse an application for voluntary reduction in rank by an enlisted member of the Air Force.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
49(2)	DGPERS-AF  DP-AF  DDASPGIR XO DP-AF, DDFE WGCDR PMs  SADMINO DP-AF FEMGR SQNLDR PMs	Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of WGCDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to extend their appointment for a fixed period or to convert their appointment to an indefinite period.  Power to grant or refuse an application by an officer up to and including the rank of FLTLT to extend their appointment for a fixed period or to convert their appointment to an indefinite period.
49(4)	DGPERS-AF  DP-AF  DDASPGIR	Power to grant or refuse an application by an officer up to and including the rank of GPCAPT to convert their period of appointment for an indefinite period to an appointment for a fixed period.  Power to grant or refuse an application by an officer up to and including the rank of WGCDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.  Power to grant or refuse an application by an officer up to and including the rank of SQNLDR to convert their period of appointment for an indefinite period to an appointment for a fixed period.
50(2)	DGPERS-AF DP-AF DDASPGIR XO DP-AF, DDFE WGCDR PMs SQNLDR PMs SADMINO DP-AF FEMGR	Power to grant or refuse an application by an enlisted member to extend their enlistment for a fixed period or to convert their enlistment to an indefinite period.
50(4)	DGPERS-AF DP-AF DDASPGIR	Power to grant or refuse an application by an enlisted member to convert their period of enlistment for an indefinite period to an enlistment for a fixed period.
51(2)(3)(4)	DGPERS-AF  DP-AF	Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of GPCAPT to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.  Power to appoint an eligible officer or enlisted member of the Air Force up to and including the rank of WGCDR to a specified position for a fixed period, convert the member's appointment or enlistment to a fixed period once the member is appointed to the position and extend the appointment as required.
52(1)	DGPERS-AF DP-AF  WGCDR PMs DDASPGIR, XO DP-AF  DDUTW	Power to transfer a member of the Air Force up to and including the rank of WGCDR to another Service.  Power to transfer a member of the Air Force up to and including the rank of SQNLDR to another Service.  Power to transfer a member of the Air Force up to and including the rank of FLTLT who is yet to enter the trained force to another Service.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
52(2)(b)(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to transfer a member from another Service to the Air Force, up to and including the rank of WGCDR and to specify conditions with which the transferee must comply.
	DDSEAT, DDASPGIR XO DP-AF (Not below WGCDR)	Power to transfer a member from another Service to the Air Force, up to and including the rank of FLTLT and to specify conditions with which the transferee must comply.
53(3)	DGPERS-AF DP-AF (Not below GPCAPT)	Power to determine that a member up to and including the rank of WGCDR transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
	DDSEAT, DDASPGIR XO DP-AF (Not below WGCDR)	Power to determine that a member up to and including the rank of FLTLT transferred from another service under Regulation 52 is not required to comply with a condition or obligation in relation to the member's previous service.
57	DGPERS-AF	Power to accept or refuse the withdrawal of an application made under Regulation 56 from a member of the Air Force up to and including the rank of AIRCDRE.
	COS DGPERS-AF	Power to accept or refuse the withdrawal of an application made under Regulation 56 from a member of the Air Force up to and including the rank of GPCAPT.
	DP-AF	Power to accept or refuse the withdrawal of an application made under Regulation 56 from a member of the Air Force up to and including the rank of WGCDR.
	DDSEAT, DDASPGIR XO DP-AF	Power to accept or refuse the withdrawal of an application made by a member of the Air Force up to and including the rank of SQNLDR under Regulation 56 (a) to transfer from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	WGCDR PMs DDASPGIR, XO DP-AF	Power to accept or refuse the withdrawal of an application made by a member of the Air Force up to and including the rank of SQNLDR under Regulation 56 (b) to transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve.
	WGCDR PMs, DDFE DDASPGIR, XO DP-AF	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of SQNLDR under Regulation 56 (c) to transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR whilst remaining in the equivalent specialisation or mustering.
	DDSEAT, DDASPGIR XO DP-AF, DDFE	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of SQNLDR under Regulation 56 (c) to transfer from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR or RAAFHRSR as applicable whilst remaining in the equivalent specialisation or mustering.
	DDSEAT, DDASPGIR XO DP-AF	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of SQNLDR under Regulation 56 (c) to transfer from one specialisation or mustering to another specialisation or mustering as applicable within the Air Force Reserve.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
57	DDSEAT, DDASPGIR XO DP-AF	Power to accept or refuse the withdrawal of an application made by a member of the Air Force up to and including the rank of SQNLDR under Regulation 56 (d) to transfer from the Air Force Reserve to an equivalent specialisation or mustering in the PAF.
	SEAT1 & SEAT2 SEAT3 & SEAT4	Power to accept or refuse the withdrawal of an application made by a member of the Air Force up to and including the rank of FLTLT under Regulation 56 (a) to transfer from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DDUTW	Power to accept or refuse the withdrawal of an application made by a member of the Air Force who is yet to enter the trained force under Regulation 56 (b) to transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve.
	DDUTW	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve Force who is yet to enter the trained force under Regulation 56 (c) to transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFSr whilst remaining in the equivalent specialisation or mustering.
	SQNLDR PMs	Power to accept or refuse the withdrawal of an application made by a member of the Air Force up to and including the rank of FLTLT under Regulation 56 (b) to transfer from the PAF to an equivalent specialisation or mustering in the Air Force Reserve.
	SQNLDR PMs FEMGR	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of FLTLT under Regulation 56 (c) to transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFSr whilst remaining in the equivalent specialisation or mustering.
	SEAT1 & SEAT2 SEAT3 & SEAT4 FEMGR	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of FLTLT under Regulation 56 (c) to transfer from the RAAFSr to the RAAFAR, RAAFHRAR, RAAFSR or RAAFHRSR as applicable whilst remaining in the equivalent specialisation or mustering.
	SEAT1 & SEAT2 SEAT3 & SEAT4	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of FLTLT under Regulation 56 (c) to transfer from one specialisation or mustering to another specialisation or mustering within the Air Force Reserve.
	SEAT1 & SEAT2 SEAT3 & SEAT4	Power to accept or refuse the withdrawal of an application made by a member of the Air Force Reserve up to and including the rank of FLTLT under Regulation 56 (d) to transfer from the Air Force Reserve to an equivalent specialisation or mustering in the PAF.
	SEAT1A & SEAT1B	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force under Regulation 56 (a) to transfer from one part of the PAF (mustering) to another part of the PAF (mustering).
	UTW1 & UTW2	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force yet to enter the trained force under Regulation 56 (b) to transfer from the PAF to an equivalent mustering in the Air Force Reserve.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
57	UTW1 & UTW2	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force Reserve yet to enter the trained force under Regulation 56 (c) to transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFSrR whilst remaining in the equivalent mustering.
	FLTLT PMs	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force under Regulation 56 (b) to transfer from the PAF to an equivalent mustering in the Air Force Reserve.
	FLTLT PMs	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force Reserve under Regulation 56 (e) to transfer between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFSrR whilst remaining in the equivalent mustering.
	SEAT1A & SEAT1B	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force Reserve under Regulation 56 (c) to transfer from the RAAFSrR to the RAAFAR, RAAFHRAR, RAAFSR or RAAFHRSR as applicable whilst remaining in the equivalent mustering.
	SEAT1A & SEAT1B	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force Reserve under Regulation 56 (c) to transfer from one mustering to another mustering within the Air Force Reserve.
	SEAT1A & SEAT1B	Power to accept or refuse the withdrawal of an application made by an enlisted member of the Air Force under Regulation 56 (d) to transfer from the Air Force Reserve to an equivalent mustering in the PAF.
58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DGPERS-AF	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of AIRCDRE in accordance with Regulation 56 and to determine terms of transfer.
	COS DGPERS-AF	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of GPCAPT in accordance with Regulation 56 and to determine terms of transfer.
	DP-AF	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of WGCDR in accordance with Regulation 56 and to determine terms of transfer.
58(1)(2)(3)(4)(5) (6)(7)(9)(10)	DDSEAT, DDASPGIR XO DP-AF	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of SQNLDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering) in accordance with Regulation 56 (a) and to determine terms of transfer.
	SEAT1 & SEAT2 SEAT3 & SEAT4	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of FLTLT from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering) in accordance with Regulation 56 (a) and to determine terms of transfer.
	SEAT1A & SEAT1B	Power to grant or refuse transfer of an enlisted member of the Air Force from one part of the PAF (mustering) to another part of the PAF (mustering) in accordance with Regulation 56 (a) and to determine terms of transfer.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
58(1)(2)(3)(4)(5) (6)(7)(9)(10)	DDASPGIR XO DP-AF, WGCDR PMs	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of SQNLDR from the PAF to an equivalent specialisation or mustering in the Air Force Reserve in accordance with Regulation 56 (b) and to determine terms of transfer.
	DDUTW	Power to grant or refuse transfer of a member of the Air Force who has not yet entered the trained force from the PAF to an equivalent specialisation or mustering in the Air Force Reserve in accordance with Regulation 56 (b) and to determine terms of transfer.
	SQNLDR PMs	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of FLTLT from the PAF to an equivalent specialisation or mustering in the Air Force Reserve in accordance with Regulation 56 (b) and to determine terms of transfer.
	UTW1 & UTW2	Power to grant or refuse transfer of an enlisted member of the Air Force who has not yet entered the trained force from the PAF to an equivalent mustering in the Air Force Reserve in accordance with Regulation 56 (b) and to determine terms of transfer.
	FLTLT PMs	Power to grant or refuse transfer of an enlisted member of the Air Force from the PAF to an equivalent mustering in the Air Force Reserve in accordance with Regulation 56 (b) and to determine terms of transfer.
58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DDASPGIR XO DP-AF, WGCDR PMs DDFE	Power to grant or refuse transfer of a member of the Air Force Reserve up to and including the rank of SQNLDR between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR, whilst remaining in equivalent specialisation or mustering, in accordance with regulation 56 (c) and to determine terms of transfer.
	DDUTW	Power to grant or refuse transfer of a member of the Air Force Reserve who has not yet entered the trained force between RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR, whilst remaining in equivalent specialisation or mustering, in accordance with regulation 56 (c) and to determine terms of transfer.
	SQNLDR PMs FEMGR	Power to grant or refuse transfer of a member of the Air Force Reserve up to and including the rank of FLTLT between the RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR, whilst remaining in equivalent specialisation or mustering, in accordance with regulation 56 (c) and to determine terms of transfer.
	UTW1 & UTW2	Power to grant or refuse transfer of an enlisted member of the Air Force Reserve who has not yet entered the trained force between RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR, whilst remaining in equivalent mustering, in accordance with regulation 56 (c) and to determine terms of transfer.
	FLTLT PMs	Power to grant or refuse transfer of an enlisted member of the Air Force Reserve between RAAFAR, RAAFHRAR, RAAFSR and RAAFHRSR as applicable or to transfer to the RAAFStR, whilst remaining in equivalent mustering, in accordance with regulation 56 (c) and to determine terms of transfer.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DDSEAT DDASPGIR, XO DP-AF DDFE	Power to grant or refuse transfer of a member of the Air Force Reserve up to and including the rank of SQNLDR from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR or RAAFHRSR, whilst remaining in equivalent specialisation or mustering, as applicable in accordance with regulation 56 (c) and to determine terms of transfer.
	SEAT1 & SEAT2 SEAT3 & SEAT4 FEMGR	Power to grant or refuse transfer of a member of the Air Force Reserve up to and including the rank of FLTLT from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR or RAAFHRSR, whilst remaining in equivalent specialisation or mustering, as applicable in accordance with regulation 56 (c) and to determine terms of transfer.
	SEAT1A & SEAT1B	Power to grant or refuse transfer of an enlisted member of the Air Force Reserve from the RAAFStR to the RAAFAR, RAAFHRAR, RAAFSR or RAAFHRSR, whilst remaining in equivalent mustering, as applicable in accordance with regulation 56 (c) and to determine terms of transfer.
58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DDSEAT, DDASPGIR XO DP-AF	Power to grant or refuse transfer of a member of the Air Force Reserve up to and including the rank of SQNLDR from one specialisation or mustering to another Air Force Reserve specialisation or mustering, as applicable, in accordance with regulation 56 (c) and to determine terms of transfer.
	SEAT1 & SEAT2 SEAT3 & SEAT4	Power to grant or refuse transfer of a member of the Air Force Reserve up to and including the rank of FLTLT from one specialisation or mustering to another Air Force Reserve specialisation or mustering, as applicable, in accordance with regulation 56 (c) and to determine terms of transfer.
	SEAT1A & SEAT1B	Power to grant or refuse transfer of an enlisted member of the Air Force Reserve from one mustering to another Air Force Reserve mustering in accordance with regulation 56 (c) and to determine terms of transfer.
58(1)(2)(3)(4)(5) (6)(7)(8)(9)(10)	DDSEAT, DDASPGIR XO DP-AF	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of SQNLDR from the Air Force Reserve to an equivalent specialisation or mustering in the PAF in accordance with Regulation 56 (d) and to determine terms of transfer.
	SEAT1 & SEAT2 SEAT3 & SEAT4	Power to grant or refuse transfer of a member of the Air Force up to and including the rank of FLTLT from the Air Force Reserve to an equivalent specialisation or mustering in the PAF in accordance with Regulation 56 (d) and to determine terms of transfer.
	SEAT1A & SEAT1B	Power to grant or refuse transfer of an enlisted member of the Air Force from the Air Force Reserve to an equivalent mustering in the PAF in accordance with Regulation 56 (d) and to determine terms of transfer.
63(a)	DGPERS-AF	Power to transfer a member up to and including the rank of WGCDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DP-AF	Power to transfer a member up to and including the rank of SQNLDR from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).
	DDASPGIR	Power to transfer a member up to and including the rank of FLTLT from one part of the PAF (specialisation or mustering) to another part of the PAF (specialisation or mustering).

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
63(b)(c)	DGPERS-AF  DP-AF  DDASPGIR	Power to transfer a member up to and including the rank of AIRCDRE from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.  Power to transfer a member up to and including the rank of WGCDR from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.  Power to transfer a member up to and including the rank of FLTLT from a category of the Air Force Reserves (other than Standby) to the Active or Specialist Reserve or from a category of the Air Force Reserves to the Standby Reserve.
64(4)(b)	DGPERS-AF  DP-AF  WGCDR PMs, DDFE DDASPGIR, XO DP-AF  SQNLDR PMs FEMGR  FLTLT PMs	Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of AIRCDRE after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of WGCDR after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of SQNLDR after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of FLTLT after 5 years service.  Power to accept an application to resign from a member of the Standby Reserve up to and including the rank of an enlisted member after 5 years service.
68(1)	DGPERS-AF  DP-AF	Power to declare a member of the PAF up to and including the rank of WGCDR redundant and transfer the member to the Standby Reserve.  Power to declare an enlisted member of the PAF up to and including the rank of WOFF redundant and transfer the member to the Standby Reserve.
69(1)	DGPERS-AF  DP-AF  DDASPGIR, XO DP-AF DDFE FEMGR  DDUTW	Power to transfer an officer of the Air Force Reserve up to and including the rank of AIRCDRE from one category of the Air Force Reserve to another category of the Air Force Reserve for failure to meet training or other obligations.  Power to transfer an officer of the Air Force Reserve up to and including the rank of WGCDR from one category of the Air Force Reserve to another category of the Air Force Reserve for failure to meet training or other obligations.  Power to transfer a member of the Air Force Reserve up to and including the rank of SQNLDR from one category of the Air Force Reserve to another category of the Air Force Reserve for failure to meet training or other obligations.  Power to transfer an enlisted member of the Air Force Reserve from one category of the Air Force Reserve to another category of the Air Force Reserve for failure to meet training or other obligations.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
70	DGPERS-AF  DP-AF  DDASPGIR, DDFE XO DP-AF	Power to terminate the service of a member in the Standby Reserve up to and including the rank of AIRCDRE.  Power to terminate the service of an officer in the Standby Reserve up to and including the rank of WGCDR.  Power to terminate the service of a member in the Standby Reserve up to and including the rank of SQNLDR.
73	DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of an intention to make an offer of special benefit.
74(2)	DGPERS-AF	Power to give notice to an eligible member up to and including the rank of WGCDR of entitlement to a special benefit should the member agree to transfer to a category of the Air Force Reserve in the initial period specified in the notice.
78(2)	DGPERS-AF	Power to transfer an eligible member up to and including the rank of WGCDR to the Standby Reserve or terminate the member's service in the Air Force should the member decline an offer of special benefit.
82(2)(3)	DGPERS-AF DP-AF  DDASPGIR	Power to terminate the service of a member up to and including the rank of WGCDR where the member provides notification that they propose to become or have become a permanent resident in another country.  Power to terminate the service of a member up to and including the rank of SQNLDR where the member provides notification that they propose to become or have become a permanent resident in another country.
83(2)	DGPERS-AF  DP-AF	Power to issue a document to a member up to and including the rank of WGCDR identifying termination of service as a way in which a redundancy is to be carried out.  Power to issue a document to an enlisted member identifying termination of service as a way in which a redundancy is to be carried out.
85(1)(d)	CDF DGPERS-AF DP-AF DDASPGIR	Having regard to the nature and seriousness of an offence or a service offence an officer is convicted for, power to certify that the retention of the officer is not in the interests of the Defence Force
86	DGPERS-AF DP-AF DDASPGIR	Power to terminate the service of an enlisted member up to and including the rank of WOFF if the member has been absent without leave for a continuous period of more than 3 months.
87(2)	DGPERS-AF DP-AF DDASPGIR  OIC ER (AS) DDUTW  CO 1RTU SADMINO 1RTU	Power to issue a termination notice to an enlisted member of the Air Force for any of the reasons specified in Regulation 87(1)(a)(b)(d)-(j).  Power to issue a termination notice to an enlisted member of the Air Force up to and including the rank of CPL for any of the reasons specified in Regulation 87(1)(a)(b)(d)-(j).  Power to issue a termination notice to an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)-(h).
87(3)(4)	DGPERS-AF DP-AF DDASPGIR  CO 1RTU	Power to terminate the service of an enlisted member of the Air Force for any of the reasons specified in Regulation 87(1)(a)(b)(d)-(j).  Power to terminate the service of an AC undergoing recruit training at 1RTU under Regulation 87(1)(e)-(h).

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
87(2)(3)	DGPERS-AF DP-AF	Power to issue a termination notice and to terminate service of an enlisted member up to and including the rank of WOFF for reasons specified at regulation 87(1)(c).
87(3)	DDASPGIR	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c) where the member does not provide a statement of reasons why they should not be terminated.
87(4)	DGPERS-AF	Power to terminate the service of an enlisted member up to and including the rank of WOFF for reasons specified in Regulation 87(1)(c).
88(2)	DGPERS-AF	Power to refuse a resignation application in accordance with regulation 90 from an officer up to and including the rank of AIRCDRE or grant the application in accordance with regulation 91.
	COS DGPERS-AF	Power to refuse a resignation application in accordance with regulation 90 from an officer up to and including the rank of GPCAPT or grant the application in accordance with regulation 91.
	DP-AF	Power to refuse a resignation application in accordance with regulation 90 from an officer up to and including the rank of WGCDR or grant the application in accordance with regulation 91.
	WGCDR PMs, DDFE DDASPGIR, XO DP-AF	Power to refuse a resignation application in accordance with regulation 90 from an officer up to and including the rank of SQNLDR or grant the application in accordance with regulation 91.
	SQNLDR PMs FEMGR	Power to refuse a resignation application in accordance with regulation 90 from an officer up to and including the rank of FLTLT or grant the application in accordance with regulation 91.
89(2)	DDUTW	Power to refuse a resignation application in accordance with regulation 90 from an officer who is yet to enter the trained force or grant the application in accordance with regulation 91.
	DGPERS-AF COS DGPERS-AF	Power to accept or refuse an application to withdraw an application of resignation from an officer up to and including the rank of GPCAPT.
	DP-AF	Power to accept or refuse an application to withdraw an application of resignation from an officer up to and including the rank of WGCDR.
	WGCDR PMs, DDFE DDASPGIR, XO DP-AF	Power to accept or refuse an application to withdraw an application of resignation from an officer up to and including the rank of SQNLDR.
	SQNLDR PMs FEMGR	Power to accept or refuse an application to withdraw an application of resignation from an officer up to and including the rank of FLTLT.
	DDUTW	Power to accept or refuse an application to withdraw an application of resignation from an officer who is yet to enter the trained force.



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
90(1)(2)(3)(4)(5) (6)(7)(8)	DGPERS-AF	Power to refuse an application to resign by an officer of the Air Force up to and including the rank of GPCAPT.
	DP-AF	Power to refuse an application to resign by an officer of the Air Force up to and including the rank of WGCDR.
	WGCDR PMs, DDFE DDASPGIR, XO DP-AF	Power to refuse an application to resign by an officer of the Air Force up to and including the rank of SQNLDR.
	SQNLDR PMs FEMGR	Power to refuse an application to resign by an officer of the Air Force up to and including the rank of FLTLT.
	DDUTW	Power to refuse an application to resign by an officer who is yet to enter the trained force.
91(1)(3)	DGPERS-AF	Power to grant an application to resign by an officer of the Air Force up to and including the rank of GPCAPT and to specify the date upon which the resignation takes effect.
	DP-AF	Power to grant an application to resign by an officer of the Air Force up to and including the rank of WGCDR and to specify the date upon which the resignation takes effect.
	WGCDR PMs, DDFE DDASPGIR, XO DP-AF	Power to grant an application to resign by an officer of the Air Force up to and including the rank of SQNLDR and to specify the date upon which the resignation takes effect.
	SQNLDR PMs FEMGR	Power to grant an application to resign by an officer of the Air Force up to and including the rank of FLTLT and to specify the date upon which the resignation takes effect.
	DDUTW	Power to grant an application to resign by an officer of the Air Force who is yet to enter the trained force and to specify the date upon which the resignation takes effect.
91(2)	DGPERS-AF DP-AF(Not below GPCAPT)	Power to specify a condition and to not grant an application to resign by an officer of the Air Force up to and including the rank of WGCDR until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.
	DDASPGIR, XO DP-AF (Not below WGCDR)	Power to specify a condition and to not grant an application to resign by an officer of the Air Force up to and including the rank of FLTLT until the officer has complied with that condition or to determine compliance with the condition is no longer necessary.

## SCHEDULE 1

**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**

**WITH EFFECT 18 JANUARY 2011**

COLUMN 1 DEFENCE (PERSONNEL) REGULATION	COLUMN 2 DELEGATE	COLUMN 3 EXTENT OF DELEGATION
95(2)(b)	DGPERS-AF DP-AF WGCDR PMs XO DP-AF DDASPGIR SQNLDR PMs DDFE FEMGR FLTTLT PMs  DDUTW UTW1 & UTW2	Power to determine a lesser period of notice to resign for an enlisted member.          Power to determine a lesser period of notice to resign for an enlisted member who is yet to enter the trained force.
95(3)	DGPERS-AF DP-AF WGCDR PMs XO DP-AF DDASPGIR SQNLDR PMs DDFE FEMGR FLTTLT PMs  DDUTW UTW1 & UTW2	Power to refuse a resignation application in accordance with regulation 97 from an enlisted member or grant the application in accordance with regulation 98.          Power to refuse a resignation application in accordance with regulation 97 from an enlisted member who is yet to enter the trained force or grant the application in accordance with Regulation 98.
96(2)	DGPERS-AF DP-AF WGCDR PMs XO DP-AF DDASPGIR SQNLDR PMs DDFE FEMGR FLTTLT PMs  DDUTW UTW1 & UTW2	Power to accept or refuse an application to withdraw an application for resignation from an enlisted member.          Power to accept or refuse an application to withdraw an application for resignation from an enlisted member who is yet to enter the trained force.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
97(1)(2)(3)(4)(5) (6)(7)	DGPERS-AF DP-AF WGCDR PMs XO DP-AF DDASPGIR SQNLDR PMs DDFE FEMGR FLTTLT PMs  DDUTW UTW1 & UTW2	Power to refuse an application to resign by an enlisted member of the Air Force.          Power to refuse an application to resign by an enlisted member who is yet to enter the trained force.
98(1)(3)	DGPERS-AF DP-AF WGCDR PMs XO DP-AF DDASPGIR SQNLDR PMs DDFE FEMGR FLTTLT PMs  DDUTW UTW1 & UTW2	Power to grant an application to resign by an enlisted member of the Air Force and to specify the date upon which the resignation takes effect.          Power to grant an application to resign by an enlisted member who is yet to enter the trained force and to specify the date upon which the resignation takes effect.
98(2)	DGPERS-AF DP-AF DDASPGIR XO DP-AF (Not below WGCDR)	Power to specify a condition and to not grant an application to resign by an enlisted member of the Air Force until the member has complied with that condition or to determine compliance with the condition is no longer necessary.
99(2)	DGPERS-AF  DP-AF	Power to change the reason for termination of service of a member up to and including the rank of GPCAPT.  Power to change the reason for termination of service of a member up to and including the rank of WGCDR.
100	DCAF	Power to determine training period and training requirements within a training period for Air Force Reserves.
101	DCAF	Power to determine the uniform to be worn and the circumstances in which the uniform is or is not permitted to be worn.
103(2)	DGPERS-AF	Power to confer a right to command on an officer of the Air Force appointed to honorary rank up to and including WGCDR.
104(1)	DGPERS-AF	Power to appoint an enlisted member to the non commissioned rank of FSGT or WOFF as an honorary rank.
104(2)	DGPERS-AF	Power to confer a right to command on an enlisted member of the Air Force appointed to the honorary rank of FSGT or WOFF.

**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
105(1)	<p>DCAF (Not below AVM)</p> <p>DGPERS-AF COS DGPERS-AF</p> <p>DP-AF DDFE</p> <p>DDASPGIR XO DP-AF WGCDR PMs FEMGR</p>	<p>Power to grant a former officer of the Air Force an honorary title related to the officer's former appointment on completion of service.</p> <p>Power to grant a former officer of the Air Force up to and including the rank of AIRCDRE an honorary title related to the officer's former appointment on completion of service.</p> <p>Power to grant a former officer of the Air Force up to and including the rank of WGCDR an honorary title related to the officer's former appointment on completion of service.</p> <p>Power to grant a former officer of the Air Force up to and including the rank of SQNLDR an honorary title related to the officer's former appointment on completion of service.</p>
106	<p>DCAF (Not below AVM)</p> <p>DGPERS-AF COS DGPERS-AF</p> <p>DP-AF DDFE</p> <p>DDASPGIR XO DP-AF WGCDR PMs FEMGR</p>	<p>Power to permit a former member to wear a uniform and specify conditions to which permission is subject.</p> <p>Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of AIRCDRE, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.</p> <p>Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of WGCDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.</p> <p>Power to permit a former member granted an honorary title under DPR 105(1), up to and including the rank of SQNLDR, to wear a uniform other than ceremonial orders of dress on occasions such as parades, funerals, and ANZAC ceremonies.</p>
107	<p>DCAF (Not below AVM)</p> <p>DGPERS-AF</p>	<p>Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of AIRCDRE and revoke permission for a former member to wear a particular uniform.</p> <p>Power to revoke the grant of an honorary title to a former officer of the Air Force up to and including the rank of WGCDR and revoke permission for a former member to wear a particular uniform.</p>
108	<p>DGPERS-AF</p> <p>DP-AF</p>	<p>Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for officers up to and including the rank of GPCAPT.</p> <p>Power to approve entry to service of a foreign country and specify conditions to which an approval is subject for members of the Air Force up to and including the rank of WGCDR.</p>



**SCHEDULE 1**  
**TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION**  
**WITH EFFECT 18 JANUARY 2011**

<b>COLUMN 1 DEFENCE (PERSONNEL) REGULATION</b>	<b>COLUMN 2 DELEGATE</b>	<b>COLUMN 3 EXTENT OF DELEGATION</b>
110(4)	DGPERS-AF  DP-AF  DDASPGIR, XO DP-AF DDSEAT (Not below WGCDR)	Power to determine the seniority of a Chaplain up to and including CHAP DIV 3 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 2 on appointment to the Air Force.  Power to determine the seniority of a Chaplain up to and including CHAP DIV 1 on appointment to the Air Force.

## SCHEDULE 2

### TO AUSTRALIAN AIR FORCE INSTRUMENT OF DELEGATION

WITH EFFECT 18 JANUARY 2011

#### ABBREVIATIONS

<b>Appointment – Abbreviation</b>	<b>Appointment – Long Title</b>
DGPERS-AF	Director General Personnel – Air Force
DP-AF	Director Personnel – Air Force
XO DP-AF	Executive Officer DP-AF
DDASPGIR	Deputy Director Administrative Sanctions, Promotions, Gradings and Internal Review
OIC ER (MEC)	Officer in Charge of Exception Reporting (Medical Employment Classification)
OIC ER (AS)	Officer in Charge of Exception Reporting (Administrative Sanctions)
SADMINO DP-AF	Senior Administrative Officer DP-AF
OIC PROM	Officer in Charge of Promotions
OIC PROMSPT	Officer in Charge of Promotions Support
DDSEAT	Deputy Director Selection, Enlistment, Appointment and Transition
SEAT1	Selection, Enlistment, Appointment and Transition 1
SEAT2	Selection, Enlistment, Appointment and Transition 2
SEAT3	Selection, Enlistment, Appointment and Transition 3
SEAT4	Selection, Enlistment, Appointment and Transition 4
SEAT1A	Selection, Enlistment, Appointment and Transition 1A
SEAT1B	Selection, Enlistment, Appointment and Transition 1B
WGCDR Personnel Managers	Officers posted as WGCDR Personnel Managers within DP-AF (includes DDFE)
SQNLDR Personnel Managers	Officers posted as SQNLDR Personnel Managers within the DP-AF (includes DDUTW and FEMGR)
FLTLT Personnel Managers	Officers posted as FLTLT Personnel Managers within DP-AF
WOFF Personnel Managers	WOFFs posted as WOFF Personnel Managers within DP-AF
DDFE	Deputy Director Flexible Employment
FEMGR	Flexible Employment Manager
DDUTW	Deputy Director Under Training Workforce
UTW1	Under Training Workforce 1
UTW2	Under Training Workforce 2
CO 1RTU	Commanding Officer No1 Recruit Training Unit
SADMINO 1RTU	Senior Administrative Officer No1 Recruit Training Unit

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## DGPERS-AF GUIDELINES 02/16

### MANAGING AND RECORDING SUB-STANDARD PERFORMANCE OR CONDUCT

TOPIC	PAGE
Introduction	3
Aim	3
Scope	4
<b>PART 1 Preliminary Matters</b>	
Air Force approach to Administrative action	6
Risk Management approach to people-centric decision making	6
Concurrent Administrative and Disciplinary/Criminal action	8
Voluntary transfer or resignation when action is pending	8
Transitional arrangements	9
Decision making powers	9
Status of these Guidelines	9
<b>PART 2 Unit Level Management Tools and Administrative Action</b>	
Introduction	10
Counselling	11
Temporary stand-down from duty	17
Formal warnings and censures	19
Management options for consideration	20
<b>PART 3 Administrative Action Requiring PERSBR-AF Involvement</b>	
Introduction	22
Termination of service and reduction in rank	26
Suspension from duty	29
Compulsory transfer, denial or delay of promotion and removal from post	36
Redress of Grievance	46

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## DGPERS-AF GUIDELINES 02/16

### MANAGING AND RECORDING SUB-STANDARD PERFORMANCE OR CONDUCT

#### Introduction

1. Air Force's capacity to deliver air power in support of Australia's interests is contingent on the performance of its personnel. Without properly skilled, experienced, motivated and disciplined personnel Air Force simply cannot achieve its mission. Further, Air Force operates within a fiscally constrained environment—these constraints extend to the size of its workforce. Personnel are a limited—but extremely valuable—resource. To be most effective, we must therefore work to maximise the capability that this limited resource can generate. This means always striving to ensure that personnel perform as optimally as possible and that proper standards of performance and conduct are maintained at all times.
2. When personnel fall below expected performance or conduct standards, whether intentionally or not, Air Force capability suffers. Other members of the team may have to work harder or longer to compensate for under-performing members or because it is untenable for certain members to remain or be placed in positions of trust or authority. Morale and reputation may also suffer and resources may be diverted to address personnel shortcomings. Air Force cannot afford such erosions to its capability. Indeed, allowing capability to be compromised by inaction (or inadequate action) in respect of sub-standard performance or conduct is contrary to Air Force's obligations under the *Public Governance, Performance and Accountability Act 2013* to use resources efficiently, effectively, economically and ethically.
3. It is therefore imperative that commanders and supervisors (and Personnel Branch-Air Force (PERSBR-AF) staff, as applicable) manage situations of sub-standard performance or conduct promptly, fairly and in a manner that considers not just the circumstances of the relevant individual, but the wider Air Force and Defence team to which that individual belongs. To do this effectively, it is inherently necessary for there to be an open and collaborative working relationship between commanders and supervisors (who have first-hand knowledge of and insight into performance and conduct concerns as they develop) and PERSBR-AF staff (who have insight into other relevant facets such as the member's conduct history and workforce planning considerations).

#### Aim

4. These guidelines give effect to CAF's directions and intent in respect of managing sub-standard performance and conduct as outlined in CAF Directive 09/16 by:
  - a. facilitating commanders and supervisors, in conjunction with PERSBR-AF (when required), to take proportionate, fair and timely action to address instances of sub-standard performance or conduct in an efficient and effective manner; and
  - b. enhancing the overall capacity of PERSBR-AF staff to make personnel capability management decisions that are informed by relevant and reliable information relating to personnel performance and conduct dimensions.

## Scope

5. These guidelines are divided into three parts.
  - a. **Part 1: Preliminary Matters.** This part:
    - i. explains Air Force's approach to administrative action
    - ii. recommends a risk management methodology for approaching people-centric decision-making
    - iii. identifies the availability of administrative action when a member is subject to disciplinary or criminal processes and
    - iv. clarifies the status of these guidelines.
  - b. **Part 2: Unit Level Management Tools and Administrative Action.** This part:
    - i. identifies tools (including administrative action) available to commanders and supervisors, at unit level, to encourage or facilitate personnel to improve their performance or correct conduct deficiencies and
    - ii. provides detailed guidance about conducting and recording counselling.
  - c. **Part 3: Administrative Action Requiring PERSBR-AF Involvement.** This part outlines courses of action that commanders and supervisors can take, in conjunction with PERSBR-AF, when:
    - i. personnel are unwilling or unable to improve their performance or meet expected standards of conduct
    - ii. attempts to improve performance or modify conduct have been ineffective or
    - iii. affording improvement opportunities would be entirely insufficient to address the issue(s) of concern.
  - d. These courses of action include:
    - i. termination of service
    - ii. reduction in rank
    - iii. compulsory transfer to a different employment category
    - iv. denial or delay of promotion and
    - v. removal from post.\*

\***NOTE:** Removal from post encapsulates decisions to post a member prior to their ‘planned date out’, for reasons that are not solely related to capability or workforce planning factors, and where the member did not request to be posted. This includes removal from command, removal from position or removal from locality—within Australia or overseas. This ***does not*** include posting for compassionate personal reasons (covered in DI(AF) PERS 3–1—*Posting, Attachment and Temporary Duty—Permanent Air Force*) or temporary movements within the same geographic location (e.g. while an investigation, inquiry or fact finding activity occurs in response to allegations of misconduct).<sup>1</sup>

6. This document ***does not*** provide specific guidance relating to:
  - a. discipline-specific tools under the *Defence Force Discipline Act 1982* (DFDA);
  - b. formal performance appraisal mechanisms within the Air Force Personnel Performance System;
  - c. terminating the services of an officer or enlisted member, who has failed to meet a condition of appointment or enlistment (which may include a period of probation);
  - d. terminating the services of an officer or enlisted member who has been absent without leave for a continuous period of more than 3 months;
  - e. the reduction in rank of an officer or enlisted member who has not met the conditions of his or her appointment or promotion to his or her current rank (which may include a period of probation);
  - f. ending a direction to an officer or enlisted member to act in a higher rank;
  - g. the reduction in rank or termination of an officer or enlisted member because of redundancy in the Defence Force;
  - h. denial or delay of promotion that is unrelated to sub-standard performance or conduct (e.g. situations covered in Air Force Personnel Standing Instructions);
  - i. denial or delay of promotion where this occurs as a necessary consequence of another decision—such as termination of service, reduction in rank or compulsory transfer to a new employment category.
7. The courses of action listed in sub-paragraphs 6(c)-(g) have distinct and separate legislative bases under the *Defence Regulation 2016* (the regulation) and thus different procedural arrangements, which are not covered in these guidelines. For assistance with any of the courses of action detailed at sub-paragraphs 6(c)-(g), guidance should be sought in the first instance from other extant policy,<sup>2</sup> local administrative staff or PERSBR-AF staff.

<sup>1</sup> For information about flexible fact finding processes see *Good Decision-Making in Defence: A Guide for Decision-Makers and Those Who Brief Them* ([http://intranet.defence.gov.au/home/documents/data/DEFPUBS/DEPTMAN/Good\\_Decision\\_Making\\_in\\_Defence/Good%20Decision%20Making%20in%20Defence.pdf](http://intranet.defence.gov.au/home/documents/data/DEFPUBS/DEPTMAN/Good_Decision_Making_in_Defence/Good%20Decision%20Making%20in%20Defence.pdf))

<sup>2</sup> See: MILPERSMAN Part 10, Chapter 5—*Termination of Service in the Australian Defence Force*, and MILPERSMAN Part 5, Chapter 3—*Promotion, Acting Rank and Honorary Rank in the Australian Defence Force*.

## PART 1 PRELIMINARY MATTERS

### Air Force approach to administrative action

8. Administrative actions taken to address sub-standard performance or conduct (as distinct from discipline-specific tools established under the DFDA) are commonly referred to within the ADF as ‘administrative sanctions’. While such ‘sanctions’ are effectively management tools, they often have adverse effects on individuals.

9. To promote clarity, initiating and/or following through with any administrative action (or sanction) is **not** a punishment. The purpose and focus of such action should, in all cases, be protective—functioning to support and enhance the interests of the Air Force and Defence more broadly. When determining whether or not to initiate and/or follow through with any administrative action, commanders and supervisors (and other personnel decision-makers) should focus on the member’s performance and/or conduct in conjunction with the effect of this (either presently, previously, or potentially into the future) on the interests of Air Force.

### Risk-management approach to people-centric decision-making

10. In the past, there has been a tendency for commanders and supervisors (and other personnel decision-makers) to ask themselves whether they should ‘give a chance’ to personnel who have engaged in forms of sub-standard performance or conduct that call into question some or all facets of their continued suitability to serve. Instead, it is recommended that, commanders should frame this question in terms of risk—that is, is it in the interests of the Air Force to ‘take a risk’ in retaining a member (in post, in rank, in employment category or in service) who has engaged in serious or prolonged misconduct or sub-standard performance? When answering this question, commanders and supervisors (and other personnel decision-makers) should consider the following types of risks:

- a. **Safety, health and welfare risks.** Is there potential for the member to engage in future misconduct that might cause physical and/or emotional harm to themselves or others? Could the member’s continued presence in the workplace have a detrimental effect on a victim of the member’s misconduct?
- b. **Legal risks.** Is the proposed action consistent with Air Force’s legal obligations—such as those imposed by anti-discrimination and work health and safety legislation? This includes obligations to take all reasonable action to prevent personnel from engaging in discrimination, and to ensure the health and safety of workers and others, so far as is reasonably practicable.
- c. **Morale risks.** Given the nature and circumstances of their misconduct, would their continued presence adversely impact the morale or social fabric of the section or unit?
- d. **Organisational and operational effectiveness risks.** Is the member’s inability or unwillingness to correct his or her deficiencies unreasonably diverting resources or focus away from unit business or hindering the achievement of operational objectives?



- e. **Capability and financial risks.** These include administrative, capability and other costs associated with any ongoing need to manage the member. For example:
  - i. it may be necessary to de-conflict the postings of a member who has engaged in misconduct and the victim(s) of that misconduct or
  - ii. a member who has engaged in misconduct involving minors may not be suitable for posts in training units or other jobs that involve interacting with young Defence members or children.
  - iii. Do these costs outweigh the benefits of retaining the member in rank, post, employment category, or service?
- f. **Security risks.** Does the nature of the member's conduct indicate that he or she may constitute an insider threat, or be a significant risk to the integrity of personnel, unit or operational security?
- g. **Reputational risks.** Could the reputation of Air Force or Defence be damaged through the member's continued association with Air Force or Defence? Or, could Air Force be said to tacitly condone the member's conduct if action is not taken to denounce it?

11. Approaching decision-making in this way facilitates truly people-centric outcomes. That is, decisions that take into consideration the interests and needs of all the relevant people (including victims of misconduct in some cases) who will be directly and indirectly affected by those decisions—not just the individuals who may be the subjects of the decisions.

12. It is particularly important for commanders and supervisors to adopt this approach to decision-making because it is not possible to create standardised procedures and step-by-step guides that can be applied to every personnel situation that may arise. Previously, more specific direction and guidance was provided in respect of specific types of situations, such as loss of civilian driver's licence or indebtedness. Consistent with the principles of *One Defence* (implementing the First Principles Review), these types of event or situation-specific procedures have now been removed. In lieu, commanders and supervisors are expected to consider each situation according to the circumstances and to apply sound judgment to determine what (if any) action should (or must) occur to manage the prevailing risks and to uphold organisational values and expected standards of performance and behaviour.

### **Concurrent administrative and disciplinary/criminal action**

13. Commanders and supervisors may pursue various administrative actions (whether entirely at unit level or requiring the involvement of PERSBR-AF— or both) even if a member is at the same time subject to disciplinary or criminal action that has not yet been determined. Whether such action is appropriate will depend on the circumstances of the case. Key factors that should be considered before proceeding with such action are outlined in the CAF Message—*Concurrent Administrative and Disciplinary/Criminal Action* (10 Apr 2014) ([http://drnet.defence.gov.au/raaf/NewHorizon/Documents/140212-Concurrent Administrative and Disciplinary-Criminal Actionpdf.pdf](http://drnet.defence.gov.au/raaf/NewHorizon/Documents/140212-Concurrent%20Administrative%20and%20Disciplinary-Criminal%20Actionpdf.pdf)). Which reads in part:

Recently, I have been made aware that some Commanders may believe that administrative action cannot be taken with respect to a member if disciplinary or criminal action is being contemplated or undertaken. That view is incorrect. If, as a result of allegations of inappropriate behaviour or serious misconduct, disciplinary or criminal action is being contemplated or undertaken in relation to personnel under your command, you can, and should, consider taking administrative action, where appropriate.

14. Commanders and supervisors are strongly encouraged to routinely consider concurrent action in the course of managing personnel situations, but should take care to ensure that any action taken does not prejudice an investigation or potential prosecution. This will often involve detailed consultation with investigative authorities (internal or external to Defence) and other specialist officers. Engaging with PERSBR-AF staff early (for example once an ADFIS Brief of Evidence has been received and assessed) may also be needed to ensure that concurrent administrative action, if warranted, occurs expeditiously.

15. Commanders and supervisors should also be aware that it is legally possible to compulsorily extend a member's period of service to ensure that a process under the DFDA is completed before the member's period of service ends. Contact PERSBR-AF ([ASMR](#)) if it becomes evident that this action may be warranted.

### **Voluntary transfer or resignation when action is pending**

16. In many instances it is highly desirable for action relating to sub-standard conduct or performance to be resolved before a member's period of service ends. This facilitates accurate and complete records to be kept in respect of the member's service and, if relevant, ensures that personnel are properly held to account for their actions. While each case must be determined according to its merits, it will often be unlikely that a member who has requested to end their period of service in the permanent force and transfer to the Reserves, or to leave the Air Force entirely, will be permitted to do so until any conduct or performance related action has been finalised. Accordingly, commanders and supervisors should take steps to manage the expectations of members if such applications are received.

## **Transitional arrangements**

17. On 01 October 2016, the regulation took effect, replacing the *Defence (Personnel) Regulations 2002*. In accordance with section 85 of the regulation, the *Defence (Personnel) Regulations 2002* continue to apply to any process that was commenced under those regulations before they were repealed. As such:

- a. any termination notice or rank reduction notice that was issued under the *Defence (Personnel) Regulations* before 01 October 2016 will be determined in accordance with those regulations and
- b. any decision in respect of compulsory transfer, denial or delay of promotion or removal from post, irrespective of when it was proposed, will be determined in accordance with the new regulatory and policy framework outlined in these guidelines.

## **Decision making powers**

18. Notwithstanding that all legislatively based decisions are now enacted by the Chief of the Defence Force (CDF) and his delegates, with the commencement of the regulation, a range of actions have been removed from legislation and are now guided by policy and decided by persons authorised by CAF as a matter of command discretion on behalf of CDF. Given that it may not be obvious which personnel decision making powers are made by CDF Delegates and which are made by CAF Authorised Persons, Annex A summarises this information.

## **Status of these guidelines**

19. These guidelines are intended to provide practical procedural guidance to ADF personnel (in particular commanders and supervisors and the staff who support them) about specific options for managing sub-standard performance and conduct of RAAF personnel. In particular, they are designed to promote and facilitate an efficient and fair approach. The guidance contained in this document is therefore intended to be applied in a flexible and common sense way—as particular circumstances and good judgment dictate.

20. These guidelines are also intended to reflect, and provide basic information about, the law as it is relevant to certain personnel decisions. These guidelines are not intended, of themselves, to provide or create substantive or procedural rights for individuals about whom certain personnel decisions may be made. It is therefore not legitimate to expect that the guidance in this document will be followed in every circumstance. It is similarly not legitimate to expect that a commander or supervisor will give a member notice in advance if he or she chooses not to apply the guidance in this document.

## **PART 2**

### **UNIT LEVEL MANAGEMENT TOOLS AND ADMINISTRATIVE ACTION**

#### **Introduction**

21. Much like any other aspect of unit business, effectively managing personnel situations inherently requires commanders and supervisors to use available information to assess the circumstances and then determine which (if any) course of action is most likely to achieve the desired end state. The flow diagram at annex B provides an overview of how personnel management situations might be approached, including a reflection of the options that might be available.

22. In some situations there may only be one serious incident that has occurred, in others there may be several lower level incidents, or a plethora of more minor incidents—or even a mixture of all of these. Reflecting the wide diversity of the situations that may arise, commanders and supervisors have a wide range of tools and administrative action options that can be applied to respond to performance or conduct issues, some of which may be pursued entirely at unit level. These include:

- a. counselling
- b. corrective training
- c. use of formal performance appraisal tools (including goal setting)
- d. applying formal warnings or censures
- e. temporary stand-down
- f. administrative suspension from duty
- g. disciplinary options under the DFDA (including suspension from duty during investigation, or following charge or conviction)
- h. arranging welfare support mechanisms such as chaplaincy, Defence Community Organisation, or legal (where the issue of concern is connected with the member's service)
- i. engaging with medical and/or psychology services
- j. undertaking mediation or alternative dispute resolution processes
- k. exploring the suitability of the member to apply to undertake flexible working arrangements
- l. exploring the utility of the member applying for a posting on compassionate grounds (currently referred to as preferential treatment in relation to airmen);
- m. targeted testing under the Prohibited Substance Testing Program (PSTP) established under Part VIIIA of the *Defence Act 1903*



- n. alcohol testing or
- o. referring the matter to Australian Government Security Vetting Agency (AGSVA) for a security clearance review (including when mandatorily required to report changes in a clearance holder's circumstances, such as excessive indebtedness).
23. Notably, these tools and administrative action options are not within the exclusive control of units. Rather, they may also be directed or applied through higher command levels, or (in some instances) through PERSBR-AF.
24. In addition to these actions, commanders may initiate higher level administrative action at the unit level, with decisions to take the proposed actions made within PERSBR-AF. These courses of action are explained in detail in **Part 3** of this document.
25. Sometimes, it will be necessary to gather more information before it's reasonable to pursue a course of action (as reflected on the flow diagram at annex B). This can be done in a variety of ways using flexible fact finding processes,<sup>3</sup> inquiries under the *Defence (Inquiry) Regulations 1985* or disciplinary investigations under the DFDA. Naturally, it is not necessary to have every last detail about a situation before commencing a course of action. Rather, commanders and supervisors should balance the available information against what might still be unknown about the situation, consider how easily further details could be gathered (including the likely time and resources required to do so), and whether the additional information is likely to significantly aid their capacity to choose a sound course of action. Importantly, most courses of action can be 'tested and adjusted' if new information becomes available indicating that a different course of action would be better. A risk of acting too early is that staff work may be incurred to adjust the course of action. Conversely, delaying action may impact negatively on the workplace or, if the delay is sufficiently great, cause injustice to the member or result in sub-optimal outcomes for Air Force.
26. There will also be situations in which commanders or supervisors could benefit from seeking specialist advice before acting. This may include support from Personnel Capability Officers (PCOs) in the first instance or health practitioners (medical or psychology), their command legal officer or relevant PERSBR-AF staff. Where in doubt as to whom to consult with within PERSBR-AF, commanders and supervisors should contact Exception Reporting (Administrative Sanctions) (ER(AS)) staff (within ASMR-DP-AF) in the first instance.
27. Ultimately, each situation needs to be addressed according to its particular facts and circumstances. This requires commanders and supervisors to exercise sound judgment, guided by values-based decision-making principles, to respond proportionately, fairly and swiftly.
28. The following sections provide guidance about: counselling; temporary stand-down; formal warnings and censures; and where to locate further information about other tools available at unit level to address sub-standard performance or conduct.

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<sup>3</sup> For information about flexible fact finding processes see *Good Decision-Making in Defence: A Guide for Decision-Makers and Those Who Brief Them* ([http://intranet.defence.gov.au/home/documents/data/DEFPUBS/DEPTMAN/Good Decision Making in Defence/Good%20Decision%20Making%20in%20Defence.pdf](http://intranet.defence.gov.au/home/documents/data/DEFPUBS/DEPTMAN/Good%20Decision%20Making%20in%20Defence.pdf))

## Counselling

29. Counselling, whether documented or not, is a method through which commanders and supervisors provide personnel with clear direction, correction or guidance relating to performance or conduct (including attitudes). It is not, and should not be approached or interpreted as, a formal 'consequence', 'penalty' or 'sanction'. Indeed, counselling need not always relate to a member's deficiencies—but can also encompass encouragement or guidance given to high performing members about opportunities to challenge and extend themselves with a view to maximising their potential. As such, records of counselling can assist with the preparation of Personnel Performance Reports (PPRs) and in the preparation of nominations for honours and awards for high performing personnel.

30. Commanders and supervisors at all levels have the authority (by virtue of rank and/or position) to counsel direct subordinates (and in some cases, other personnel) and should do so as a matter of good leadership and management.

31. Prior to its revocation DI(AF) PERS 4–19—Administrative Sanctions in the Royal Australian Air Force, made a distinction between 'formal' and 'informal' counselling. Formal counselling was considered a 'sanction' and documented in writing on form OC097 Record of Conversation (ROC) according to a specified procedure, whereas informal counselling was not a 'sanction' but rather unrecorded and ad hoc in nature. With the revocation of DI(AF) PERS 4–19 in July 2016, this distinction no longer exists, there are no formal procedures that must be adhered to when conducting or recording counselling, and counselling is no longer characterised as a 'sanction'.

32. **Conducting counselling.** No specific procedures are mandated for the conduct of counselling. Rather, this is entirely a matter for the judgment of the relevant commander or supervisor. This is expanded on below:

- a. **Communication mode.** Where possible, it is recommended that counselling occur in-person. However, counselling can occur through any communication method that a commander or supervisor considers appropriate in the circumstances. For example, where a member is working remotely or is otherwise absent from the normal workplace, counselling by telephone or email may be appropriate.
- b. **Privacy considerations.** Commanders and supervisors should be sensitive to the nature of the counselling to be conducted, particularly as concerns the privacy of the member being counselled. These privacy considerations do not prevent a commander or supervisor from having a witness present during a counselling session.
- c. **Style and tone.** While counselling should always be conducted respectfully, the manner of its delivery may vary according to the issues being addressed and the commander or supervisor's desired outcome. In some circumstances a conversational approach in which the member has opportunity to put forward his or her views or opinions may be appropriate. Other circumstances may, warrant a more directive, one-way, approach.
- d. **Support.** As a matter of good practice, commanders and supervisors should allow a member who is being counselled to have a support person present, if this is the member's preference. The support person should not, however, interfere with the counselling, for example by acting as an advocate for the counselled member.

- e. **Content.** The content of counselling will be, by its very nature, highly variable. In circumstances where performance improvement or conduct modification are the objective of the counselling, commanders and supervisors may wish to cover the following points (as relevant):
- i. the performance deficiency or conduct of concern
  - ii. the standard that the member is required to meet and the timeframe in which this is to occur
  - iii. any support that the member can access, or that has been arranged, to assist him or her to meet the standard and
  - iv. the anticipated next step if the required performance improvement or conduct modification does not occur.
33. **Recording counselling.** The primary objective of documenting counselling is to create a record that informs personnel-related decision-making and thus facilitates the proper management of members, consistent with the interests and capability needs of the Air Force.
34. Records relating to counselling contribute to Air Force's 'corporate memory' and situational awareness about the strengths and weaknesses of its personnel. This is vital to proper personnel management especially because the Air Force has a highly mobile workforce—with postings, deployments and leave periods being a routine feature of service. Without such records, Air Force's ability to address undesirable or unacceptable patterns of conduct or performance—or similarly, to pinpoint its highest performers—is limited. Indeed, situations can arise in which issues regarding performance or behaviour have not been documented when they have occurred and, some time later, when the issues have escalated or not been rectified, it can be extremely difficult to take action that reflects the entirety of the situation. This erodes Air Force's ability to ensure that the right people with the right skills and values are in the right positions at the right times and consequently undermines Air Force capability.
- a. **When to document counselling.** It is neither practical nor necessary for commanders and supervisors to document every communication in which counselling may have occurred. However, given the value of such records, commanders and supervisors should document counselling activities when doing so would support, or otherwise be beneficial to, Air Force's capacity to manage its personnel—both on a day-to-day basis at unit level, and more holistically from a personnel capability management perspective. If a record is created, this should occur as close in time as possible to the counselling to which it relates.
- b. **What to record.** Details relating to counselling that are important to capture include:
- i. the name, rank and Employee Identification (EMPLID) of the member being counselled
  - ii. the name, rank and EMPLID of the commander or supervisor
  - iii. the name(s), rank(s) (if applicable) and EMPLID of any support person(s) or witness(es) present during the counselling;
  - iv. the date and time of the counselling;

- v. the content of the counselling (including issues raised and any direction or guidance provided);
  - vi. the date on which the record was created; and
  - vii. the location or mode of counselling (ie whether the counselling occurred face-to-face, via telephone, in writing—or a mix of these modes).
- c. Generally, the level of detail captured in the record should reflect the seriousness of the issue or the likely importance of the information to the overall management of the member presently and potentially into the future.
- d. **How to create a record.** No specific format or procedure must be adhered to when documenting counselling. In some situations, a diary note about a conversation that serves as a mental refresher for the commander or supervisor may be sufficient. In other circumstances, an email to the member following up a conversation that occurred (documenting the commander or supervisor's contemporaneous recollection of the issues raised and direction or guidance given) may be appropriate. Alternatively, a commander or supervisor may wish to use form OC097 Record of Conversation (ROC). Choosing between available recording options is a matter of judgment for the commander or supervisor.
- e. When documenting counselling activities, commanders and supervisors should be mindful that the utility of such records is strongly linked to the accuracy, clarity and reliability of those records. As such, it is important to create counselling records as soon as is reasonably possible after the counselling has occurred. To assist in this regard, it is open to a commander or supervisor to make an audio recording of the counselling. This can be used to facilitate the generation of an accurate written record, or to verify the accuracy of the written record if questions subsequently arise. That is, the audio recording should not be a substitute for a written record. Importantly, the written record does not need to be a verbatim transcript of the recording—a summary of the relevant content of the counselling (as captured by the audio recording) is generally sufficient. As the creation of accurate records is in the interests of both the Air Force and the member, counselling that is audio recorded should not be characterised as being adverse to the member's interests solely because it is audio recorded. If counselling is audio recorded, the commander or supervisor must do so openly and with the knowledge of the member—noting that it is often unlawful to make covert audio recordings. It is not necessary for the member to consent to the audio recording being made. Any audio recording generated should be filed with the associated written record.
- f. In some situations, commanders and supervisors may wish to request the counselled member (or any other person who was present) to verify that a written record (in whatever format) accurately reflects the member's understanding of the counselling that occurred. Situations that may warrant this could include those where: serious or complex incidents or conduct are involved, the member may not agree with the counselling, the counselling relates to conduct or performance that has occurred multiple times, or the commander or supervisor envisages that the performance or conduct concerned may need to be addressed through a more serious course of action.



- g. **Where to store the record.** Counselling records (except diary notes that are only used as a mental refresher) should be stored electronically on the relevant member's Unit Personnel Record (UPR). If a commander or supervisor wishes to use a diary note relating to counselling other than as a mental refresher, he or she should enter a copy of the relevant record onto the member's UPR. All members must be provided with access to any and/or all counselling records on their own UPR upon request, consistent with the requirements of the *Privacy Act 1988* (Australian Privacy Principle 12) and Part III of the *Freedom of Information Act 1982*.
- h. **Disputed records.** There is no requirement for a counselled member to 'agree' that the conducted counselling was warranted, or that the record of that counselling is accurate before such a record is filed on the member's UPR. If a member disagrees with the accuracy of a record, or the basis of the counselling itself, he or she should raise this in the first instance with the commander or supervisor who conducted the counselling. If the member's concerns remain unresolved, he or she should request to submit an addendum to the counselling record (i.e. information that is added to the original record) documenting his or her concerns. Any addendum submitted by a member must be added to the original record consistent with the requirements of the *Privacy Act 1988* (Australian Privacy Principle 13) and Part V of the *Freedom of Information Act 1982*—unless a specific (and narrow) exception applies. (Legal advice should be sought before relying on this legislative exception.) The commander or supervisor who conducted the counselling should be informed of any addendum made to the original record.
35. **Use of and access to counselling records.** Much like other personal information held and managed by Air Force, counselling records must be handled consistent with the requirements of the *Privacy Act 1988*.
- a. **Access.** Members must be permitted to access counselling records that relate to themselves at any time upon request, consistent with the requirements of the *Privacy Act 1988* (Australian Privacy Principle 12) and Part V of the *Freedom of Information Act 1982*. Counselling records relating to a particular member may also be accessed by any person in Defence who has a legitimate role or involvement in the management or administration of that member, or in the resolution of any complaint that the member may have made. Irrespective of where the record was created, this includes (but is not limited to) the member's immediate supervisor, any person above the supervisor in the member's chain of command, unit support staff in the member's current unit and relevant PERSBR-AF staff.
- b. When accessing counselling records members should be aware that although such documents contain personal information about themselves, the records are not their personal documents. That is, the documents are 'Commonwealth records' for the purposes of the *Archives Act 1983* and their content is protected by the *Crimes Act 1914*. Notably, section 70 of the *Crimes Act 1914* makes it an offence to disclose Commonwealth documents without authority to do so. This provision has the effect of limiting the extent to which such records may be released—whether internally or externally to Defence. That is, a member who has access to his or her own counselling records may not freely distribute the records to any person.

- c. Rather, access to counselling records is provided to members, on an ongoing basis, as a Commonwealth officer. Consistent with the requirements of section 70 of the *Crimes Act 1914*, those records can only be further released by a member if he or she has specific authority to do so. For the sake of clarity, a member should normally be permitted to provide these documents to a support person (e.g. a legal officer, medical practitioner, psychologist or other treating medical professional) who may be assisting him or her. If disclosing these documents to any such support person, the member can be directed to explain to that support person that the information is disclosed on a confidential basis and instruct the support person to not further disclose the information to any other person.
- d. **Use.** Consistent with Air Force's obligations under the *Privacy Act 1988*, counselling records must only be used for the purpose for which they were created—that is, in aid of discharging Air Force's personnel management functions (such as administration, training and career management)—unless certain limited exceptions apply. These functions, which are listed in the Privacy Statement in MILPERSMAN Part 1, Chapter 4—*Military Personnel Policy Manual Privacy Statement* include (but are not limited to):
  - i. career management and operational decision-making processes for transfers, postings, exchanges, operations and separations
  - ii. performance management and selection processes for promotion
  - iii. training and recognition of prior training
  - iv. considering or taking management action such as initiating or imposing a formal warning or censure, denial or delay of promotion, removal from position or locality, reduction in rank or termination of service
  - v. administration of honours and awards
  - vi. administration of identity tags, licences, passports, visas and access to weapons
  - vii. consideration of medical information relating to career management and operational decision processes
  - viii. workers' compensation claims administration, rehabilitation management and/or management of injured or ill personnel pursuant to the *Military Rehabilitation and Compensation Act 2004*, *Veterans Entitlement Act 1986* and *Safety Rehabilitation and Compensation Act 1988*
  - ix. initiating and undertaking inquiries or fact finding activities in accordance with Defence administrative procedures (including inquiries under the *Defence (Inquiry) Regulations 1985*) into matters associated with or coincidental to the management of personnel
  - x. reviewing decisions, acts or omissions for the purposes of considering a Redress of Grievance under Part 7 of the *Defence Force Regulation 2016*
  - xi. maintaining military discipline under the DFDA

- xii. assessing suitability for security clearances and other requirements of the *Defence Security Manual*
  - xiii. support to reviews such as the Defence Abuse Response Task Force, Royal Commissions etc.
- e. Legal advice should be sought if a counselling record may need to be used for a secondary purpose (i.e. for a purpose that does not support the discharge of Air Force's personnel management functions).
- f. Before using or relying upon a counselling record, commanders and supervisors should assess the record's relevance and reliability in relation to the intended action—this includes identifying when the counselling occurred and when the record was created. Commanders and supervisors should keep in mind that the relevance of counselling records that document sub-standard performance or conduct to personnel decision-making generally decreases with time. This is particularly the case where the member in question has had no (or only minimal and minor) further lapses in performance or conduct in the intervening period. Commanders and supervisors should also take into consideration any addendums to the counselling record that the member may have submitted.

36. **Connecting counselling and performance appraisal.** Formal performance assessments need not (and practically cannot) cover every instance of counselling that may have been undertaken in respect of a member in any reporting period. However, a key characteristic of proper personnel management is consistency. Commanders and supervisors should take into consideration any counselling that they (or others) may have conducted with the member during the reporting period when assessing the member against each performance dimension. That is, a commander or supervisor should not write a glowing PPR if a member has been counselled about sub-standard performance or conduct during the reporting period.

37. To that end, commanders and supervisors may find it useful to review any counselling records relating to matters addressed during the reporting period that may be on a member's UPR prior to preparing the member's PPR. Counselling records may also assist the commander or supervisor to explain or rationalise elements of his or her assessment of the member in the event that the member elects to represent against the PPR.

### **Temporary stand-down**

38. The existence of formal administrative and disciplinary suspension mechanisms (explained in Part 3) does not curtail the inherent power of a commander to temporarily stand-down personnel either individually or collectively when it is reasonably necessary to do so, in the context of the needs or interests of the workplace or Defence Force.

39. Notably, in the context of managing sub-standard performance or conduct, it is permissible for commanders to temporarily stand-down personnel in situations where it is untenable for the member to remain in the workplace, but where formal suspension mechanisms may not be available. For example:

- a. Where a member has been accused of harassment or bullying it may be necessary to separate the complainant(s) from the respondent to mitigate risks to the safety and welfare of all concerned while fact finding is undertaken. If a local solution isn't immediately evident that would satisfactorily adjust working locations or arrangements, it may be necessary to temporarily stand down the respondent for a short period while appropriate arrangements can be made.
- b. Where a member is under investigation for a service offence, the DFDA provides that an authorised officer may suspend the member from duty.<sup>4</sup> The power is, however, limited to situations in which the authorised officer has ordered an investigation into the alleged offence. As such, suspension under the DFDA is not available when a member is under investigation by civilian police. In some circumstances it may be necessary to temporarily stand-down a member from duty who is under investigation by civilian police, to determine how to best manage the risks (if any) that that situation poses to the workplace or the Defence Force.

40. From a procedural standpoint, it is recommended that a commander affords an opportunity for the member to be heard about the proposed temporary stand-down and to engage with the commander's reasons for the proposed action before being stood down. The manner in which this is done is at the discretion of the commander, but can be as simple as a verbal discussion with the member in which the temporary stand-down is proposed and the reasons for it explained, with the member having an opportunity to comment, and the commander making a decision immediately upon completion of the discussion.<sup>5</sup> Commanders should ensure that any decision to temporarily stand-down a member (including any direction to return to duty) is documented and filed with any records relating to the situation, and on the member's UPR.

41. Temporary stand-downs under the auspices of the command power should always be with full pay, short in duration (typically not exceeding 7 days), reasonably necessary in the context of the needs or interests of the workplace or the Defence Force. When considering the interests of the workplace or the Defence Force, commanders are strongly encouraged to apply a risk-management approach to facilitate people-centric outcomes, as described at paragraph 10. This includes considering the interests and needs of all the relevant people (including victims of alleged misconduct in some cases) who may be directly or indirectly affected by the circumstances—not just the individual(s) who may be temporarily stood down.

42. Commanders should seek specialist advice from a legal officer before temporarily standing down a member for reasons relating to sub-standard performance or conduct, whether actual or alleged.

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<sup>4</sup> DFDA, s 98(2)

<sup>5</sup> All normal record generation and filing requirements continue to apply, consistent with Defence's obligations under the *Archives Act 1983* and related policy.



## Formal Warning and Censure

43. Tri-Service policy relating to formal warnings and censures is located in MILPERSMAN, Part 9, Chapter 1—*Formal Warnings and Censures in the Australian Defence Force*. The following guidance is supplementary to, and consistent with the intent of, this policy and not intended to replace or be a substitute for it.

44. **Levels of severity.** Consistent with current CAF authorisations, a formal warning can be imposed from within a member's chain of command or supervision or from within PERSBR-AF. While it has previously been understood that a formal warning imposed from within PERSBR-AF carried greater weight or severity, this is no longer the case. Rather, the gravity of a formal warning is determined by the conduct to which it relates, rather than the identity or position of the imposing authority. Importantly, whilst different in character, a censure is generally considered to be a more serious sanction than a formal warning and in some cases may be imposed where a member has not responded appropriately to a formal warning.

45. **Duration.** Formal warnings, once imposed, cannot be extended in duration. At the time of imposition, the allocated time period should be one that is considered appropriate for the member to demonstrate the required improvement or remediation. Where more time is required to adequately respond to a formal warning and more serious administrative action is not contemplated at that time, a further period of warning may be initiated and imposed in accordance with the procedures promulgated in MILPERSMAN, Part 9, Chapter 1—*Formal Warnings and Censures in the Australian Defence Force*. If a member is unable to meet the stipulated requirements of their formal warning for reasons outside their control (including medical), the imposing authority should either cancel the formal warning or release the member early from the formal warning. Unlike a formal warning, a censure is not a remedial tool. Instead, it stands as a permanent record of admonishment and notice that further unsatisfactory conduct, at any time, would normally prompt separate consideration of the appropriateness of termination or rank reduction. Given that a censure is an enduring sanction, there is no scope to release a member from a censure.

46. **Record Keeping.** Once a formal warning or censure is imposed, it must be recorded as set out in MILPERSMAN Part 9, Chapter 1—*Formal Warnings and Censures in the Australian Defence Force*, as outlined below:

- a. it is to be inserted onto PMKeyS under the heading 'Manage Labour Relations' via the Conduct Reporting and Tracking System. Refer to DI(G)ADMIN 10–8—*Conduct Reporting and Tracking System* for further information.
- b. a copy is to be sent to DP-AF, specifically, the DP-AF ER-AS group mailbox ([Admin Sanctions Air Force](#)). This is to include a copy of the notice, all evidence relied upon, the member's response and the formal warning or censure decision itself.
- c. a copy is to be kept on the Air Force Unit Personnel File (UPR).
- d. the issue that led to the formal warning or censure, the sanction and any improvement should be raised in the member's performance reporting.

47. Consistent with the requirements of the *Archives Act 1983*, records must still be kept even if an Initiating Authority decides to not refer the matter to the Imposing Authority after considering the member's response to the Notice. This documented decision is to be filed with the Notice and member's response for future consideration and informed decision making should issues arise again in the future. The appropriate file for this to be stored is the UPR. The same record keeping process occurs if the Imposing Authority decides no further action, counselling or to initiate another sanction as an outcome.

48. **Why this record keeping important.** Retaining formal warnings or censures 'off file', solely at unit level generates several issues including:

- a. the consequences of the formal warning or censure may not be able to be fully implemented;
- b. personnel decision-makers within PERSBR-AF may be unable to make fully informed decisions relating to proposed courses of action such as termination, reduction in rank, compulsory transfer, denial or delay of promotion or removal from post because they do not have do not have a full picture of a member's past or current conduct or performance;
- c. Career Managers may also be unable to make fully informed decisions relating to matters such as postings (including expression of interest and representational positions) because they do not have do not have a full picture of a member's past or current conduct or performance;
- d. Promotion Boards may not be able to make fully informed decisions and may have to be reconvened if it becomes known that the member was subject to a formal warning or censure, thus potentially altering the promotion outcomes for the entire cohort; and
- e. commanders and supervisors (future or current) may not have all the relevant information that they need to properly decide on the most appropriate action when responding to future instances of sub-standard conduct or performance.

### Management options for consideration

49. Extant policies for other management options are unaffected by these guidelines. Commanders and supervisors should continue to apply available guidance in relation to each option as outlined below:

- a. **Corrective training.** MILPERSMAN Part 9, Chapter 2—*Corrective Training*.
- b. **Performance appraisal tools.** DGPERS-AF Policy Directive 3/2015 (R21742621) in conjunction with the Personnel Performance Report Guidance Booklet.
- c. **Disciplinary options.** ADFP 06.1.1. *Discipline Law Manual*, Volume 3.
- d. **Chaplaincy support.** Refer to local Chaplain or see Defence Chaplaincy Manual (CHAPMAN).

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21

- e. **DCO support.** [http://www.defence.gov.au/dco/How\\_to\\_use\\_DCO.htm](http://www.defence.gov.au/dco/How_to_use_DCO.htm). See also: AC698 *Official Request for Defence Community Organisation Support* or call 1800 624 608.
- f. **Member legal assistance.** Refer to command legal officer or see DGADFLS Directive 1/14 (Interim)—*Legal Aid & Legal Assistance* (8 Dec 14) (<http://drnet.defence.gov.au/AssociateSecretary/DLD/LegalResources/Pages/Internal%20Directives.aspx>).
- g. **Medical / psychological support.** Refer to local Senior Medical Officer, Health Centre Manager, or web form PM008. See also regional Member Support Coordinator for assistance with Individual Welfare Boards (<http://drnet.defence.gov.au/raaf/DPAF/ASMRMSCO/MSCO/Pages/Command-Focus-Groups-Individual-Welfare-Boards.aspx>).
- h. **Mediation / Alternative Dispute Resolution.** Refer to regional Dispute Resolution Practitioner or: <sup>S47E(d)</sup> Further information is at: <http://drnet.defence.gov.au/People/ComplaintResolution/Pages/Alternative-Dispute-Resolution.aspx>.
- i. **Flexible Working Arrangements.** MILPERSMAN Part 7, Chapter 6—*Flexible Work Arrangements for Members of the Australian Defence Force*.
- j. **Preferential Treatment posting.** DI(AF) PERS 3–1—*Posting, Attachment and Temporary Duty—Permanent Air Force*.
- k. **PSTP target testing.** DI(G) PERS 15–5—*Management of the use or involvement with prohibited substances in the Australian Defence Force*.
- l. **Alcohol testing.** DI(G) PERS 15–4—*Alcohol testing in the Australian Defence Force*.
- m. **AGSVA referral.** DI(G) ADMIN 45–2—*The reporting and management of notifiable incidents*. See also: *Defence Security Manual*, Part 2:20; and AGSVA form SVA003—*Change of Circumstances Notification*.

### **PART 3**

## **ADMINISTRATIVE ACTION REQUIRING PERSBR-AF INVOLVEMENT**

### **Introduction**

50. Invariably, situations arise in which unit-level management mechanisms (such as those identified in Part 2) are ineffective or inadequate to address performance deficiencies or conduct of concern. In such situations, commanders and supervisors may need to consider a course (or courses) of action that would require the involvement of PERSBR-AF to implement such as:

- a. removal from post;\* (The note to paragraph 5(d) explains this term)
- b. compulsory transfer to a different employment category;
- c. denial or delay of promotion;
- d. reduction in rank; or
- e. termination of service.

51. Commencing a process that may result in an aspect of a member's service being involuntarily changed or terminated, is a serious undertaking. Members affected by such action often find the process confronting, stressful and potentially threatening to their career aspirations, personal or family preferences, or financial situation. Further, depending on a member's reaction, his or her performance, conduct or morale may decline, and this may adversely affect others around the member or unit cohesion. These possible—and very personal—effects on members may make it unpalatable for commanders or supervisors to pursue such types of action. However, it is of fundamental importance to Air Force capability that commanders and supervisors identify those situations in which taking such action is in the best interests of the Air Force, including where it is necessary to address the safety and well-being of the member or others.

52. As commanders and supervisors have day-to-day contact with and oversight of members, they are often better placed than PERSBR-AF to identify when management action is necessary, and to initiate such action in a timely manner. Commanders and supervisors taking proportionate, fair and timely management action when warranted is a critical function of personnel management. Further, it demonstrates good and responsible leadership and the application of Air Force and Defence values, particularly, courage, integrity, professionalism and excellence.

53. **Process overview.** Once a commander or supervisor has identified that one (or more) of the courses of action listed at paragraph 50 should be pursued then a dialogue will need to occur with the member concerned and PERSBR-AF to commence (or initiate) the proposed course(s) of action. In the majority of cases, this dialogue will involve putting the member on notice (often in writing) that a particular course of action is proposed, giving the member an opportunity to respond, and passing the information (records reflecting the proposed action and the member's response, if any) to PERSBR-AF for decision.



54. This dialogue serves two key purposes:
- a. it ensures that all relevant information that is reasonably available (including any information the member may wish to provide) is presented to decision-makers so that informed decisions can be made about whether to take particular courses of action and
  - b. it facilitates open and transparent communication with members about performance or conduct of concern so that decision-making processes are both fair and seen to be fair—even if members may disagree with the outcomes of those processes.
55. To achieve these purposes, when putting a member on notice, the commander or supervisor needs to set out a rational argument about *why* the proposed action should occur. This argument should focus very clearly on the facets of the member's conduct or performance of greatest concern *in conjunction with* the *impact* of those facets on Air Force.
56. Notably, two of the listed courses of action (termination of service and reduction in rank) are subject to legislatively mandated procedures while the rest (compulsory transfer, denial or delay of promotion or removal from post) are not. These differences, along with an overview of the applicable processes, are represented in the flow diagrams at annex C. Detailed commentary relating to respective processes is contained in this Part.
57. **Expert assistance.** Experience has shown that it is often extremely helpful to both PERSBR-AF staff and the commander or supervisor for communications about difficult or complex personnel situations to begin while those situations are unfolding (as reflected in the overview flow diagram at annex B). When this occurs, Exception Reporting (Admin Sanctions) staff will allocate a case officer to provide 'subject matter expert' guidance and feedback on any draft documents being considered by the commander or supervisor. Several important benefits in doing so, are:
- a. **Unit-level situational awareness.** In many instances, the information available at unit-level does not provide all relevant context to the situation. That is, there may be other relevant information relating to the member's conduct or performance over a longer period (for example documents on the member's History File), or relating to broader workforce planning factors, that is not visible at unit-level. Engaging with PERSBR-AF early enhances unit-level situational awareness of these factors and allows commanders and supervisors to make more informed decisions about the most appropriate course(s) of action to take.
  - b. **Administrative law requirements.** When exercising authority under the regulation decision-makers are obliged to consider all relevant information that is reasonably available in respect of the proposed course of action. In many cases, this will include consideration of a member's performance and/or behavioural history as well as strategic workforce matters. These are factors that commanders and supervisors cannot properly consider, or put to a member in the course of initiating or proposing a course of action, without conferring with PERSBR-AF. This is because commanders and supervisors do not have access to past performance assessments or other documents on the member's History File or other information relating to workforce health or structures. Engaging with PERSBR-AF on these aspects therefore serves to protect the integrity of the decision-making process.

- c. **Efficiency and error minimisation.** Engaging with PERSBR-AF early ensures that all relevant information is presented to the member from the outset of the decision-making process. This is more efficient than having to amend or add to the information picture at a later point in time. This also reduces the risk of procedural fairness errors through the possibility that additional relevant information may be identified within PERSBR-AF and put to a decision-maker without being given to the member for comment. Furthermore, early engagement may identify that a commander or supervisor's proposed course of action is not reasonable or realistically achievable. For example, the member may have previously been moved from post to post rather than being properly managed—in which case a further posting in lieu of being properly managed is not likely to be reasonable. Similarly, there would be little value in a commander or supervisor proposing to compulsorily transfer a member to an employment category that is already overborne, or for which the member has no interest or lacks the requisite skills, physical capacity or aptitude.
- d. **Consistency and fairness.** While every personnel situation is different and must be considered on its particular merits, different commanders and supervisors are likely to approach cases with many similarities in very different ways. Engagement with PERSBR-AF before choosing a course of action can therefore assist commanders and supervisors to understand whether their proposed approach is similar to, or vastly different from, the manner in which similar cases may have been handled previously. Importantly, this does not mean that there will be an inflexible 'going rate' for particular deficiencies, noting that every case must be assessed on its unique facts and it is not the role of PERSBR-AF staff to pressure commanders to take a particular course of action. However, it will facilitate a measure of consistency and fairness by helping to decrease the potential for similar cases to be treated vastly differently.
- e. **PERSBR-AF situational awareness.** Having visibility of difficult or complex matters as they unfold enhances the ability of PERSBR-AF staff to provide timely and responsive guidance to commanders and supervisors and to then assist with reviewing documentation that may be raised. It also enables PERSBR-AF staff to better anticipate work-flow needs and to be more efficient about case prioritisation and resource allocation.
- f. **Member welfare.** Engagement with PERSBR-AF may also assist units to ensure that affected members have access to relevant support mechanisms such as Member Support Coordination Office, or external agencies where relevant.

58. In contrast, choosing to not engage with PERSBR-AF significantly increases the risk that units will needlessly commit staff effort and resources to a process that is inefficient or ineffective and may result in sub-optimal outcomes for Air Force. Commanders and supervisors (and unit support staff, where relevant) should therefore engage with PERSBR-AF early and often, as personnel situations unfold. PERSBR-AF staff will facilitate unit-level action and processes by providing procedural guidance and relevant information relating to organisational considerations and member-specific factors. ER(AS) staff can be contacted via the ER(AS) group mailbox ([‘Admin Sanctions Air Force’](#)).

59. **Manifestly inadequate or unachievable action.** The processes outlined in these guidelines (in conjunction with expanded delegations) provide greater latitude to commanders and supervisors to initiate a range of management action than has previously been afforded. With this comes the responsibility to exercise sound judgment by initiating such action in respect of personnel under their command or supervision where it is warranted. When deciding what (if any) option to initiate, commanders and supervisors are urged to be cognisant that truly people-centric decision-making takes into consideration the direct and indirect needs and interests of the entire team, not just the interests and circumstances of the individual who may be the subject of a particular decision.

60. PERSBR-AF staff will communicate honestly and openly with commanders and supervisors where a proposed course of action (including no management action) appears to be manifestly inadequate or unachievable (e.g. compulsory transfer to an employment category that is overborne or for which the member does not meet the requirements is highly unlikely to be achievable). The key objective of such communications is to ensure that the relevant commander or supervisor is fully aware of the relevant organisational factors and any member-specific information that is held by PERSBR-AF to which the commander or supervisor may not have access.

61. **Template notices.** Template notices are available on the [PERSBR-AF \(DP-AF ASMR\) intranet site](#). These may be used for putting members 'on notice' of proposed action.

62. While the use of templates can increase consistency and efficiency, drafters are strongly advised to exercise particular care when using them to initiate management action. The facts and circumstances relating to two (or more) personnel-related situations will never be identical. As such, no two notices should ever be the same. Similar issues may arise in relation to different members, but each notice must reflect the unique set of facts and circumstances relevant to the member to whom the notice is going to be issued. 'Recycling' material by straight copy and paste from one notice to another without adapting the content to the relevant member's circumstances can lead to basic and easily avoidable errors that could significantly delay or compromise the management or resolution of the situation.

63. Drafters therefore need to think carefully about the issues that are relevant to the case *and* express these issues clearly and unambiguously in the context of their impact on the Air Force (e.g. capability, reputation, safety, morale, or organisational effectiveness etc.). Developing this skill takes practice and conscientious attention to detail and can be greatly assisted by seeking feedback from subject matter experts. Drafters should therefore seek support and guidance from ER(AS) staff (within ASMR) and/or their command legal officer, as needed, when using template notices. ER staff can be contacted via the ER(AS) group mailbox ('[Admin Sanctions Air Force](#)').

## Termination of service and reduction in rank

64. The processes through which a member may be compulsorily terminated from service or have their rank involuntarily reduced for reasons relating to performance or conduct are governed by the regulation—section 24 for termination of service and section 14 for reduction in rank. In accordance with these sections, the first step in either process is to issue a written notice to the relevant member proposing a course of action.

65. **Drafting a notice.** There is no set format in which a notice must be drafted. However, all notices must comply with the requirements set out in section 30 of the regulation. A template notice, accompanied by drafting guidance, is available on the [PERSBR-AF \(DP-AF ASMR\) intranet site](#). At a minimum, all notices must meet the following requirements:

- a. **Proposal.** The notice must clearly state the action that is being proposed—termination of service or reduction in rank.
- b. Notably, with the introduction of the regulation there is no longer a legislative limitation that prevents termination of service and reduction in rank from being proposed in the same notice, or combined with any other possible courses of action. As such, it is now possible to propose in a single notice that a member's service be terminated or, in the alternative, that the member be reduced in rank. Similarly, it is permissible to propose compulsory transfer to a different employment category with termination of service in the alternative to allow for the possibility that compulsory transfer may not be achievable, or desirable, in the circumstances. In this respect, some forward thinking about the proposal (and possible outcomes) can streamline the process by identifying the most efficient way to have most (or all) aspects of a matter and potential courses of action considered concurrently.
- c. Specialist advice should be sought before proposing multiple courses of action simultaneously, or if one or more courses of action are proposed as alternatives to the primary proposed course of action.
- d. If the proposed action is reduction in rank, the notice should specify the rank that the member would hold if the reduction was to occur, particularly if reduction by more than one rank is proposed.
- e. **Reason.** The notice must state the reason for which the action is being proposed.
- f. Although the regulation specifies several reasons for which a member may be reduced in rank or have his or her service terminated, these guidelines only cover the situation in which the retention of the member at his or her current rank, or in service (as applicable), is not in the interests of the Defence Force.
- g. According to section 6(2) of the regulation, the retention of a member in service or at his or her current rank may be, or not be, in the interests of the Defence Force for reasons relating to one or more of the following:
  - i. the member's performance
  - ii. the member's behaviour (including any convictions for criminal or service offences)



- iii. the member's suitability to serve in the Defence Force, or in a particular role or rank
- iv. workforce planning in the Defence Force
- v. the effectiveness and efficiency of the Defence Force
- vi. the morale, welfare and discipline of the Defence Force or
- vii. the reputation and community standing of the Defence Force.
- h. Further guidance on 'retention not in the interests' as a reason for termination or rank reduction, including examples of how it may be met, is included in annex D.
- i. If a commander or supervisor believes that a medical reason may underpin a member's performance or conduct deficiencies— such as to possibly make the member medically unfit for service in the Defence Force—he or she should seek specialist guidance from ASMR staff in the first instance. (The ER(AS) group mailbox (['Admin Sanctions Air Force'](#)) may be used for this purpose.)
- j. **Explanation.** The notice must set out particulars of the facts and circumstances that support the proposed action in enough detail and to enable the member to properly understand the issues of concern so that he or she can meaningfully respond to the notice in writing—if he or she so chooses. Fundamentally, this involves more than just setting out a chronological list of 'ROCs', 'administrative sanctions' or DFDA action to which the member has been subject. Rather, the individual's conduct (including that which has been the subject of counselling—as may be documented in a ROC) is of primary importance—in conjunction with the evidence being relied upon. Accordingly, the notice should:
  - i. specifically identify the member's conduct or performance deficiencies or the relevant circumstances of concern. This may include, but should not focus exclusively on, a description of any action taken to address those deficiencies at the time—such as counselling, formal warnings, censures or other administrative management options, or DFDA action and the member's response to that action, as applicable<sup>6</sup>
  - ii. explain how the performance or conduct has fallen short of expected standards, or values (as applicable)<sup>7</sup>
  - iii. explain the impact of those conduct or performance deficiencies (or other relevant circumstances) on the Air Force or the Defence Force
  - iv. identify, if relevant, any particular anticipated effects on Air Force if the proposed action is, or is not, taken<sup>8</sup> and

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<sup>6</sup> An example of a circumstance of concern would include that the member has not been granted, or accepted, Australian citizenship.

<sup>7</sup> In the case of a member who has not been granted citizenship, for example, the member's conduct or performance may not be in question or have fallen short of expected standards or values.

<sup>8</sup> This might include: workforce planning, effectiveness, efficiency, morale, welfare, discipline or reputational factors.

- v. logically connect these factors to the conclusion that the member's retention at current rank or in service is not in the interests of the Defence Force.<sup>9</sup>
- k. Importantly, before issuing a notice, the issuing delegate should take into consideration all factors that may be relevant to the decision. In most circumstances, this should include the member's performance and/or conduct history as well as 'strategic' Air Force or Defence-wide capability and workforce planning factors. These are factors that commanders and supervisors are unlikely to have much, if any, visibility of at unit level. As such, commanders and supervisors will need to engage with ER(AS) staff to ensure that these factors are properly considered. (The ER(AS) group mailbox (['Admin Sanctions Air Force'](#)) may be used for this purpose.)
- l. The explanation of facts and circumstances should include any documents that may be useful and relevant to the decision-making process. Depending on the situation and the nature of the deficiencies, such documentation may include medical or psychological reports at the discretion of the commander or supervisor. A notice will not be invalid if medical or psychological reports are not attached.
- m. Importantly, in some situations the facts and circumstances do not need to include every conduct or performance issue that a member may have experienced. (That is, notices with more facts and circumstances do not necessarily make the case for termination or reduction in rank more convincing.) Some incidents will involve such serious departures from expected standards that termination or reduction in rank may be warranted on the basis of that incident alone. For example, being charged with (or convicted of) particularly serious disciplinary or criminal offences such as sexual assault offences (whether involving a minor or otherwise), assault causing grievous bodily harm, negligent driving causing death, theft or fraud offences, or child exploitation offences (pornography, grooming, neglect, or otherwise). In such situations only the incident(s) of greatest concern that most clearly illustrate or support the reason for the proposed action should be included. That is, inclusion of lacklustre PARs (or PPRs) and PFT failures is unlikely to add much to the decision-making process. Instead, placing any focus on such minor side issues has the potential to distract from the key issue(s).
- n. Conversely, in other situations, an accumulation of less serious incidents may be indicative of a more serious problem that needs to be addressed holistically. In such circumstances, while focus should be maintained on the issue(s) that are of greatest concern, it will likely be necessary to include a significant amount of detail about the breadth and volume of conduct or performance concerns that the member has experienced.<sup>10</sup>
- o. Further guidance about how to explain the facts and circumstances of the case in either type of notice is included in the drafting guidance with the template notices on the [PERSBR-AF \(DP-AF ASMR\) intranet site](#).
- p. **Response.** The notice must invite the member to respond, in writing, and specify a period of not less than 14 days in which to do so. The response period may be extended, as explained at sub-paragraphs 71(b)-(d).

<sup>9</sup> An example of how these factors can be logically connected to support the proposed action is available on the PERSBR-AF (DP-AF ASMR) intranet site, with the notice templates and drafting guidance.

<sup>10</sup> For an example, see paragraphs 9-10 of annex D.

66. Unit staff involved in raising termination notices or reduction notices should engage with ER(AS) staff early and often. This includes during the drafting process, as needed. Importantly, ER(AS) staff will not take over the staff work role for the unit. Rather, the role of ER(AS) staff is to provide quality assurance and ‘subject matter expert’ input. ER(AS) staff will therefore provide guidance by reviewing drafts and making recommendations. This will facilitate proper and expeditious processing of what can be difficult and complex staff work noting that, in some cases, issuing deficient notices to members can result in sub-optimal outcomes or lead to situations that are not in the best interests of the Air Force. It also has the benefit of promoting consistency in the management of like cases across Air Force. At the very least, commanders and supervisors should send all notices to ER(AS) for review before being issued (via the ER(AS) group mailbox ([‘Admin Sanctions Air Force’](#))).

67. **Issuing a notice.** There are no longer any legislative provisions governing who may issue a notice proposing termination of service or reduction in rank. Consequently, authority to issue such a notice is now derived from the command power. As a matter of command discretion, the Chief of Air Force has authorised (see the [PERSBR-AF \(DPERSPOL-AF\) intranet site](#)) all Air Force officers of the rank of Squadron Leader or above<sup>11</sup> to issue a notice that proposes that a member’s service be terminated or that a member be reduced in rank provided that the delegation is only exercised in respect of members who are:

- a. subordinate in rank to the officer by one or more rank and
- b. within the officer’s command, control or area of responsibility.

68. Noting the seriousness of termination of service and reduction in rank, the associated stress that members typically experience when such actions are proposed, and the resources required to administer the associated processes, it is recommended that these types of notice should not be issued ‘as a warning shot’, to modify the member’s conduct or improving his or her performance. Notices proposing these courses of action should only be issued if the issuing officer genuinely considers that terminating the member’s service or reducing the member’s rank is in the best interests of the Air Force. That is, the issuing officer should be satisfied that the member has had sufficient opportunity to address the issue(s) of concern, if appropriate. Notably, in some situations—for example, when members are convicted of serious civilian or disciplinary offences—it may be contrary to the capability and reputational needs of Air Force and an affront to other members with whom those members serve or will serve in the future to afford an opportunity for the member to demonstrate improvement.

69. **Suspension from duty.** With the introduction of the regulation, there are now two pathways through which a member may be suspended from duty:

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<sup>11</sup> The Chief of Air Force authorisations are purposely broad to accommodate varied command structures and the potential absence of a Commanding Officer or equivalent. Nevertheless, it is generally expected that a Commanding Officer would be the officer who issues the notice for rank reduction or termination.

- a. under the DFDA, as a disciplinary function (during investigation, or following a disciplinary or civilian criminal charge or conviction)<sup>12</sup> or
  - b. under the regulation, as an administrative function once a member has been issued with a notice proposing his or her termination or once a decision has been made to terminate a member's service.<sup>13</sup>
70. Consequently, when issuing a notice that proposes termination of service, commanders and supervisors should consider whether it might be necessary to suspend the member from duty while the notice is resolved.
- a. **Why suspend?** Factors that may indicate that a member should be suspended from duty at the time that a notice proposing termination is issued include:
    - i. the severity of alleged behaviour
    - ii. the risk to others (including victims or potential future victims) in the workplace
    - iii. the reputational risks from continued association with the member, or from accepting the risk that the member may pose to others in the workplace
    - iv. the capacity of the member to continue to work effectively, efficiently and safely while responding to the notice
    - v. the potential for the member to negatively impact on the effectiveness, efficiency or morale of the workplace and
    - vi. the inadequacy of any other mechanism (or combination of mechanisms) to acceptably mitigate the risks to the workplace, the Defence Force, or the member.
  - b. **Who can suspend?** Consistent with the Chief of Defence Force's delegation instrument under the regulation (see the [PERSBR-AF \(DPERSPOL-AF\) intranet site](#)), all Air Force officers of the rank of Squadron Leader<sup>14</sup> or above may administratively suspend a member from duty under the regulation, provided that the delegation is only exercised in respect of members who are:
    - i. subordinate in rank to the officer by one or more rank; and
    - ii. within the officer's command, control or area of responsibility.

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<sup>12</sup> For guidance on this management option see: ADDP 06.1.1. *Discipline Law Manual*, Volume 3.

<sup>13</sup> Notably, the regulation also permits administrative suspension from duty in the course of termination processes pursued under section 24 of the regulation, or Part VIIIA of the *Defence Act 1903* (PSTP provisions). PSTP termination processes (including suspension from duty) are not covered in these Guidelines. Further information can be found in: DI(G) PERS 15-5—*Management of the use or involvement with prohibited substances in the Australian Defence Force* and MILPERSMAN Part 10, Chapter 4—*Termination of service in the Australian Defence Force*.

<sup>14</sup> Consistent with issuing a notice proposing rank reduction or termination, it is generally expected that the Commanding Officer would issue the notice proposing to suspend a member where such action is appropriate.



- c. Although the Chief of Defence Force has also delegated this authority to various officers within PERSBR-AF who hold specified ranks, or who hold or perform the duties of various specified positions, it is expected that suspension from duty decisions will normally be made at unit level at the time that a notice proposing termination is issued to the member. This is because units will usually have the best visibility of the factors (as outlined above) that indicate whether a member's continued presence in the workplace is untenable.
- d. Notably, there is no legislative requirement for two-stage decision-making in respect of administrative suspension from duty. That is, the person who proposes suspension from duty may also make the suspension decision, provided that he or she holds the requisite delegation from the Chief of Defence Force and brings an open and unbiased, mind to the decision. If a member reasonably apprehends that the delegate may be biased (or actually be biased), the delegate may refer the decision to a more senior officer (who holds the necessary delegation) for decision.<sup>15</sup>
- e. **How to suspend?** The procedural requirements for suspending a member from duty vary according to whether or not the member will receive pay during the suspension period.
  - i. **Suspension with pay.** There is no legislative requirement to put a member on notice before he or she is suspended from duty with full pay. However, consistent with the guidance in MILPERSMAN Part 10, Chapter 4—*Termination of Service in the Australian Defence Force* (paragraph 4.31) a member should only be suspended as a protective measure and when other mechanisms (either individually or in combination) such as temporary or permanent re-assignment of duties, are insufficient to meet the relevant protective purpose. As such, it is recommended that, as a matter of good practice and to ensure that easily avoidable mistakes are not made, delegates afford members an opportunity to be heard about the proposed suspension from duty and to engage with the delegate's reasons for the proposed action before making a decision.
  - ii. The manner in which a member is allowed to be heard may be done at the discretion of the delegate, but can be as simple as a verbal discussion with the member in which the member's suspension from duty is proposed and the reasons for it explained, with the member having an opportunity to comment, and the delegate making a decision immediately upon completion of the discussion.<sup>16</sup>
  - iii. **Suspension on part pay or without pay.** Before suspending a member on part pay or without pay, the delegate must issue a notice to the member that meets the requirements of sections 28(4) and 30 of the regulation.
  - iv. That is, the notice must:

<sup>15</sup> For guidance on what constitutes bias or a reasonable apprehension of bias see *Good Decision-Making in Defence: A Guide for Decision-Makers and Those Who Brief Them* ([http://intranet.defence.gov.au/home/documents/data/DEFPUBS/DEPTMAN/Good\\_Decision\\_Making\\_in\\_Defence/Good%20Decision%20Making%20in%20Defence.pdf](http://intranet.defence.gov.au/home/documents/data/DEFPUBS/DEPTMAN/Good_Decision_Making_in_Defence/Good%20Decision%20Making%20in%20Defence.pdf))

<sup>16</sup> All normal record generation and filing requirements continue to apply, consistent with Defence's obligations under the *Archives Act 1983* and related policy.

1. define the proposed action (including details of the proportion or quantum of pay that would be payable if part pay is proposed)
  2. explain the reason for the proposed suspension and the facts and circumstances relating to the proposal in sufficient detail to enable the member to respond in writing (if he or she so chooses)
  3. invite the member to respond in writing and
  4. afford the member not less than 7 days in which to respond.
- v. A template notice, accompanied by drafting guidance, is available on the [PERSBR-AF \(DP-AF ASMR\) intranet site](#).
- vi. A delegate may (but is not obliged to) extend a member's response period at his or her discretion.
- vii. A decision on the notice can be made once one of the following occurs:
1. the member provides a written response; or
  2. the member states in writing that he or she does not intend to provide a written response; or
  3. the period for providing a written response ends.
- f. In practice, it is envisaged that a delegate who issues a notice proposing termination will (if warranted) simultaneously suspend the member from duty with full pay and (also if warranted) issue a notice proposing suspension without pay or on part pay. Alternatively, a notice proposing suspension without pay or on part pay may be issued once the member has returned his or her response to the notice proposing termination—thus allowing the member to focus on just one notice at a time. The effect in either situation is that the member would be suspended from duty immediately (with full pay) with the matter of whether the member continues to receive pay during the suspension period determined separately once one of the triggering events described in paragraph 70(e)(vii) has occurred.
- g. **Ending or varying a suspension.** A member's suspension continues until a decision is made to not terminate the member's service, or until otherwise ended by the Chief of Defence Force or an authorised delegate. No notice is required to be given to the member before a suspension is ended. As a matter of good practice, the delegate who made the suspension decision should review the decision periodically (at least monthly) to ensure that the basis upon which the suspension was decided remains extant and that it continues to meet the protective purpose that it was put in place to achieve.
- h. The Chief of Defence or an authorised delegate may also vary a member's suspension at any time. If a suspended member is receiving full pay and the delegate proposes to vary the suspension to be on part pay or without pay then a notice must be served as explained at paragraph 70(e)(iii)-(iv). No notice is required if a delegate proposes to change a suspension on part pay or without pay to a suspension with full pay or to increase the proportion or quantum of part pay that a member is to receive.

- i. Notably, a suspension that has been without pay or on part pay may be retrospectively varied as follows:
    - i. a *suspension without pay* may be changed to a suspension with pay or on part pay; or
    - ii. a *suspension on part pay* may be varied by increasing the amount of part pay or by changing it to a suspension with pay.
  - j. In effect, if a decision is made to not terminate the member's service then discretion exists to retrospectively change the member's suspension so that the member receives the pay that he or she otherwise would have received (either in whole or in part) if not for the suspension without pay or on part pay.
  - k. **Who to notify?** A decision to suspend a member on part pay or without pay (or to vary the pay component of a suspension, whether during or after the suspension has ended) cannot be implemented unless MPAC is notified. Any delegate who makes a suspension decision that has a resulting effect on a member's pay should therefore ensure that MPAC is notified in writing at the time that decision is made. If a suspension decision has been made at unit level then the unit should therefore notify MPAC, whereas if a PERSBR-AF delegate has made the decision, then PERSBR-AF should notify MPAC.
  - l. To minimise the likelihood for double handling, and to ensure proper case management and prioritisation, commanders and supervisors should also notify PERSBR-AF (via the ER(AS) mailbox: '[Admin Sanctions Air Force](#)') if a member who has been issued with a notice that proposes termination of service is suspended from duty, irrespective of whether or not the member is paid during the suspension.
  - m. **Obligations during suspension.** Members who are suspended from duty are not to attend their place of duty or to otherwise undertake work associated with their role, position or duties. Importantly, a member's suspension from duty does not obviate the welfare responsibilities of that member's commander or supervisor. Moreover, monitoring safety and welfare of members who are suspended from duty may give rise to several challenges—particularly if the member is not in the same geographic area as the commander or supervisor. As such, commanders and supervisors should take particular care to ensure that adequate support is offered to suspended members, that the processes to which they are subject are explained to them clearly, and that members are updated regularly on the progress of their case.
71. **What happens next?** Once a notice has been issued, certain action should occur, or may need to occur, depending on the circumstances and whether the member responds.
- a. **Send a copy to PERSBR-AF.** A signed copy of the notice should be sent to the ER(AS) group mailbox ('[Admin Sanctions Air Force](#)') after being issued, even if a draft of the notice was reviewed by ER(AS) staff. This allows PERSBR-AF to retain situational awareness of the matters that will need to be put to a PERSBR-AF delegate for decision and ensures that workflows and resource demands can be anticipated, prioritised and managed accordingly. Notices that are not sent to ER(AS) until after the member has responded, or after the response period has elapsed, may be subject to processing delays.

- b. **Extending a response period.** If the member believes that he or she needs a longer timeframe in which to provide a response to the notice, then he or she should submit a written request—with justification—to the officer who issued the notice. Each extension request should be considered on its merits, within the context of the broader decision-making process and the situation as a whole. This may involve considering factors, such as:
- i. the complexity and seriousness of the proposal and its consequences;
  - ii. the amount of material the member may need to consider and respond to;
  - iii. the demands of the work environment (including whether the member is suspended from duty);
  - iv. the urgency of the proposed course of action (particularly noting any workplace or reputational considerations) and the time since any incident that may have given rise to (or contributed to) the notice being issued; or
  - v. any extenuating, compassionate or unforeseen personal circumstances that may limit a member's capacity to respond.
- c. Importantly, the officer who issued the notice is not required to grant an extension that has been requested. That is, the officer may refuse the extension (either in part or in full) if he or she considers on reasonable grounds that it is not justified or would unreasonably delay the resolution of the matter.
- d. As a matter of fairness, the member's response period should not be shortened unilaterally if it has been extended beyond the 14 day minimum.
- e. **Withdrawing or amending a notice.** The issuing officer may amend or withdraw a notice that proposes termination of service or reduction in rank at anytime before the matter is referred to ER(AS) for decision. Any such action should be in writing.
- f. If making amendments, the issuing officer should ensure that the response timeframe is reasonably sufficient to enable the member to respond—taking into account the nature of the amendment(s) and the complexity and volume of any information added to the notice. This may involve extending the original response period, or affording an additional period of time if the original response period has ended.
- g. If withdrawing a notice, the issuing officer should inform PERSBR-AF of this action. The ER(AS) group mailbox may be used for this purpose ('[Admin Sanctions Air Force](#)').
- h. **Progressing to a decision.** A decision on a notice that proposes termination of service or reduction in rank can be made if any of the following occurs:
- i. the member provides a written response; or
  - ii. the member states in writing that he or she does not intend to provide a written response; or
  - iii. the period for providing a written response ends.



- i. If the member *provides a written response* within the specified period, the issuing officer may consider whether the response changes his or her view of the matter and then take action accordingly.
  - i. **Views maintained.** If the issuing officer maintains the view that the proposed action should proceed, then he or she should send the member's comments to the ER(AS) group mailbox ('[Admin Sanctions Air Force](#)') for decision.
  - ii. **Views changed.** If a commander or supervisor changes his or her view such that he or she believes that the proposed action should not proceed, then he or she may choose to withdraw the action proposal and notify the member and ER(AS) via the group mailbox ('[Admin Sanctions Air Force](#)').
  - iii. If more than one course of action was proposed (either cumulatively or as alternatives), then the commander or supervisor may form different views about whether each of the proposed options should proceed. If the commander or supervisor considers that the option(s) requiring PERSBR-AF involvement should not proceed, he or she should inform the member and ER(AS) via the group mailbox ('[Admin Sanctions Air Force](#)'). This does not prevent the commander or supervisor from actioning any option that is within his or her power to determine at unit level, or that may otherwise be referred to a more senior officer within the chain of command.<sup>17</sup>
- j. If the member states in writing that he or she does not intend to provide a written response, or does not respond to the notice, in writing, in the allotted timeframe, then the commander or supervisor should notify ER(AS) via the group mailbox ('[Admin Sanctions Air Force](#)').
- k. If a signed copy of the notice was not provided to ER(AS) immediately after being issued to the member (as per the guidance at paragraph 71(a)), the issuing officer must send the notice to ER(AS) when a decision is sought. (The ER(AS) group mailbox ('[Admin Sanctions Air Force](#)') can be used for this purpose.) The matter cannot be put to a decision-maker until both the notice and the member's written response (if any) have been received.
- l. When referring any matter to ER(AS) for decision, the issuing officer should exercise particular care to not introduce new information—particularly factual information or new evidence—relating to the decision.

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<sup>17</sup> For example, if a commander or supervisor proposed reduction in rank and censure, but decides after receiving the member's written response that the reduction in rank should not proceed, he or she may still refer the matter to a higher level commander (rather than ER(AS)) to determine whether the censure should nevertheless be imposed.

- m. **Additional relevant information.** On occasion, additional information relating to the proposed course of action may come to light after the notice has been sent to ER(AS) for decision. If this occurs, and the issuing officer considers that the information is relevant and significant to the decision, then it should be made available to the decision-maker. In such circumstances, the issuing officer should inform ER(AS) as soon as practicable that additional information will be submitted. (The ER(AS) mailbox ([‘Admin Sanctions Air Force’](#)) can be used for this purpose.) This will facilitate the efficient administration of that particular decision-making process.
- n. Prior to submitting any additional information or comment to ER(AS), the issuing officer should ensure that the member has had reasonable opportunity to comment on it, if he or she so chooses—irrespective of whether the information supports or undermines the proposed action. This step is, clearly, not necessary if the additional information has been submitted by the member and the issuing officer does not intend to add any further new information, particularly factual information or new evidence of his or her own.
- o. If the additional information undermines the proposed course of action, it is open to the issuing officer to recommend to ER(AS) that the action should not be taken.
- p. **Suspension from duty following a termination decision.** In the event that a decision is made to terminate a member’s service, and the member has not already been suspended from duty, the commander or supervisor should consider (in consultation with PERSBR-AF) whether there is reason to suspend the member from duty pending the termination taking effect. Importantly, suspension from duty is not a punishment but rather serves a protective purpose. As such, commanders and supervisors should apply a risk management approach to their considerations about suspending members once a termination decision has been made. Moreover, suspension from duty must not be applied because a member has submitted (or has indicated an intention to submit) a Redress of Grievance, consistent with Part 7 of the regulation, which affords protections to members who wish to (or do) make complaints.

### **Compulsory transfer, denial or delay of promotion and removal from post**

72. Unlike termination of service and reduction in rank, there is no legislatively mandated procedure for compulsory transfer to a different employment category, denial or delay of promotion or removal from post decisions. Accordingly, commanders and supervisors have significant latitude in the process that may be applied when initiating these courses of action.

73. With the exception of denial or delay of promotion (which is an incidental power connected with section 13 of the regulation), these decisions do not have a legislative basis, but rather are supported by the command power. As such:

- a. decisions to deny or delay promotion can be made by any delegate who is authorised by the Chief of Defence force to make a promotion decision under section 13 of the regulation; and

- b. compulsory transfer and removal from post decisions can be made by any person to whom the Chief of Air Force has provided his command authority to make compulsory transfer and removal from post decisions.<sup>18</sup>

74. These delegations and authorisations are currently vested in various members holding or performing the duties of certain positions within PERSBR-AF, thus establishing centrality of decision-making (or 'centralised control').

75. Consistent with the Chief of Air Force's instrument of authorisation (see the [PERSBR-AF \(DPERSPOL-AF\) intranet site](#)), all Air Force officers of the rank of Squadron Leader or above may propose that an appropriately authorised decision-maker (within PERSBR-AF) takes any of these courses of action described at paragraph 72, provided that the delegation is only exercised in respect of members who are:

- i. subordinate in rank to the officer by one or more rank; and
- ii. within the officer's command, control or area of responsibility.

76. This reflects a considerable degree of 'decentralised execution'.

77. Notably, it is not necessary for these courses of action to be proposed in writing or for the member to respond in writing.<sup>19</sup> However, in most situations, it will still be necessary to put the member 'on notice' about the specifics of the action that is proposed (whether in writing or otherwise), give the member opportunity to comment (whether in writing or otherwise), and then pass the information (documenting the proposed action and the member's comments, if any) to PERSBR-AF for decision.

78. Putting a member 'on notice' broadly involves two steps: defining the proposed course of action (decision); and communicating that proposed course of action to the member. This section makes recommendations about how commanders can do this so that decisions on proposed courses of action can be made efficiently and fairly in all the circumstances and in accordance with any applicable administrative law requirements, including procedural fairness. Steps or action that may follow once a course of action has been proposed are also covered.

79. **Defining the proposed course of action.** As noted at paragraph 77, above, an action proposal does not have to be presented to a member in writing. Nevertheless, it is still necessary for the proposal to be well defined and for it to cover some specific elements. This serves three key purposes. Firstly, it ensures that the action proposal can be communicated effectively and clearly to the member—whether that occurs in writing or otherwise—thus minimising the opportunity for miscommunication or misunderstanding between the commander or supervisor and the member. Secondly, it facilitates procedural fairness—in the sense that the member needs to know what the proposal actually is and what information is going to be considered by the decision-maker. Thirdly, it facilitates the generation of accurate and contemporaneous records of the proposal, which will ultimately be used by the decision-maker and to meet applicable record management requirements.

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<sup>18</sup> Decisions to remove an officer from command permanently are made by CAF directly, on the basis that CAF personally authorises postings to command in the first instance.

<sup>19</sup> This does not, however, change the requirement to generate and file proper records in accordance with Defence's obligations under the *Archives Act 1983* and related policy.

80. As such, an action proposal (however it is planned to be communicated) should cover the elements outlined below:

- a. **Proposed action.** The proposal should set out, in as much detail as is reasonably possible, what action is proposed. For example:
  - i. compulsory transfer proposals should specify the employment category to which the member would be transferred and the conditions of service that would apply to the member following the transfer;<sup>20</sup>
  - ii. delay of promotion proposals should quantify the period of the delay—whether expressed as a specific amount of time (e.g. 6 months) or contingent on a separate activity or event (e.g. until allegations relating to the member have been resolved);<sup>21</sup>
  - iii. removal from post proposals should identify the likely position or location to which the member would be posted.<sup>22</sup>
- b. In many instances only one course of action will relevantly fit the circumstances at hand. However, if warranted, a commander or supervisor may propose a combination of options.
- c. For example, a member posted in an overseas position may have been identified for promotion while in post but has subsequently been involved in an incident involving sub-standard conduct in the host nation that merits being returned to Australia earlier than his or her ‘planned date out’. In such circumstances, the commander or supervisor may simultaneously propose that the member is removed from post (returned to a position in Australia) and that his or her promotion is delayed or denied. Alternatively the circumstances may be such that a removal from post decision is more urgent and needs to be proposed and determined first, and that the denial or delay of promotion decision can be proposed and determined in slower-time.
- d. If the proposed course of action includes termination of service or reduction in rank then the guidance at paragraphs 64-71 will need to be applied to ensure that all regulatory requirements are met. Additionally, specialist advice should be sought before proposing multiple courses of action simultaneously, or if one or more courses of action are proposed as alternatives to the primary proposed course of action.

<sup>20</sup> Providing this information will require consultation with PERSBR-AF to (amongst other things) ensure that a target can be created or set aside and that the member has the requisite skills, abilities (including physical capacity and aptitude) for the employment category.

<sup>21</sup> Delay of promotion can be used where the impending promotion is either merit-based or time-based. It serves to pause a promotion from taking effect. Denial of promotion serves to entirely revoke a promotion decision, before the promotion has taken effect. While denial of promotion can be used for either promotion type, its use for time-based promotion should be rare. That is, if a commander or supervisor considers that a member should not (at anytime in the foreseeable future) take up a time-based promotion for reasons relating to performance or conduct, then broader retention questions may need to be asked.

<sup>22</sup> Providing this information, indicatively, to the member from the outset will require consultation with PERSBR-AF—with the possibility that a target position may not have been identified at the time the commander or supervisor wants to propose removal from post. This information can only be provided to the extent that it is reasonably possible to do so, and it may change depending on other factors such as capability or workforce planning requirements.



- e. **Explanation.** The proposal should explain the rationale for the proposed action. Unlike termination or reduction in rank, there is no requirement for a specific legislated reason to underpin the proposed action. However, the rationale should not be arbitrary, capricious, unscrupulous, or based on personal whim. That is, the action should be proposed because it is genuinely in the interests of the Air Force and consistent with proper personnel management practices.
- f. The proposal should also provide the member with an understanding of the facts and circumstances that indicate that the proposed action should be taken, in sufficient detail for the member to meaningfully comment on the proposal—if he or she so chooses. Fundamentally, this involves more than just setting out a chronological list of ‘ROCs’, remedial training, ‘administrative sanctions’ or DFDA action to which the member has been subject. Rather, the individual’s conduct (including that which has been the subject of counselling—as may be documented in a ROC) is of primary importance—in conjunction with the evidence being relied upon. Accordingly, the proposal should:
  - i. specifically identify the member’s conduct or performance deficiencies or the relevant circumstances of concern. This may include, but should not focus exclusively on, a description of any action taken to address those deficiencies at the time—such as counselling, formal warnings, censures or other administrative management options, or DFDA action, and the member’s response to that action, as applicable<sup>23</sup>
  - ii. explain how the performance or conduct has fallen short of expected standards, or values (as applicable)<sup>24</sup>
  - iii. explain the impact of those conduct or performance deficiencies (or other relevant circumstances) on the Air Force or the Defence Force
  - iv. identify, if relevant, any anticipated effects on Air Force if the proposed action is taken, or not taken<sup>25</sup> and
  - v. logically connect these factors with the rationale for the proposed course of action.<sup>26</sup>
- g. The explanation should include any documents that may be useful and relevant to the decision-making process. Depending on the situation and the nature of the deficiencies, such documentation may include medical or psychological reports at the discretion of the commander or supervisor. A proposal will not be invalid if it is not accompanied by medical or psychological reports.

<sup>23</sup> In some, limited, situations these options may be considered even if the member’s conduct or performance may not be of concern. For example, removal from an overseas post might be considered if a member’s spouse or dependent has jeopardised Air Force’s relationships or reputation in the host country. The member’s conduct might not be in question, but his or her continued presence in the host country may nonetheless be untenable.

<sup>24</sup> If the concerns in issue do not involve the member’s performance or conduct then it may not be necessary to identify any standards or values.

<sup>25</sup> This might include: workforce planning, effectiveness, efficiency, morale, welfare, discipline or reputational factors.

<sup>26</sup> An example of how these factors can be logically connected to support the proposed action is available on the ASMR intranet site (within the DP-AF area of the PERSBR-AF website), with the notice templates and drafting guidance.

- h. Importantly, in some situations the explanation does not need to include every conduct or performance issue that a member may have experienced. (That is, proposals with more facts and circumstances are not necessarily more compelling.) Some incidents will involve such serious departures from expected standards that one of these courses of action may be warranted on the basis of that incident alone. In such situations only the incident(s) of greatest concern that most clearly illustrate or support the reason for the proposed action should be included. That is, inclusion of minor issues such as lacklustre PARs (or PPRs) and PFT failures is unlikely to add much to the decision-making process. Instead, placing any focus on such minor side issues has the potential to distract from the key issue(s).
- i. Conversely, in other situations, an accumulation of less serious incidents may be indicative of a more serious problem that needs to be addressed holistically. In such circumstances, while focus should be maintained on the issue(s) that are of greatest concern, it will likely be necessary to include a significant amount of detail about the breadth and volume of conduct or performance concerns that the member has experienced.<sup>27</sup>
- j. In most cases, factors relating to the member's performance and/or conduct history as well as 'strategic' Air Force or Defence-wide capability and workforce planning factors will be relevant to the proposed decision and thus will need to be explained to the member. These are factors that commanders and supervisors are unlikely to have much, if any, visibility of at unit level. As such, commanders and supervisors will need to engage with ER(AS) staff to ensure that these factors are properly considered and explained to the member at the time that the proposal is communicated. (The ER(AS) group mailbox ('[Admin Sanctions Air Force](#)') may be used for this purpose.) A lack of proactive communication on these factors may result in the commander or supervisor proposing a course of action that cannot be achieved, thus wasting staff time and resources and possibly causing needless stress to the relevant member. Alternatively, inefficiency and delay in the process may occur because additional information may need to be provided to the member after the proposal has been communicated or even after he or she has commented on the proposed course of action.
- k. Further guidance about how to explain the facts and circumstances of the case when proposing one of these courses of action is included in the drafting guidance on the [PERSBR-AF \(DP-AF ASMR\) intranet site](#).
- l. **Opportunity to comment.** The proposal should expressly afford the member a reasonable opportunity to comment on it. There is no mandatory minimum period of time that must be given. Rather, what is 'reasonable' is highly variable and may depend on factors such as:
  - i. the complexity and seriousness of the proposal and its consequences;
  - ii. the amount of material the member may need to consider and comment on;
  - iii. the demands of the work environment (including whether the member is suspended from duty);

<sup>27</sup> For an example, see paragraphs 9-10 of annex D.

- iv. the urgency of the proposed course of action (particularly noting any workplace or reputational considerations) and the time since any incident that may have given rise to (or contributed to) the proposal; or
  - v. any extenuating, compassionate or unforeseen personal circumstances that may limit a member's capacity to respond.
- m. A member may be directed to provide comments in writing or verbally. If the member responds verbally, a written record of that communication should be generated and filed as soon as possible after the conversation occurs. The conversation may also be audio-recorded. Further guidance on audio-recording a member's verbal response to a proposed course of action is at paragraph 83(d).
- n. To ensure complete clarity, the commander or supervisor should also explain that he or she will action the proposal upon receipt of the member's comments, if the member indicates that he or she does not wish to provide comments, or upon the expiry of the allotted comment timeframe—whichever occurs first.
81. Examples of how an action proposal might be drafted or documented are available on the [PERSBR-AF \(DP-AF ASMR\) intranet site](#). These are not templates, as such, but rather they demonstrate effective methods for defining an action proposal.
82. Importantly, commanders and supervisors (or support staff, as appropriate) should, engage with ER(AS) staff *before* communicating a proposal to the relevant member. The ER(AS) group mailbox ('[Admin Sanctions Air Force](#)') may be used for this purpose. This will enhance efficiency by ensuring that commanders and supervisors are fully informed about all relevant factors. It will also allow an opportunity for ER(AS) staff to provide guidance or recommendations and review correspondence or documentation related to the situation. This will also minimise the likelihood that the proposal will be deficient, which may generate delays or additional administrative impost through necessary re-work. Importantly, ER(AS) staff will not take over the staff work role for the unit. Rather, the role of ER(AS) staff is to provide quality assurance and 'subject matter expert' input to facilitate proper and expeditious processing of what can be difficult and complex staff work and furthermore promote consistency in the management of like cases across Air Force.
83. **Communicating a proposed course of action.** There are two critical facets of communicating a proposed course of action: who has the authority to do so; and the procedural mechanics of how that can be done.
- a. **Who can initiate the proposed course of action?** Consistent with the Chief of Air Force's instrument of authorisation (see the [PERSBR-AF \(DPERSPOL-AF\) intranet site](#)), all Air Force officers of the rank of Squadron Leader<sup>28</sup> or above may propose any of these courses of action, provided that the delegation is only exercised in respect of members who are:
- i. subordinate in rank to the officer by one or more rank; and
  - ii. within the officer's command, control or area of responsibility.

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<sup>28</sup> Consistent with issuing a notice proposing rank reduction, termination or suspension from duty, it is generally expected that the Commanding Officer would issue the notice proposing to suspend a member where such action is appropriate.

- b. **How should a course of action be proposed?** No specific format or procedure must be adhered to when putting a member on notice that compulsory transfer, denial or delay of promotion or removal from post is being considered. Specifically, unlike the procedures for termination of service and reduction in rank, giving notice in relation to these courses of action does not have to occur in writing. That is, a commander or supervisor may choose whichever communication mode best fits the situation, provided that all relevant factors and information is covered with both the member and the decision-maker, and records are kept as required.
- c. For example, a commander or supervisor may choose to communicate the proposed action via email or formal minute. Alternatively, a commander or supervisor may prefer to discuss the proposal with the member directly (in person or over the phone) and follow this up with an email or other written record (e.g. ROC or minute) to document the proposal. In such circumstances, the commander or supervisor may wish to generate a draft record in advance, which can be used to structure the conversation and that can be easily updated to reflect the full detail of the conversation after it has occurred.
- d. If communicating a proposal verbally, it is imperative that any associated written record accurately documents the proposal and is generated and filed as close in time to the conversation as is reasonably practicable. To assist in this regard, it is open to a commander or supervisor to make an audio recording of the proposal. This can be used to facilitate the generation of an accurate written record, or to verify the accuracy of the written record if questions arise about it at a later point in time. That is, the audio recording should not be a substitute for a written record. Importantly, the written record does not need to be a verbatim transcript of the recording—a summary of the relevant content of the proposal (as captured by the audio recording) is generally sufficient. As the creation of accurate records documenting proposed courses of action is in the interests of both the Air Force and the member, the fact that an action proposal is audio recorded when it is communicated should not be interpreted as being adverse to the member's interests. If an action proposal is audio recorded, the commander or supervisor must do so openly and with the knowledge of the member—noting that it is often unlawful to make covert audio recordings. It is not necessary for the member to consent to the audio recording being made. Any audio recording generated should be filed with the associated written record.
- e. In some situations it may be prudent to have the member verify that the record accurately reflects his or her recollection of the proposal communicated in the conversation. Importantly, such verification—if sought and provided—serves to enhance the record's accuracy and therefore reliability. It does not represent the member's agreement to the proposed action, unless the member indicates otherwise. Members who wish to comment on the proposal itself (rather than the accuracy of the record documenting the proposal) should have an opportunity to do so separately, as explained at paragraph 80(1)-(n), above.



84. **What happens next?** Once a course of action has been initiated (the member has been put ‘on notice’), certain other action should occur, or may need to occur, depending on the circumstances and whether or not the member comments on the proposed action. These actions are outlined below:

- a. **Send documentation to PERSBR-AF.** A copy of any written notice issued (in whatever format that occurred), or documents recording any verbal notice provided should be sent to the ER(AS) group mailbox ([‘Admin Sanctions Air Force’](#)) after being communicated to the member. This guidance applies even if assistance was sought from ER(AS) before putting the member on notice. This allows ER(AS) to retain situational awareness of the matters that will need to be put to a PERSBR-AF delegate for decision and ensures that workflows and resource requirements can be anticipated, prioritised and managed accordingly. Notices and documentation that are not sent to ER(AS) until a decision is sought may be subject to processing delays.
- b. **Extending a comment period.** If the member believes that he or she needs a longer timeframe in which to comment on the proposed action, then he or she should submit a request—with justification—to the commander or supervisor who proposed the action. Unless otherwise directed by the commander or supervisor, a member may make an extension request verbally and a response may be provided verbally, provided that appropriate written records are raised as soon as practicable after each conversation occurs. If these conversations are audio-recorded, the commander or supervisor should apply the guidance at paragraph 83(d).
- c. Each extension request should be considered on its merits, within the context of the broader decision-making process and the situation as a whole. This may involve taking into account various relevant factors, such as:
  - i. the complexity and seriousness of the proposal and its consequences;
  - ii. the amount of material the member may need to consider and comment on;
  - iii. the demands of the work environment (including whether the member is suspended from duty);
  - iv. the urgency of the proposed course of action (particularly noting any workplace or reputational considerations) and the time since any incident that may have given rise to (or contributed to) the action being proposed; or
  - v. any extenuating, compassionate or unforeseen personal circumstances that may limit a member’s capacity to respond.
- d. Importantly, the commander or supervisor who is proposing the action is not required to grant an extension that has been requested. That is, the commander or supervisor may refuse the extension (either in part or in full) if he or she considers on reasonable grounds that it is not justified or would unreasonably delay the resolution of the matter.
- e. As a matter of fairness, the time period afforded to a member in which to provide comments should not be shortened unilaterally.

- f. **Withdrawing or amending a proposal.** A commander or supervisor who has proposed a course of action (or a person superior to that commander or supervisor) can amend or withdraw the action proposal at anytime before the matter is referred to ER(AS) for decision. If this is done verbally, a written record of the verbal communication should be generated and filed.
- g. If amending a proposal (including the proposed action, or the information supporting the proposal), the commander or supervisor should ensure that the response timeframe is reasonably sufficient to enable the member to respond—taking into account the nature of the amendment(s) and the complexity and volume of any information added to the notice. This may involve extending the original comment period, or affording an additional period of time if the original comment period has ended.
- h. **Documenting verbal comments.** If the member has been directed to provide his or her comments on the proposal verbally then a written record of those comments will need to be generated as soon as practicable after the conversation occurs. To aid with accurately raising the written record, or verifying its accuracy at a later point in time, the commander or supervisor may choose to make an audio recording of the conversation. That is, the audio recording should not be a substitute for a written record of the member's comments. Importantly, the written record does not need to be a verbatim transcript of the recording—a summary of the relevant content of the member's comments (as captured by the audio recording) is generally sufficient. As the creation of accurate records documenting a member's comments on an action proposal is in the interests of both the Air Force and the member, the fact that a member's comments are audio recorded should not be interpreted as being adverse to the member's interests. If the member's comments are audio recorded, the commander or supervisor must do so openly and with the knowledge of the member—noting that it is often unlawful to make covert audio recordings. It is not necessary for the member to consent to the audio recording being made. Any audio recording generated should be filed with the associated written record.
- i. **Progressing to a decision.** A decision can be made on the proposal if any of the following occurs:
  - i. the member provides his or her comments
  - ii. the member informs the commander or supervisor that he or she does not intend to comment on the proposal or
  - iii. the comment period (including any extension(s)) fully elapses.
- j. If the member provides comments within the specified period, the commander or supervisor may consider whether those comments change his or her view of the matter and then take action accordingly.
  - i. **Views maintained.** If a commander or supervisor maintains the view that the proposed action should proceed, then he or she should send the member's comments to the ER(AS) group mailbox ('[Admin Sanctions Air Force](#)') for decision.

- ii. **Views changed.** If a commander or supervisor changes his or her view such that he or she believes that the proposed action should not proceed, then he or she may choose to withdraw the action proposal and notify the member and ER(AS) via the group mailbox ('Admin Sanctions Air Force').
- iii. If more than one course of action was proposed (either cumulatively or as alternatives), then the commander or supervisor may form different views about whether each of the proposed options should proceed. If the commander or supervisor considers that the option(s) requiring PERSBR-AF involvement should not proceed, he or she should inform the member and ER(AS) via the group mailbox ('Admin Sanctions Air Force'). This does not prevent the commander or supervisor from actioning any option that is within his or her power to determine at unit level, or that may otherwise be referred to a more senior officer within the chain of command.<sup>26</sup>
- k. If the member does not comment on the proposal in the allotted timeframe, or indicates that he or she does not intend to comment then the commander or supervisor should notify ER(AS) via the group mailbox ('Admin Sanctions Air Force'). If the member verbally communicates his or her intention to provide no comment, a written record should be generated and filed with the records relating to the proposal.
- l. If the documentation recording the action proposal (in whatever form) was not provided to ER(AS) immediately after being issued or communicated to the member (as per the guidance at paragraph 84(a), above), the commander or supervisor must forward this documentation to ER(AS) at the time a decision is sought. (The ER(AS) group mailbox ('Admin Sanctions Air Force') can be used for this purpose.) The matter cannot be put to a decision-maker until both the action proposal and the member's comments (if any) have been received.
- m. When referring any matter to ER(AS) for decision, commanders and supervisors should exercise particular care to not introduce new information—particularly factual information or new evidence—relating to the decision.
- n. Additional relevant information. On occasion, additional information relating to the proposal may come to light after the proposal and the member's comments (if any) have been sent to ER(AS) for decision. If this occurs and the commander or supervisor considers that the information is relevant and significant to the decision then it should be made available to the decision-maker. In such circumstances the commander or supervisor should inform ER(AS) as soon as practicable that additional information will be submitted. (The ER(AS) group mailbox ('Admin Sanctions Air Force') can be used for this purpose.) This will facilitate the efficient administration of that particular decision-making process.

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<sup>26</sup> For example, if a commander or supervisor proposed removal from post and censure, but decides after receiving the member's comments on the proposal that the removal from post should not proceed, he or she may still refer the matter to a higher level commander (rather than ER(AS)) to determine whether the censure should nevertheless be imposed.

- o. Prior to submitting any additional information or comment to ER(AS), the commander or supervisor should ensure that the member has had reasonable opportunity to comment on it, if he or she so chooses—irrespective of whether the information supports or undermines the proposal. This step is, clearly, not necessary if the additional information has been submitted by the member and the commander or supervisor does not intend to add any further new information, particularly factual information or new evidence, of his or her own.
- p. If the additional information undermines the proposed course of action, it is open to the commander or supervisor to recommend to ER(AS) that the action should not be taken.



### Redress of Grievance


85. Members who are aggrieved by any act or omission relating to their service that is adverse or detrimental to him or herself may submit a redress of grievance in accordance with Part 7 of the regulation. This includes decisions described in these guidelines, such as termination of service, reduction in rank, compulsory transfer, denial or delay of promotion or removal from post. Further guidance relating to the submission of complaints, including timeframes for submission, is located in the *Complaints and Alternative Resolutions Manual*.

### FINAL MATTERS

86. General enquiries regarding the application of these guidelines should be directed to local administrative staff in the first instance. Inquiries unable to be resolved by local administrative staff should be directed to ER(AS). The ER(AS) group mailbox ('Admin Sanctions Air Force') can be used for this purpose.

87. Comments or enquiries concerning the guidance in this document including corrections or suggestions for improvement should be directed to Director Personnel Policy via the Air Force Service Conditions group mailbox.

  
H Ehlers AM   
AIRCDRE  
DGPERS-AF

 Nov 16

### Annexes:

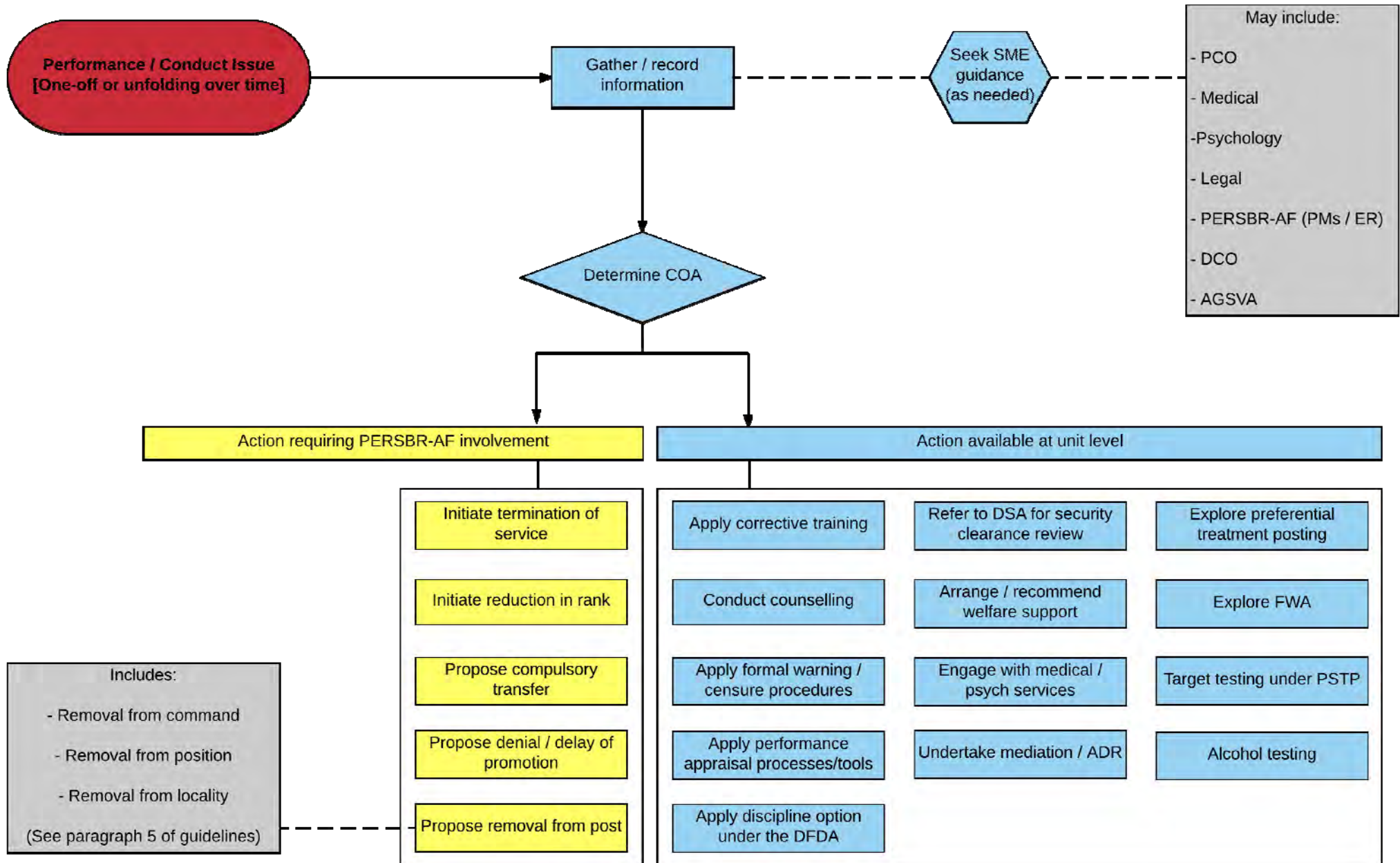
- A. Sources of Authority for Personnel-Related Decision-Making Functions
- B. Overview Flow Diagram
- C. Flow Diagrams for Action Requiring PERSBR-AF Involvement
- D. Guidance for choosing a reason for termination



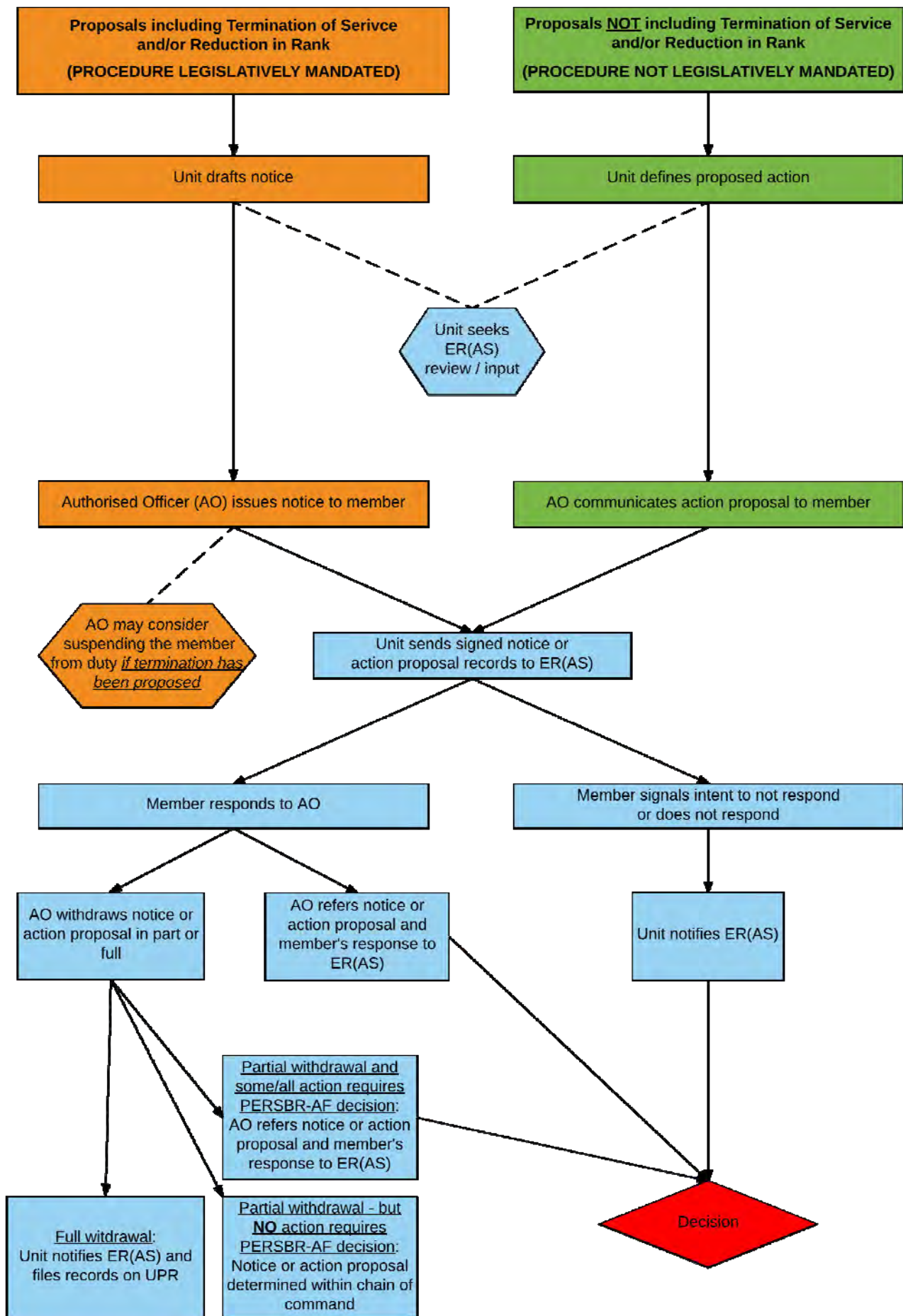
### Sources of Authority for Personnel-Related Decision-Making Functions

Action	Initiation	Imposition	Commentary
Formal Warning	CAF Command Authorisation	CAF Command Authorisation	
Censure	CAF Command Authorisation	CAF Command Authorisation	
Removal from post	CAF Command Authorisation	CAF Command Authorisation	A decision to remove an officer from Command is normally retained as a CAF prerogative A Reservist who is removed from post may incidentally also transfer between SERCATs given that posted position determines applicable SERCAT
Denial / Delay Promotion	CAF Command Authorisation	CDF Delegation under Defence Regulation 2016	
Compulsory Transfer (Employment Category)	CAF Command Authorisation	CAF Command Authorisation	Initiating authorisation not to be exercised in advance of ascertaining the feasibility of the proposed course of action from PERSBR-AF
Compulsory Transfer (Reserve SERCATs)	CAF Command Authorisation	CAF Command Authorisation	Not addressed in any detail as such transfers would normally arise as a consequence of removal from post or on the basis of failing to meet the Reserve service expectations of either the SERCAT or the position
Compulsory Transfer (PAF to AFR)	CAF Command Authorisation	CDF Delegation under Defence Regulation 2016	Initiating notice must comply with the requirements of sections 16 and 30 of Defence Regulation 2016
Reduction in Rank (Not in Interests of ADF)	CAF Command Authorisation	CDF Delegation under Defence Regulation 2016	Initiating notice must comply with the requirements of subsection 14(1)(a) and section 30 of Defence Regulation 2016
Termination (Not in Interests of ADF)	CAF Command Authorisation	CDF Delegation under Defence Regulation 2016	Initiating notice must comply with the requirements of subsection 24(1)(c) and section 30 of Defence Regulation 2016
Reduction in Rank (Failure to meet a Condition of Promotion )		CDF Delegation under Defence Regulation 2016	There is no regulatory requirement to provide a member who has failed to meet a condition with a notice proposing rank reduction or termination because they would already be aware of the conditions attached to their appointment, enlistment or promotion. In practice however, members would normally provided with an opportunity to contextualise their situation.
Termination (Failure to meet a Condition of Appointment or Enlistment)		CDF Delegation under Defence Regulation 2016	

## Overview Flow Diagram



## Flow Diagram for Action Requiring PERSBR-AF Involvement



### **Guidance on ‘retention not in the interests’ as a reason for termination**

1. In accordance with section 24(1)(c), the Chief of Defence Force (or delegate) may terminate the service of a member because retention of the member’s service is not in the interests of the Defence Force.
2. This termination reason is very broad in its scope of application, reflecting the multitude of factors that can singularly or collectively represent the interests of the Defence Force. These factors may include any one or more of the following:
  - a. a member’s performance
  - b. member’s behaviour (including any convictions for criminal or service offences)
  - c. a member’s suitability to serve in the Defence Force or in a particular role or rank
  - d. workforce planning in the Defence Force
  - e. the effectiveness and efficiency of the Defence Force
  - f. the morale, welfare and discipline of the Defence Force, and
  - g. the reputation and community standing of the Defence Force.
3. Assessing the interests of the Defence Force may, of course, take into consideration whether a member has conducted him or herself in a manner that demonstrates acceptance of and adherence to Defence and Air Force values, and matters that may be considered when taking a risk-management approach to people-centric decision-making (as recommended at paragraphs 10-11 of the guidelines). These include: safety, health and welfare, organisational compliance with legal obligations (such as anti-discrimination and work health and safety legislation), morale, finance and resource efficiency and reputation.
4. It is not necessary to select any one, single, factor that conclusively shows that a member’s retention is not in the interests of the Defence Force. Indeed, in many cases, a range of several, sometimes overlapping, factors may be involved. For example, a member’s performance or behaviour may cumulatively indicate that he or she lacks one or more of the various characteristics, skills, personal qualities and other requirements necessary to be a member and is therefore unsuitable to continue serving in the Defence Force. In some cases, however, it may be that a member’s retention is not in the interests of the Defence Force due to a single factor. For example, a member who has been unable to maintain the necessary security clearance for his or her employment category (whether through his or her own actions or factors outside of his or her control) and who cannot reasonably be transferred to another employment category or Service. In such circumstances it would be reasonable to conclude that the member is unsuitable to continue serving and that his or her retention is not in the interests of the Defence Force.
5. Notably, there is no requirement to demonstrate that any identified performance or behavioural deficiency is related to, or the result of, any physical or mental condition, or that the deficiency is likely beyond the member’s capacity to control. That is, it may be that the member could rectify the deficiency but is unwilling to do so.



6. Ultimately the factors that indicate that a member's retention is not in the interests of the Defence Force will have to be considered on a case-by-case basis. That is, there is no one-size-fits-all approach that can be applied.

7. **Fault or blameworthiness.** The extraordinary breadth of this reason for termination means that its use does not always need to reflect fault or blame on the member's part. Rather, the explanation for *why* the member's retention is not in the interests of the Defence Force or the Air Force will determine whether or not the termination reflects negatively on the member.

8. For example, a member undertaking initial employment training may be unable to develop the requisite skills sufficiently quickly (with the reasonable use of available training resources) to pass the course. On occasion it may be possible to transfer the member to another employment category or Service—or return an officer to a previous enlisted role if he or she commissioned from the ranks. If this cannot be achieved, the member's retention is unlikely to be in the interests of the Defence Force. While possibly regrettable, terminating the member for this reason, in these circumstances, does not reflect negatively on the member or prevent him or her from re-applying to join the Air Force (or any other Service) at a later time.

9. Conversely, a member may have experienced multiple conduct or performance issues over a prolonged period. Of course, the possible permutations and combinations of potential issues are almost limitless. For the purposes of this example:

- a. The member has a history of not attending for work on time, leaving early without approval, and lying or giving deliberately misleading information to team mates and superiors— mostly to avoid work responsibilities.
- b. The member has failed several PFTs but has not committed to the physical conditioning program set by local PTIs. On several occasions when directed to attempt a PFT the member has presented to medical as unfit—although at no time has any medical condition been identified that would prevent the member from safely undertaking a PFT.
- c. The member's work performance issues include not completing work within reasonably set timeframes and multiple failures to properly complete the end of day security checks when required. On one occasion the member even signed the security register as 'Bruce Wayne' (AKA Batman).
- d. More recently, the member was counselled about, and directed to remove, lewd images (of scantily clad persons in suggestive positions) hung on the member's locker. The member was also counselled after being overheard commenting to other junior personnel in the tea room that ADF members with certain religious beliefs represent a security risk and that they should be banned from joining.
- e. The member shows no interest in professional development and has not attempted to undertake or complete any job-specific training, despite being directed to do so. Aside from not having successfully completed a PFT in the last 3 years, the member has also consistently not completed other individual readiness requirements—including annual mandatory training.
- f. The member is frequently lax with addressing superiors, often using first names, and on occasion has 'forgotten' to salute when required. Despite being given direction and correction (including through disciplinary proceedings under the DFDA and other 'sanctions') the member has not corrected the identified deficiencies.

g. The member feels aggrieved by the constant direction and correction and various forms action taken in response to these deficiencies and divergences from Air Force and Defence values. The member perceives that he or she is being singled out and treated more harshly than others and has become a toxic and corrosive influence in the workplace.

10. In such circumstances, while no single incident may be serious enough to warrant termination, the accumulation of the member's own actions indicate that his or her retention is not in the interests of the Defence Force for a range of reasons. His or her conduct demonstrates an unwillingness to adhere to Defence or Air Force values—particularly those of integrity, respect, teamwork, dedication, excellence, and professionalism. He or she cannot be trusted to work unsupervised and is therefore a drain on capability. Moreover, he or she has demanded significant management resources through direction and correction with no indication that commitment of further resources would result in the necessary improvements. As such, the member presents an ongoing risk to organisational effectiveness and resource efficiency. The culmination of these factors (amongst others—omitted for the sake of brevity) is such that the member is actively detracting from capability and morale rather than enhancing it and therefore that his or her retention is not in the interests of the Defence Force.

11. **Within or outside of a member's control.** It is important to note that whether this reason has been met *does not* turn on an assessment of whether the performance, conduct or other circumstances are within or outside a member's control.

12. In the example at paragraph 8 of this annex, if the member was trying his or her best, but was unable to achieve the standards required then it is likely that the deficiency was not within the member's control. This is, however, largely immaterial to the conclusion that his or her retention is not in the interests of the Defence Force.

13. Similarly, in the example at paragraphs 9-10 of this annex, it may be that the member has been deliberately obstinate and generally non-compliant with workplace requirements. Or it may be that he or she is just a bad cultural fit for Air Force—he or she may have the capacity to rectify these deficiencies, or may have tried to do so, but may simply not have demonstrated the requisite level of motivation, willpower, drive or commitment to Air Force to make the necessary changes. In either case, while an assessment of the member's capacity or willingness to rectify the deficiencies may be a relevant consideration, it is unlikely to outweigh the considerable management burden and drain on capability that the member has generated and likely will continue to generate into the foreseeable future.

14. **Specialist advice.** When considering whether a member's retention is in the interests of the Defence Force, a commander or supervisor may wish to seek specialist advice (medical or psychological). Such advice may help to contextualise the nature of the performance, conduct or other circumstances of concern or inform the commander or supervisor's assessment of whether the deficiency(ies) is likely to be rectified. It is not, however, mandatory to seek such advice and the weighting placed on the information provided rests with the decision maker.

15. **Retention of rank not in the interests of the service.** While the narrative in this annex focuses on termination, section 14(1)(a) of the regulation provides scope for rank reduction to be pursuant to the same regulatory considerations (see paragraph 2 of this annex). Where rank reduction on these grounds is contemplated, authorised decision makers and delegates should have regard to the considerations detailed in this annex as applicable.

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## AIR FORCE PERSONNEL STANDING INSTRUCTIONS

### CHAPTER 17 – MANAGEMENT OF SUB-STANDARD PERFORMANCE AND CONDUCT

#### INTRODUCTION

17.1. Air Force members who do not match Air Force expectations in terms of performance and conduct will be managed in a proactive and timely manner. Where the member fails to respond to counselling, formal warning or censure, they may be:

- a. reduced in rank,
- b. removed from position,
- c. transferred to another employment category,
- d. transferred to another SERCAT within the PAF or AFR as applicable,
- e. terminated (officers) or discharged (enlisted members) pursuant to section 101 of the [Defence Act 1903](#),
- f. terminated under [Defence Regulation 2016 \(DR-16\)](#), or
- g. dismissed pursuant to the [Defence Force Discipline Act 1982](#).

17.2. Comprehensive policy guidance and associated processes are detailed in the [DGPERS-AF Guidelines – Managing and Recording Sub-standard Performance and Conduct](#). These guidelines will be incorporated within this Chapter of the AFPSIs at a later date.

#### Aim and scope

17.3. This Chapter or, by extension the aforementioned DGPERS-AF Guidelines, details the policy and processes to be followed where any of the following outcomes are proposed:

- a. **Formal warning or censure.** Addressed by [DGPERS-AF Guidelines](#) with superordinate guidance also detailed in [MILPERSMAN Part 9, Chapter 2—Formal Warnings and Censures in the ADF](#).
- b. **Rank reduction on the grounds of performance or conduct.** Addressed by [DGPERS-AF Guidelines](#).
- c. **Denial or delay of promotion.** Addressed by [DGPERS-AF Guidelines](#) and AFPSI Chapter 10—Air Force Promotion System (see paragraphs 10.38, 10.39, 10.43 to 10.47).
- d. **Compulsory transfer between employment categories.** Addressed by [DGPERS-AF Guidelines](#).
- e. **Termination on the grounds of sub-standard performance or conduct.**<sup>1</sup> May be enacted pursuant to [DA-03](#) (prohibited substances) or [DR-16](#) and is addressed by [DGPERS-AF Guidelines](#) with superordinate guidance also detailed in [MILPERSMAN Part 10, Chapter 2—Termination of Service in the ADF](#).
- f. **Removal from post.** Addressed by [DGPERS-AF Guidelines](#) where removal is on the grounds of performance or conduct as opposed to capability or workforce planning considerations. In an AFR context, removal from post may also occur as a consequence of a forced transfer from a SERCAT 4 or 5 position to a SERCAT 2 or 3 position for a variety of reasons including non-performance of RSDs as directed or non-compliance with IR requirements. See paragraph 17.12.

<sup>1</sup> Does not include dismissal under the [Defence Force Discipline Act 1982](#). In such cases, PERSBR-AF is notified of an outcome and the appropriate termination rows are input to Defence One.

**OFFICIAL**

17-2

- g. **Termination on the grounds of being absent without leave (AWOL) for a continuous period of three months or more.** See paragraph 17.7. Superordinate guidance is also available in [MILPERSMAN Part 9 Chapter 6—Reporting and Management of Defence Members Absent Without Leave](#) and [MILPERSMAN Part 10, Chapter 2—Termination of Service in the ADF](#).
  - h. **Compulsory transfer between SERCATs within either the PAF or the AFR.** See paragraph 17.12.
  - i. **Termination on failure to comply with the conditions of their appointment, enlistment or transfer from Navy or Army.** See paragraphs 17.8 to 17.10.
  - j. **Rank reduction on failure to comply with the conditions of promotion.** See paragraph 17.11.
  - k. **Ending a direction to act at higher rank.** See paragraph 17.13 with superordinate guidance included also in [MILPERSMAN Part 5, Chapter 3—Promotion, Acting Rank and Honorary Rank in the ADF](#)
- 17.4. The courses of action detail at paragraph 17.3 are not exhaustive and a number may arise concurrently. Where a Commander is uncertain of what action to take or how to progress a course of action, they should seek assistance as detailed at paragraph 17.15.
- 17.5. This Chapter does not cover:
- a. Capability directed transfers from the PAF to the AFR, Navy or Army – see AFPSI Chapter 16—*Capability Directed Separation from the Air Force and Transfers from the PAF*.<sup>2</sup>
  - b. Voluntary transfers between the PAF and the AFR, between SERCATs or from Air Force to Navy or Army – see AFPSI Chapter 14—*Voluntary Alteration of Service Commitment*.

**ACTIONS NOT COVERED BY DGPERS-AF GUIDELINES**

- 17.6. Adverse administrative actions not covered by DGPERS-AF Guidelines are detailed below.

**Termination on the grounds of being AWOL for a continuous period of three months or more**

17.7. Where a member is AWOL, their case should be being managed in accordance with [MILPERSMAN Part 9 Chapter 6—Reporting and Management of Defence Members Absent Without Leave](#). On reaching a period of three continuous months of AWOL, the member's service should be terminated pursuant to sub-section 24(1)(e) of [DR-16](#). There is no requirement to issue a notice beforehand.

**Failure to comply with a condition of appointment or enlistment**

17.8. On appointment or enlistment in either the PAF or the AFR, members will normally be appointed with conditions. These conditions may include the requirement to serve a period of probation and might also include specified outcomes to be achieved. Common requirements might include the requirement to complete both IET and IMT, to attain a specified security clearance or to successfully gain Australian Citizenship.

17.9. Where a member's performance or conduct during a probationary period is not consistent with command expectations or a member fails to complete specified actions as required, their service may be terminated pursuant to sub-section 24(1)(d) of DR-16. In such cases, there is no notice requirement:

- a. provided the decision to terminate a member's service is made during a period of probation (subsection 24(3) refers), or
- b. because a member has breached a known condition of their appointment or enlistment.

<sup>2</sup> There is no scope to compulsorily transfer a member from the PAF on the grounds of sub-standard performance or conduct.



## OFFICIAL

17-3

17.10. Members will be aware from the outset that their appointment or enlistment is subject to conditions and to any period of probation. As such, not providing notice of a proposal to terminate a member's service is not unfair in these limited circumstances. Nevertheless, nothing prevents the delegate from seeking further information to support their decision where they consider it prudent to do so. Where a member has not met a condition of their appointment or enlistment, the delegate may defer their decision on the basis that compliance may be imminent. Where compliance with the condition does not eventuate, the member's service may still be terminated.

### **Failure to comply with a condition of promotion**

17.11. On promotion in either the PAF or the AFR, members may be promoted with conditions. These conditions may include the requirement to serve a period of probation and might also include specified outcomes to be achieved. Common requirements might include the requirement to complete PMET. Failure to meet performance and conduct expectations during a period of probation or failure to attend to specified requirements may lead to rank reduction. The considerations and processes specified at paragraphs 17.9 and 17.10 are equally applicable in relation to promotion.

### **Compulsory transfer between SERCATs**

17.12. **Compulsory transfer from SERCAT 6 to SERCAT 7.** There is no scope to force a SERCAT 7 member to transfer to SERCAT 6. Where compulsory transfer from SERCAT 6 to SERCAT 7 is contemplated, by way of formally revoking the member's Flexible Service Determination, the CDF or delegate should have regard to any relevant information provided by the Commander and member including the impact revocation may have upon the member and the capability impact of not authorising the revocation.

17.13. **Compulsory transfer from SERCAT 4 or 5 to SERCAT 2 or 3.** Where compulsory transfer from SERCAT 4 or 5 to SERCAT 2 or 3 is contemplated, the process to be following depends upon the basis for the move. A transfer premised upon performance or conduct issues is to be progressed in the same manner as removal from post procedures.<sup>3</sup> Where transfer is premised upon failure to render the RSDs associated with the member's posted position, the member may simply be transferred on the basis of a Commander's recommendation. This abbreviated process reliant on the fact the member would have been well aware of their obligations when they agreed to be posted against the relevant position. Nevertheless, as detailed in AFPSI Chapter 15-Reservist Considerations, a Commander should first ascertain whether there were any mitigating circumstances before making their recommendation to PERSBR-AF.

### **Direction to act at higher rank**

17.14. Where a member is directed to act in a higher rank such directions would normally be for a particular period, until a particular date or event, for example, or until the member finishes a particular posting. However, a direction to act in a higher rank may also end at any time, because the CDF (or delegate) decides to cancel the direction to act in the higher rank. In these circumstances, there is no requirement for a member to be given the opportunity to provide reasons why the direction should be cancelled. Ordinarily however the Commander proposing cancellation of the direction should have provided reasons to the member and invited them to comment before making a recommendation to the decision maker.

## FURTHER ADVICE

17.15. General enquiries should be directed to local administrative staff in the first instance. Enquiries unable to be resolved by local administrative staff or with the assistance of local legal resources should be directed to the Deputy Director Administrative Sanctions and Medical Review (DDASMR) within DP-AF.

<sup>3</sup> Because each position in the AFR has an assigned SERCAT, a member who transfers between SERCATs is also posted. As such within the AFR, 'removal from post' (unless posting to another position within the same SERCAT) is the same as 'removal from SERCAT'.

**OFFICIAL**

17-4

17.16. Comments or suggestions regarding the content of this Chapter are to be referred to the Directorate of Personnel Policy – Air Force (DPERSPOL-AF).

17.17. Contact details are available via the [PERSBR-AF intranet site](#).

**Related instructions, guidance, determinations, legislation, delegations and authorisations**

[Defence Act 1903](#)

[Defence Regulation 2016](#)

[Defence Force Discipline Act 1982](#)

[MILPERSMAN Part 6, Chapter 4—Transfer of Personnel Across the Service Spectrum](#)

[MILPERSMAN Part 9, Chapter 2—Formal Warnings and Censures in the ADF](#)

[MILPERSMAN Part 10, Chapter 2—Termination of Service in the ADF](#)

[DGPERS-AF Guidelines – Managing and Recording Sub-standard Performance and Conduct](#)



**Australian Government**

**Department of Defence**

# DEFENCE INSTRUCTIONS (GENERAL)

## Amendment

PERS 03-4  
AMDT NO 1  
Complete Revision

*Management Initiated Early Retirement and termination of service in the  
Australian Defence Force*

Department of Defence  
CANBERRA ACT 2600

9 December 2003

Issued with the authority of the Chief of the Defence Force and the Secretary of the Department of Defence pursuant to section 9A of the *Defence Act 1903* for members of the Australian Defence Force.

Issued with the authority of the Secretary pursuant to section 20 of the *Public Service Act 1999* for Department of Defence Australian Public Service employees.



R.C. SMITH, AO, PSM  
Secretary



P.J. COSGROVE, AC, MC  
General  
Chief of the Defence Force

## LIST B—ISSUE NO PERS B/20/2003

### Single Service filing instructions

This instruction should be filed as:

1. NAVY PERS 2-3
2. ARMY PERS 217-4
3. AIR FORCE PERS 7-15

### Sponsor:

Deputy Secretary People Strategies and Policy

### Sponsor contact:

Director Military Personnel Policy

**Review Date:** 19 December 2006

### Cancellation

DI(G) PERS 03-4 ISSUE NO PERS B/35/2002 of 24 DEC 2002 is cancelled.

C

CELLED



File as: (NAVY PERS 2-3  
(ARMY PERS 217-4  
(AIR FORCE PERS 7-15  
(Complete Revision)

# MANAGEMENT INITIATED EARLY RETIREMENT AND TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

## INTRODUCTION

1. Management Initiated Early Retirement (MIER) is an *involuntary* scheme that allows the Services to selectively transfer eligible members from the Permanent Australian Defence Force (ADF) to a category of the Reserves. The service of a member may be *involuntarily* terminated for reasons, which may be within or outside of a person's power to control. The relevant authorities listed in paragraph 3 are vested with the power to initiate MIER or termination proceedings. All or part of these powers may be delegated, by Instrument in writing, to an officer within the ADF. The related single Service instructions will detail the delegates in relation to this instruction in due course.

## AIM

2. The aim of this instruction is to state the ADF policy on MIER and the termination of service of personnel from the ADF, which may be initiated by individual Service Headquarters.

## AUTHORITY

3. Provisions contained with Defence (Personnel) Regulations 2002 provide the legislative authority for the application of MIER and termination of service as follows:

- a. MIER Regulations 71–80, chapter 8, part 3, (Alteration of the service obligation by payment of a special benefit); and
- b. Termination of service Regulations 82–87, chapter 9, part 2, (Compulsory termination of service);  
Regulations 17(3), 19(2), 21(3), chapter 4, part 1;  
Regulation 27(3), chapter 4, part 2.

## DEFINITIONS

4. For the purpose of this instruction, the following definitions apply:

- a. **Member.** A member means an officer or enlisted member.
- b. **Eligible member.** An officer of Major (Equivalent (E))/O-4 rank and above, and an enlisted member of Warrant Officer (WO) 1 (E) or WO 2 (E) rank.
- c. **Officer.** An officer appointed who is of the rank of Midshipman/Officer Cadet or higher.
- d. **Senior officer.** An officer of Major General (E)/O-8 rank and above.
- e. **Relevant authority.**
  - (1) In the case of MIER means:
    - (a) in relation to a senior officer—the Governor-General; or
    - (b) in relation to any other eligible member—the Chief of the member's Service.

- (2) In the case of termination of service of members where referred to in this instruction means:
- (a) in relation to an officer—the Governor-General; or
  - (b) in relation to an enlisted member—the Chief of the member's Service.

The powers of the relevant authorities to perform the functions detailed in this instruction have been entrusted to the authorised delegates detailed in the related single Service instructions.

## MANAGEMENT INITIATED EARLY RETIREMENT

5. MIER will be considered for personnel whose performance is satisfactory but who are no longer widely employable or who are restricting the promotion opportunities of others in the Permanent ADF. MIER will be used sparingly and before a decision is taken to initiate a MIER, consideration will be given to other employment opportunities for the member. Personnel selected for MIER have the option of transferring from the Permanent ADF to a category of the Reserves within one month with a special financial benefit, or transferring after 13 months further service without a special benefit. MIER is not to replace the normal administrative processes for dealing with unsatisfactory performance. Where a member is subject to an investigation for unacceptable behaviour or is the subject of adverse administrative or disciplinary action, they will not be considered for MIER.

6. **Qualifying conditions for MIER.** Eligible members being considered for MIER must meet the following conditions:

- a. be serving in the Permanent ADF
- b. have completed 20 years of service,
- c. have at least 12 months remaining prior to reaching compulsory retiring age or completion of the current fixed period of service, and
- d. have completed two years in their current substantive rank.

7. **Preliminary notification.** The relevant authority may give an eligible member a preliminary notice:

- a. advising the eligible member that they are being considered for MIER, and will be entitled to a payment of a special benefit if they transfer to a category of the Reserves;
- b. stating the reasons why the relevant authority is considering giving the notice; and
- c. inviting the eligible member, in a specified period, to give the relevant authority a statement of reasons why they should not be transferred to a category of the Reserves.

The specified period must be at least one month, commencing not earlier than the day on which the preliminary notice is given to the eligible member.

8. **Offer of special benefit.** If the eligible member has not given the relevant authority a statement of reasons, or where given, the relevant authority has considered the reasons, a further notice may be issued stating that:

- a. if the eligible member agrees to be transferred to a category of the Reserves in the initial period specified in the notice, the eligible member will be entitled to a special benefit in accordance with a determination under section 58B or 58H of the *Defence Act 1903* (see [paragraphs 11. –13.](#)); and

- b. if the eligible member declines to be transferred in accordance with subparagraph 8.a. then the member may be transferred to the Standby Reserve without a special benefit, or the eligible member's service in the ADF may be terminated following a subsequent period.

The subsequent period must not be less than 13 months, commencing not earlier than the day on which the offer of special benefit is given to the eligible member.

9. **Arrangements after declining special benefit.** If an eligible member declines the offer of a special benefit (see subparagraph 8.b.), and the relevant authority considers it is necessary to take action in the interests of the organisational effectiveness of the Service, the relevant authority may at any time after the subsequent period mentioned in the notice, transfer the eligible member to the Standby Reserve.

10. Arrangements for service in the Standby Reserve are contained in Defence Instruction (General) (DI(G)) PERS 33-5—*Arrangements for service in the Australian Defence Force*.

### Special benefit

11. **Authority.** The special benefit is to be paid in accordance with Defence Determination 2000/1, part 2 which has been made under section 58B or 58H of the *Defence Act 1903*.

12. **Calculation of the special benefit.** Defence Determination 2000/1, part 2 allows for two weeks salary to be paid for each year of service (including prior service recognised for long service leave purposes) up to a maximum of 48 weeks salary. The Australian Taxation Office (ATO) has advised that such a payment is considered an Eligible Termination Payment (ETP) for taxation purposes. Personnel should seek clarification on the tax treatment of ETPs from the ATO.

13. **Initial period for the purpose of the special benefit.** The initial period specified within which the member must transfer to the Reserves, after being given notice that they will qualify for the payment of a special benefit, will be one month, but not less than 14 days. The initial period commences not earlier than the day on which the notice is given to the member. Notwithstanding this, the member may transfer to the Reserves within the initial period, on a date determined by the member. In these circumstances, if the member transfers to the Reserves before the end of the initial period, the member is entitled to be paid, in lieu of salary for the remainder of the initial period specified.

### Time not to run during certain periods

4. In the event that an eligible member submits a formal complaint in accordance with DI(G) PERS 34-1—*Redress of Grievance*, or under the *Ombudsman Act 1976*, which relates to the MIER process, that period during which the complaint is being investigated is not be taken into account for the purpose of the 'initial' or 'subsequent' time periods referred in the procedures.

### Management Initiated Early Retirement returns

15. Relevant Career Management Agencies are to forward a return to Director Military Personnel Policy on 01 February and 01 July each year of notices given. The return should include the following information; sex of member, age, unit trade/mustering/specialisation, length of service and date of transfer to the Reserves.

## TERMINATION OF SERVICE

### Termination of service of a member who becomes a permanent resident of another country

16. The Chief of a Service may terminate a member's service where that member becomes a permanent resident of another country. Members intending to take, or who have taken, permanent residency in another country are required to notify the Chief of their Service as soon as practicable.

**Termination of service during redundancy**

17. Where a Chief of the Service declares that a member cannot be usefully employed in the Chief's Service because of redundancy, that member's service may be terminated. Termination of a member's service on this ground is subject to a document issued by or with the authority of the Chief of a Service identifying termination of service as a way in which the redundancy is to be carried out. The member concerned is to be given at least 12 months notice that it is intended to terminate the member's service because of that redundancy. Alternatively, the member may consent to the redundancy taking effect at another mutually agreed time.

**Termination of service of members for absence without leave**

18. The relevant authority may terminate the service of a member who has been absent without leave for a continuous period of more than three months.

**Termination of service of member appointed or enlisted provisionally**

19. The Chief of a Service may terminate the service of a member who is provisionally appointed or enlisted at any time during the provisional period if a member does not comply with a condition of entry.

**Termination of officer appointed on probation**

20. The Chief of a Service may terminate the appointment of an officer at any time during a period of probation.

**Termination of temporary appointment**

21. Where an enlisted member is appointed temporarily to be an officer, that appointment may be terminated at any time during the period of temporary appointment.

**Termination of service in the Standby Reserve**

22. If a member is serving in the Standby Reserve of a Service, the Chief of the member's Service may terminate the member's service in the Defence Force at any time.

**Notice to Show Cause**

23. In the case of paragraphs 19. – 22., a member is to be given a Notice to Show Cause advising them that termination of their service is being considered. The member is to be given access to all documentary evidence used in the Notice to Show Cause, provided with a reasonable period within which to respond, and given access to a Legal Officer, if one is available, to assist them in preparing a response.

**Grounds for termination of appointment of officers**

24. Other grounds on which the appointment of an officer whose appointment is neither temporary, provisional, nor probationary, and who is not serving in the Standby Reserve, may be terminated are:

- a. the officer is incapable of rendering effective service as a result of physical or mental incapacity, and it is not within the officer's power to control the incapacity;
- b. the officer is medically unfit (including unfitness because of mental incapacity);
- c. the officer is inefficient or incompetent for a reason that is within the officer's control;
- d. the officer has been convicted of an offence or a Service offence, and the Chief of the officer's Service has certified that, having regard to the nature and seriousness of the offence, the retention of the officer is not in the interests of the Defence Force;
- e. the retention of the officer is not in the interests of the Defence Force because of the officer's behaviour; and
- f. the retention of the officer is not in the interests of the Defence Force because of the officer's power to control the reason for, or cause of, the officer's performance.



### Grounds for termination of service of enlisted members

25. The service of an enlisted member in the Defence Force may be terminated for any of the following reasons:

- a. if the enlisted member is less than 18 years old—the enlisted member's father, mother or guardian has requested the termination of the enlistment;
- b. the enlisted member will, on termination, be appointed as an officer;
- c. the enlisted member is medically unfit (including unfitness because of mental incapacity);
- d. the enlisted member does not comply with the medical standard for the trade or employment in which the enlisted member is engaged;
- e. the Chief of the enlisted member's Service is satisfied that the enlisted member is unsuitable for further training;
- f. if the enlisted member is undergoing:
  - (1) recruit training,
  - (2) initial employment training,
  - (3) apprentice training, or
  - (4) trade training.

the Chief of the enlisted member's Service is satisfied that the enlisted member is unsuitable for further training;
- g. the Chief of the enlisted member's Service is satisfied that the retention of the enlisted member is not in the interests of:
  - (1) Australia;
  - (2) the Defence Force; or
  - (3) the Chief's Service;
- h. the enlisted member gave false or misleading information to a person to whom the enlisted member was required to give information in relation to the enlisted member's enlistment;
- i. the enlisted member has not been granted, or has not accepted, Australian citizenship; and
- j. the enlisted member has failed to render service that the enlisted member was required to render.

### Power to issue termination notices and terminate the service of members

26. Where it is proposed to terminate the service of a member for any of the reasons mentioned in [paragraphs 24.](#) and [25.](#) (subparagraph 25.b. excepted), the relevant authority, or authorised delegate may give a member a termination notice:

- a. stating that it is proposed to terminate the member's service in the Defence Force;
- b. stating the reason for terminating the service;
- c. setting out particulars of the facts and circumstances relating to the reason for terminating the service that is sufficient to allow the member to prepare a statement of reasons why the service should not be terminated;

- d. inviting the member to give the relevant authority a written statement of reasons why the service should not be terminated; and
  - e. specifying a period of at least 28 days after the date of the notice as the period in which the member may give the statement of reasons.
27. The relevant authority may terminate the member's service in the Defence Force if:
- a. the member does not give the relevant authority within the period specified in the notice, a statement or reasons; or
  - b. having considered the statement given by the member, the relevant authority is of the opinion that the reason for termination stated in the termination notice has been established.

#### **Form and date of effect of termination of service**

28. Where a decision is taken by the relevant authority to terminate the service of a member, the member is to be advised in writing of the decision, specifying the day on which the termination is to take effect. The day specified must not be earlier than the day on which the advice is given, and not later than three months after the day on which the member is given a copy of the written advice.

29. The entitlement to superannuation, pay and allowances for a member whose service is terminated will vary according to the individual circumstances. For details of entitlements refer to *Australian Defence Force Pay and Conditions Manual* (PACMAN), chapter 10—'Reserves and cadets', volume 2. Personnel subject to a MIER cannot undertake full-time work for the Department of Defence for the first 12 months thereafter without financial detriment.

#### **Contact details**

30. Proposals for amendment notification of error of this instruction are to be forwarded to Directorate of Military Personnel Policy, R8-2-03, Department of Defence, CANBERRA ACT 2600, telephone (02) 6266 7796 or facsimile (02) 6265 1516.

#### **Related publications**

DI(G) PERS 33-5—*Arrangements for service in the Australian Defence Force*

Defence Instruction (Army) PERS 30-1—*Delegation and Authorisation of Powers under Australian Military Regulations* (under review, to be issued)

Defence Instruction (Air Force) PERS 7-1—*Discharge or transfer of Airmen and Airwomen on Cessation of Permanent Air Force Service*

Australian Book of Reference (ABR) 10—*Sailors' Career Management Manual*

ABR 6289—*RAN Officers' Career Management Manual*

**Sponsor:** DGCMP (DMPP)



Australian Government

Department of Defence

# DEFENCE INSTRUCTIONS (GENERAL)

## Amendment

PERS 03-4  
AMDT NO 2  
Complete Revision

*Termination of service in the Australian Defence Force*

Department of Defence  
CANBERRA ACT 2600

Issued with the authority of the Chief of the Defence Force and the Secretary of the Department of Defence pursuant to section 9A of the *Defence Act 1903* for members of the Australian Defence Force.

Issued with the authority of the Secretary pursuant to section 20 of the *Public Service Act 1999* for Department of Defence Australian public Service employees.

J WATT, AO  
Secretary

D.J. HURLEY, AC, DSC  
General  
Chief of the Defence Force

## LIST B—ISSUE NO PERS B/11/2011

### Sponsor:

People Strategies and Policy Group

### Sponsor contact:

Directorate of Military Personnel Policy

**Effective Date:** 25 July 2011

**Review Date:** 25 July 2014

### Cancellation

DI(G) PERS 03-4 ISSUE NO PERS B/20/2003 of 19 DEC 2003 (AL1) is cancelled. This amendment no longer includes single-Service filing numbers.

### Note

This amendment incorporates a title change.

ANCELLED



# TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

## INTRODUCTION

1. A fundamental tenet of the Australian Defence Force (ADF) personnel strategy is the development of management tools to enhance the ability of Service Chiefs to manage their workforce capability to best meet operational demands. The [Defence Act 1903](#) (Defence Act) and the [Defence \(Personnel\) Regulations 2002](#) (Defence Regulations) enable the Governor-General and Service Chiefs, and their authorised delegates (hereafter called decision-makers and defined in [annex A](#)), to terminate the service of Defence members for prescribed reasons.

## POLICY STATEMENT

2. Defence is committed to robust management tools which ensure optimal personnel capability outcomes for operations. This Instruction outlines the mechanisms that allow decision-makers to effect terminations of service. The transfer of eligible Defence members, who are no longer widely employable, from the Permanent Forces to a category of the Reserves under the Management Initiated Early Retirement (MIER) scheme is also outlined.

## SCOPE

3. This Instruction details the Defence policy regarding the termination of service mechanisms contained in the [Defence Regulations](#) and is applicable to Defence members as defined.

## DEFINITIONS

4. Definitions that apply to this Instruction are in [annex A](#).

## AUTHORITY

5. The Defence Regulations empower decision-makers to terminate a Defence member's service in prescribed circumstances. The [Defence Act](#) provides the relevant authorised persons with the decision-making power to terminate a Defence member's service as a result of positive prohibited substance testing.

## COMPLIANCE

6. All Defence members must comply with this Instruction.

7. Defence Instructions (General) (DI(G)) are issued jointly by the Secretary and the Chief of the Defence Force (CDF) under [section 9A](#) of the Defence Act. This Instruction from the CDF constitutes a general order to Defence members for the purposes of the [Defence Force Discipline Act 1982](#) (DFDA). Non-compliance may result in disciplinary action being taken in accordance with the [DFDA](#).

## TERMINATION OF SERVICE

### Grounds for termination of service of officers

8. The service of an officer may be terminated under Regulation 85 for any of the following reasons:

- a. the officer is less than 18 years old, and the officer's father, mother or guardian has requested the termination of the enlistment;
- b. the officer is incapable of rendering effective service as a result of physical or mental incapacity, and it is not within the officer's power to control the incapacity;
- c. the officer is medically unfit (including unfitness because of mental incapacity);
- d. the officer is inefficient or incompetent for a reason that is within the officer's control;
- e. the officer has been convicted of a civil offence or a Service offence, and the decision-maker has certified that, having regard to the nature and seriousness of the offence, the retention of the officer is not in the interests of the ADF;
- f. the retention of the officer is not in the interests of the ADF because of the officer's behaviour; and
- g. the retention of the officer is not in the interests of the ADF because of the officer's performance, and it is within the officer's power to control the reason, or cause of, the officer's performance.

### Grounds for termination of service of enlisted members

9. The service of an enlisted member may be terminated under Regulation 87 for any of the following reasons:

- a. the enlisted member is less than 18 years old and the enlisted member's father, mother or guardian has requested the termination of the enlistment;
- b. the enlisted member will, on termination, be appointed as an officer;
- c. the enlisted member is medically unfit (including unfitness because of mental incapacity);
- d. the enlisted member does not comply with the medical standard for the trade or employment in which the enlisted member is engaged;
- e. the decision-maker is satisfied that the enlisted member is not suited to be an enlisted member;
- f. the enlisted member is undergoing, recruit training; initial employment training; apprentice training; or trade training; and the decision-maker is satisfied that the enlisted member is unsuitable for further training;
- g. the decision-maker is satisfied that the retention of the enlisted member is not in the interests of Australia, the ADF or the relevant Service;
- h. the enlisted member gave false or misleading information to a person to whom the enlisted member was required to give information in relation to the enlisted member's enlistment;
- i. the enlisted member has not been granted, or has not accepted, Australian citizenship; and
- j. the enlisted member has failed to render service that the enlisted member was required to render.

**Process for terminating the service of Defence members under Regulations 85 and 87**

10. Regulations 85 and 87 require a specific process to be followed, which will provide the Defence member with procedural fairness in relation to the termination decision. Any failure to follow this process may result in the termination decision being invalid.

11. A Defence member must be provided with a termination notice, and given an opportunity to provide a statement of reasons, before a termination decision is made. Unless the termination decision is made personally by the Governor-General or relevant Service Chief, the person who decides to issue the termination notice must be a different person from the decision-maker who makes the termination decision.

12. The termination notice must:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force;
- b. state the reason for terminating the Defence member's service;
- c. set out particulars of the facts and circumstances relating to the reason for terminating the Defence member's service, that is sufficient to allow the Defence member to prepare a statement of reasons why the service should not be terminated. This will include details of any evidence relied on to support the reasons for termination;
- d. invite the Defence member to provide a written statement of reasons why the service should not be terminated; and
- e. specify a period of at least 28 days after the date of the notice as the period in which the Defence member may give the statement of reasons.

13. If the Defence member provides a statement of reasons within the period specified in the termination notice, the decision-maker must consider that statement of reasons. If the decision-maker is of the opinion that the reason for terminating the Defence member's service has been established, and has not been affected by a change in circumstances since the termination notice was given to the Defence member, the decision-maker must terminate the Defence member's service.

14. If the Defence member does not provide a statement of reasons within the period specified in the termination notice, and the decision-maker is of the opinion that the reason for terminating the Defence member's service has not been affected by a change in circumstances since the termination notice was given to the Defence member, the decision-maker must terminate the Defence member's service.

**Other grounds for termination of service of Defence members**

15. The Defence Regulations provide a number of other grounds bases on which the service of Defence members can be terminated. These grounds are listed in the paragraphs below.

**Termination of service where appointed or enlisted provisionally**

16. A decision-maker, under Regulation 17 or Regulation 27, may terminate the service of a Defence member who is provisionally appointed or enlisted if, at any time during the provisional period, the Defence member does not comply with a condition of appointment or enlistment.

**Termination of officer appointed on probation**

17. A decision-maker under Regulation 19 may terminate a Defence member's appointment as an officer at any time during a period of probation.

**Termination of temporary appointment**

18. A decision-maker under Regulation 21 may terminate the temporary appointment of an enlisted member as an officer, at any time during the period of temporary appointment.

**Termination of service in the Standby Reserve**

19. A decision-maker under Regulation 70 may terminate the service of a Defence member serving in the Standby Reserve, at any time for a reason that relates to the interests of the member's Service.

**Termination of service when becoming a permanent resident of another country**

20. A decision-maker under Regulation 82 may terminate a Defence member's service if that Defence member becomes a permanent resident of another country. Defence members intending to take, or who have taken, permanent residency in another country must notify their Service Chief as soon as practicable.

**Termination of service during redundancy**

21. A decision-maker under Regulation 83 may terminate the service of a permanent Defence member where the decision-maker declares that the Defence member cannot be usefully employed because of redundancy in the relevant Service.

22. Redundancy means that Defence no longer requires the work or job to be performed by anyone because of the changes in the operational requirements of Defence. Terminations under Regulation 83 are distinctly different to transfers under the MIER Scheme, which is outlined separately in this Instruction.

**Termination of service for absence without leave**

23. A decision-maker, under Regulation 84 or Regulation 86, may terminate the service of a Defence member who has been absent without leave for a continuous period of more than three months.

**Process for terminating the service of Defence members under the other grounds**

24. Where termination of service is under one of these other grounds referred in [paragraphs 16.–23.](#), the Defence Regulations do not specify a procedure to be followed. However, the following procedure should be used, which will ensure that the Defence member is afforded procedural fairness before termination of their service. A decision-maker who is considering making a termination decision without following this process should seek legal advice before doing so.

25. A Defence member should be provided with a termination notice, and given an opportunity to provide a statement of reasons, before a termination decision is made. There is no legal requirement for the person who issues the termination notice to be a different person from the decision-maker who makes the termination decision. However, separating these two roles is best practice, and should be done where practicable. The person who issues the termination notice should be of superior rank to the Defence member whose termination is proposed.

26. The termination notice should:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force;
- b. state the reason for terminating the Defence member's service. This should include a reference to the relevant Regulation;
- c. provide access to all adverse material relating to their termination; and
- d. invite the Defence member to provide a written statement of reasons within a specified period as to why their service should not be terminated.

27. The period for the Defence member to provide a statement of reasons should be reasonable in all the circumstances. In the ordinary course, a period of at least 28 days is appropriate. However, there may be circumstances that would warrant a shorter or longer period.



28. Where the Defence member's location is not known, for example where the Defence member is absent without leave, resident overseas, or a member of the Standby Reserve, reasonable attempts should be made to locate the Defence member, in order to provide the member with a termination notice. Where the Defence member cannot be located, the termination notice should usually be sent to their last known address.

29. If the Defence member provides a statement of reasons, the decision-maker should consider it when determining if the Defence member's service should be terminated.

### Special cases of termination of service

30. Where termination of service is for reasons related to medical fitness pursuant to Defence Regulations 85 or 87, the decision-maker should refer to [DI\(G\) PERS 16-15—Australian Defence Force Medical Employment Classification System](#) to ensure that all relevant processes have been followed.

31. Termination on the basis of a positive prohibited substance test under part VIIIA of the [Defence Act](#) must be in accordance with the [Defence Act](#) and the processes outlined in [DI\(G\) PERS 15-5—Management of the use or involvement with prohibited substances in the Australian Defence Force](#). Where a Defence member has returned a positive prohibited substance test in the course of a DFDA investigation or other than under part VIIIA of the [Defence Act](#), termination of service must be under Regulation 85 or Regulation 87, in accordance with the processes outlined in this Instruction.

### Form and date of effect of termination of service

32. Where a decision is made by a decision-maker to terminate a Defence member's service, the Defence member is to be advised in writing of the decision and the day on which the termination is to take effect. The specified day should not be earlier than 14 days after the Defence member is notified (exceptional circumstances precluding), and not later than three months after the day on which the Defence member is given a copy of the written advice.

33. Termination of service for redundancy, under Regulation 83, requires a 12 months notice period, unless the Defence member consents to redundancy at an earlier time.

34. Termination of service for reasons related to medical fitness are excluded from the notice period, and are to be administered in accordance with [DI\(G\) PERS 16-15](#).

35. Termination of service following the return of a positive prohibited substance test under Part VIIIA of the [Defence Act](#) is to be managed in accordance with the [Defence Act](#) and [DI\(G\) PERS 15-5](#).

### Entitlements following termination of service

36. A Defence member's entitlement to superannuation, pay and allowances where their service is terminated will vary according to the individual circumstances. For details of entitlements refer to [ADF Pay and Conditions Manual](#) (PACMAN) and ComSuper.

## TERMINATION DECISIONS AND REDRESS OF GRIEVANCES

37. A Defence member may submit a redress of grievance (ROG) to their Commanding Officer (CO), in accordance with [DI\(G\) PERS 34-1—Redress of Grievance—Tri-Service procedures](#), on the **decision** to terminate their service. A ROG relating to a termination **decision** must be submitted within **14 days** after the Defence member was notified of the decision to terminate their service.

38. When a ROG is submitted, the action effecting the termination should normally be suspended pending resolution of the ROG. The underlying principle is that decision-makers should not take irrevocable or pre-emptive action that would prejudice an appropriate remedy if a Defence member's ROG were subsequently upheld; these decisions are to be made on a case by case basis.

39. Termination dates should be postponed until at least three working days after a ROG is finalised, unless prevented by the operation of part VIIIA of the [Defence Act](#) (see [DI\(G\) PERS 15-5](#)). A Defence member is considered to have been notified of the outcome of the ROG on the day the Defence member receives the COs, Service Chief's or the CDF's written decision on the ROG.

40. When considering suspending termination action safety, security, discipline and/or the effective operation of the unit may reasonably dictate that the proposed action should be taken despite the submission of a ROG. Such circumstances are to be exceptional.

## MANAGEMENT INITIATED EARLY RETIREMENT

41. MIER may be considered for Defence members whose performance is satisfactory but who are no longer widely employable or who are restricting the promotion opportunities of others in the ADF. The power of the decision-makers to initiate a transfer under the Defence Regulations is a discretionary power and, prior to the exercise of the power, consideration must be given to other employment opportunities for the Defence member. Defence members selected for MIER have the option of transferring from the Permanent Forces to a category of the Reserves with a special financial benefit, or transferring after at least 13 months further service without a special benefit. This position is contrasted with termination of service, outlined above, which does not result in transfer to the Reserves. Compulsory transfer to a category of the Reserves is also possible and this is detailed in [DI\(G\) PERS 33-5—Arrangements for service in the Australian Defence Force](#). MIER is not to replace the normal administrative processes for dealing with unsatisfactory performance. While a Defence member is subject to an investigation for unacceptable behaviour, or is the subject of adverse administrative or disciplinary action, they will not be eligible for MIER.

42. **Qualifying conditions for MIER.** Defence members being considered for MIER should refer to PACMAN, volume 1, chapter 2, part 3, division 4—'Special benefit payment—management-initiated early retirement'.

43. **Preliminary notification.** The decision-maker must give a Defence member a preliminary notice:

- a. advising the Defence member that they are being considered for MIER, and will be entitled to a payment of a special benefit if they transfer to a category of the Reserves in the initial period specified in the notice;
- b. stating the reasons why the decision-maker is considering giving the notice; and
- c. inviting the Defence member, in a specified period of at least one-month from the day the preliminary notice is given, to give the decision-maker a statement of reasons as to why they should not be transferred to a category of the Reserves.

### Special benefit

44. **Offer of special benefit.** If the Defence member has not given the decision-maker a statement of reasons, or where given, the decision-maker has considered the reasons, a further notice may be issued to the Defence member stating that:

- a. if the Defence member agrees to be transferred to a category of the Reserves in the initial period (see [paragraph 48.](#)) specified in the notice, the Defence member will be entitled to a special benefit in accordance with a determination under [section 58B](#) of the Defence Act; and
- b. if the Defence member declines to be transferred in accordance with paragraph 44.a. then the Defence member may be transferred to the Standby Reserve without a special benefit, or the Defence member's service in the ADF may be terminated following a subsequent period. The subsequent period must be at least 13 months, commencing not earlier than the day on which the offer of special benefit is given to the Defence member.

45. **Arrangements after declining special benefit.** If a Defence member declines the offer of a special benefit (see paragraph 44.b.), and the decision-maker considers it is necessary to take action in the interests of the organisational effectiveness of the Service, the decision-maker may, at any time after the subsequent period mentioned in the notice, transfer the Defence member to the Standby Reserve or terminate the Defence member's service in the ADF.

46. Arrangements for service in the Standby Reserve are contained in [DI\(G\) PERS 33-5](#).

47. **Authority.** The special benefit payable is to be paid in accordance with the relevant Defence Determination which has been made under [section 58B](#) of the Defence Act.

48. **Initial period for the purpose of the special benefit.** The initial period specified within which the Defence member must transfer to the Reserves, after being given notice that they will qualify for the payment of a special benefit, must generally be one-month, however this may vary subject to capability circumstances. The initial period commences not earlier than the day on which the notice is given to the Defence member and must not be less than one-month. Notwithstanding this, the Defence member may transfer to the Reserves within the initial period, on a date determined by the Defence member.

#### Time not to run during certain periods

49. In the event that a Defence member submits a formal complaint in accordance with [DI\(G\) PERS 34-1](#), or under the [Ombudsman Act 1976](#), which relates to the MIER process, that period during which the complaint is being investigated is not be taken into account for the purpose of the 'initial' or 'subsequent' time periods referred in [paragraph 44](#).

#### Annex:

##### A. [Definitions](#)

#### Related publications

[Australian Book of Reference \(ABR\) 10—Sailors' Career Management Manual](#)

[ABR 6289—RAN Officers' Career Management Manual](#)

[Australian Defence Force Publication 06.1.3—Guide to Administrative Decision-Making](#)

[ADF Pay and Conditions Manual](#)

[Defence \(Personnel\) Regulations 2002](#)

[Defence Determination 2008/56](#)

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[DI\(G\) PERS 15-5—Management of the use or involvement with prohibited substances in the Australian Defence Force](#)

[DI\(G\) PERS 16-15—Australian Defence Force Medical Employment Classification System](#)

[DI\(G\) PERS 34-1—Redress of Grievance—Tri-Service procedures](#)

[DI\(G\) PERS 33-5—Arrangements for service in the Australian Defence Force](#)

[Defence Instruction \(Army\) PERS 30-1—Management and exercising of Delegations and Authorisation of Powers dealing with Army personnel management](#)

[Defence Instruction \(Air Force\) PERS 7-1—Discharge or Transfer of Airmen and Airwomen on Cessation of Permanent Air Force Service](#)

[Ombudsman Act 1976](#)

**Sponsor:** DEPSEC PSP (DMPP)

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## DEFINITIONS

1. **Decision-maker**, for the purposes of termination notices and decisions in relation to Defence members, means the Governor-General and Service Chiefs, or their respective delegate(s) detailed in the relevant single-Service delegations schedules.
2. **Defence member** means:
  - a. a member of the Permanent Navy, the Regular Army or the Permanent Air Force; or
  - b. a member of the Reserves.
3. **Eligible Defence member**, for the purposes of the Management Initiated Early Retirement Scheme, means:
  - a. an officer in the Permanent Forces who holds a rank of Lieutenant Commander or higher, Major or higher, or Squadron Leader or higher; or
  - b. an enlisted member in the Permanent Forces who holds a rank of Chief Petty Officer or higher, Warrant Officer Class 2 or higher, or Flight Sergeant or higher.
4. **Enlisted member** means a member other than an officer (ie, a sailor, soldier or airman).
5. **Officer** means a member who holds the rank of Midshipman/Officer Cadet or higher.
6. **Termination** also includes the discharge of enlisted members under the [Defence Act 1903](#).

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**Australian Government**  
**Department of Defence**

## **MILITARY PERSONNEL POLICY MANUAL**

The *Military Personnel Policy Manual* (MILPERSMAN) is issued for use by Defence personnel and is effective from the date of publication.

s22

Dennis Richardson  
Secretary

Department of Defence  
CANBERRA ACT 2600

October 2013

s22

D.J. HURLEY  
General  
Chief of the Defence Force

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**Sponsor:**

Deputy Secretary Defence People

**Sponsor contact:**

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## **Military Personnel Policy Manual**

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## FOREWORD

1. The provision of sufficient, capable and motivated Defence members is at the core of the Australian Defence Force's ability to deliver capability and meet the expectations of the Australian Government and people. To achieve this, it is important that Defence members are able to understand their terms and conditions of service, how Defence members are managed, and what Defence members can expect from their Service.
2. To manage Defence members successfully, it is important that personnel policy and processes accurately reflect Government legislation and policy and that commanders and supervisors have access to this information so they are best able to lead and manage their personnel.
3. It is intended that over time, this Manual will replace a number of Defence Instructions (General) and other policy advice, thereby providing commanders and supervisors with the definitive source of personnel policy advice that governs the management of Defence members.
4. Users should take care to access the latest version of this Manual to ensure that the information they seek is current. Any printed extracts may become invalid after they are printed.
5. The aim of this Manual is to provide guidance and advice to all Defence personnel on the complex subject of personnel management of Defence members.



# AMENDMENT CERTIFICATE

[illegible]

## CONTENTS

Foreword	
Amendment Certificate	
Contents	

### Page

iii
v
vii

### Paragraph

### PART 1—PRELIMINARIES

<b>CHAPTER 1</b>	<b>MILITARY PERSONNEL POLICY MANUAL</b>
	INTRODUCTION
	POLICY STATEMENT
	SCOPE
	DEFINITIONS
	SPONSORSHIP
	AUTHORISATIONS
	ROLES AND RESPONSIBILITIES
	STRUCTURE AND RELEASE DATES
	IMPLEMENTATION
	MONITORING AND REPORTING
	RELATED PUBLICATIONS
	RELATED LEGISLATION
<b>CHAPTER 2</b>	<b>RELEASE AND REVIEW DATES FOR MILITARY PERSONNEL POLICY MANUAL</b>
<b>CHAPTER 3</b>	<b>MILITARY PERSONNEL POLICY MANUAL GLOSSARY OF COMMON TERMS</b>

### PART 2—ENTRY AND RE-ENTRY

<b>CHAPTER 1</b>	<b>INHERENT REQUIREMENTS OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE</b>
	INTRODUCTION
<b>CHAPTER 2</b>	<b>CITIZENSHIP REQUIREMENTS FOR ENTRY TO AND SERVICE IN THE AUSTRALIAN DEFENCE FORCE</b>
	INTRODUCTION

## CHAPTER 3      **ENGAGEMENT OF MEMBERS OF THE AUSTRALIAN DEFENCE FORCE RESERVES TO RENDER CONTINUOUS FULL-TIME SERVICE**

INTRODUCTION

POLICY STATEMENT

SCOPE

DEFINITIONS

ENGAGEMENT TO RENDER CONTINUOUS FULL-TIME SERVICE

CONTINUOUS FULL-TIME SERVICE FOLLOWING A CALL-OUT

VOLUNTARY CONTINUOUS FULL-TIME SERVICE

Conflict of interest and post-separation employment 3.21

Protected voluntary continuous full-time service 3.24

Unprotected voluntary continuous full-time service 3.26

Formal request 3.27

Third parties 3.28

Early termination 3.37

Administration 3.41

### **Annexes:**

- A. Protections available in relation to Australian Defence Force Reserves
- B. Flow diagram for voluntary continuous full-time service applications
- C. Voluntary continuous full-time service examples
- D. Form letter to third parties advising of intention to engage member to render continuous full-time service
- E. Form letter to third parties advising of intention to engage member to render continuous full-time service without providing an opportunity for a third party to raise objections
- F. Form letter to third parties advising of final decision to engage member to render continuous full-time service
- G. Form letter to third parties advising of final decision not to engage member to render continuous full-time service
- H. Statement of private and financial interests Australian Defence Force personnel

## PART 3—MEDICAL AND PHYSICAL EMPLOYMENT STANDARDS

### CHAPTER 1 AUSTRALIAN DEFENCE FORCE POLICY ON INDIVIDUAL READINESS

#### INTRODUCTION

### CHAPTER 2 AUSTRALIAN DEFENCE FORCE MEDICAL EMPLOYMENT CLASSIFICATION SYSTEM

#### INTRODUCTION

#### POLICY STATEMENT

#### DEFINITIONS

#### SCOPE

#### ROLES AND RESPONSIBILITIES

#### MEDICAL EMPLOYMENT CLASSIFICATIONS

Primacy of Medical Employment Classification 2.18

Privacy 2.21

Medical Employment Classification Groups and Sub-classifications 2.25

Medical Employment Classification 1—Fully Employable and Deployable 2.27

Medical Employment Classification 2—Employable and Deployable with Restrictions 2.28

Medical Employment Classification 3—Rehabilitation 2.35

Medical Employment Classification 4—Employment Transition 2.38

Medical Employment Classification 5—Medically Unfit for Further Service 2.42

Specialist Employment Classification 2.45

Australian Defence Force Individual Readiness 2.47

Air and sea transit 2.48

#### ALLOCATION AND REVIEW OF MEDICAL EMPLOYMENT CLASSIFICATION

Allocation 2.51

Medical Employment Classification Review 2.57

#### MEDICAL EMPLOYMENT CLASSIFICATION REVIEW BOARD

Referral to a Medical Employment Classification Review Board 2.67

Medical Employment Classification Review Board membership 2.73

Conduct of a Medical Employment Classification Review Board 2.74

Medical Employment Classification Review Board Review 2.80

Communication 2.82

#### PERSONNEL MANAGEMENT

Change in employment environment 2.87

Employment restrictions 2.88

Risk management 2.92

#### SEPARATION

Other considerations 2.99

#### REPRESENTATION

Related publications 2.111

#### Annexes:

A. Definitions

B. Medical Employment Classification—descriptions, employment and career management considerations

C. Specialist Employment Classification Table

D. Medical Employment Classification Review Board conduct and review flow chart

E. Medical Employment Classification Review Board Conduct—Consideration of Information



**PART 4—ALCOHOL AND PROHIBITED SUBSTANCES**

**CHAPTER 1 MISUSE OF ALCOHOL IN THE AUSTRALIAN DEFENCE FORCE**  
INTRODUCTION

**CHAPTER 2 ALCOHOL TESTING IN THE AUSTRALIAN DEFENCE FORCE**  
INTRODUCTION

**CHAPTER 3 MANAGEMENT OF THE USE OR INVOLVEMENT WITH PROHIBITED SUBSTANCES IN THE AUSTRALIAN DEFENCE FORCE**  
INTRODUCTION

**PART 5—PERFORMANCE APPRAISAL AND PROMOTION**

**CHAPTER 1 APPRAISAL AND DEVELOPMENT REPORTING OF EXECUTIVE AND SENIOR EXECUTIVE OFFICERS IN THE AUSTRALIAN DEFENCE FORCE**  
INTRODUCTION

**CHAPTER 2 PERFORMANCE APPRAISAL REPORTING IN THE AUSTRALIAN DEFENCE FORCE**  
INTRODUCTION

**CHAPTER 3 PROMOTION IN THE AUSTRALIAN DEFENCE FORCE—PROVISIONAL, TEMPORARY AND LIMITED TENURE PROMOTION AND HONORARY RANK**  
INTRODUCTION

**PART 6—POSTINGS**

**CHAPTER 1 AUSTRALIAN DEFENCE FORCE POSTING POLICY FOR INTER-SERVICE COUPLES**  
INTRODUCTION

**CHAPTER 2 EXCHANGE AND SECONDMENT OF AUSTRALIAN DEFENCE FORCE PERSONNEL WITH NON-DEFENCE ORGANISATIONS**  
INTRODUCTION

**CHAPTER 3 APPOINTMENTS TO THE STAFFS OF THE GOVERNOR-GENERAL, STATE GOVERNORS AND TERRITORY ADMINISTRATORS**  
INTRODUCTION  
POLICY STATEMENT  
SCOPE  
ROLES AND RESPONSIBILITIES  
AIDES-DE-CAMP TO THE GOVERNOR-GENERAL  
Full-time Aide-de-Camp 3.7  
Honorary Aide-de-Camp 3.10  
AIDES-DE-CAMP TO STATE GOVERNORS AND TERRITORY ADMINISTRATORS  
RELATED POLICY AND PUBLICATIONS

**Annex:**

A. Duty Statement—Aides-de-Camp to the Governor-General

<b>CHAPTER 4</b>	<b>EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS IN THE SAME CHAIN OF COMMAND AND/OR WORKING ENVIRONMENT</b>	
	INTRODUCTION	
	<b>PART 7—NON—FINANCIAL EMPLOYMENT CONDITIONS</b>	
<b>CHAPTER 1</b>	<b>POLITICAL ACTIVITIES OF DEFENCE PERSONNEL</b>	
	INTRODUCTION	
<b>CHAPTER 2</b>	<b>ELECTIONS AND VOTING BY MEMBERS OF THE AUSTRALIAN DEFENCE FORCE</b>	
	INTRODUCTION	
<b>CHAPTER 3</b>	<b>EMPLOYMENT AND VOLUNTARY ACTIVITIES OF AUSTRALIAN DEFENCE FORCE MEMBERS IN OFF—DUTY HOURS</b>	
	INTRODUCTION	
<b>CHAPTER 4</b>	<b>ARRANGEMENTS FOR SERVICE IN THE AUSTRALIAN DEFENCE FORCE</b>	
	INTRODUCTION	
	POLICY STATEMENT	
	DEFINITIONS	
	AUTHORITY	
	ROLES AND RESPONSIBILITIES	
	APPOINTMENT TO AND ENLISTMENT IN THE AUSTRALIAN DEFENCE FORCE	
	Appointment of Officers	4.7
	Enlistment	4.13
	ARRANGEMENTS AND OBLIGATIONS	
	Initial Minimum Period of Service and Return of Service Obligation	4.18
	VOLUNTARY ALTERATION OF PERIOD OF SERVICE	
	RETIREMENT AGES	
	COMPULSORY TRANSFER TO THE STANDBY RESERVE	
	RELATED PUBLICATIONS AND LEGISLATION	
<b>CHAPTER 5</b>	<b>MANAGEMENT AND ADMINISTRATION OF AUSTRALIAN DEFENCE FORCE MEMBERS UNDER 18 YEARS OF AGE</b>	
	INTRODUCTION	

## **CHAPTER 6 FLEXIBLE WORK ARRANGEMENTS FOR MEMBERS OF THE AUSTRALIAN DEFENCE FORCE**

INTRODUCTION

POLICY STATEMENT

DEFINITIONS

IMPLEMENTATION

FLEXIBLE WORK ARRANGEMENTS

GUIDING PRINCIPLES

ROLES AND RESPONSIBILITIES

Defence members 6.11

Commanding Officers/supervisors 6.12

Units 6.13

Career Management Agency/Personnel Management Agency 6.14

Directorate of Military Personnel Policy 6.15

APPROVING AUTHORITIES AND APPLICATION PROCESS

COMMON EMPLOYMENT CONDITIONS

SPECIFIC TEMPORARY HOME LOCATED WORK CONDITIONS

SPECIFIC PART-TIME LEAVE WITHOUT PAY EMPLOYMENT  
CONDITIONS AND REMUNERATION

RELATED PUBLICATIONS AND LEGISLATION

### **Annexes:**

- A. Definitions and abbreviations
- B. Temporary home located work agreement
- C. Variable working hours application
- D. Acknowledgement of employment in the Australian Defence Force under Part-time Leave Without Pay conditions
- E. Part-time Leave Without Pay application and approval process
- F. Defence member and Unit Management considerations when negotiating flexible work arrangements

## **CHAPTER 7 VOLUNTARY UNPAID DUTY**

INTRODUCTION

## **CHAPTER 8 DEFENCE RESERVE SERVICE (PROTECTION) ACT 2001—POLICY AND PROCEDURES FOR COMPLAINT RESOLUTION**

INTRODUCTION

## **CHAPTER 9 DISCLOSURE OF PERSONAL INFORMATION TO THE DEPARTMENT OF VETERANS' AFFAIRS**

INTRODUCTION

## PART 8—DEVELOPMENT

### CHAPTER 1 GRADUATE MEDICAL SCHEME

#### INTRODUCTION

### CHAPTER 2 PRINCE OF WALES AWARDS

#### INTRODUCTION

#### POLICY STATEMENT

#### SCOPE

#### DEFINITIONS

#### OVERVIEW

#### ROLES AND RESPONSIBILITIES

Delegations 2.12

Award allocation 2.15

Military secondment 2.19

#### ELIGIBILITY

Criteria 2.22

Promotion 2.23

Employment 2.25

Transfer to the Permanent Forces 2.27

#### APPLICATION AND SELECTION

Application process 2.30

Selection committee 2.32

Assessment criteria 2.33

Selection process 2.34

#### IMPLEMENTATION

General 2.35

Annual schedule 2.37

Awards presentation 2.38

Resources 2.39

#### ADMINISTRATION

Funding 2.42

Duty status 2.44

Post-activity reporting 2.47

Additional information 2.48

#### Annexes:

A. Applicant application procedure

B. Prince of Wales Award—Indicative Schedule B



<b>CHAPTER 3</b>	<b>TASMAN SCHEME</b>	
	INTRODUCTION	
	POLICY STATEMENT	
	SCOPE	
	DEFINITIONS	
	OVERVIEW	
	ROLES AND RESPONSIBILITIES	
	Delegations	3.11
	Award allocation	3.14
	ELIGIBILITY	
	Criteria	3.17
	Promotion	3.18
	Transfer to the Permanent Forces	3.20
	APPLICATION AND SELECTION	
	Nomination process	3.22
	Selection committee	3.24
	Assessment criteria	3.25
	Selection process	3.26
	IMPLEMENTATION	
	General	3.27
	Annual schedule	3.29
	Awards presentation	3.31
	ADMINISTRATION	
	Funding	3.32
	Duty status	3.35
	Post-activity reporting	3.38
	Additional Information	3.40
	<b>Annexes:</b>	
	A. Nomination procedure	
	B. Tasman Scheme: Indicative Schedule	

## **PART 9—DISCIPLINE**

<b>CHAPTER 1</b>	<b>FORMAL WARNINGS AND CENSURES IN THE AUSTRALIAN DEFENCE FORCE</b>
	INTRODUCTION
<b>CHAPTER 2</b>	<b>CORRECTIVE TRAINING</b>
	INTRODUCTION

**PART 10—TRANSFERS/RESIGNATIONS/SEPARATIONS**

**CHAPTER 1 VOLUNTARY TRANSFER OF PERSONNEL BETWEEN THE SERVICES**

INTRODUCTION

POLICY STATEMENT

SCOPE

DEFINITIONS

LEGAL AUTHORITY

ROLES AND RESPONSIBILITIES

POLICY GUIDELINES

PROCEDURES

APPLICATIONS FOR APPOINTMENT OR ENLISTMENT IN  
ANOTHER SERVICE

Publications and related policy 1.28

**Annexes:**

- A. Procedures of transfer of Defence members between the Services
- B. Instrument of Transfer of (insert rank and name) to the (insert gaining Service) pursuant to section (insert appropriate Legislative authority)

**CHAPTER 2 AUSTRALIAN DEFENCE FORCE OFFICERS NOTIFICATION OF INTENTION TO RESIGN OR TRANSFER TO ANOTHER SERVICE OR RESERVES**

INTRODUCTION

**CHAPTER 3 OBLIGATIONS OF OFFICER CADETS RESIGNING FROM THE AUSTRALIAN DEFENCE FORCE ACADEMY (DEFENCE ACADEMY)**

INTRODUCTION

<b>CHAPTER 4</b>	<b>TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE</b>	
	INTRODUCTION	
	POLICY STATEMENT	
	SCOPE	
	DEFINITIONS	
	AUTHORITY	
	TERMINATION OF SERVICE	
	Grounds for termination of service of officers	4.6
	Grounds for termination of service of enlisted members	4.7
	Process for terminating the service of Defence members under Regulations 85 and 87	4.8
	Other grounds for termination of service of Defence members	4.13
	Termination of service where appointed or enlisted provisionally	4.14
	Termination of officer appointed on probation	4.15
	Termination of temporary appointment	4.16
	Termination of service in the Standby Reserve	4.17
	Termination of service when becoming a permanent resident of another country	4.18
	Termination of service during redundancy	4.19
	Termination of service for absence without leave	4.21
	Process for terminating the service of Defence members under the other grounds	4.22
	Special cases of termination of service	4.28
	Form and date of effect of termination of service	4.30
	Entitlements following termination of service	4.34
	TERMINATION DECISIONS AND REDRESS OF GRIEVANCES	
	MANAGEMENT INITIATED EARLY RETIREMENT	
	Special benefit	4.42
	Time not to run during certain periods	4.47
	Related publications	4.48
	<b>Annex:</b>	
	A. Definitions	
<b>CHAPTER 5</b>	<b>NOTIFICATION OF POST SEPARATION EMPLOYMENT</b>	
	INTRODUCTION	
<b>CHAPTER 6</b>	<b>MANAGEMENT OF AUSTRALIAN DEFENCE FORCE STANDBY RESERVES</b>	
	INTRODUCTION	

**PART 11—PERSONNEL SUPPORT POLICY**

<b>CHAPTER 1</b>	<b>COURT OR POLICE ORDERS RESTRICTING ACCESS TO WEAPONS OR FIREARMS BY MEMBERS OF THE AUSTRALIAN DEFENCE FORCE</b>	
	INTRODUCTION	
	POLICY STATEMENT	
	SCOPE	
	DEFINITIONS	
	GUIDING PRINCIPLES	
	ROLES AND RESPONSIBILITIES	
	Responsibilities of the Defence member	1.7
	Responsibilities of the Commander	1.11
	Responsibilities of the Service Police Unit, Stores or Armoury personnel	1.17
	Responsibilities of the Career Management Agency/Personnel Management Agency	1.18
	APPLICATION OF COURT OR POLICE ORDERS MADE UNDER A COMMONWEALTH LAW	
	Publications and related policy	1.20
	<b>Annex:</b>	
	A. Definitions	
<b>CHAPTER 2</b>	<b>POLICY FOR PLACING CIVILIAN PREMISES OUT OF BOUNDS OR OFF-LIMITS</b>	
	INTRODUCTION	
<b>CHAPTER 3</b>	<b>DEFENCE DRIVING LICENCE SCHEME</b>	
	INTRODUCTION	
<b>CHAPTER 4</b>	<b>GAMBLING IN SERVICE ESTABLISHMENTS AND IN NAVY SHIPS</b>	
	INTRODUCTION	
<b>CHAPTER 5</b>	<b>ISSUE, WEARING AND REPLACEMENT OF PERSONAL IDENTITY TAGS TO DEFENCE MEMBERS</b>	
	INTRODUCTION	
	POLICY STATEMENT	
	SCOPE	
	DEFINITIONS	
	ROLES AND RESPONSIBILITIES	
	ENTITLEMENT	
	WHEN PERSONAL IDENTITY TAGS ARE TO BE WORN	
	MANDATORY PERSONAL IDENTITY TAG INFORMATION	
	WEARING PERSONAL IDENTITY TAGS	
	REPLACEMENT OF PERSONAL IDENTITY TAGS	
	ACCOUNTING AND ADMINISTRATIVE PROCEDURES FOR PERSONAL IDENTITY TAGS	
	<b>Annex:</b>	
	A. Embossing and assembly of Australian Defence Force Personal Identity Tags	



MILPERSMAN

xviii

**CHAPTER 6      ISSUE OF OFFICIAL PASSPORTS AND VISAS TO DEFENCE  
PERSONNEL**

INTRODUCTION

**CHAPTER 7      RECORDING AND USE OF CIVIL SKILLS HELD BY  
AUSTRALIAN DEFENCE FORCE MEMBERS**

INTRODUCTION

## CHAPTER 4

# TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

## INTRODUCTION

**4.1** A fundamental tenet of the Australian Defence Force (ADF) personnel strategy is the development of management tools to enhance the ability of Service Chiefs to manage their workforce capability to best meet operational demands. The [Defence Act 1903](#) (Defence Act) and the [Defence \(Personnel\) Regulations 2002](#) (DPR 2002) enable the Governor-General and Service Chiefs, and their authorised delegates (hereafter called decision-makers and defined in [Annex A](#)), to terminate the service of Defence members for prescribed reasons.

## POLICY STATEMENT

**4.2** Defence is committed to robust management tools which ensure optimal personnel capability outcomes for operations. This Chapter outlines the mechanisms that allow decision-makers to effect terminations of service. The transfer of eligible Defence members, who are no longer widely employable, from the Permanent Forces to a category of the Reserves under the Management Initiated Early Retirement (MIER) scheme is also outlined.

## SCOPE

**4.3** This Chapter details the Defence policy regarding the termination of service mechanisms contained in the DPR 2002 and is applicable to Defence members as defined.

## DEFINITIONS

**4.4** *Military Personnel Policy Manual* (MILPERSMAN), Part 1, [Chapter 3—'Military Personnel Policy Manual Glossary of common terms'](#) contains common terms and definitions used throughout this Chapter. In relation to this Chapter, specific definitions are in [Annex A](#).

## AUTHORITY

**4.5** The Defence Regulations empower decision-makers to terminate a Defence member's service in prescribed circumstances. The Defence Act provides the relevant authorised persons with the decision-making power to terminate a Defence member's service as a result of positive prohibited substance testing.

## TERMINATION OF SERVICE

### Grounds for termination of service of officers

**4.6** The service of an officer may be terminated under Regulation 85 for any of the following reasons:

- a. the officer is less than 18 years old, and the officer's father, mother or guardian has requested the termination of the enlistment;
- b. the officer is incapable of rendering effective service as a result of physical or mental incapacity, and it is not within the officer's power to control the incapacity;
- c. the officer is medically unfit (including unfitness because of mental incapacity);
- d. the officer is inefficient or incompetent for a reason that is within the officer's control;

4-2

- e. the officer has been convicted of a civil offence or a Service offence, and the decision-maker has certified that, having regard to the nature and seriousness of the offence, the retention of the officer is not in the interests of the ADF;
- f. the retention of the officer is not in the interests of the ADF because of the officer's behaviour; and
- g. the retention of the officer is not in the interests of the ADF because of the officer's performance, and it is within the officer's power to control the reason, or cause of, the officer's performance.

**Grounds for termination of service of enlisted members**

**4.7** The service of an enlisted member may be terminated under Regulation 87 for any of the following reasons:

- a. the enlisted member is less than 18 years old and the enlisted member's father, mother or guardian has requested the termination of the enlistment;
- b. the enlisted member will, on termination, be appointed as an officer;
- c. the enlisted member is medically unfit (including unfitness because of mental incapacity);
- d. the enlisted member does not comply with the medical standard for the trade or employment in which the enlisted member is engaged;
- e. the decision-maker is satisfied that the enlisted member is not suited to be an enlisted member;
- f. the enlisted member is undergoing, recruit training; initial employment training; apprentice training; or trade training; and the decision-maker is satisfied that the enlisted member is unsuitable for further training;
- g. the decision-maker is satisfied that the retention of the enlisted member is not in the interests of Australia, the ADF or the relevant Service;
- h. the enlisted member gave false or misleading information to a person to whom the enlisted member was required to give information in relation to the enlisted member's enlistment;
- i. the enlisted member has not been granted, or has not accepted, Australian citizenship; and
- j. the enlisted member has failed to render service that the enlisted member was required to render.

**Process for terminating the service of Defence members under Regulations 85 and 87**

**4.8** Regulations 85 and 87 require a specific process to be followed, which will provide the Defence member with procedural fairness in relation to the termination decision. Any failure to follow this process may result in the termination decision being invalid.

**4.9** A Defence member must be provided with a termination notice, and given an opportunity to provide a statement of reasons, before a termination decision is made. Unless the termination decision is made personally by the Governor-General or relevant Service Chief, the person who decides to issue the termination notice must be a different person from the decision-maker who makes the termination decision.

**4.10** The termination notice must:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force;
- b. state the reason for terminating the Defence member's service;

- c. set out particulars of the facts and circumstances relating to the reason for terminating the Defence member's service, that is sufficient to allow the Defence member to prepare a statement of reasons why the service should not be terminated. This will include details of any evidence relied on to support the reasons for termination;
- d. invite the Defence member to provide a written statement of reasons why the service should not be terminated; and
- e. specify a period of at least 28 days after the date of the notice as the period in which the Defence member may give the statement of reasons.

**4.11** If the Defence member provides a statement of reasons within the period specified in the termination notice, the decision-maker must consider that statement of reasons. If the decision-maker is of the opinion that the reason for terminating the Defence member's service has been established, and has not been affected by a change in circumstances since the termination notice was given to the Defence member, the decision-maker must terminate the Defence member's service.

**4.12** If the Defence member does not provide a statement of reasons within the period specified in the termination notice, and the decision-maker is of the opinion that the reason for terminating the Defence member's service has not been affected by a change in circumstances since the termination notice was given to the Defence member, the decision-maker must terminate the Defence member's service.

#### **Other grounds for termination of service of Defence members**

**4.13** The [DPR 2002](#) provide a number of other grounds bases on which the service of Defence members can be terminated. These grounds are listed in the paragraphs below.

#### **Termination of service where appointed or enlisted provisionally**

**4.14** A decision-maker, under Regulation 17 or Regulation 27, may terminate the service of a Defence member who is provisionally appointed or enlisted if, at any time during the provisional period, the Defence member does not comply with a condition of appointment or enlistment.

#### **Termination of officer appointed on probation**

**4.15** A decision-maker under Regulation 19 may terminate a Defence member's appointment as an officer at any time during a period of probation.

#### **Termination of temporary appointment**

**4.16** A decision-maker under Regulation 21 may terminate the temporary appointment of an enlisted member as an officer, at any time during the period of temporary appointment.

#### **Termination of service in the Standby Reserve**

**4.17** A decision-maker under Regulation 70 may terminate the service of a Defence member serving in the Standby Reserve, at any time for a reason that relates to the interests of the member's Service.

#### **Termination of service when becoming a permanent resident of another country**

**4.18** A decision-maker under Regulation 82 may terminate a Defence member's service if that Defence member becomes a permanent resident of another country. Defence members intending to take, or who have taken, permanent residency in another country must notify their Service Chief as soon as practicable.

#### **Termination of service during redundancy**

**4.19** A decision-maker under Regulation 83 may terminate the service of a permanent Defence member where the decision-maker declares that the Defence member cannot be usefully employed because of redundancy in the relevant Service.

**4.20** Redundancy means that Defence no longer requires the work or job to be performed by anyone because of the changes in the operational requirements of Defence. Terminations under Regulation 83 are distinctly different to transfers under the MIER Scheme, which is outlined separately in this Chapter.

#### **Termination of service for absence without leave**

**4.21** A decision-maker, under Regulation 84 or Regulation 86, may terminate the service of a Defence member who has been absent without leave for a continuous period of more than three months.

#### **Process for terminating the service of Defence members under the other grounds**

**4.22** Where termination of service is under one of these other grounds referred in [Paragraphs 4.14–4.21](#), the [DPR 2002](#) do not specify a procedure to be followed. However, the following procedure should be used, which will ensure that the Defence member is afforded procedural fairness before termination of their service. A decision-maker who is considering making a termination decision without following this process should seek legal advice before doing so.

**4.23** A Defence member should be provided with a termination notice, and given an opportunity to provide a statement of reasons, before a termination decision is made. There is no legal requirement for the person who issues the termination notice to be a different person from the decision-maker who makes the termination decision. However, separating these two roles is best practice, and should be done where practicable. The person who issues the termination notice should be of superior rank to the Defence member whose termination is proposed.

**4.24** The termination notice should:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force;
- b. state the reason for terminating the Defence member's service. This should include a reference to the relevant Regulation;
- c. provide access to all adverse material relating to their termination; and
- d. invite the Defence member to provide a written statement of reasons within a specified period as to why their service should not be terminated.

**4.25** The period for the Defence member to provide a statement of reasons should be reasonable in all the circumstances. In the ordinary course, a period of at least 28 days is appropriate. However, there may be circumstances that would warrant a shorter or longer period.

**4.26** Where the Defence member's location is not known, for example where the Defence member is absent without leave, resident overseas, or a member of the Standby Reserve, reasonable attempts should be made to locate the Defence member, in order to provide the member with a termination notice. Where the Defence member cannot be located, the termination notice should usually be sent to their last known address.

**4.27** If the Defence member provides a statement of reasons, the decision-maker should consider it when determining if the Defence member's service should be terminated.

#### **Special cases of termination of service**

**4.28** Where termination of service is for reasons related to medical fitness pursuant to Defence Regulations 85 or 87, the decision-maker should refer to MILPERSMAN, Part 3, [Chapter 2—'Australian Defence Force Medical Employment Classification System'](#) (formerly Defence Instruction (General) (DI(G)) PERS 16–15) to ensure that all relevant processes have been followed.

**4.29** Termination on the basis of a positive prohibited substance test under Part VIIIA of the [Defence Act](#) must be in accordance with the Defence Act and the processes outlined in MILPERSMAN, Part 4, [Chapter 3—'Management of the use or involvement with prohibited substances in the Australian Defence Force'](#) (DI(G) PERS 15–5). Where a Defence member has returned a positive prohibited substance test in the course of a [Defence Force Discipline Act 1982](#) investigation or other than under Part VIIIA of the Defence Act, termination of service must be under Regulation 85 or Regulation 87, in accordance with the processes outlined in this Chapter.



### Form and date of effect of termination of service

**4.30** Where a decision is made by a decision-maker to terminate a Defence member's service, the Defence member is to be advised in writing of the decision and the day on which the termination is to take effect. The specified day should not be earlier than 14 days after the Defence member is notified (exceptional circumstances precluding), and not later than three months after the day on which the Defence member is given a copy of the written advice.

**4.31** Termination of service for redundancy, under Regulation 83, requires a 12 months notice period, unless the Defence member consents to redundancy at an earlier time.

**4.32** Termination of service for reasons related to medical fitness are excluded from the notice period, and are to be administered in accordance with MILPERSMAN, Part 3, [Chapter 2](#) (formerly DI(G) PERS 16–15)

**4.33** Termination of service following the return of a positive prohibited substance test under Part VIIIA of the [Defence Act](#) is to be managed in accordance with the Defence Act and MILPERSMAN, Part 4, [Chapter 3](#) (DI(G) PERS 15–5).

### Entitlements following termination of service

**4.34** A Defence member's entitlement to superannuation, pay and allowances where their service is terminated will vary according to the individual circumstances. For details of entitlements refer to [ADF Pay and Conditions Manual](#) (PACMAN) and ComSuper.

## TERMINATION DECISIONS AND REDRESS OF GRIEVANCES

**4.35** A Defence member may submit a redress of grievance (ROG) to their Commanding Officer (CO), in accordance with [DI\(G\) PERS 34–1—Redress of Grievance—Tri-Service procedures](#), on the decision to terminate their service. A ROG relating to a termination decision must be submitted within 14 days after the Defence member was notified of the decision to terminate their service.

**4.36** When a ROG is submitted, the action effecting the termination should normally be suspended pending resolution of the ROG. The underlying principle is that decision-makers should not take irrevocable or pre-emptive action that would prejudice an appropriate remedy if a Defence member's ROG were subsequently upheld; these decisions are to be made on a case-by-case basis.

**4.37** Termination dates should be postponed until at least three working days after a ROG is finalised, unless prevented by the operation of Part VIIIA of the Defence Act (see MILPERSMAN, Part 4, [Chapter 3](#) (DI(G) PERS 15–5)). A Defence member is considered to have been notified of the outcome of the ROG on the day the Defence member receives the COs, CO Service Chief's or the Chief of the Defence Force's written decision on the ROG.

**4.38** When considering suspending termination action safety, security, discipline and/or the effective operation of the unit may reasonably dictate that the proposed action should be taken despite the submission of a ROG. Such circumstances are to be exceptional.

## MANAGEMENT INITIATED EARLY RETIREMENT

**4.39** MIER may be considered for Defence members whose performance is satisfactory but who are no longer widely employable or who are restricting the promotion opportunities of others in the ADF. The power of the decision-makers to initiate a transfer under the [DPR 2002](#) is a discretionary power and, prior to the exercise of the power, consideration must be given to other employment opportunities for the Defence member. Defence members selected for MIER have the option of transferring from the Permanent Forces to a category of the Reserves with a special financial benefit, or transferring after at least 13 months further service without a special benefit. This position is contrasted with termination of service, outlined above, which does not result in transfer to the Reserves. Compulsory transfer to a category of the Reserves is also possible and this is detailed in MILPERSMAN, Part 7, [Chapter 4—'Arrangements for service in the Australian Defence Force'](#) (formerly DI(G) PERS 33–5). MIER is not to replace the normal administrative processes for dealing with unsatisfactory performance. While a Defence member is subject to an investigation for unacceptable behaviour, or is the subject of adverse administrative or disciplinary action, they will not be eligible for MIER.

**4.40 Qualifying conditions for MIER.** Defence members being considered for MIER should refer to [PACMAN](#), Volume 1, Chapter 2, Part 3, division 4—‘Special benefit payment—management-initiated early retirement’.

**4.41 Preliminary notification.** The decision-maker must give a Defence member a preliminary notice:

- a. advising the Defence member that they are being considered for MIER, and will be entitled to a payment of a special benefit if they transfer to a category of the Reserves in the initial period specified in the notice;
- b. stating the reasons why the decision-maker is considering giving the notice; and
- c. inviting the Defence member, in a specified period of at least one-month from the day the preliminary notice is given, to give the decision-maker a statement of reasons as to why they should not be transferred to a category of the Reserves.

### Special benefit

**4.42 Offer of special benefit.** If the Defence member has not given the decision-maker a statement of reasons, or where given, the decision-maker has considered the reasons, a further notice may be issued to the Defence member stating that:

- a. if the Defence member agrees to be transferred to a category of the Reserves in the initial period (see [Paragraph 4.46.](#)) specified in the notice, the Defence member will be entitled to a special benefit in accordance with a determination under Section 58B of the [Defence Act](#); and
- b. if the Defence member declines to be transferred in accordance with [Paragraph 4.42.a.](#) then the Defence member may be transferred to the Standby Reserve without a special benefit, or the Defence member’s service in the ADF may be terminated following a subsequent period. The subsequent period must be at least 13 months, commencing not earlier than the day on which the offer of special benefit is given to the Defence member.

**4.43 Arrangements after declining special benefit.** If a Defence member declines the offer of a special benefit (see [paragraph 4.42.b.](#)), and the decision-maker considers it is necessary to take action in the interests of the organisational effectiveness of the Service, the decision-maker may, at any time after the subsequent period mentioned in the notice, transfer the Defence member to the Standby Reserve or terminate the Defence member’s service in the ADF.

**4.44** Arrangements for service in the Standby Reserve are contained in MILPERSMAN, Part 7, [Chapter 4](#) (formerly DI(G) PERS 33–5).

**4.45 Authority.** The special benefit payable is to be paid in accordance with the relevant Defence Determination which has been made under Section 58B of the Defence Act.

**4.46 Initial period for the purpose of the special benefit.** The initial period specified within which the Defence member must transfer to the Reserves, after being given notice that they will qualify for the payment of a special benefit, must generally be one-month, however, this may vary subject to capability circumstances. The initial period commences not earlier than the day on which the notice is given to the Defence member and must not be less than one-month. Notwithstanding this, the Defence member may transfer to the Reserves within the initial period, on a date determined by the Defence member.

### Time not to run during certain periods

**4.47** In the event that a Defence member submits a formal complaint in accordance with [DI\(G\) PERS 34–1](#), or under the [Ombudsman Act 1976](#), which relates to the MIER process, that period during which the complaint is being investigated is not be taken into account for the purpose of the ‘initial’ or ‘subsequent’ time periods referred in [Paragraph 4.42.](#)

## Related publications

[Australian Book of Reference \(ABR\) 10—Sailors’ Career Management Manual](#)

[ABR 6289—RAN Officers’ Career Management Manual](#)

[Australian Defence Force Publication 06.1.3—Guide to Administrative Decision-Making](#)

[ADF Pay and Conditions Manual \(PACMAN\)](#)

[Defence \(Personnel\) Regulations 2002](#)

[Defence Determination 2008/56](#)

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

MILPERSMAN, Part 3, [Chapter 2—‘Australian Defence Force Medical Employment Classification System’](#) (formerly DI(G) PERS 16–15)

MILPERSMAN, Part 4, [Chapter 3—‘Management of the use or involvement with prohibited substances in the Australian Defence Force’](#) (DI(G) PERS 15–5)

MILPERSMAN, Part 7, [Chapter 4—‘Arrangements for service in the Australian Defence Force’](#) (formerly DI(G) PERS 33–5)

[DI\(G\) PERS 34–1—Redress of Grievance—Tri-Service procedures](#)

[Defence Instruction \(Army\) PERS 30–1—Management and exercising of Delegations and Authorisation of Powers dealing with Army personnel management](#)

[Defence Instruction \(Air Force\) PERS 7–1—Discharge or Transfer of Airmen and Airwomen on Cessation of Permanent Air Force Service](#)

[Ombudsman Act 1976](#)

## Annex:

A. [Definitions](#)

**Sponsor:** DGPPEC (DMPP)

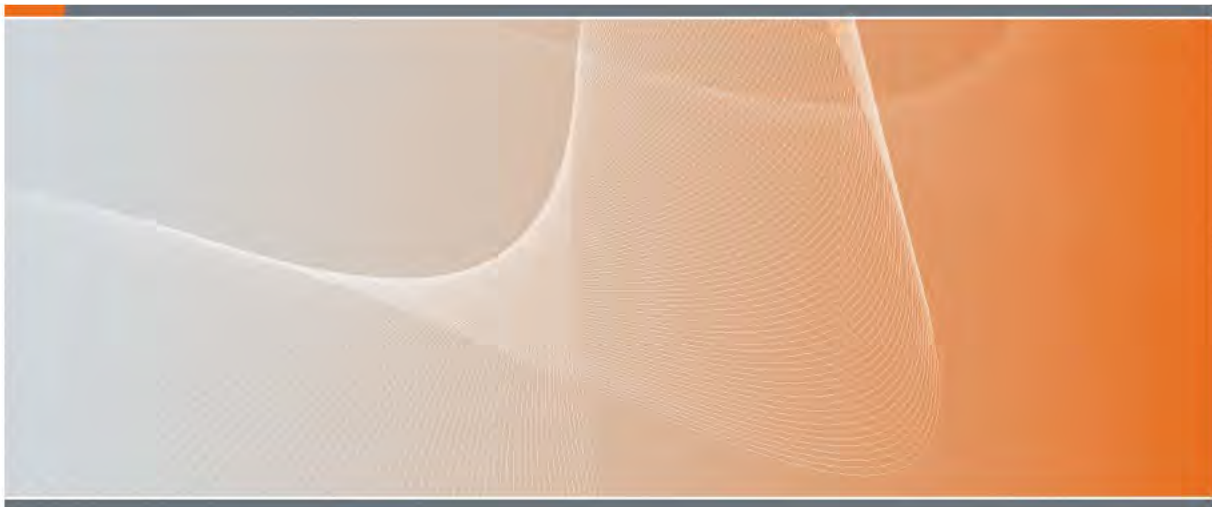
## **DEFINITIONS**

1. Decision-maker, for the purposes of termination notices and decisions in relation to Defence members, means the Governor-General and Service Chiefs, or their respective delegate(s) detailed in the relevant single-Service delegations schedules.
2. Eligible Defence member, for the purposes of the Management Initiated Early Retirement Scheme, means:
  - a. an officer in the Permanent Forces who holds a rank of Lieutenant Commander or higher, Major or higher, or Squadron Leader or higher; or
  - b. an enlisted member in the Permanent Forces who holds a rank of Chief Petty Officer or higher, Warrant Officer Class 2 or higher, or Flight Sergeant or higher.
3. Termination also includes the discharge of enlisted members under the [Defence Act 1903](#).



**Australian Government**  
**Department of Defence**

## **MILITARY PERSONNEL POLICY MANUAL**



s22



**Roxanne Kelley**  
Deputy Secretary Defence People  
Department of Defence  
CANBERRA ACT 2600  
15 December 2017



## AMENDMENT CERTIFICATE

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## CONTENTS

<b>Part 1: Preliminaries</b>	<b>i</b>
<b>Part 2: Entry and Re-entry</b>	<b>i</b>
<b>Part 3: Medical and Physical Employment Standards</b>	<b>i</b>
<b>Part 4: Alcohol and Prohibited Substances</b>	<b>i</b>
<b>Part 5: Performance Appraisal and Promotion</b>	<b>i</b>
<b>Part 6: Postings</b>	<b>i</b>
<b>Part 7: Personnel Management</b>	<b>i</b>
<b>Part 8: Training and Development</b>	<b>i</b>
<b>Part 9: Discipline and Unacceptable Behavior</b>	<b>i</b>
<b>Part 10: Transfers/Resignations/Separations</b>	<b>i</b>
<b>Part 11: Personnel Support Policy</b>	<b>i</b>

## CHAPTER 2

# TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

2.1 The [Defence Act 1903](#) and [Defence Regulation 2016](#) enable the Chief of the Defence Force (CDF) to terminate the service of Defence members (Permanent and Reserves) for prescribed reasons.

### POLICY STATEMENT

2.2 Delegates may make decisions with respect to the ongoing service of members of the ADF.

### SCOPE

2.3 This chapter details the Defence policy regarding the termination of service mechanisms contained in the [Defence Act 1903](#) and [Defence Regulation 2016](#), and is applicable to Defence members. This chapter does not address termination under the [Defence Force Discipline Act 1982](#).

### DEFINITIONS

2.4 Military Personnel Policy Manual (MILPERSMAN), [Part 1, Chapter 3](#)—*Military Personnel Policy Manual Glossary* contains terms and definitions used throughout this chapter.

### AUTHORITY

2.5 [Defence Regulation 2016](#) provides the CDF authority to terminate a Defence member's service in prescribed circumstances and to delegate those powers. The [Defence Act 1903](#) provides the CDF authority to terminate a Defence member's service as a result of positive prohibited substance testing and to delegate those powers. The CDF instruments of personnel-related delegations and authorisations are located on the [Pay and Conditions website](#).

## TERMINATION OF SERVICE

### GROUNDINGS FOR TERMINATION OF A DEFENCE MEMBER'S SERVICE

2.6 The service of a Defence member may be terminated under [Defence Regulation 2016](#), Section 24. This section provides that the CDF (or a delegate) may terminate a member's service if:

- a. **The member is medically unfit for service in the Defence Force.** This can include but is not limited to situations where:
  - (1) the member is incapable of rendering effective service as a result of physical or mental incapacity

- (2) the member is medically unfit to deploy as a result of physical or mental incapacity
  - (3) the member does not meet the medical standard for the assigned employment category in which they serve.
- b. **The member cannot usefully serve due to redundancy in the Defence Force.** Redundancy means that Defence no longer requires the work or job to be performed by anyone because of the changes in the operational requirements of Defence. Unless CDF directs otherwise, a member who is terminated due to redundancy will transfer to the Reserves (Service Category (SERCAT) 2 (formerly the Standby Reserve) in accordance with *subsection 21(3) of [Defence Regulation 2016](#)*. Delegates intending to terminate a Defence member's service due to redundancy should also refer to the relevant Defence Determination which has been made under *subsection 58B of the [Defence Act 1903](#)*. Terminations due to redundancy are distinctly different to compulsory transfers to the Reserves under the Command-Initiated Transfer to the Reserves (CITR) provisions outlined in MILPERSMAN, [Part 10, Chapter 4](#).
- c. **Retention of the member's service is not in the interests of the Defence Force.** This can include reasons relating to one or more of the following:
- (1) a member's performance
  - (2) a member's behaviour (including any convictions for criminal or service offences)
  - (3) a member's suitability to serve in the Defence Force, or in a particular role or rank
  - (4) workforce planning in the Defence Force
  - (5) effectiveness and efficiency of the Defence Force
  - (6) the morale, welfare and discipline of the Defence Force
  - (7) the reputation and community standing of the Defence Force.
- d. **The member has failed to meet a condition of their appointment or enlistment.** The condition, including the allocated timeframe, must have been specified at the time of the appointment or enlistment and can include, but is not limited to, situations where:
- (1) a member has not successfully completed a training requirement
  - (2) a member has not been granted, or has not accepted, Australian citizenship
  - (3) a member has not attained a specified security clearance.
- e. **The member has been absent without leave for a continuous period of 3 months or more.**



## PROCESS FOR TERMINATING THE SERVICE OF DEFENCE MEMBERS UNDER DEFENCE REGULATION 2016

2.7 [Defence Regulation 2016](#), subsection 24(2) outlines notice period requirements for terminating the service of a Defence member. These requirements ensure that Defence members receive procedural fairness in relation to termination decisions. Any failure to follow the process may result in termination decisions being invalid.

2.8 Where it is proposed to terminate the service of a Defence member, they must receive a termination notice, and be provided at least 14 days to respond, unless:

- a. the termination is because of failing to meet a condition of appointment or enlistment
- b. the termination is during a period of probation that was specified at the time of appointment or enlistment
- c. the member has been absent without leave for a continuous period of 3 months or more.

2.9 In the circumstances outlined at [subparagraphs 2.8a – 2.8c](#), termination without notice is permitted. It is, however, considered administrative best practise to follow the termination process described in [paragraphs 2.12 – 2.17](#). Delegates considering making a termination decision without following the process described below should seek legal advice before doing so.

2.10 When a member's service is to be terminated due to redundancy the termination must not occur until at least five weeks after the notice is given, unless the member agrees to earlier termination ([Defence Regulation 2016](#), subsection 24(4)).

2.11 Where termination of service is for reasons related to medical fitness, refer to MILPERSMAN, [Part 3, Chapter 2](#)—*Australian Defence Force Medical Employment Classification System* and single-Service policy to ensure that all relevant processes are followed.

2.12 Unless the termination decision is made personally by the CDF, the person who decides to issue the termination notice is to be a different person from the delegate who makes the termination decision.

2.13 [Defence Regulation 2016](#), Section 30 specifies that the termination notice must:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force
- b. state the reason for the proposed termination of the Defence member's service
- c. set out the facts and circumstances relating to the reason for terminating the Defence member's service, in sufficient detail to allow the Defence member

to prepare a written response about why their service should not be terminated. This will include details of any evidence relied upon to support the reasons for termination

- d. invite the Defence member to provide a written response why their service should not be terminated
- e. specify a period of at least 14 days after the date of the notice as the period in which the Defence member may give the statement of reasons.

2.14 When a member is provided a termination notice, a decision to terminate a member's service must not be made until the member has either provided a written response, advised in writing that they do not intend to provide a written response, or the period for providing a written response has ended. Before making a decision, the delegate must consider any written response that the member has provided.

2.15 If the delegate becomes aware of any additional information which is relevant to whether the member's service should be terminated, it may be necessary to provide the member with an opportunity to respond to that information before making a decision to terminate the member's service. Where unsure how to proceed, the delegate should consider consulting a legal officer.

2.16 If the member's service is to be terminated after the delegate has considered the member's written response or the period for providing a response has ended, the delegate is to advise the member of the decision and specify the date the termination will take effect.

2.17 Where the Defence member's location is not known, reasonable attempts should be made to locate the Defence member in order to provide the member with a termination notice. Where the Defence member cannot be located, the termination notice should usually be sent to their last known address and non-Defence email address(es).

## TERMINATION OF SERVICE WHEN BECOMING A PERMANENT RESIDENT OF ANOTHER COUNTRY

2.18 Defence members who intend to take or have taken permanent residency in another country are to notify the CDF as soon as practicable. The CDF may terminate the service of the member if it is determined their retention is not in the interests of the Defence Force.

## TERMINATION OF SERVICE AS A RESULT OF POSITIVE PROHIBITED SUBSTANCE TESTING

2.19 Termination on the basis of a positive prohibited substance test under *Part VIIIA* of the [Defence Act 1903](#) must be in accordance with the [Defence Act 1903](#) and the processes outlined in MILPERSMAN, [Part 4, Chapter 3](#)—*Management of the use or involvement with prohibited substances in the Australian Defence Force*. Where a Defence member has returned a positive prohibited substance test in the course of a [Defence Force Discipline Act 1982](#) investigation or other than under *Part VIIIA* of the [Defence Act 1903](#), termination of service should be considered under [Defence Regulation 2016](#), *Section 24*.

## TERMINATION DATE

2.20 Wherever practical, when choosing the termination date for a Defence member, or responding to a request for an extension of a Defence member who "is medically unfit for service in the Defence Force" and is to be terminated under *subsection 24(1)(a)* of [Defence Regulation 2016](#), the delegate should consider:

- a. whether the member has received an initial assessment from the Commonwealth Superannuation Corporation, if they have submitted a request for an assessment, and
- b. whether the member has received any initial decision from the Department of Veterans Affairs on claims based on the Commonwealth Superannuation Corporation assessment.

2.21 Where an assessment from the Commonwealth Superannuation Corporation or Department of Veterans' Affairs is pending or delayed, the delegate, when choosing the termination date for a Defence member, should consider:

- a. whether short-term retention while awaiting an assessment is in the interests of the member
- b. the wishes of the member for retention.

2.22 Where an assessment from the Commonwealth Superannuation Corporation or Department of Veterans' Affairs is delayed beyond a reasonable period of time, the delegate should specify a date of termination appropriate in the circumstances, but is not to retain the member beyond this reasonable period.

## TERMINATION DECISIONS AND REDRESS OF GRIEVANCES

2.23 A Defence member may submit a redress of grievance (ROG) to their Commanding Officer (CO), in accordance with the [Complaints and Alternative Resolutions Manual \(CARM\)](#), on the decision to terminate their service. A ROG relating to a termination decision must be submitted within 14 days after the Defence member was notified of the decision to terminate their service and should also be submitted in advance of the termination taking effect.

2.24 When a ROG is submitted, the termination action may be suspended pending resolution of the ROG. The underlying principle is that the delegate should not normally take irrevocable or pre-emptive action that would prejudice an appropriate remedy if a Defence member's ROG were subsequently upheld; these decisions are to be made on a case-by-case basis.

2.25 If the termination action has been suspended pending resolution of a ROG, termination dates should be postponed until at least three working days after a ROG is finalised, unless prevented by the operation of *Part VIIIA* of the [Defence Act 1903](#) (see MILPERSMAN, [Part 4, Chapter 3](#)). A Defence member is considered to have been notified of the outcome of the ROG on the day the Defence member receives the written decision or could reasonably be expected to have received the decision.

2.26 When considering suspending termination action the safety, security, discipline and/or the effective operation of the unit may reasonably dictate that termination should proceed despite the submission of a ROG. Such circumstances are to be exceptional. In the alternate, the Defence member may be suspended from duty under *Section 28* of [Defence Regulation 2016](#).

## ENTITLEMENTS FOLLOWING TERMINATION OF SERVICE

2.27 A Defence member's entitlement to superannuation, pay and allowances where their service is terminated will vary according to the individual circumstances. For details of entitlements refer to [ADF Pay and Conditions Manual \(PACMAN\)](#) and Commonwealth Superannuation Corporation.

## RELATED MANUAL CHAPTERS

MILPERSMAN, [Part 3, Chapter 2](#)—*Australian Defence Force Medical Employment Classification System*

MILPERSMAN, [Part 4, Chapter 3](#)—*Management of the use or involvement with prohibited substances in the Australian Defence Force*

MILPERSMAN, [Part 10, Chapter 3](#)—*Resignation and transfer to the Reserve*

MILPERSMAN, [Part 10, Chapter 4](#)—*Command Initiated Transfer to the Reserves*

## RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[Ombudsman Act 1976](#)

[Defence Regulation 2016](#)

[Defence \(Chief of the Defence Force\) Delegations and Authorisations \(No.2\) 2017](#)

[ADF Pay and Conditions Manual \(PACMAN\)](#)

[Complaints and Alternative Resolutions Manual \(CARM\)](#)

[Australian Book of Reference \(ABR\) 0010](#)—*Sailors' Career Management Manual*

[ABR 6289](#)—*RAN Officers' Career Management Manual*

[Air Force Standing Instructions \(Personnel\)](#)

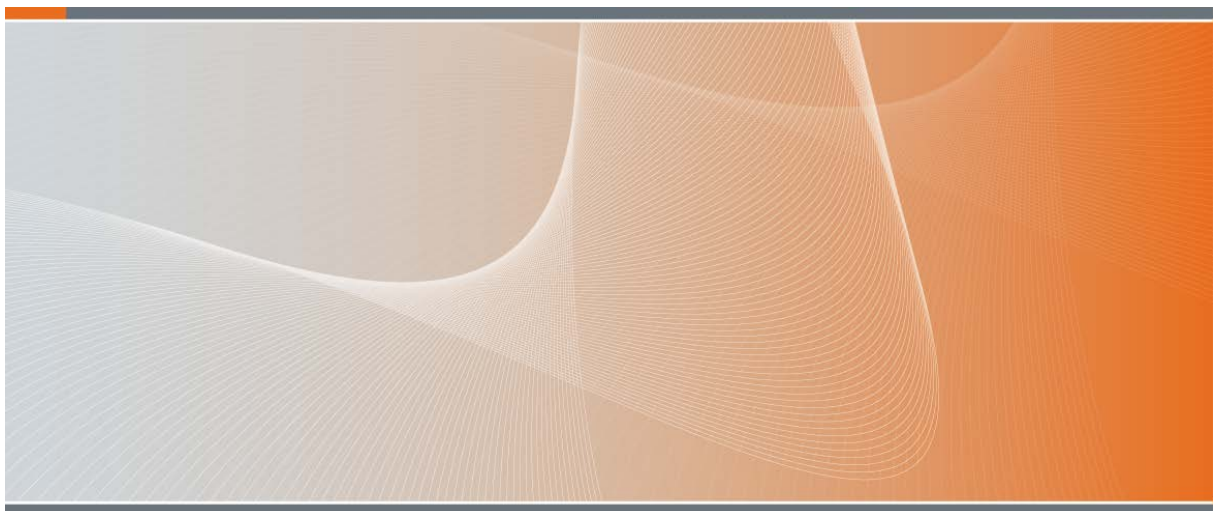
[Army Standing Instructions \(Personnel\)](#)

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**Australian Government**  
**Department of Defence**

# MILITARY PERSONNEL POLICY MANUAL



s22



**Roxanne Kelley**  
Deputy Secretary Defence People

Department of Defence  
CANBERRA ACT 2600

15 December 2017



## AMENDMENT CERTIFICATE

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AL10	Part 3, Chapter 6 Part 3, Chapter 7 Part 6, Chapter 2 Part 6, Chapter 3 Part 7, Chapter 1	Editorial Change Editorial Change Editorial Change Editorial Change Minor Amendment	26 Mar 20

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AL8	Part 2, Chapter 1 Part 4, Chapter 2 Part 4, Chapter 3 Part 7, Chapter 5 Part 7, Chapter 9 Part 9, Chapter 7	Editorial Change Editorial Change Editorial Change Minor Amendment Editorial Change Minor Amendment	10 Oct 19
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AL6	Part 1, Chapter 3 Part 8, Chapter 1	Editorial Change New	20 Jun 19
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AL4	Part 2, Chapter 1 Part 3, Chapter 7 Part 7, Chapter 4	Editorial Change New Editorial Change	10 Dec 18

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AL2	Part 8, Chapter 6	New	26 Apr 18
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# MILITARY PERSONNEL POLICY MANUAL

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# CONTENTS

- Part 1: Preliminaries**
- Part 2: Entry and Re-entry**
- Part 3: Medical and Physical Employment Standards**
- Part 4: Alcohol and Prohibited Substances**
- Part 5: Performance Appraisal and Promotion**
- Part 6: Postings**
- Part 7: Personnel Management**
- Part 8: Training and Development**
- Part 9: Discipline and Unacceptable Behaviour**
- Part 10: Transfers/Resignations/Separations**
- Part 11: Personnel Support Policy**



## CHAPTER 2

# TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

2.1 The [Defence Act 1903](#) and [Defence Regulation 2016](#) enable the Chief of the Defence Force (CDF) to terminate the service of Defence members (Permanent and Reserves) for prescribed reasons.

### POLICY STATEMENT

2.2 Delegates may make decisions with respect to the ongoing service of members of the ADF.

### SCOPE

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### DEFINITIONS

2.4 Military Personnel Policy Manual (MILPERSMAN), Part 1, Chapter 3—*Military Personnel Policy Manual Glossary* contains terms and definitions used throughout this chapter.

### AUTHORITY

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### TERMINATION OF SERVICE

#### GROUND FOR TERMINATION OF A DEFENCE MEMBER'S SERVICE

2.6 The service of a Defence member may be terminated under [Defence Regulation 2016](#), section 24. This section provides that the CDF (or a delegate) may terminate a member's service if:

- a. **The member is medically unfit for service in the Defence Force.** This can include but is not limited to situations where:
  - (1) the member is incapable of rendering effective service as a result of physical or mental incapacity

- (2) the member is medically unfit to deploy as a result of physical or mental incapacity
  - (3) the member does not meet the medical standard for the assigned employment category in which they serve.
- b. **The member cannot usefully serve because of redundancy in the Defence Force.** Redundancy means that Defence no longer requires the work or job to be performed by anyone because of changes in the operational requirements of Defence. Unless CDF directs otherwise, a member whose service is terminated due to redundancy will transfer to the Reserves (Service Category (SERCAT) 2) in accordance with subsection 21(3) of [Defence Regulation 2016](#). Delegates intending to terminate a Defence member's service due to redundancy should also refer to the relevant Defence Determination which has been made under subsection 58B of the [Defence Act 1903](#). Terminations due to redundancy are distinctly different to compulsory transfers to the Reserves under the Command-Initiated Transfer to the Reserves (CITR) provisions outlined in MILPERSMAN, [Part 10, Chapter 4](#).
- c. **Retention of the member's service is not in the interests of the Defence Force.** This can include reasons relating to one or more of the following:
- (1) a member's performance
  - (2) a member's behaviour (including any convictions for criminal or service offences)
  - (3) a member's suitability to serve in the Defence Force, or in a particular role or rank
  - (4) a member's failure to meet one or more conditions of the member's appointment, enlistment or promotion
  - (5) workforce planning in the Defence Force
  - (6) the effectiveness and efficiency of the Defence Force
  - (7) the morale, welfare and discipline of the Defence Force
  - (8) the reputation and community standing of the Defence Force.

## PROCESS FOR TERMINATING THE SERVICE OF DEFENCE MEMBERS UNDER DEFENCE REGULATION 2016

2.7 [Defence Regulation 2016](#), subsection 24(2) provides that a member whose service is being terminated must be given notice of the termination and at least 14 days after the date of the notice to provide a written response. These requirements ensure that Defence members receive procedural fairness in relation to termination decisions. Any failure to follow the process may result in termination decisions being invalid.

2.8 [Defence Regulation 2016](#), subsection 24(3) provides that notice is not required to be given if:

- a. the member's appointment or enlistment is subject to a probationary period and that period has not ended; or
- b. the termination decision is made in relation to a member who:
  - (1) has failed to meet a condition of the member's appointment or enlistment; or
  - (2) has been sentenced to imprisonment for an offence (whether or not the sentence has been suspended); or
  - (3) has been absent without leave for a continuous period of 3 months or more; or
- c. the termination decision is made in relation to a member who has pleaded guilty to, or been convicted of, an offence and the CDF is satisfied that it is not in the interests of the Defence Force for notice to be given to the member.

NOTE: Subsection 84(1A) of Defence Regulation 2016 only permits the CDF (and, where delegated, the Service Chiefs) to terminate the service of a member under paragraph 24(3)(c) of Defence Regulation.

2.9 While subsection 24(3) of [Defence Regulation 2016](#) exempts certain termination decisions from the requirement to provide written notice, it does not exclude or limit the operation of procedural fairness to a member.

2.10 In seeking to engage with members to provide procedural fairness, consideration should be had to matters such as:

- a. the nature of the relevant condition on a member's appointment or enlistment
- b. previous discussions with the member in relation to meeting the condition
- c. previous discussions or correspondence with the member prior to them being sentenced to imprisonment, or
- d. the inability to locate and/or contact the member while they were absent without leave.

2.11 Regardless of the procedures adopted in relation to a particular termination decision, the procedural fairness rule against bias and the obligation to act reasonably, remain.

2.12 It is considered administrative best practice, even in circumstances where termination without notice is permitted, to follow the termination process described in paragraphs 2.15 – 2.20. Delegates considering making a termination decision without following the process described below should seek legal advice before doing so.

2.13 When a member's service is to be terminated due to redundancy the termination must not occur until at least five weeks after the notice is given, unless the member agrees to earlier termination ([Defence Regulation 2016](#), subsection 24(4)).

2.14 Where termination of service is for reasons related to medical fitness, refer to MILPERSMAN, [Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System* and single-Service policy to ensure that all relevant processes are followed.

2.15 Unless the termination decision is to be made by the CDF, the person who decides to issue the termination notice is to be a different person from the delegate who makes the termination decision.

2.16 [Defence Regulation 2016](#), section 30, provides that the termination notice must:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force
- b. state the reason for the proposed termination of the Defence member's service
- c. invite the Defence member to provide a written response about why their service should not be terminated
- d. set out the facts and circumstances relating to the reason for terminating the Defence member's service, in sufficient detail to allow the Defence member to prepare a written response about why their service should not be terminated. This will include details of any evidence relied upon to support the reasons for termination
- e. specify the period for providing the written response (for notices relating to termination of service, at least 14 days).

2.17 When a member is provided a termination notice, a decision to terminate a member's service must not be made until the member has either provided a written response, advised in writing that they do not intend to provide a written response, or the period for providing a written response has ended. Before making a decision, the delegate must consider any written response that the member has provided.

2.18 If the delegate becomes aware of any additional information which is relevant to whether the member's service should be terminated, it may be necessary to provide the member with an opportunity to respond to that information before making a decision to terminate the member's service. Where unsure how to proceed, the delegate should consider consulting a legal officer.

2.19 If the member's service is to be terminated after the delegate has considered the member's written response or the period for providing a response has ended, the delegate is to advise the member of the decision and specify the date the termination will take effect.

2.20 Where the Defence member's location is not known, reasonable attempts should be made to locate the Defence member in order to provide the member with a termination notice. Where the Defence member cannot be located, the termination notice should usually be sent to their last known address and non-Defence email address(es).

## TERMINATION OF SERVICE WHEN BECOMING A PERMANENT RESIDENT OF ANOTHER COUNTRY

2.21 Defence members who intend to take or have taken permanent residency in another country are to notify the CDF as soon as practicable. The CDF may terminate the service of the member if it is determined that their retention is not in the interests of the Defence Force.

## TERMINATION OF SERVICE AS A RESULT OF POSITIVE PROHIBITED SUBSTANCE TESTING

2.22 Termination on the basis of a positive prohibited substance test under Part VIIIA of the [Defence Act 1903](#) must be in accordance with the [Defence Act 1903](#) and the processes outlined in MILPERSMAN, [Part 4, Chapter 3](#)—Management of the use of prohibited substances in the Australian Defence Force. Where a Defence member has returned a positive prohibited substance test in the course of a [Defence Force Discipline Act 1982](#) investigation or other than under Part VIIIA of the [Defence Act 1903](#), termination of service should be considered under [Defence Regulation 2016](#), section 24.

## TERMINATION DATE

2.23 Wherever practical, when choosing the termination date for a Defence member, or responding to a request for an extension of a Defence member who "is medically unfit for service in the Defence Force" and is to be terminated under paragraph 24(1)(a) of [Defence Regulation 2016](#), the delegate should consider:

- a. whether the member has received an initial assessment from the Commonwealth Superannuation Corporation, if they have submitted a request for an assessment, and
- b. whether the member has received any initial decision from the Department of Veterans' Affairs on claims based on the Commonwealth Superannuation Corporation assessment.

2.24 Where an assessment from the Commonwealth Superannuation Corporation or Department of Veterans' Affairs is pending or delayed, the delegate, when choosing the termination date for a Defence member, should consider:

- a. whether short-term retention while awaiting an assessment is in the interests of the member
- b. the wishes of the member for retention.

2.25 Where an assessment from the Commonwealth Superannuation Corporation or Department of Veterans' Affairs is delayed beyond a reasonable period of time, the



delegate should specify a date of termination appropriate in the circumstances, but is not to retain the member beyond this reasonable period.

## TERMINATION DECISIONS AND REDRESS OF GRIEVANCES

2.26 A Defence member may submit a redress of grievance (ROG) to their Commanding Officer (CO), in accordance with the [Complaints and Alternative Resolutions Manual \(CARM\)](#), on the decision to terminate their service. A ROG relating to a termination decision must be submitted within 14 days after the Defence member was notified of the decision to terminate their service and should also be submitted in advance of the termination taking effect.

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2.28 If the termination action has been suspended pending resolution of a ROG, termination dates should be postponed until at least three working days after a ROG is finalised, unless prevented by the operation of Part VIIIA of the [Defence Act 1903](#) (see MILPERSMAN, [Part 4, Chapter 3](#)). A Defence member is considered to have been notified of the outcome of the ROG on the day the Defence member receives the written decision or could reasonably be expected to have received the decision.

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2.30 A Defence member's entitlement to superannuation, pay and allowances where their service is terminated will vary according to the individual circumstances. For details of entitlements refer to [ADF Pay and Conditions Manual \(PACMAN\)](#) and Commonwealth Superannuation Corporation.

## RELATED MANUAL CHAPTERS

MILPERSMAN, [Part 3, Chapter 2](#)—Australian Defence Force Military Employment Classification System

MILPERSMAN, [Part 4, Chapter 3](#)—Management of the use of prohibited substances in the Australian Defence Force

MILPERSMAN, [Part 10, Chapter 3](#)—Resignation and transfer to the Reserve

MILPERSMAN, [Part 10, Chapter 4](#)—Command Initiated Transfer to the Reserves

## RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[Ombudsman Act 1976](#)

[Defence Regulation 2016](#)

[Chief of the Defence Force's delegations from the Defence Act 1903 and \*Defence Regulation 2016\*](#)

[ADF Pay and Conditions Manual \(PACMAN\)](#)

[Complaints and Alternative Resolutions Manual \(CARM\)](#)

[Australian Navy Publication 2110 - RAN Career Management](#)

[Air Force Standing Instructions \(Personnel\)](#)

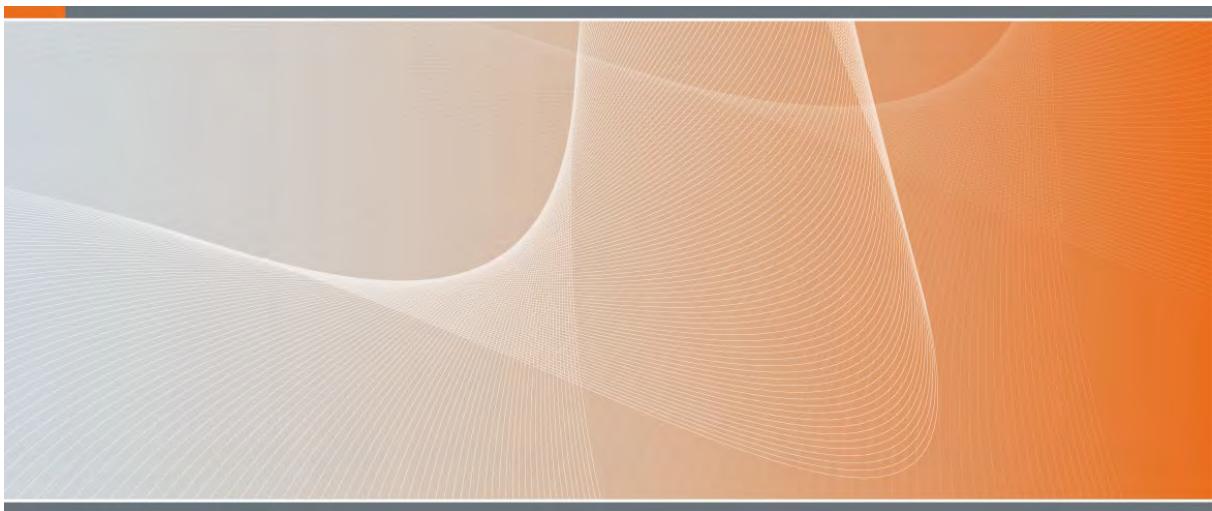
[Army Standing Instructions \(Personnel\)](#)

**Sponsor:** ASPPEC (DMPP)



**Australian Government**  
**Department of Defence**

## MILITARY PERSONNEL POLICY MANUAL



s22

**Roxanne Kelley**  
Deputy Secretary Defence People

Department of Defence  
CANBERRA ACT 2600

15 December 2017

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Amendment number	Amendment	Amendment type	Effective date
AL16	Part 2, Chapter 1 Part 2, Chapter 2 Part 2, Chapter 3 Part 2, Chapter 6 Part 2, Chapter 8 Part 3, Chapter 2 Part 3, Chapter 5 Part 4, Chapter 3 Part 5, Chapter 1 Part 5, Chapter 2 Part 5, Chapter 3 Part 6, Chapter 2 Part 6, Chapter 3 Part 6, Chapter 5 Part 6, Chapter 9 Part 7, Chapter 11 Part 8, Chapter 1 Part 9, Chapter 1 Part 9, Chapter 2 Part 9, Chapter 4 Part 9, Chapter 5 Part 9, Chapter 6 Part 10, Chapter 2 Part 10, Chapter 4 Part 11, Chapter 3	Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change New Chapter Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change New Chapter Editorial Change Editorial Change Editorial Change Full Review Cancelled Chapter Editorial Change Editorial Change Editorial Change Minor Amendment	17 Sep 21
AL15	Part 1, Chapter 3 Part 2, Chapter 7 Part 2, Chapter 9 Part 2, Chapter 10 Part 7, Chapter 2 Part 7, Chapter 7 Part 9, Chapter 7 Part 10, Chapter 1 Part 11, Chapter 2	Editorial Change Editorial Change Reserve Page New Chapter Minor Amendment Minor Review Minor Review Editorial Change Minor Review	18 Jun 21
AL14	Part 4, Chapter 2 Part 4, Chapter 3 Part 7, Chapter 4 Part 9, Chapter 6 Part 9, Chapter 8	Minor Amendment Editorial Change Editorial Change Minor Amendment Minor Amendment	12 Feb 21

AL13	Part 1, Chapter 3 Part 2, Chapter 5 Part 3, Chapter 1 Part 5, Chapter 2 Part 7, Chapter 4 Part 7, Chapter 9 Part 8, Chapter 5 Part 9, Chapter 4 Part 9, Chapter 5 Part 10, Chapter 2 Part 11, Chapter 5	Editorial Change Editorial Change Minor Amendment Editorial Change Editorial Change Minor Amendment Minor Amendment Editorial Change Editorial Change Minor Amendment Editorial Change	27 Oct 20
AL12	Part 2, Chapter 1 Part 2, Chapter 8 Part 6, Chapter 4 Part 9, Chapter 7	Minor Amendment New Chapter Minor Amendment Editorial Change	18 Sep 20
AL11	Part 2, Chapter 7 Part 3, Chapter 1 Part 3, Chapter 2 Part 6, Chapter 9 Part 7, Chapter 2 Part 7, Chapter 9 Part 8, Chapter 1 Part 11, Chapter 3	Editorial Change Editorial Change Editorial Change Editorial Change Minor Amendment Editorial Change Editorial Change Editorial Change	04 Jun 20
AL10	Part 3, Chapter 6 Part 3, Chapter 7 Part 6, Chapter 2 Part 6, Chapter 3 Part 7, Chapter 1	Editorial Change Editorial Change Editorial Change Editorial Change Minor Amendment	26 Mar 20
AL9	Part 1, Chapter 1 Part 2, Chapter 1 Part 2, Chapter 2 Part 2, Chapter 5 Part 3, Chapter 2 Part 6, Chapter 4 Part 8, Chapter 4 Part 9, Chapter 1 Part 9, Chapter 2 Part 9, Chapter 3 Part 9, Chapter 4 Part 9, Chapter 5 Part 9, Chapter 6 Part 9, Chapter 7 Part 9, Chapter 8 Part 11, Chapter 3	Editorial Change Editorial Change Editorial Change Editorial Change Full Review Editorial Change Minor Amendment Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Minor Amendment	03 Dec 19



AL8	Part 2, Chapter 1 Part 4, Chapter 2 Part 4, Chapter 3 Part 7, Chapter 5 Part 7, Chapter 9 Part 9, Chapter 7	Editorial Change Editorial Change Editorial Change Minor Amendment Editorial Change Minor Amendment	10 Oct 19
AL7	Part 10, Chapter 4	Minor Amendment	26 Jul 19
AL6	Part 1, Chapter 3 Part 8, Chapter 1	Editorial Change New	20 Jun 19
AL5	Part 2, Chapter 1 Part 2, Chapter 4 Part 7, Chapter 3 Part 7, Chapter 4 Part 7, Chapter 9 Part 9, Chapter 3 Part 10, Chapter 2 Part 11, Chapter 3	Editorial Change Minor Amendment Editorial Change Minor Amendment Several Amendments Minor Amendment Minor Amendment Editorial Change	15 Feb 19
AL4	Part 2, Chapter 1 Part 3, Chapter 7 Part 7, Chapter 4	Editorial Change New Editorial Change	10 Dec 18
AL3	Part 1, Chapter 3 Part 1, Chapter 4 Part 2, Chapter 1 Part 2, Chapter 5 Part 2, Chapter 6 Part 2, Chapter 7 Part 3, Chapter 6 Part 4, Chapter 2 Part 4, Chapter 3 Part 5, Chapter 1 Part 5, Chapter 2 Part 6, Chapter 4 Part 7, Chapter 2 Part 7, Chapter 7 Part 7, Chapter 8 Part 7, Chapter 9 Part 9, Chapter 4 Part 9, Chapter 7 Part 11, Chapter 2 Part 11, Chapter 6	Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change New Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change Editorial Change New Editorial Change New	13 Sep 18
AL2	Part 8, Chapter 6	New	26 Apr 18

AL1	Part 2, Chapter 5 Part 5. Chapter 3 Part 6, Chapter 10 Part 7, Chapter 8 Part 7, Chapter 9 Part 9, Chapter 6 Part 9, Chapter 8	Editorial Change Editorial Change New Editorial Change Editorial Change Editorial Change Editorial Change	22 Mar 18
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# MILITARY PERSONNEL POLICY MANUAL

Date issued:	07 September 2017
Issued by:	People Policy and Employment Conditions Branch with the authority of Deputy Secretary Defence People.
Document management:	This manual will be reviewed five years from its date of issue or sooner if necessitated by business requirements and to ensure it continues to meet the intent of Defence's policy on this subject. Minor amendments may be made at quarterly intervals commencing three months after the date of issue.
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Policy domain:	People Domain (Personnel Policy)
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Directorate of Military People Policy
Definitions:	Definitions that apply to this manual are at <a href="#">Part1 Chapter 3</a> .

# MILITARY PERSONNEL POLICY MANUAL

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# CONTENTS

- Part 1: Preliminaries**
- Part 2: Entry and Re-entry**
- Part 3: Medical and Physical Employment Standards**
- Part 4: Alcohol and Prohibited Substances**
- Part 5: Performance Appraisal and Promotion**
- Part 6: Postings**
- Part 7: Personnel Management**
- Part 8: Training and Development**
- Part 9: Discipline and Unacceptable Behaviour**
- Part 10: Transfers/Resignations/Separations**
- Part 11: Personnel Support Policy**



## CHAPTER 2

# TERMINATION OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

2.1 The [Defence Act 1903](#) and [Defence Regulation 2016](#) enable the Chief of the Defence Force (CDF) to terminate the service of Defence members (Permanent and Reserves) for prescribed reasons.

### POLICY STATEMENT

2.2 Delegates may make decisions with respect to the ongoing service of members of the ADF.

### SCOPE

2.3 This chapter details the Defence policy regarding the termination of service mechanisms contained in the [Defence Act 1903](#) and [Defence Regulation 2016](#), and is applicable to Defence members. This chapter does not address termination under the [Defence Force Discipline Act 1982](#).

### DEFINITIONS

2.4 Military Personnel Policy Manual (MILPERSMAN), Part 1, Chapter 3—*Military Personnel Policy Manual Glossary* contains terms and definitions used throughout this chapter.

### AUTHORITY

2.5 [Defence Regulation 2016](#) provides the CDF authority to terminate a Defence member's service in prescribed circumstances and to delegate those powers. The [Defence Act 1903](#) provides the CDF authority to terminate a Defence member's service as a result of positive prohibited substance testing and to delegate those powers. The CDF instruments of personnel-related delegations are located on the [Pay and Conditions website](#).

### TERMINATION OF SERVICE

#### GROUND'S FOR TERMINATION OF A DEFENCE MEMBER'S SERVICE

2.6 The service of a Defence member may be terminated under [Defence Regulation 2016](#), section 24. This section provides that the CDF (or a delegate) may terminate a member's service if:

- a. **The member is medically unfit for service in the Defence Force.** This can include but is not limited to situations where:
  - (1) the member is incapable of rendering effective service as a result of physical or mental incapacity

- (2) the member is medically unfit to deploy as a result of physical or mental incapacity
  - (3) the member does not meet the medical standard for the assigned employment category in which they serve.
- b. **The member cannot usefully serve because of redundancy in the Defence Force.** Redundancy means that Defence no longer requires the work or job to be performed by anyone because of changes in the operational requirements of Defence. Unless CDF directs otherwise, a member whose service is terminated due to redundancy will transfer to the Reserves (Service Category (SERCAT) 2) in accordance with subsection 21(3) of [Defence Regulation 2016](#). Delegates intending to terminate a Defence member's service due to redundancy should also refer to the relevant Defence Determination which has been made under subsection 58B of the [Defence Act 1903](#). Terminations due to redundancy are distinctly different to compulsory transfers to the Reserves under the Command-Initiated Transfer to the Reserves (CITR) provisions outlined in [MILPERSMAN Part 10, Chapter 4](#)—*Command-Initiated Transfer to the Reserves*.
- c. **Retention of the member's service is not in the interests of the Defence Force.** This can include reasons relating to one or more of the following:
- (1) a member's performance
  - (2) a member's behaviour (including any convictions for criminal or service offences)
  - (3) a member's suitability to serve in the Defence Force, or in a particular role or rank
  - (4) a member's failure to meet one or more conditions of the member's appointment, enlistment or promotion
  - (5) workforce planning in the Defence Force
  - (6) the effectiveness and efficiency of the Defence Force
  - (7) the morale, welfare and discipline of the Defence Force
  - (8) the reputation and community standing of the Defence Force.

## PROCESS FOR TERMINATING THE SERVICE OF DEFENCE MEMBERS UNDER DEFENCE REGULATION 2016

2.7 [Defence Regulation 2016](#), subsection 24(2) provides that a member whose service is to be terminated must be given notice of the termination and at least 14 days after the date of the notice to provide a written response. These requirements ensure that Defence members receive procedural fairness in relation to termination decisions. Any failure to follow the process may result in termination decisions being invalid.

2.8 [Defence Regulation 2016](#), subsection 24(3) provides that notice is not required to be given if:

- a. the member's appointment or enlistment is subject to a probationary period and that period has not ended; or
- b. the termination decision is made in relation to a member who:
  - (1) has failed to meet a condition of the member's appointment or enlistment; or
  - (2) has been sentenced to imprisonment for an offence (whether or not the sentence has been suspended); or
  - (3) has been absent without leave for a continuous period of 3 months or more; or
- c. the termination decision is made in relation to a member who has pleaded guilty to, or been convicted of, an offence and the CDF is satisfied that it is not in the interests of the Defence Force for notice to be given to the member.

NOTE: Subsection 84(1A) of *Defence Regulation 2016* only permits the CDF (and, where delegated, the Service Chiefs) to terminate the service of a member under paragraph 24(3)(c) of Defence Regulation.

2.9 While subsection 24(3) of [Defence Regulation 2016](#) exempts certain termination decisions from the requirement to provide written notice, it does not exclude or limit the operation of procedural fairness to a member.

2.10 In seeking to engage with members to provide procedural fairness, consideration should be had to matters such as

- a. the nature of the relevant condition on a member's appointment or enlistment
- b. previous discussions with the member in relation to meeting the condition
- c. previous discussions or correspondence with the member prior to them being sentenced to imprisonment, or
- d. the inability to locate and/or contact the member while they were absent without leave.

2.11 Regardless of the procedures adopted in relation to a particular termination decision, the procedural fairness rule against bias and the obligation to act reasonably, remain.

2.12 It is considered administrative best practice, even in circumstances where termination without notice is permitted, to follow the termination process described in paragraphs 2.15 – 2.20. Delegates considering making a termination decision without following the process described below should seek legal advice before doing so.

2.13 When a member's service is to be terminated due to redundancy the termination must not occur until at least five weeks after the notice is given, unless the member agrees to earlier termination ([Defence Regulation 2016](#), subsection 24(4)).

2.14 Where termination of service is for reasons related to medical fitness, refer to [MILPERSMAN Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System* and single-Service policy to ensure that all relevant processes are followed.

2.15 Unless the termination decision is to be made by the CDF, the person who decides to issue the termination notice is to be a different person from the delegate who makes the termination decision.

2.16 [Defence Regulation 2016](#), section 30, provides that the termination notice must:

- a. state that it is proposed to terminate the Defence member's service in the Defence Force
- b. state the reason for the proposed termination of the Defence member's service
- c. invite the Defence member to provide a written response about why their service should not be terminated
- d. set out the facts and circumstances relating to the reason for terminating the Defence member's service, in sufficient detail to allow the Defence member to prepare a written response about why their service should not be terminated. This will include details of any evidence relied upon to support the reasons for termination
- e. specify the period for providing the written response (for notices relating to termination of service, at least 14 days).

2.17 When a member is provided a termination notice, a decision to terminate a member's service must not be made until the member has either provided a written response, advised in writing that they do not intend to provide a written response, or the period for providing a written response has ended. Before making a decision, the delegate must consider any written response that the member has provided.

2.18 If the delegate becomes aware of any additional information which is relevant to whether the member's service should be terminated, it may be necessary to provide the member with an opportunity to respond to that information before making a decision to terminate the member's service. Where unsure how to proceed, the delegate should consider consulting a legal officer.

2.19 If the member's service is to be terminated after the delegate has considered the member's written response or the period for providing a response has ended, the delegate is to advise the member of the decision and specify the date the termination will take effect.

2.20 Where the Defence member's location is not known, reasonable attempts should be made to locate the Defence member in order to provide the member with a termination notice. Where the Defence member cannot be located, the termination notice should usually be sent to their last known address and non-Defence email address(es)

#### TERMINATION OF SERVICE WHEN BECOMING A PERMANENT RESIDENT OF ANOTHER COUNTRY

2.21 Defence members who intend to take or have taken permanent residency in another country are to notify the CDF as soon as practicable. The CDF may terminate the service of the member if it is determined that their retention is not in the interests of the Defence Force.

#### TERMINATION OF SERVICE AS A RESULT OF POSITIVE PROHIBITED SUBSTANCE TESTING

2.22 Termination on the basis of a positive prohibited substance test under Part VIIIA of the [Defence Act 1903](#) must be in accordance with the [Defence Act 1903](#) and the processes outlined in [MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the Australian Defence Force*. Where a Defence member has returned a positive prohibited substance test in the course of a [Defence Force Discipline Act 1982](#) investigation or other than under Part VIIIA of the [Defence Act 1903](#), termination of service should be considered under [Defence Regulation 2016](#), section 24.

#### TERMINATION DATE

2.23 Wherever practical, when choosing the termination date for a Defence member, or responding to a request for an extension of a Defence member who "is medically unfit for service in the Defence Force" and is to be terminated under paragraph 24(1)(a) of [Defence Regulation 2016](#), the delegate should consider:

- a. whether the member has received an initial assessment from the Commonwealth Superannuation Corporation, if they have submitted a request for an assessment, and
- b. whether the member has received any initial decision from the Department of Veterans' Affairs on claims based on the Commonwealth Superannuation Corporation assessment.

2.24 Where an assessment from the Commonwealth Superannuation Corporation or Department of Veterans' Affairs is pending or delayed, the delegate, when choosing the termination date for a Defence member, should consider:

- a. whether short-term retention while awaiting an assessment is in the interests of the member
- b. the wishes of the member for retention.

2.25 Where an assessment from the Commonwealth Superannuation Corporation or Department of Veterans' Affairs is delayed beyond a reasonable period of time, the



delegate should specify a date of termination appropriate in the circumstances, but is not to retain the member beyond this reasonable period.

## TERMINATION DECISIONS AND REDRESS OF GRIEVANCES

2.26 A Defence member may submit a redress of grievance (ROG) to their Commanding Officer (CO), in accordance with the [Complaints and Alternative Resolutions Manual \(CARM\)](#), on the decision to terminate their service. A ROG relating to a termination decision must be submitted within 14 days after the Defence member was notified of the decision to terminate their service and should also be submitted in advance of the termination taking effect.

2.27 When a ROG is submitted, the termination action may be suspended pending resolution of the ROG. The underlying principle is that the delegate should not normally take irrevocable or pre-emptive action that would prejudice an appropriate remedy if a Defence member's ROG were subsequently upheld; these decisions are to be made on a case-by-case basis.

2.28 If the termination action has been suspended pending resolution of a ROG, termination dates should be postponed until at least three working days after a ROG is finalised, unless prevented by the operation of Part VIIIA of the [Defence Act 1903](#) (see [MILPERSMAN Part 4, Chapter 3—Management of the Use of Prohibited Substances in the Australian Defence Force](#)). A Defence member is considered to have been notified of the outcome of the ROG on the day the Defence member receives the written decision or could reasonably be expected to have received the decision.

2.29 When considering suspending termination action the safety, security, discipline and/or the effective operation of the unit may reasonably dictate that termination should proceed despite the submission of a ROG. Such circumstances are to be exceptional. In the alternate, the Defence member may be suspended from duty under section 28 of [Defence Regulation 2016](#).

## ENTITLEMENTS FOLLOWING TERMINATION OF SERVICE

2.30 A Defence member's entitlement to superannuation, pay and allowances where their service is terminated will vary according to the individual circumstances. For details of entitlements refer to [ADF Pay and Conditions Manual \(PACMAN\)](#) and Commonwealth Superannuation Corporation.

## RELATED MANUAL CHAPTERS

[MILPERSMAN Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System*

[MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the Australian Defence Force*

[MILPERSMAN Part 10, Chapter 3](#)—*Resignation and Transfer to the Reserve*

[MILPERSMAN Part 10, Chapter 4](#)—*Command-Initiated Transfer to the Reserves*

## RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[Ombudsman Act 1976](#)

[Defence Regulation 2016](#)

[Chief of the Defence Force's delegations from the Defence Act 1903 and Defence Regulation 2016](#)

[ADF Pay and Conditions Manual \(PACMAN\)](#)

[Complaints and Alternative Resolutions Manual \(CARM\)](#)

[Australian Navy Publication 4104](#)—NAVY PERSONNEL MANUAL

[Australian Navy Publication 4112](#)—CAREER MANAGEMENT - NAVY

[Air Force Standing Instructions \(Personnel\)](#)

[Army Standing Instructions \(Personnel\)](#)

**Sponsor:** ASPPEC (DMPP)

## CHAPTER 2

# INVOLUNTARY SEPARATION FROM THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

2.1 The [Defence Act 1903](#) and [Defence Regulation 2016](#) enable the Chief of the Defence Force (CDF) to involuntarily separate Defence members (Permanent and Reserves) from all forms of Australian Defence Force (ADF) service for prescribed reasons.

### POLICY STATEMENT

2.2 Delegates may make decisions with respect to the ongoing service of members of the ADF.

### SCOPE

2.3 This chapter details the Defence policy regarding the involuntary separation mechanisms contained in the [Defence Act 1903](#) and [Defence Regulation 2016](#), and is applicable to all ADF personnel. This chapter does not address involuntary separation under the [Defence Force Discipline Act 1982](#).

### DEFINITIONS

2.4 [Military Personnel Policy Manual \(MILPERSMAN\), Part 1, Chapter 3](#)—*Military Personnel Policy Manual Glossary* contains terms and definitions used throughout this chapter. For the purposes of this chapter, separation means the departure of a military member from the Defence workforce.

### AUTHORITY

2.5 [Defence Regulation 2016](#) provides the CDF authority to separate a Defence member in prescribed circumstances and to delegate those powers. The [Defence Act 1903](#) provides the CDF authority to separate a Defence member as a result of positive prohibited substance testing and to delegate those powers. The CDF instruments of personnel-related delegations are located on the [ADF People Policy](#) website.

### INVOLUNTARY SEPARATION FROM THE ADF

#### GROUNDINGS FOR THE SEPARATION OF A DEFENCE MEMBER FROM THE ADF UNDER DEFENCE REGULATION 2016

2.6 A Defence member may be separated under [Defence Regulation 2016](#), subsection 24(1). The CDF (or a delegate) may separate a Defence member for one or more of the following reasons:

- a. **The member is medically unfit for service in the Defence Force.**

This can include but is not limited to situations where:

- (1) the member is incapable of rendering effective service as a result of physical or mental incapacity
- (2) the member is medically unfit to deploy as a result of physical or mental incapacity, and unemployable in any other employment category across the three Services.

b. **The member cannot usefully serve because of redundancy in the Defence Force.**

Redundancy means that Defence no longer requires the work or job to be performed by anyone because of changes to operational requirements. Unless CDF directs otherwise, a member who is declared redundant will transfer to the Reserves (Service Category (SERCAT) 2) in accordance with subsection 21(3) of [Defence Regulation 2016](#). Delegates intending to declare a Defence member redundant should also refer to the relevant Defence Determination which has been made under subsection 58B of the [Defence Act 1903](#). Transfers due to redundancy are distinctly different to compulsory transfers to the Reserves under the Command-Initiated Transfer to the Reserves (CITR) provisions outlined in [MILPERSMAN Part 10, Chapter 4](#)—*Command-Initiated Transfer to the Reserves*.

c. **Retention of the member's service is not in the interests of the Defence Force.**

This can include reasons relating to one or more of the following:

- (1) a member's performance
- (2) a member's behaviour (including any convictions for criminal or service offences)
- (3) a member's suitability to serve in the Defence Force, or in a particular role or rank
- (4) a member's failure to meet one or more conditions of the member's appointment, enlistment or promotion
- (5) workforce planning in the Defence Force
- (6) the effectiveness and efficiency of the Defence Force
- (7) the morale, welfare and discipline of the Defence Force
- (8) the reputation and community standing of the Defence Force.

2.7 Consideration is to be given during any involuntary separation process as to whether the individual has a Military Employment Classification (MEC) which could potentially result in a medical separation. Conversely, a member deemed medically unfit for further service may also be the subject of administrative or legal action. Each

proposal for involuntary separation is to be considered on its merits. When a member is to be involuntarily separated via more than one mode of separation it is termed a multi-mode separation (refer paragraph 2.26).

## PROCESS FOR INVOLUNTARY SEPARATION UNDER DEFENCE REGULATION 2016

2.8 [Defence Regulation 2016](#), subsection 24(2) provides that a member who is proposed to be separated must be given notice of the separation and at least 14 days after the date of the notice to provide a written response. These requirements ensure that Defence members receive procedural fairness in relation to separation decisions. Any failure to follow the process may result in decisions being invalidated.

2.9 [Defence Regulation 2016](#), subsection 24(3) provides that notice is not required to be given if:

- a. the member's appointment or enlistment is subject to a probationary period and that period has not ended; or
- b. the separation decision is made in relation to a member who:
  - (1) has failed to meet a condition of the member's appointment or enlistment; or
  - (2) has been sentenced to imprisonment for an offence (whether or not the sentence has been suspended); or
  - (3) has been absent without leave for a continuous period of 3 months or more; or
- c. the separation decision is made in relation to a member who has pleaded guilty to, or been convicted of, an offence and the CDF is satisfied that it is not in the interests of the Defence Force for notice to be given to the member.

NOTE: Subsection 84(1A) of *Defence Regulation 2016* permits the CDF to delegate to Service Chiefs the power to separate a member under paragraph 24(3)(c) of the Defence Regulation.

2.10 While subsection 24(3) of [Defence Regulation 2016](#) exempts certain separation decisions from the requirement to provide written notice, it does not exclude or limit the operation of procedural fairness to a member.

2.11 In seeking to engage with members to provide procedural fairness, consideration should be given to matters such as:

- a. the nature of the relevant condition on a member's appointment or enlistment
- b. previous discussions with the member in relation to meeting the condition
- c. previous discussions or correspondence with the member prior to them being sentenced to imprisonment, or



- d. the inability to locate and/or contact the member while they were absent without leave.

2.12 Regardless of the procedures adopted in relation to a particular separation decision, the procedural fairness rule against bias and the obligation to act reasonably remain.

2.13 It is considered administrative best practice, even in circumstances where separation without notice is permitted, to follow the separation process described in paragraphs 2.17 – 2.23. Delegates considering making a separation decision without following the process described below should seek legal advice before doing so.

2.14 When a Defence member is declared redundant the transfer must not occur until at least five weeks after the notice is given, unless the member agrees to earlier transfer ([Defence Regulation 2016](#), subsection 24(4)).

2.15 Where separation is for reasons related to medical fitness, refer to [MILPERSMAN Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System* and single-Service policy to ensure that all relevant processes are followed.

2.16 Unless the separation notice is issued by the CDF, the person who decides to issue the separation notice is to be a different person from the delegate who makes the separation decision.

2.17 In accordance with section 30 of [Defence Regulation 2016](#), the separation notice must:

- a. state that it is proposed to separate the Defence member
- b. state the reason or reasons for the proposed separation
- c. invite the Defence member to provide a written response
- d. set out the facts and circumstances relating to the reason or reasons for the proposed separation, in sufficient detail to allow the Defence member to prepare a written response. This will include details of any evidence relied upon to support the reason or reasons for separation
- e. specify the period for providing the written response (for notices relating to separation, at least 14 days).

2.18 When a member is provided a separation notice, a decision to separate a member must not be made until the member has either provided a written response, advised in writing that they do not intend to provide a written response, or the period for providing a written response has ended. Before making a decision, the delegate must consider any written response that the member has provided.

2.19 If the delegate becomes aware of any additional information which is relevant to the separation of the member, it may be necessary to provide the member with an opportunity to respond to that information before making a decision. Where unsure how to proceed, the delegate should consider consulting a legal officer.

2.20 If the member is to be separated after the delegate has considered the member's written response or the period for providing a response has ended, the delegate is to advise the member of the decision and specify the date the separation will take effect.

2.21 Where the Defence member's location is not known, reasonable attempts should be made to locate the Defence member in order to provide the member with a separation notice. Where the Defence member cannot be located, the separation notice should usually be sent to their last known address and non-Defence email address(es).

2.22 The member or their transition network may raise concerns about relevant medical issues at any point in the separation process including:

- a. When issuing the separation notice
- b. When considering the member's Statement of Reasons in response to the notice
- c. Where a decision is made to separate a member, but the delegate has formed the view that the member may have medical conditions that lead to a medical separation
- d. During the Transition Health Examination

2.23 Where a relevant medical issue is raised, the member is to be reviewed by a health practitioner and considered for referral to a Central Military Employment Classification Review Board (CMECR) in accordance with [MILPERSMAN Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System*. Should the member's condition not require referral for a CMECR, they will not be considered for medical separation.

## SEPARATION WHEN BECOMING A PERMANENT RESIDENT OF ANOTHER COUNTRY

2.24 Defence members who intend to take or have taken permanent residency in another country are to notify the CDF as soon as practicable. Notification should be made through the Defence member's chain of command to the relevant Career Management Agency. The CDF may separate the member if it is determined that their retention is not in the interests of the Defence Force.

## SEPARATION AS A RESULT OF POSITIVE PROHIBITED SUBSTANCE TESTING – DEFENCE ACT 1903

2.25 Separation on the basis of a positive prohibited substance test under Part VIIIA of the [Defence Act 1903](#) must be in accordance with the [Defence Act 1903](#) and the processes outlined in [MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the Australian Defence Force*. Where a Defence member has returned a positive prohibited substance test in the course of a [Defence Force Discipline Act 1982](#) investigation or other than under Part VIIIA of the [Defence Act 1903](#), separation should be considered under [Defence Regulation 2016](#), section 24.

## MULTI-MODE SEPARATION

2.26 Multi-mode separation can comprise of any combination of involuntary separation under the [Defence Regulation 2016](#), the [Defence Act 1903](#) and/or the [Defence Force Discipline Act 1982](#).

2.27 When proceeding with multi-mode separations the relevant processes for all modes of separation should proceed in parallel, via the relevant delegate/s, to ensure that members are given natural justice/procedural fairness. When there is sufficient information to determine a mode or modes of separation, the delegate/s should consider whether to allow each process to continue to its natural conclusion or cease the process/es.

2.28 It is the responsibility of the delegate/s to decide which separation mode is to be recorded in PMKeyS. The multi-mode separation and all separation modes are to be recorded on the member's personnel file.

## SEPARATION DATE

2.29 For medical separations, delegates are to consider a period of 120 days from the Military Employment Classification Review Board (MECRB) determination and the associated proposal that the member is to be medically separated from service. Delegates may bring this date forward in some cases, but should always ensure that adequate time is provided to members to allow for the completion of mandatory transition administration. Delegates should consider delaying separation where there are delays in presenting the MECRB outcome to the member, and/or mandatory transition administration has not been completed.

2.30 For other types of involuntary separation, delegates are to consider a period up to 90 days from the date the member is notified by their Commander of the separation decision. Delegates are to consider allowing the member a reasonable timeframe in which to complete their mandatory transition administration. Where a Commander has suspended a member from duty without pay pending their separation, they are to reinstate the member's pay following the notification of the separation decision and while they are completing their transition administration.

2.31 Wherever practical, when considering the separation date for a Defence member, or responding to a request for an extension for a Defence member who "is medically unfit for service in the Defence Force" and is to be separated under paragraph 24(1)(a) of [Defence Regulation 2016](#), the delegate should consider any pending Department of Veterans' Affairs (DVA) determination, any pending Commonwealth Superannuation Corporation assessment, and any other relevant factors.

2.32 Where a determination from DVA or assessment from the CSC is pending or delayed, the delegate, when choosing the separation date for a Defence member, should consider:

- a. whether retention while awaiting an assessment is in the interests of the member
- b. the wishes of the member for retention.

2.33 Delegates should specify a date of separation appropriate in the circumstances.

## SEPARATION DECISIONS AND REDRESS OF GRIEVANCES

2.34 To account for sensitivities and mitigate unintended consequences of separation action, the member's commander or chain of command should conduct a risk assessment for individual cases prior to delivering a separation decision. Relevant health staff, support organisations and chain of command should also be consulted, and a Support Officer should be appointed to check on the Defence member after the decision has been issued, to afford mental and physical wellbeing to the Defence member during the separation process.

2.35 A Defence member may submit a redress of grievance (ROG) to their Commanding Officer (CO), in accordance with the [Complaints and Alternative Resolutions Manual \(CARM\)](#), on the decision to separate them. A ROG relating to a separation decision must be submitted within 14 days after the Defence member was notified of the decision and should also be submitted in advance of the separation taking effect.

2.36 When a ROG is submitted, the separation action may be suspended pending resolution of the ROG. The underlying principle is that the delegate should not normally take irrevocable or pre-emptive action that would prejudice an appropriate remedy if a Defence member's ROG were subsequently upheld; these decisions are to be made on a case-by-case basis.

2.37 If the separation action has been suspended pending resolution of a ROG, separation dates may be postponed until at least three working days after a ROG is finalised, unless prevented by the operation of Part VIIIA of the [Defence Act 1903](#) (see [MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the Australian Defence Force*). A Defence member is considered to have been notified of the outcome of the ROG on the day the Defence member receives the written decision or could reasonably be expected to have received the decision.

2.38 When considering suspending separation action, the safety, security, discipline and/or the effective operation of the unit may reasonably dictate that separation should proceed despite the submission of a ROG. In the alternate, the Defence member may be suspended from duty under section 28 of [Defence Regulation 2016](#).

## SECURITY OBLIGATIONS

2.39 Defence members who are involuntarily separated from Defence may present a high security risk after their separation. Commanders and Defence members are to be cognisant of the ongoing security obligations on Defence members, even after they have separated or transitioned to SERCAT 2.

2.40 Even after separating from Defence, members have an ongoing responsibility to protect Defence's official information, assets and intellectual property. Defence

members are not to print, publish or communicate Defence's information in any form after separation, unless disclosure is for official purposes.

2.41 Prior to their separation or transition, Defence members are to receive a security brief [Security Departure Brief Ceasing Defence Employment](#) and be advised of their ongoing obligations under the [Crimes Act 1914](#), [Criminal Code Act 1995](#) and other relevant legislation. Defence members are to acknowledge that they have been made aware of the relevant laws via [Form XP101—Declaration of Secrecy on Cessation of Duties](#) prior to their separation or transition.

2.42 Defence members are to uphold their responsibilities as a Security Clearance Holder in accordance with [Defence Security Principles Framework](#) Control 40.1 Personnel Security Clearance and [MILPERSMAN Part 2, Chapter 11—Personnel Security Clearances in the Australian Defence Force](#). Defence members are to comply with security requirements during their separation or transition process regarding amendments to their physical access and ICT access, appropriate to their immediate requirement following separation or transition.

2.43 Defence members considering taking up post-separation employment with private sector organisations must consider whether there will be the potential for a real or perceived conflict of interest. Defence members have an obligation to prevent conflicts of interest, real or perceived, and must take appropriate action in accordance with [Defence Instruction Administrative Policy \(DI ADMINPOL\) Annex C, AG5—Conflicts of Interest and Declarations of Interest](#).

2.44 Commanders are to report any security concerns arising from the separation to the Australian Government Security Vetting Agency (AGSVA), such as a failure to acknowledge post-separation requirements to protect classified information.

2.45 All Defence members have an ongoing responsibility to report any security concerns they have about former Defence members in accordance with [DSPF](#) Control 40.1. Defence members are to report to AGSVA any security concerns that they hold about a former clearance holder. This is particularly relevant where a member has separated from the organisation under adverse circumstances and/or there is any indication that the person intends to reveal classified or other Official Information, or to compromise the security of Defence assets or personnel.

## ENTITLEMENTS FOLLOWING SEPARATION

2.46 A Defence member's entitlement to superannuation, pay and allowances will vary according to the individual circumstances. For details of entitlements refer to [ADF Pay and Conditions Manual \(PACMAN\)](#) and Commonwealth Superannuation Corporation.

## RELATED MANUAL CHAPTERS

[MILPERSMAN Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System*

[MILPERSMAN Part 3, Chapter 6](#)—*Welfare Boards*



[MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the Australian Defence Force*

[MILPERSMAN Part 10, Chapter 3](#)—*Resignation and Transfer to the Reserve*

[MILPERSMAN Part 10, Chapter 4](#)—*Command-Initiated Transfer to the Reserves*

## RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[Ombudsman Act 1976](#)

[Defence Regulation 2016](#)

[Chief of the Defence Force's delegations from the \*Defence Act 1903\* and \*Defence Regulation 2016\*](#)

[ADF Pay and Conditions Manual \(PACMAN\)](#)

[Complaints and Alternative Resolutions Manual \(CARM\)](#)

[Australian Navy Publication 4104](#)—NAVY PERSONNEL MANUAL

[Australian Navy Publication 4112](#)—CAREER MANAGEMENT - NAVY

[Air Force Personnel Standing Instructions](#)

[Army Standing Instructions \(Personnel\)](#)

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