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**DIRECTIVE 03/2025  
BY THE CHIEF OF THE DEFENCE FORCE**

**FIT AND PROPER PERSON CHECK – SELECTION FOR  
PROMOTIONS, COMMAND AND OTHER SELECT APPOINTMENTS,  
AND SERVICE SUITABILITY CHECKS**

**REFERENCES**

- A. *Defence Regulation 2016*
- B. *Defence (Chief of the Defence Force) Delegations 2023* dated 08 May 2024
- C. *CDF Directive 2024/02 – Selection for Australian Defence Force Command Appointments*

**PURPOSE**

1. This directive sets my expectations for delegates assessing an individual's suitability for Command, select appointment, promotion (including direction to act at higher rank), and reappointment or re-enlistment in the Australian Defence Force (ADF).

**GENERAL DIRECTION TO DELEGATES**

2. The Defence Values and Behaviours provide clear guidance for all ADF members. Personnel exercising delegations under references A and B are to carefully consider if an applicant is fit and proper to perform the duties of the position or rank being considered through the context of the Defence Values and Behaviours.
3. Delegates are to:
  - a. critically assess a candidate's service and or employment history, taking into account any relevant database or personnel record across the Defence enterprise;
  - b. consider all historically relevant evidence available in formulating an assessment of an individual's fit and proper person status;

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- c. review evidence through the lens of our contemporary Defence Values and Behaviours; and
  - d. when making a decision pertaining to selection for Command appointments, apply the additional guidance provided in reference C.
4. The onus of decisions must centre on the individual's appropriateness to provide initial or further capability within the Defence enterprise. Delegates are to be confident in their decision-making so as not to expose our people or Defence to an unreasonable level of behavioural risk.
5. I recognise individuals may make mistakes in the course of their careers or prior to seeking appointment or enlistment. Delegates are to reasonably consider:
- a. patterns of recorded unacceptable behaviour and the nature, timeframe, and frequency of substantiated incidents;
  - b. the impact of a continuing pattern of poor or sub-standard decision-making (including mismanaging complaints); and
  - c. evidence of significant serious incidents indicating a lapse of judgement or more ingrained character flaw (including the behaviours attributed to specific incidents rather than focusing only on the disciplinary or administrative outcomes).
6. Delegates are to make an objective assessment of available evidence over opinion or speculation and should balance the evidence against the importance or impact of the posting, appointment, or promotion under consideration.
7. Delegates are to record the reasons for their decision where an individual is determined fit and proper despite documented incidents or patterns of unacceptable behaviour (retained in an appropriate corporate record including the member's service file). As this decision is not adverse to an individual, recording the reasons for this decision on a member's record does not give rise to procedural fairness obligations. The record is to include applicable mitigation or reform.
8. All delegates are to apply this direction to all ranks and all Service categories.

#### **MINIMUM CHECKS REQUIRED**

9. Annex A lists the information tier available to the delegate or decision maker by category.
10. Tier One checks are conducted at the unit, formation, or force element group level. The ADF Fit and Proper Person Check Cell within the Military Personnel Division conducts all Tier Two and Tier Three checks and provides this information to ADF delegates and decision-makers on request.
11. Delegates are permitted to seek further information when there is insufficient evidence to make a decision (and must record any additional information sources on the decision statement). Delegates may need to seek access to primary evidence, rather than the incident summary as contained on some databases, to ensure they have sufficient data to make an informed decision.

12. Further guidance on fit and proper person checks is as follows:
- a. Tier One checks are to be conducted of all unit records, including (but not limited to) unit personnel files, unit discipline registers, PMKeyS, or equivalent databases and any material specific to the individual's performance and behaviour. These checks can be completed at the unit level prior to approving a nomination or promotion.
  - b. Tier Two checks are to be conducted of personnel records, including (but not limited to) the member's career management dossier or equivalent, discipline records, and any database containing information on the nature or frequency of any incidents or pattern of unacceptable behaviour (including mismanaging complaints). With the introduction of the Defence Enterprise Resource Planning Case Management System (DECMS), these checks require special access to all case types and are conducted by the ADF Fit and Proper Person Cell.
  - c. In addition to the Tier Two checks listed above, all reappointment or re-enlistment candidate requests are to include the reason for initial separation and a review of employment post-separation for the delegate's consideration. To the extent reasonably possible, the delegate is to review the candidate's employment history to ensure there is no evidence of activities which may damage the reputation of the ADF. The ADF Fit and Proper Person Cell will conduct DECMS checks. The candidate and ADF Careers are to provide any additional information regarding the candidate's previous employment prior to the delegate's decision. This forms an element of Part 2 of the Service Suitability Assessment and is managed by ADF Careers and the relevant appointment cell.
  - d. On completion of Tier Two checks, a Tier Three review by the ADF Fit and Proper Person Cell includes the records held exclusively by the Service Headquarters Sensitive and Strategic Issues Management case files and Service Headquarters legal dossiers (where available).

IMPLEMENTATION

13. This directive supersedes and replaces CDF Directive 12/2022 Fit and Proper Person Suitability Check – Selection for Promotion, Command and Other Select Appointments and CDF Directive 03/2020 Fit and Proper Person – Service Suitability Check.
14. This directive is effective immediately and will remain extant until included in MILPERSMAN or withdrawn by me.
15. This directive is sponsored by the Chief of Personnel.
16. The Chief of Personnel is to review this directive by 31 December 2025 or if arrangements significantly change.

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David Johnston AC  
Admiral RAN  
Chief of the Defence Force

 February 2025

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**TABLE ONE: MINIMUM REQUIRED FIT AND PROPER PERSON CHECK**

<b>Function and Category</b>	<b>Tier</b>
<b>Service Suitability Assessment (SSA) – part 1<sup>1</sup></b>	
<ul style="list-style-type: none"> <li>• Reappointment and re-enlistment.</li> </ul>	Tier 2
<b>Service category transfer (including Service Option C engagement)</b>	
<ul style="list-style-type: none"> <li>• Service category 2 to 7.</li> </ul>	Tier 2
<b>Service transfer</b>	
<ul style="list-style-type: none"> <li>• All, including in-Service commissioning.</li> </ul>	Tier 2
<b>Promotion</b>	
<ul style="list-style-type: none"> <li>• Promotion where chain of command is the responsible organisation.</li> </ul>	Tier 1
<ul style="list-style-type: none"> <li>• Promotion where Career Management Agency is the responsible organisation.</li> </ul>	Tier 2
<ul style="list-style-type: none"> <li>• Promotion where Career Management Agency is the responsible organisation (for O6 and above and tiered warrant officers).</li> </ul>	Tier 3
<b>Appointments and Posting</b>	
<ul style="list-style-type: none"> <li>• Senior Leadership Group and Senior Enlisted Leader positions.</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• Defence attaché or advisor and all overseas representational positions.</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• Command positions: O4 commanders of an independent ship, sub-unit, or unit; O5–O8 commanders of a force element; and O4–O8 commanders of a force assigned force element.</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• Ab-initio, training schools, and establishment positions, including commanding officer, instructor, and other executive positions or positions of influence (ADF Careers positions).</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• Direct Parliament-facing positions, including (but not limited to) Defence Liaison Officers, Defence Advisors, Ministerial aides-de-camp.</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• All designated youth facing roles.</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• Individual Service designated positions (Service strategic issues management, culture-based positions, and other positions the service deem necessary to have such check).</li> </ul>	Tier 3
<ul style="list-style-type: none"> <li>• Postings as a military advisor, aide-de-camp, personal assistant, executive assistance, or staff officer to two-star officers and above.</li> </ul>	Tier 2
<ul style="list-style-type: none"> <li>• All overseas postings with the exception of training courses, operations, and exercises.</li> </ul>	Tier 2
<ul style="list-style-type: none"> <li>• Attendance at Australian Defence Force representational sport or international engagement activities.</li> </ul>	Tier 1
<ul style="list-style-type: none"> <li>• Participation in high profile media engagement.</li> </ul>	Tier 2

<sup>1</sup> Note: Part 2 of the SSA pertains to previous employment suitability, training, and credentialing considerations outside of the scope of a fit and proper person check.

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MILPERSMAN Part 5

CHAPTER 3 PROMOTION, ACTING RANK AND HONORARY  
RANK

INTRODUCTION

3.1 The promotion of Defence members is an important and necessary component of the Australian Defence Force (ADF) workforce systems that ensures the maintenance of capability through promotion of personnel into leadership positions. The conditions for promotion of Defence members are determined in accordance with Defence Regulation 2016.

POLICY STATEMENT

3.2 The Chief of the Defence Force (CDF) or delegate can promote a Defence member to provide capability requirements of the ADF. A promotion may be effected with or without specified conditions.

CONSIDERATIONS FOR PROMOTION

3.3 Before a member is promoted to a higher rank, consideration is to be given to whether the member is a fit and proper person to perform duties at the higher rank. When determining whether a person is fit and proper, the delegate is to have regard to any Service-specific promotion prerequisites as amended from time to time. Assessment of these determinations are conducted through a Promotion Board.

3.4 Chief of Personnel is to determine the administrative processes for the conduct of Promotion Boards including the eligibility requirements that are to be met before a member can be considered for promotion.

PROMOTIONS

3.5 There are four types of promotion available to Defence members:

- a. promotion without conditions
- b. promotion with conditions
- c. direction to act in a higher rank

PROMOTION WITHOUT CONDITIONS

3.6 The CDF or delegate can promote a Defence member to a higher rank under Defence Regulation 2016, paragraph 13(1)(a). The Defence member holds that rank, wears the rank insignia and attracts all the conditions of service of the worn rank.

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MILPERSMAN Part 5

3—2

PROMOTION WITH CONDITIONS

3.7 When promoting a Defence member pursuant to Defence Regulation 2016, paragraph 13(1)(a), the CDF or delegate can specify any conditions in an instrument of promotion pursuant to subsection 13(2). Conditions may include, but are not limited to, one or more of the following:

- a. a specific duration
- b. a specific posting or appointment
- c. a period of probation
- d. achievement of specific proficiencies
- e. achievement of specific course or training requirements
- f. achievement of specific performance measures
- g. adherence to specific behaviour requirements.

3.8 **Time-based promotion conditions.** The CDF or delegate may promote a member subject to certain time-based conditions, such as a promotion for a specified period of time or for the duration of a specific posting or appointment. Where this occurs, the promotion instrument is to specify what is to occur at the end of the period of time, posting or appointment.

3.9 **Actions if promotion with conditions are not met.** If a Defence member fails to meet one or more of the conditions in the instrument of promotion, the CDF or delegate may reduce the Defence member's current rank to their previous rank under Defence Regulation 2016, paragraph 14(1)(c).

DIRECTION TO ACT IN A HIGHER RANK

3.10 **Direction to act versus direction to perform.** A direction to act in a higher rank is not to be confused with a direction to perform higher duties specified in the ADF Pay and Conditions Manual (PACMAN). The delegation required for a direction to act in a higher rank is specified in MILPERSMAN Part 1, Chapter 5—Delegations and is generally different (and higher) than that required for the direction to perform higher duties.

3.11 Under Defence Regulation 2016, paragraph 13(1)(b), a Defence member may be directed to act in a higher rank for a specified period in order for the member to carry out the duties of a position established at a higher rank. A direction to act in a higher rank will be effected by a posting order or instrument issued by the CDF or delegate specifying the direction under paragraph 13(1)(b). The instrument is to specify the conditions of the direction to act in a higher rank under subsection 13(2) which may

OFFICIAL

MILPERSMAN Part 5

3—3

include conditions listed in paragraph 3.8, or other conditions as set by the CDF or delegate.

3.12 **Principles.** The following principles are to be considered when making a direction to act in a higher rank:

- a. **Command.** A direction to act in a higher rank may be granted for the purpose of command of formations or units.
- b. **Status.** Although military rank confers status, the mere assumption of a position in the Defence organisation by a Defence member, regardless of their rank, also confers on the incumbent the inherent status of the position. Accordingly, a direction to act in a higher rank for the purpose of status will normally be confined to incumbents of positions with the ADF/single-Service higher organisation at Director/Branch Head level or above, incumbents of positions with the tri-Service environment, or incumbents of positions involving significant representational or training responsibilities.

3.13 **Discipline.** A direction to act in a higher rank may be granted for the purpose of discipline where the Defence member assuming the higher position is:

- a. lower in rank than the incumbents of positions subordinate to the higher position, or
- b. in the case of officers, lower in seniority order, if the same rank.

3.14 The following should also be considered when directing Defence members to act in a higher rank:

- a. A direction to act in a higher rank should be limited to one rank higher than the rank held by the Defence member prior to the direction to act.
- b. The Defence member being considered to act in a higher rank should be appropriately professionally qualified for the position.
- c. A Defence member directed to act in a higher rank holds all the authority, responsibility and delegations associated with the position of which they were directed to act, unless restrictions are specified as a condition.

3.15 A direction to act in a higher rank that does not fill a vacant position should only be considered if the Defence member is to hold authority associated with the higher rank to enable proper engagement and tasking of subordinate personnel.

3.16 **Financial considerations.** Defence members should be cognisant that direction to act in a higher rank may be temporary in nature, and there may be financial repercussions if the direction is revoked and benefits have already been provided.

OFFICIAL

MILPERSMAN Part 5

3—4

Defence members should refer to the PACMAN to determine the possible impact of being directed to act in a higher rank. The recognition of a higher salary for superannuation purposes is subject to the rules of a member's superannuation scheme.

**3.17 Seniority.** The effective date of the acting rank is the date authorised by the CDF or delegate. At the end of a period of acting rank, if the CDF or delegate decides that a member is to be promoted to that rank pursuant to Defence Regulation 2016, subsection 13(1)(a), the CDF or delegate may also make a decision on the award of seniority for career management purposes. Pay seniority for that rank will continue to reflect the date from which acting rank was granted.

**3.18** Where a Defence member reverts to the lower rank following acting rank but is later promoted or granted a further period of acting rank, provisions for salary as they relate to pay increments may differ. Refer to PACMAN, Chapter 3, Part 2—Administration of Salaries for further guidance.

**3.19 End of a direction to act in a higher rank.** A direction to act in a higher rank ceases under the following circumstances:

- a. A Defence member is posted from the position for which the acting rank was granted.
- b. The Defence member is promoted under Defence Regulation 2016, paragraph 13(1)(a).
- c. The established position for which the acting rank was granted is reduced to a rank lower than the acting rank held by the incumbent.
- d. A condition of the direction to act in a higher rank specified under Defence Regulation 2016, subsection 13(2) is not met.
- e. For any other reason (eg unsatisfactory performance) it is decided that the Defence member should no longer retain the acting rank.

**3.20 Continuation of a direction to act in a higher rank.** A direction to act in a higher rank may remain in place when:

- a. A Defence member is deployed, attached for a course of instruction not exceeding three months or becomes non-effective in their position by reason of temporary duty or leave, and it is reasonably intended that the Defence member will return to the position.
- b. A Defence member ceases to perform the duties associated with the direction to act in a higher rank due to medical reasons (whether or not attributable to ADF service, provided the condition is not due to negligence or misconduct on the Defence member's behalf) for a period not exceeding three months. Where a Defence member is unable to perform the duties necessary of the higher rank

OFFICIAL

MILPERSMAN Part 5

3—5

for a period exceeding three months, the matter is to be referred to the relevant delegate to determine whether or not acting rank under these circumstances is to be retained or relinquished.

- c. A Defence member is reported missing, captured or interned.

HONORARY RANK

3.21 Honorary rank may be used where representational duties, or specifically directed duties such as cultural interactions, require military representation at a certain level to achieve a desired outcome. A person, either serving or non-serving, may be appointed to a rank that is to be held as an honorary rank. Such appointments do not confer or imply a right to command unless expressly granted by the CDF or delegate.

3.22 Appointment to honorary rank under Defence Regulation 2016, sections 31 and 32 does not constitute a promotion as described by Defence Regulation 2016, section 13. Therefore, with the exception of Chaplains, appointment to honorary rank should not normally be entered into people management systems as a promotion that might otherwise attract specific salary or allowances at the rank level to which a member is appointed.

3.23 Chaplains are excluded from promotion under the formal rank structure prescribed in Schedule 1 of the Defence Act 1903. Accordingly, Chaplains are appointed to an honorary rank commensurate with their experience, competence and allocated Division. Chaplains do not have, and must not exercise, military executive authority and must not be appointed to any position that would require them to exercise such authority. That said, Chaplains must exercise normal administrative and technical authority consistent with an officer of the ADF and commensurate with their role and honorary rank.

RELATED PUBLICATIONS

- Defence Instruction Administrative Policy
- Australian Navy Publication 4104—NAVPERSMAN.
- Army Standing Instruction (Personnel)
- Air Force Personnel Standing Instructions

**Sponsor:** AS/DG PPEC (DMPP)