

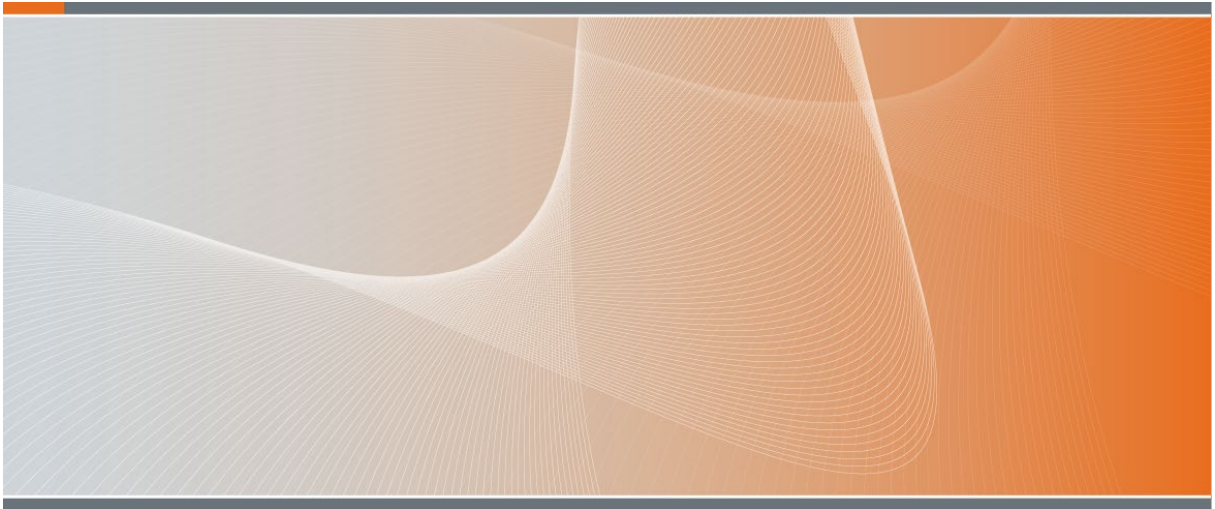
OFFICIAL



Australian Government

Defence

DEFENCE INSTRUCTION



This Defence Instruction is issued by us pursuant to subsection 11(1) of the [Defence Act 1903](#) and is effective as at today's date. *Defence Instruction – Administrative Policy* dated 4 July 2022 is hereby revoked.

A handwritten signature in black ink, appearing to read "G Moriarty".

Greg Moriarty
Secretary

25 July 2023

A handwritten signature in black ink, appearing to read "A Campbell".

Angus J Campbell
General
Chief of the Defence Force

25 July 2023

DEFENCE INSTRUCTION

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	Administration and Governance provisions
	Acquisition and sustainment provisions
	Strategy, policy and industry provisions
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Pages 54 to 55	Definitions – List of definitions that apply to this Defence Instruction
<p>DOCUMENT MANAGEMENT – this Defence Instruction is:</p> <ul style="list-style-type: none"> - current from the date of issue until it is amended, reissued or revoked. - updated annually in accordance with The Administrative Policy Arrangements. The annual update of this Defence Instruction may require subordinate documents to be updated. - is available for public release and its currency is assured only if sourced from Administrative policy (defence.gov.au) <p>Interim Defence Instructions may be used as a temporary measure (for up to 12 months). They can issue, amend or revoke the provisions of this Defence Instruction. They prevail over extant provisions of this Defence Instruction, to the extent of any inconsistency until the Interim Defence Instruction expires, or is revoked, and its contents incorporated into this Defence Instruction.</p>	
<p>DOCUMENT CONTACT : Administrative Policy Team</p>	

WHAT IS THE PURPOSE OF THIS DEFENCE INSTRUCTION?

1. This is a Defence Instruction for the purposes of section 11 of the [Defence Act 1903](#). Its primary purpose is to support the Secretary of Defence (the Secretary) and the Chief of the Defence Force (CDF) to discharge their responsibilities under subsection 10(1) of the [Defence Act 1903](#), to jointly administer the Australian Defence Force.
2. Its secondary purpose is to support the Secretary to discharge the Secretary's responsibility under paragraph 57(2)(a) of the [Public Service Act 1999](#) to manage the affairs of Defence in an efficient, effective, economical and ethical manner. To the extent necessary, it draws authority from subsection 20(1) of the [Public Service Act 1999](#).
3. This Defence Instruction:
 - a. includes prescribed and proscribed (mandatory) provisions specified by the use of the words '**must**' or '**must not**' that apply to all or specified Defence personnel
 - b. so far as it relates to matters of an administrative nature, prevails over any Defence document that is not issued under section 11 of the [Defence Act 1903](#) or under section 20A of the [Public Governance Performance and Accountability Act 2013](#)
 - c. is not intended to duplicate powers, functions and duties that already exist in legislation
 - d. does not provide for and is not intended to limit the implied discretionary power of accountable officers to issue, or authorise the issue of, procedures and guidelines.

WHAT DOES THIS DEFENCE INSTRUCTION MEAN TO ME?

4. **If you are a Defence member:**
 - a. this Defence Instruction contains 'general orders' for the purposes of the [Defence Force Discipline Act 1982](#) (indicated by use of the words '**must**' or '**must not**').
 - b. failure to comply with a mandatory provision in this Defence Instruction that applies to a Defence member may result in administrative or disciplinary action.
5. **If you are a Defence Australian Public Service (APS) employee:**
 - a. this Defence Instruction contains lawful and reasonable directions (indicated by use of the words '**must**' or '**must not**') for the purpose of subsection 13(5) of the [Public Service Act 1999](#)
 - b. failure to comply with a mandatory provision of this Defence Instruction that applies to a Defence APS employee may result in an investigation and sanction as provided for in subsection 15(1) of the [Public Service Act 1999](#). These may range from reprimand to termination of employment.
6. **If you are a person engaged under a contract, another Commonwealth Department secondee, or a foreign military exchange officer**, your contract or your secondment or exchange arrangement may require you to comply with:

- a. the mandatory provisions of this Defence Instruction, and
- b. any administrative policies and directions issued pursuant to this Defence Instruction where they are directly relevant to the work you will be performing for Defence.

KEY ROLES RELATING TO THIS DEFENCE INSTRUCTION

7. The **Secretary** and the **CDF** provide the highest level of authority to jointly issue Defence Instructions and [Interim Defence Instructions](#).
8. By [delegation of power](#) the **Associate Secretary** and the **Vice Chief of the Defence Force** hold the next level authorisation to jointly issue Defence Instructions (including [Interim Defence Instructions](#)).
9. **Accountable officers** are, in accordance with [Administration and Governance Provision 1 of this Defence Instruction \(AG1\)](#), accountable to the Secretary and the CDF for:
 - a. ensuring their provisions in this Defence Instruction are fit for purpose
 - b. effectively promoting realisation of the Defence strategic outcomes for which they are responsible.
10. The **Associate Secretary** is accountable to the Secretary and the CDF for developing, issuing and maintaining arrangements for administrative policies ([The Administrative Policy Arrangements](#)).
11. **Policy owners** are, in accordance with [AG1](#), responsible to their accountable officer for ensuring their provisions in this Defence Instruction are:
 - a. fit for purpose, and
 - b. contribute to the realisation of the Defence strategic outcomes for which their accountable officers are responsible.
12. On behalf of the Associate Secretary, and in accordance with [The Administrative Policy Arrangements](#), the **First Assistant Secretary Enterprise Transformation and Governance (FASETG)** is responsible for coordinating the process of amending or revoking and re-issuing this Defence Instruction annually. By [delegation of power](#), FASETG may revoke Defence Instructions (including Interim Defence Instructions).
13. **Chief Counsel** is responsible for providing legal advice and clearance of Defence Instructions (including Interim Defence Instructions) prior to submission to the Secretary and the CDF (or their delegates) for approval to issue.
14. **Group Heads and Service Chiefs** are responsible for properly promoting and implementing this Defence Instruction and any administrative policies and directions (where applicable) within their Group or Service.

ADMINISTRATION AND GOVERNANCE PROVISIONS

Title:	Administration and Governance Provision 1– <i>Administration of the Australian Defence Force and the Department of Defence (Defence)</i> (AG1).
Object:	AG1 provides accountable officers with powers, functions and duties to support the Secretary of Defence and the Chief of the Defence Force to administer Defence. It is to be read in conjunction with the Accountable Officer Instrument of Appointment and the Administrative Policy Arrangements .
Accountable officer:	Associate Secretary
Policy owner:	First Assistant Secretary Enterprise Transformation and Governance
Policy contact:	Administrative Policy Team
Cancellations:	Defence Instruction – Administrative Policy

AG1.1 By [Accountable Officer Instrument of Appointment \(Instrument\)](#), signed by the Secretary and the CDF, accountable officers have been appointed and assigned responsibilities for achieving specified Defence strategic outcomes. The Instrument includes a consolidated list of accountable officers together with their assigned responsibilities.

AG1.2 The Associate Secretary maintains the Instrument including ensuring the consolidated list of accountable officers together with their assigned responsibilities remains consistent with the Defence organisational structure.

AG1.3 All accountable officers may issue administrative policies within the scope of their specified responsibilities.

AG1.4 Only specified accountable officers and specified appointments at SES Band 2/ADF 2 Star level with regulatory compliance functions across the Defence enterprise may issue directions. These powers are granted in the relevant provision of this Defence Instruction. These are delegations to the specified accountable officers and specified appointments under subsection 120A(3A) of the [Defence Act 1903](#) and subsection 78(7) of the [Public Service Act 1999](#).

AG1.5 Only accountable officers may appoint a policy owner (at the SES Band 2 or equivalent level) to be responsible for developing and maintaining administrative policies on their behalf.

AG1.6 Accountable officers may, in writing, authorise a policy owner (at the SES Band 2/ADF 2 Star level) to issue their administrative policies.

AG1.7 Accountable officers **must** ensure their administrative policies, provisions in this Defence Instruction (or an Interim Defence Instruction) and directions (where applicable):

- a. contribute to the delivery of the Defence strategic outcomes (or parts thereof) for which they are responsible and accountable in a legally

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compliant manner including in accordance with their duty of care and diligence outlined in [subsection 25\(1\) of the Public Governance, Performance and Accountability Act 2013](#)

- b. are developed, issued and maintained in accordance with [Administrative Policy Arrangements](#) issued by the Associate Secretary
- c. are implemented and assessed for compliance and utility including implementing a system of oversight to provide assurance
- d. undergo consultation and collaboration with other affected accountable officers before changing extant or creating new administrative policies and Defence Instruction provisions, and
- e. are properly implemented with products that support Defence personnel to meet the obligations and responsibilities set by an accountable officer in their administrative policies and Defence Instruction provisions.

AG1.8 All Defence Personnel **must** comply with the mandatory provisions of this Defence Instruction.

AG1.9 All Defence Personnel should comply with administrative policies by:

- a. applying stated policy decision making principles in their decision making, and
- b. meeting, or contributing to the meeting of, stated administrative policy outcomes **unless** there are cogent reasons for non-compliance in order to produce a better administrative policy outcome. Non-compliance with an administrative policy is not permitted in a manner that would result in any breach of Australian law or Australia's international legal obligations.

AG1.10 If non-compliance with an administrative policy is being contemplated, Defence personnel **must** first:

- a. consider whether non-compliance is reasonable and justified in the circumstances and whether it will produce a better administrative policy outcome for Defence, and
- b. consult relevant stakeholders (the policy contact in the first instance and where advised by the policy area, the policy owner and/or the accountable officer), on the proposal and document their rationale for any decision not to comply.

AG1.11 Defence personnel may be subject to performance management, administrative action or, in some circumstances, disciplinary action where their decision to not comply with an administrative policy involves serious errors of judgement.

AG1.12 Unless otherwise specified in this Defence Instruction, Defence managers responsible for negotiating any contract on behalf of Defence **must** include in the terms of any contract, a requirement that persons engaged under a contract **must** comply with:

- a. the mandatory provisions of this Defence Instruction, and
- b. any administrative policies and any directions issued pursuant to it, where

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they are directly relevant to the work a person will be performing for Defence.

AG1.13 Defence managers responsible for negotiating any personnel secondment or exchange arrangements **must** include in the provisions of any such arrangements, a requirement that a secondee or exchange officer will comply with:

- a. the mandatory provisions of this Defence Instruction, and
- b. any administrative policies and any directions issued pursuant to it, where they are directly relevant to the work a person is performing for Defence.

AG1.14 Group Heads and Service Chiefs **must** properly promote and implement Defence Instructions and any Administrative policies or directions (where applicable) issued pursuant to it within their Group or Service. This includes ensuring that adequate resources are in place to support Defence personnel to comply with their provisions in this Defence Instruction.

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Title:	Administration and Governance Provision 4 – <i>Incident reporting and management</i> (AG4).
Object:	AG4 mandates conduct relating to reporting, recording and managing incidents that impact on effectiveness and capability in Defence.
Accountable officer:	Associate Secretary
Policy owner:	Principal Integrity Officer (First Assistant Secretary Defence Integrity)
Policy contact:	Director Integrity Policy and Industry Engagement
Cancellations:	NIL

AG4.1 Defence personnel who have a reasonable suspicion that an incident has occurred **must**, as soon as practicable but within 24 hours of commencement of duty, report the incident to their manager or commander.

AG4.2 The following exceptions apply to this mandatory reporting obligation:

- a. the incident is a notifiable incident and is reported directly to a Defence Investigative Authority
- b. a disclosure of information about an incident is made under the [Public Interest Disclosure Act 2013](#)
- c. disclosures made to Defence chaplains, health professionals or lawyers that do not relate to an imminent threat of self-harm or imminent harm to others, or that trigger a statutory mandatory reporting requirement
- d. an incident that might affect a person's suitability to hold a security clearance is reported directly to the Australian Government Security Vetting Agency
- e. the incident is a sexual misconduct incident reported as a restricted report to Sexual Misconduct Prevention and Response Office (SeMPRO)
- f. the victim of an incident of sexual misconduct, or an incident of physical violence or emotional trauma arising from a criminal act, is not required to report the incident.

AG4.3 In relation to AG4.2f, while not mandatory, the Secretary and the CDF encourage victims to report such incidents. In the event they are not comfortable doing so via an internal Defence mechanism, they are encouraged to do so through the appropriate external authorities.

AG4.4 In relation to incidents reported to them, managers and commanders **must**:

- a. as soon as practicable, but within 24 hours of commencement of duty, report all required information through their line management or chain of command

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- b. report any notifiable incident immediately to a Defence Investigative Authority, and follow their direction for further reporting through their respective line management or chain of command
- c. manage any incident until all actions are complete or responsibility for managing the incident has passed to an appropriate internal or external investigative authority
- d. record details of the reporting and management of incidents in the authorised case management system using a [Defence Incident Record](#).

AG4.5 The [Incident Reporting and Management Policy](#) is an administrative policy. It outlines roles and responsibilities, procedural material and definitions. It is intended to be read in conjunction with AG4 as if it is part of AG4.

Defence Investigative Authority means the Joint Military Policing Unit, Fraud Control and Investigations Branch (Defence Integrity Division), Human Resource Services Branch (People Services Division) and Security Threat and Assurance Branch (Defence Security Division).

Incident is any non-routine event or occurrence that may have an effect on Defence, in particular capability, operations, personnel, security, safety, reputation, property, premises, environment, legal and ethical obligations, obligations to minors, and foreign relations. To avoid doubt, it includes all complaints made by Defence personnel, a person/s engaged under a contract, people involved in Australian Defence Force cadets, and members of the public, where the complaint is about Defence (including complaints about Defence Personnel).

Notifiable incident means any incident that:

- a. raises a reasonable suspicion that a criminal offence may have been committed under the criminal law of the Commonwealth, States or Territories, or the criminal law of another country
- b. raises a reasonable suspicion that a serious offence has been committed under the [Defence Force Discipline Act 1982](#), not including incidents that are regarded as minor (Schedule 1A offences), which would ordinarily be dealt with by a subordinate summary authority or under the [Disciplinary Infringement Scheme](#) (noting that if found to be more serious than initially determined, it may need to be reported as a notifiable Incident)
- c. involves allegations of fraud, corrupt practices or behaviour, collusive tendering, conflict of interest or a lack of probity involving Commonwealth resources, including personnel, property or premises.
- d. is a suspected security incident whether intentional, negligent or accidental, resulting in a failure to comply with a security requirement outlined in the Defence Security Principles Framework or that may

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impact on a clearance holder's suitability to hold a security clearance

- e. involves the death, serious injury (including self-harm) or disappearance of Defence personnel or the death, serious injury or disappearance of non-Defence personnel involved in any Defence activity, or at any Defence property or premises (even where there may be no reasonable suspicion of an offence having been committed)

or

- f. is an incident deemed by a manager or a commander to be serious, sensitive or urgent, not covered by the definitions above. That is, one that may bring Defence into disrepute; attract adverse media or parliamentary attention; or may adversely affect the efficiency of Defence, or impact on operational effectiveness or capability.

ADMINISTRATION AND GOVERNANCE PROVISIONS

Title:	Administration and Governance Provision 5 – <i>Conflicts of interest and declarations of interest</i> (AG5).
Object:	AG5 mandates conduct relating to declaring, recording and managing conflicts of interest in Defence.
Accountable officer:	Associate Secretary
Policy owner:	Principal Integrity Officer (First Assistant Secretary Defence Integrity)
Policy contact:	Director Integrity Policy and Industry Engagement
Cancellations:	NIL

AG5.1 All Defence personnel **must** act transparently when making work-related decisions, reflecting the probity and ethical standards of the Commonwealth and Defence, including adherence to Defence Values and Behaviours.

AG5.2 All Defence personnel **must** regularly assess whether they have a conflict of interest (actual, potential or perceived) and take reasonable steps to avoid situations where their private financial or other interests (or those of immediate family members, such as spouses/partners or dependants) could, or could be perceived to, conflict with their official duties.

AG5.3 Defence personnel **must not**, either by action or inaction:

- a. make improper use of their authority, status, power, position or access to information in order to solicit or obtain a benefit or advantage, or to cause a disadvantage for themselves or any other person or group (including partners, relatives, friends, associates and any person that does or may do business with Defence)
- b. use Defence resources to gain, or seek to gain, a private benefit or advantage or to cause a disadvantage for themselves or any other person or group
- c. accept any benefit that might lead a reasonable person to view such acceptance as a conflict of interest
- d. behave in a manner in which their action or inaction could be construed as favouritism, bias or coercion
or
- e. take improper advantage of their official position or privileged information gained in that position, when seeking or participating in employment, business or other activities outside of Defence.

AG5.4 All Defence personnel **must** declare any conflicts of interest (actual, potential or perceived) to their manager as and when it is identified. Managers **must**, in a timely manner, submit declarations of conflicts of interest through the line supervision/chain of command to the appropriate decision-maker.

ADMINISTRATION AND GOVERNANCE PROVISIONS

AG5.5 Where a conflict of interest is declared, it **must** be managed in a way which will withstand external scrutiny. The action taken to manage a conflict of interest will be determined according to the specific circumstances of the individual case, including the role and responsibilities that the declarant performs for Defence and the nature and extent of the conflict. Defence personnel **must** cooperate with the relevant decision-maker identified in *Defence Integrity Policy* to eliminate, or if that is not possible, mitigate as low as reasonably practicable, any risks associated with the declared conflict of interest.

AG5.6 The Principal Integrity Officer (PIO) **must** be consulted where there is any doubt about whether:

- a. a conflict of interest exists or not, or
- b. the risks associated with the conflict of interest can be adequately mitigated or not.

AG5.7 For the avoidance of doubt, Defence personnel **must** also declare situations where their partners, family, friends and associates are engaged in activities or have interests that place Defence personnel in an actual, potential or perceived conflict of interest situation.

AG5.8 If a suspected conflict of interest has been reported to a manager by a third party, it **must** be reported to the relevant Defence Investigative Authority who will advise on the most appropriate course of action.

AG5.9 Group Heads and Service Chiefs **must** bring any conflicts of interest that impact on the effectiveness and capability of Defence or its reputation to the attention of the Secretary or the CDF.

AG5.10 The management of conflicts of interest is the responsibility of all Defence personnel, managers and commanders including, but not limited to contract managers, chairs and members of tender evaluation panels, procurement delegates, chairs and members of recruitment panels, or chairs and members of committees.

AG5.11 Annual Declarations of Interest **must** be provided by:

- a. members of the Senior Leadership Group (SLG) including all Star Ranked Officers, Star Ranked SERCAT 5 Reserve Officers, Senior Executive Service Officers, Medical Officers Class 5 and 6, and Chiefs of Divisions
- b. other positions in which the level of decision making or advice is deemed by a Group Head or Service Chief as being equivalent to that of the SLG
- c. anyone below SLG level who is designated by their Group Head or Service Chief because their responsibilities require them to be particularly transparent about their financial and personal interests. Group Heads and Service Chiefs **must** identify and advise the PIO of Defence personnel occupying positions (other than SLG positions) who will be required to provide Declarations of Interest.

AG5.12 Declarations of interest **must** also be provided by:

- a. Star ranked SERCAT 3 Reserve Officers, at the commencement

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of any specified task/duties; and

- b. anyone acting in one of the positions identified at AG5.11 for a period of 3 months or more.

AG5.13 The Defence Integrity Policy is an administrative policy. It contains policies relating to conflicts of interest. It also describes additional roles and responsibilities associated with managing declarations of conflicts of interest, declarations of interests and relevant definitions. The Integrity Policy is to be read in conjunction with AG5.

A **Conflict of interest** refers to any situation where there is, or may appear to be, a conflict between an individual's personal interests and their public duties and responsibilities. Guidance to assist Defence personnel identify typical examples of conflicts of interests and private interests that **must** be declared can be found [here](#).

Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

Relevant Decision-Maker refers to the Defence Official responsible for evaluating and managing Conflicts of Interest.

ADMINISTRATION AND GOVERNANCE PROVISIONS

Title:	Administration and Governance Provision 7 – <i>Legal Services in Defence</i> (AG7)
Object:	AG7 outlines the arrangements for the provision of all legal advice in Defence and when Defence personnel must engage with Defence Legal.
Accountable officer:	Associate Secretary
Policy owner:	Chief Counsel
Cancellations:	NIL

Delivery of Legal Services in Defence

AG7.1 The Chief Counsel is authorised to exercise technical control over the provision of legal advice in Defence. Legal advice includes the legal review and clearance of documents.

AG7.2 The Chief Counsel may permit certain Defence personnel (for the purposes of this Instruction ‘Defence legal practitioners’) to provide legal advice on his/her behalf only if they hold the following essential qualifications:

- a. a practising certificate issued by an Australian State or Territory (unless the Chief Counsel provides an exemption), and
- b. a written approval issued by the Chief Counsel

AG7.3 Defence personnel **must not** provide legal advice to Defence unless permitted to do so by the Chief Counsel in accordance with AG7.2.

AG7.4 The Chief Counsel may issue directions to Defence legal practitioners, which are considered necessary or convenient for carrying out or to give effect to AG7.1. These directions **must** be consistent with the [Legal Services Directions 2017](#).

AG7.5 Defence legal practitioners **must** comply with Chief Counsel directions.

AG7.6 Group Heads and Service Chiefs **must** ensure that adequate resources are in place to support Defence legal practitioners to comply with Chief Counsel directions.

AG7.7 Defence personnel **must** not interfere with the ability of Defence legal practitioners or external legal service providers to give independent legal advice. This includes attempting to improperly influence the outcome of legal advice or acting in a way that abrogates from appropriate management of legal risk.

Use of External Legal Service Providers

AG7.8 The Chief Counsel may approve the engagement of external legal service providers to provide legal advice or services for Defence. Chief Counsel **must** ensure that Requests for Quote and contracts for secondments require that any legal practitioners so seconded, act in a manner consistent with the mandatory provisions of Chief Counsel directions, as if they were Defence legal practitioners.

AG7.9 Defence personnel **must** only procure legal advice and legal services, including from external legal service providers, through Defence Legal.

ADMINISTRATION AND GOVERNANCE PROVISIONS

Mandatory engagement with Defence Legal

AG7.10 Defence personnel and, where it is a term of their contract, a person(s) engaged under a contract, **must** engage Defence Legal in relation to:

- a. any matter, decision or activity that involves:
 - i. constitutional law issues
 - ii. non-compliance with the [Legal Services Directions 2017](#)
 - iii. public international law issues
 - iv. the drafting, negotiation, or interpretation of an international government-to-government agreement or arrangement¹
 - v. the study, development, adoption or acquisition of new or materially modified weapons, means and methods of warfare:
 1. This includes all formal decision gates for any planned study, development, adoption or acquisition
 2. A new or materially modified weapon, means and method of warfare **must** be legally reviewed before introduction into service²
 - vi. intellectual property policy and practice
 - vii. actual or likely litigation against Defence
 - viii. the occurrence of an act, omission, accident, incident or error that is likely to result in legal proceedings being brought against the Commonwealth
 - ix. an order, notice or request to provide Defence documentation to, or appear before, a civilian court, tribunal or enforcement body (such as a subpoena or Notice to Produce)
 - x. legal risks that are assessed as high or extreme legal risk
- b. a project or activity where:
 - i. the endorsed Defence contracting template would normally be used but is not used
 - ii. the endorsed Defence contracting template would normally be used but is modified in any material respect, including modifications to clauses that concern contractor default, indemnities, limitations of liability, warranties, financial or performance securities or guarantees, insurances or liquidated damages

¹Refer to the [Defence International Agreements and Arrangements Instruction Guide](#) for further detail.

² Refer to the [Defence Legal Review of New Weapons Guide](#) for further detail.

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- iii. the procurement of products or services outside the ordinary services and functions of government is proposed and requires legislative authority
- iv. a contingent liability, financial liability or complex and potentially costly indemnity is proposed
- v. there is a proposed termination of a contract, waiver or standstill of contractual rights or exercise of other contractual remedy, either as a consequence of contractor breach or by agreement
- vi. a contractor is subject to any change of control, either as a result of a takeover or some other form of sales process
- vii. a complaint has been received under the [Government Procurement \(Judicial Review\) Act 2018](#) and it is known that the complainant has engaged a law firm to represent them
- viii. a Public Interest Certificate is proposed to be issued under the [Government Procurement \(Judicial Review\) Act 2018](#)
- c. claims for compensation arising from defective administration and requests for act of grace
- d. matters relating to new legislation or legislative amendments including:
 - i. proposals to develop or amend Defence administered legislation
 - ii. engaging the Office of Parliamentary Counsel to draft bills or legislative instruments
 - iii. Defence input to reviews or amendments of other Commonwealth legislation
- e. the legal review of a Defence Inquiry conducted under the Defence (Inquiry) Regulations 2018
- f. the exercise of a delegation to approve financial assistance to an official for legal proceedings
- g. any other matters as identified in other extant policy as requiring consultation or engagement with Defence Legal.

AG7.11 This Instruction **must**, where relevant, be read in conjunction with the:

- a. [Defence Legal Review of New Weapons Guide](#), and
- b. [Defence International Agreements and Arrangements Instruction Guide](#)

AG7.12 This Instruction is not to be interpreted as limiting any other matters that **must** be referred to, or require engagement with, Defence Legal.

AG7.13 Legal Risk Owners, that is, those Defence personnel with the responsibility and authority to manage legal risks, **must** ensure that the Chief Counsel, as the risk

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steward for legal services in Defence, is made aware of legal risks and consulted as appropriate in the management of legal risk, in accordance with the [Defence Legal Risk Management Framework](#). This framework provides guidance on how to manage legal risk in Defence.

ACQUISITION AND SUSTAINMENT PROVISIONS

THERE ARE NO PROVISIONS BELONGING TO THE ACCOUNTABILITY OF THE DEPUTY SECRETARY CAPABILITY ACQUISITION AND SUSTAINMENT

SUBMISSIONS MEETING PARTICULAR CRITERIA OUTLINED ON THE [DEFENCE ADMINISTRATIVE POLICY ARRANGEMENTS](#) CAN BE SUBMITTED TO THE [ADMINISTRATIVE POLICY TEAM](#) FOR CONSIDERATION AND POSSIBLE INCLUSION IN THE NEXT EDITION OF THIS INSTRUCTION [VIEW ADMINISTRATIVE POLICIES](#) BELONGING TO THE ACCOUNTABILITY OF DEPUTY SECRETARY CAPABILITY ACQUISITION AND SUSTAINMENT

STRATEGY, POLICY, AND INDUSTRY PROVISIONS

THERE ARE NO PROVISIONS BELONGING TO THE ACCOUNTABILITY OF THE DEPUTY SECRETARY STRATEGY, POLICY, AND INDUSTRY CURRENTLY IN FORCE

SUBMISSIONS MEETING PARTICULAR CRITERIA OUTLINED ON THE [DEFENCE ADMINISTRATIVE POLICY ARRANGEMENTS](#) CAN BE SUBMITTED TO THE [ADMINISTRATIVE POLICY TEAM](#) FOR CONSIDERATION AND POSSIBLE INCLUSION IN THE NEXT EDITION OF THIS INSTRUCTION [VIEW ADMINISTRATIVE POLICIES](#) BELONGING TO THE ACCOUNTABILITY OF THE DEPUTY SECRETARY STRATEGY, POLICY, AND INDUSTRY

SECURITY AND ESTATE PROVISIONS

Title:	Security and the Estate Provision 1 - <i>Defence Security Principles Framework</i> (SE1)
Object:	SE1 mandates conduct with respect to risk controls identified in level 4c of the Defence Security Principles Framework . Risk controls are necessary to enable Defence to effectively manage security risk and protect its people, information and assets from threats.
Accountable officer:	Deputy Secretary Security and the Estate
Policy owner:	First Assistant Secretary Defence Security
Policy contact:	Assistant Secretary Security Policy and Services
Cancellations:	NIL

SE1.1 Defence personnel and, where it is a term of their contract, a person/s engaged under a contract, **must** comply with the *Principles and Controls* of the [Defence Security Principles Framework](#) unless, a policy variation is granted by the designated officer or entity in accordance with defined risk thresholds.

SE1.2 Defence personnel and, where it is a term of their contract, a person/s engaged under a contract **must** comply with the mandatory provisions of the [Defence Security Principles Framework](#) described by the words '**must**' and '**must not**' unless a dispensation is granted by the relevant Control Owner.

SE1.3 Documents that are part of the [Defence Security Principles Framework](#) outline principles, expected outcomes, controls, procedures and guidance that enable Defence to meet its security obligations under the Australian Government's [Protective Security Policy Framework](#). Documents that are part of the [Defence Security Principles Framework](#) are to be read in conjunction with SE1 as if it is part of SE1.

SE1.4 AGSVA may collect Sensitive Information from a Referee about a Clearance Subject without obtaining the Clearance Subject's consent provided:

- a. it is unreasonable or impracticable for AGSVA to obtain the Clearance Subject's consent; and
- b. AGSVA is reasonably satisfied that to collect the Sensitive Information in the absence of the Clearance Subject's consent will significantly promote AGSVA's Core Function.

SE1.5 If AGSVA collects Sensitive Information in accordance with paragraph SE1.4, AGSVA **must** make a written record of the event, which **must** include reasons for the collection without consent.

SE1.6 Paragraph SE1.4 is made for the purposes of APP3.4 (a) in Schedule 1 to the [Privacy Act 1988](#).

SE1.7 Paragraph SE1.4 is subject to any limiting provision in the PSPF. In the event of an inconsistency between paragraph SE1.4 and the PSPF, the PSPF will prevail to the extent of the inconsistency.

SE1.8 AGSVA may disclose Personal Information collected from a Referee to another Referee about a Clearance Subject without obtaining the Clearance Subject's

SECURITY AND ESTATE PROVISIONS

consent provided:

- a. it is unreasonable or impracticable for AGSVA to obtain the Clearance Subject's consent; and
 - b. AGSVA is reasonably satisfied that to disclose the Sensitive Information in the absence of the Clearance Subject's consent will significantly promote AGSVA's Core Function.
- SE1.9 If AGSVA discloses Sensitive Information in accordance with paragraph SE1.8, AGSVA **must** make a written record of the event, which **must** include reasons for the disclosure without consent.
- SE1.10 Paragraph SE1.8 is made for the purposes of APP6.2 (b) in Schedule 1 to the [Privacy Act 1988](#).
- SE1.11 Paragraph SE1.8 is subject to any limiting provision in the PSPF. In the event of an inconsistency between paragraph SE1.8 and the PSPF, the PSPF will prevail to the extent of the inconsistency.

For the purpose of SE1:

AGSVA means the Australian Government Security Vetting Agency, being the branch of Defence Security Division that provides independent security clearance vetting services and advice to non-exempt government agencies, including Defence, in accordance with the PSPF.

AGSVA's Core Function means AGSVA's function of Vetting in relation to personnel who have, or who are intended to have, access to Australian Government resources (people, information and assets), in accordance with Chapter 12 – *Eligibility and suitability of personnel* of the PSPF.

APP means "Australian Privacy Principle" within the meaning of the [Privacy Act 1988](#)

Clearance Subject means an individual whose eligibility and suitability to hold a Security Clearance is being assessed.

Personal Information means "personal information" as defined in the [Privacy Act 1988](#) (which includes Sensitive Information)

PSPF means the [Protective Security Policy Framework](#)

Referee means a person who is interviewed by AGSVA in connection with Vetting, who knows the Clearance Subject and can supply AGSVA with relevant information about the Clearance Subject.

Security Clearance means a determination by AGSVA that an individual is eligible and suitable to access security classified information and assets.

Sensitive Information means "sensitive information" as defined in the [Privacy Act 1988](#)

Vetting means the process of checking and assessing a Clearance Subject's eligibility and suitability to hold a security clearance at a specified level.

FINANCE PROVISIONS

Title:	Finance Provision 1 – <i>Accountable Authority Instructions (F1)</i>
Object:	Accountable Authority Instructions (AAIs) draw their authority from the Public Governance Performance and Accountability Act 2013 (PGPA Act). They form part of Finance law as defined in that Act.
Accountable officer	Chief Finance Officer
Policy owner:	Chief Finance Officer
Policy contact:	Assistant Secretary Financial Compliance
Cancellations:	NIL

F1.1 [Accountable Authority Instructions \(AAIs\)](#) are issued by the Secretary of Defence in accordance with the PGPA Act.

F1.2 Defence personnel **must** comply with the AAIs.

F1.3 F1 is intended to be read in conjunction with [AAIs and Financial Policies](#).

INFORMATION AND COMMUNICATIONS TECHNOLOGY
PROVISIONS

THERE ARE NO PROVISIONS BELONGING TO
THE ACCOUNTABILITY OF THE CHIEF INFORMATION OFFICER
SUBMISSIONS MEETING PARTICULAR CRITERIA OUTLINED ON THE
[DEFENCE ADMINISTRATIVE POLICY ARRANGEMENTS](#) CAN BE SUBMITTED
TO THE [ADMINISTRATIVE POLICY TEAM](#) FOR CONSIDERATION
AND POSSIBLE INCLUSION IN THE NEXT EDITION OF THIS INSTRUCTION
[VIEW ADMINISTRATIVE POLICIES](#) BELONGING TO THE ACCOUNTABILITY
OF THE CHIEF INFORMATION OFFICER

MILITARY COMMAND SUPPORT PROVISIONS

Title:	Military Command Support Provision 1 – <i>Defence seaworthiness management system (MCS1)</i>
Object:	<p>The object of MCS1 is to appoint the Defence Seaworthiness Authority and to define the powers and functions of the Defence Seaworthiness Authority, inclusive of Defence flag administration.</p> <p>The Defence Seaworthiness Management System is intended to regulate Defence maritime requirements in its endeavours to achieve the seaworthiness outcome. The seaworthiness outcome is maximising the likelihood of delivering an intended operational effect while eliminating or minimising risks to personnel, public and the environment so far as is reasonably practicable.</p>
Accountable officer:	Chief of Navy
Policy owner:	Chief of Navy
Policy contact:	Defence Seaworthiness Regulator
Cancellations:	NIL

MCS1.1 The Chief of Navy is appointed as the Defence Seaworthiness Authority, inclusive of the duties and responsibilities of the Defence Flag Authority.

MCS1.2 The Defence Seaworthiness Authority is required to establish and implement the Defence seaworthiness management system.

MCS1.3 The administrative policy frameworks for the Defence Seaworthiness Management System are as follows:

- a. the [Defence Seaworthiness Management System Manual](#):
This framework establishes the regulation of the management of hazards and risks to the achievement of the Defence Seaworthiness Outcome.
- b. the Australian Naval Classification Framework:
This Framework is to provide for the materiel certification outcomes required to achieve the Defence Seaworthiness Outcome; and
- c. the Defence Flag Administration Framework:
This Framework is to assist Australia in meeting its international Flag State obligations in the Defence maritime jurisdiction.

MCS1.4 To effectively regulate the delivery and management of seaworthiness by the regulated community, the Defence Seaworthiness Authority is authorised to direct all Defence personnel whose duties involve activities in, or in support of, the Defence maritime undertaking.

MCS1.5 The Defence Seaworthiness Authority has the power to appoint a Defence Seaworthiness Regulator. The Defence Seaworthiness Regulator is required to regulate the Defence Seaworthiness Management System and appoint the Australian Naval Classification Authority.

MILITARY COMMAND SUPPORT PROVISIONS

Title:	Military Command Support Provision 2 – <i>Defence Landworthiness (MCS2)</i>
Object:	The Defence Landworthiness Management System regulates, and assures achievement of the landworthiness outcome. In a landworthy capability system, the capability can achieve the required operational effects, the fundamental inputs to capability are synchronised and the system is sustainable for the expected operational duration. In the endorsed configuration and state, the Land Capability System can interface with, or is integrated with, other Defence capabilities. Risks have been appropriately assessed and are balanced across risk domains. The risks are the lowest that they can be, so far as is reasonably practicable.
Accountable officer:	Chief of Army
Policy owner:	Defence Landworthiness Regulator
Policy contact:	Director General Landworthiness
Cancellations:	NIL

MCS2.1 By [Accountable Officer Instrument of Appointment \(Instrument\)](#), signed by the Secretary and the CDF, the Chief of Army was appointed as the Defence Landworthiness Authority.

MCS2.2 The Defence Landworthiness Authority is required to establish, manage and review the efficacy of the Defence Landworthiness Management System encompassing:

- a. Defence land materiel and deployable infrastructure safety,
- b. Defence small arms and land based crew-served weapon safety,
- c. Defence land range safety,
- d. Defence parachuting safety,
- e. Defence road transport and vehicle operation, and
- f. Defence adventure training safety.

MCS2.3 Any regulations supporting the Defence Landworthiness Management System are to be consistent and additive to the *Work, Health and Safety Regulations (Commonwealth) 2011* to enhance the physical and psychosocial health and safety of Defence personnel within expected operational and training environments.

MCS2.4 The Defence Landworthiness Authority may issue directions to Defence personnel, which are considered necessary or convenient for carrying out or giving effect to MCS2.2.

MCS2.5 The [Defence Landworthiness Management System](#) contains policies, directions and procedures relating to the landworthiness management system. Directions contained within the [Defence Landworthiness Policy](#) are to be read in conjunction with MCS2 as if the directions are part of MCS2.

MCS2.6 The Defence Landworthiness Authority **must** appoint a suitably qualified

MILITARY COMMAND SUPPORT PROVISIONS

officer of the Army who holds the rank of Major General as the Defence Landworthiness Regulator and establish functions for the position.

MCS2.7 Subject to any limitations imposed by the Defence Landworthiness Authority, the person holding the appointment of Defence Landworthiness Regulator may issue such directions to Defence personnel, which are considered necessary or convenient for carrying out or giving effect to the functions assigned to the appointment under Defence Landworthiness management system.

MCS2.8 Defence personnel **must** comply with the Defence Landworthiness Authority and Defence Landworthiness Regulator's directions where their duties involve activities in support of the Defence Landworthiness Management System.

MCS2.9 Group Heads and Service Chiefs **must** properly promote Defence Landworthiness Authority and Defence Landworthiness Regulator's directions within their Groups and Services. This includes ensuring that adequate resources are in place to support Defence personnel comply with those directions.

MILITARY JOINT ENABLING PROVISIONS

Title:	Military Joint Enabling Provision 1 – <i>Disclosure of certain personal information in relation to youth protection incidents (MJE1)</i>
Object:	As a youth-safe organisation, MJE1 is one of the elements necessary to protect the health, wellbeing, interests and safety of young people. It provides for circumstances in which it may be appropriate for Defence personnel to disclose personal information in relation to youth protection incidents.
Accountable officer:	Chief of Personnel
Policy owner:	Head Joint Support Services Division
Policy contact:	Director Youth
Cancellations:	NIL

MJE1.1 Defence personnel **must** protect the health, wellbeing, interests and safety of young people.

MJE1.2 Defence personnel are authorised to disclose personal information held by Defence about a young person under the age of 16 to their parent or a Responsible Third Person, if:

- a. the young person has been involved in a Youth Protection Incident, and
- b. it is reasonably believed necessary in the circumstances for the purposes of lessening or preventing a serious threat to life, health or safety of young person.

MJE1.3 Factors that may be relevant when deciding whether to release personal information include, but are not limited to:

- a. the young person's level of competence
- b. any wishes expressed by the young person
- c. the nature of the personal information, and/or
- d. the nature of the Youth Protection Incident.

MJE1.4 Defence personnel are authorised to disclose personal information held by Defence about any young person if:

- a. there is a Commonwealth, State or Territory legislative requirement to report certain matters to a Government oversight agency or enforcement body (the reporting requirement), or
- b. the disclosure of certain information is required by a Court or tribunal order, and
- c. all of the conditions or criteria required by subparagraph (a) or (b) are satisfied.

MJE1.5 Except as required by MJE1.4, Defence personnel **must not** disclose personal information about a young person 16 years of age or older to their parent, Responsible Third Person or any other person unless:

MILITARY COMMAND SUPPORT PROVISIONS

- a. it is unreasonable or impracticable to obtain the young person's consent, and
 - b. it is reasonably believed necessary for the purposes of lessening or preventing a serious threat to life, health or safety of an individual (or to public health or safety).
- MJE1.6 Defence personnel who award contracts on behalf of the Commonwealth are not authorised to include in the terms of a contract the requirement for a person/s engaged under a contract, to comply with MJE1.
- MJE1.7 The [Youth Policy Manual](#) is an administrative policy. It contains policy and procedural material and definitions that should be read in conjunction with MJE1.
- MJE1.8 Other related material can be accessed in [Good Administrative Decision Making Manual](#)
- MJE1.9 Defence privacy policy contains relevant policy regarding issues that are not related to youth protection incidents.

Definitions:

Youth Protection Incident means any incident of unacceptable behaviour/sexual misconduct, as defined in the Youth Safe Code of Conduct policy, which adversely affected or had the potential to adversely affect the health, protection or wellbeing of a youth(s).

Responsible Third person includes a guardian or a person in the position of a parent.

MILITARY JOINT ENABLING PROVISIONS

Title:	Military Joint Enabling Provision 2 – <i>Defence health policy (MJE2)</i>
Object:	The Secretary and the Chief of the Defence Force are committed to ensuring quality health care is provided to Defence members and Defence civilians. MJE2 is one of the tools necessary to support the health preparedness of Defence for operations and in support of operations.
Accountable officer:	Chief of Personnel
Policy owner:	Surgeon General Australian Defence Force
Policy contact:	Joint Health Command
Cancellations:	NIL

MJE2.1 Section 49 of the [Defence Regulation 2016](#) requires the Commonwealth through Defence to arrange provision of medical and dental treatment to Defence members rendering continuous full time service, to keep them fit for the performance of their duties.

MJE2.2 The Surgeon General Australian Defence Force is responsible for authorising the provision of the healthcare required under section 49 of the [Defence Regulation 2016](#).

MJE2.3 The Surgeon General Australian Defence Force is authorised to exercise technical authority for all health matters across the Australian Defence Force. Health matters include those relating to both the physical and mental health of Defence members. The Surgeon General Australian Defence Force is also the authoritative source of strategic health advice across Defence.

MJE2.4 The Surgeon General Australian Defence Force is authorised to approve a Defence scope of practice for an individual Defence health practitioner or for a class of Defence health practitioners. The Defence scope of practice defines the range of services a Defence health practitioner may provide to Defence members, which may be more or less than the scope of practice available to that practitioner outside Defence.

MJE2.5 Defence health practitioners are authorised to provide health treatment to Defence members in accordance with a Defence scope of practice. Under section 49 of the [Defence Regulation 2016](#), treatment of a Defence member (rendering continuous full time service) in accordance with a Defence scope of practice is not required to comply with a law of a state or territory. The Defence scope of practice approved in writing by the Surgeon General Australian Defence Force, or appointed delegate, may be varied or revoked. A Defence scope of practice may:

- a. apply indefinitely or for a fixed period of time
- b. be unconditional or subject to conditions.

MJE2.6 Defence health practitioners are authorised to supply pharmaceuticals and conduct associated activities, for the purposes of providing medical and dental treatment to Defence members in accordance with the [Defence health manual](#).

MILITARY JOINT ENABLING PROVISIONS

MJE2.7 Defence personnel and Defence health practitioners are authorised to collect, use and disclose health information about Defence members in accordance with MJE2 and Vol 1, Part 3, Chapter 1 of the [Defence health manual](#).

MJE2.8 Health information about a Defence member may be disclosed to a responsible person for the Defence member to enable appropriate care or treatment if the Defence member is incapable of giving consent.

MJE2.9 Defence health practitioners **must** inform the manager or commander of a Defence member of any limitations known to the Defence health practitioner on the fitness of the Defence member to perform their duties.

MJE2.10 A Defence member who accesses a health service not provided on behalf of Defence **must** inform a Defence health practitioner.

MJE2.11 The [Defence health manual](#) contains policies, directions, and definitions relating to the administration and management of the Defence health system. Volume 1 of the Defence health manual is an administrative health policy framework document. It is to be read in conjunction with MJE2, as if the directions in Volume 1 of the Defence Health Manual are part of MJE2.

MJE2.12 The Surgeon General Australian Defence Force may issue directions to Defence health practitioners, which are considered necessary or convenient for carrying out or giving effect to MJE2. Defence health practitioners **must** comply with the directions of the Surgeon General Australian Defence Force.

MJE2.13 Group Heads and Service Chiefs **must** ensure that adequate resources are in place to enable Defence health practitioners to comply with the directions of the Surgeon General Australian Defence Force.

MILITARY JOINT ENABLING PROVISIONS

Title:	Military Joint Enabling Provision 3 – <i>Defence Logistics Authority (MJE3)</i>
Object:	The Defence Logistics Management System is intended to govern and assure achievement of the Defence Logistics Network. The objects of MJE3 are to appoint and to define the powers and accountabilities of the Defence Logistics Authority.
Accountable officer:	Chief of Joint Capabilities
Policy owner:	Chief of Joint Capabilities
Policy contact:	Commander Joint Logistics Command
Cancellations:	NIL

MJE3.1 By [Accountable Officer Instrument of Appointment \(Instrument\)](#), signed by the Secretary and the CDF, the Chief of Joint Capabilities was appointed as the Defence Logistics Authority.

MJE3.2 The Defence Logistics Authority is the single point of accountability for logistics in support of Defence capability. The Defence Logistics Authority is also the authoritative source of logistics advice across all domains of Defence.

MJE3.3 The Defence Logistics Authority is required to establish the Defence Logistics Management System including governance, assurance and continuous improvement mechanisms that ensure the Defence Logistics Network is agile, effective, integrated and resilient to support operations. The Defence Logistics Management System encompasses:

- a. Defence joint logistics management
- b. Joint equipment maintenance
- c. Joint logistics training
- d. Defence explosives safety;
- e. Joint Logistic Information systems; and
- f. The safe and effective design, maintenance and operation of the Defence Fuel Supply Chain.

MJE3.4 The Defence Logistics Authority may issue directions to Defence personnel, which are considered necessary or convenient for carrying out or giving effect to MJE 3.3.

MJE3.5 Commander Joint Logistics is authorised, as the Defence Logistics Authority Delegate, to exercise technical control over all matters encompassed by the Defence Logistics Management System across Defence. Subject to any limitations imposed by the Defence Logistics Authority, the person holding the position of Commander Joint Logistics may also issue such directions to Defence personnel, which are considered necessary or convenient for carrying out or giving effect to MJE 3.3.

MJE3.6 Chief Joint Capabilities **must** appoint suitably qualified ADF officers of One Star rank as the Defence explosives safety regulator, and establish functions for

MILITARY JOINT ENABLING PROVISIONS

the position. The functions of the regulator **must not** include any powers to give directions under the Defence Administrative Policy Framework.

MJE3.7 The Defence Logistics Management System includes policies, concepts, doctrine, strategies, directions, procedures manuals and processes. Directions contained within the Defence Logistics Management System are to be read in conjunction with MJE3 as if the directions are part of MJE3.

MJE3.8 Defence personnel **must** comply with the Defence Logistics Authority's and Commander Joint Logistics' directions where their duties involve capabilities and activities in support of Defence logistics, Defence Fuel Supply Chain or Defence explosives safety.

MJE3.9 By legislative instrument, Director General Explosive Ordnance was appointed as a Competent Authority for the purposes of the [Explosives Transport Regulations 2002](#) and has prescribed statutory functions and powers under those Regulations. Defence personnel, to whom an exemption or security plan applies, **must** comply with a condition or requirement approved by the Director General Explosive Ordnance' in the exercise of a statutory power under those regulations.

MJE3.10 Group Heads and Service Chiefs **must** properly promote Defence Logistics Authority's and Commander Joint Logistics' directions within their Groups and Services. This includes ensuring that adequate resources are in place to support Defence personnel comply with those directions.

PEOPLE PROVISIONS

Title:	People Provision 1 – <i>Authority in an integrated Defence workplace (PPL1)</i>
Object:	PPL1 mandates conduct with respect to supervisory relationships in Defence workplaces. It is one of the tools necessary to promote productive supervisory relationships in an integrated Defence workplace.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director Military People Policy
Cancellations:	NIL

PPL1.1 In a Defence workplace, the duties of an Australian Public Service (APS) employee may place them under the supervision of a Defence member. APS employees **must** comply with all lawful and reasonable directions given by their manager or supervisor that relate to the carrying out of functions within the responsibility of that manager or supervisor.

PPL1.2 In a Defence workplace, Defence members whose posting or duties place them under the supervision of an APS employee **must** comply with all lawful and reasonable directions given by their supervisor that relate to the carrying out of functions within the responsibility of that supervisor.

PPL1.3 In a Defence workplace, APS employees in Defence **must** cooperate with a Defence member carrying out an inquiry under the [Defence \(Inquiry\) Regulations 2018](#) in circumstances where the inquiry officer reasonably suspects that the APS employee can make a material contribution to the inquiry as a witness.

PPL1.4 In a Defence workplace, Defence personnel **must** cooperate with a manager, or their appointed fact finding officer carrying out fact finding into a matter concerning the manager's area of responsibility, in circumstances where the manager or their appointed fact finding officer reasonably suspects that the Defence personnel can make a material contribution to the inquiry as a witness.

For the purpose of PPL1:

Defence workplace. Means any of the following that are owned or occupied (whether permanently or temporarily) by the Commonwealth for use by Defence:

- a. an area of land or any other place (whether or not it is enclosed or built on)
 - b. a building or other structure, in part or in whole
 - c. any platform, vehicle, air or seagoing vessel including any fixed or moveable ramp stairs or other means of access to, or exit from the platform, vehicle, vessel or aircraft;
- or
- d. a prohibited area, within the meaning of the [Defence \(Special Undertakings\) Act 1952](#).

PEOPLE PROVISIONS

Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

Cooperate means to assist:

- a. the Defence member carrying out an inquiry under the [Defence \(Inquiry\) Regulations 2018](#)
or
- b. a manager, or their appointed fact finding officer, carrying out fact finding with their lawful and reasonable requests including by:
 - i. attending an interview or appointment at a specified place and time
 - ii. participating in the interview or appointment by answering relevant questions producing a relevant document or thing at a specified place within a specified period or by a specified means within a specified period.

PEOPLE PROVISIONS

Title:	People Provision 2 - <i>Disclosure of certain personal information in relation to the Department of Veterans' Affairs and the Commonwealth Superannuation Corporation (PPL2)</i>
Object:	PPL2 is one of the tools necessary to allow Defence to work cooperatively with the Department of Veterans' Affairs and the Commonwealth Superannuation Corporation. This relationship allows care and support to be delivered to current and eligible former Defence members and their families.
Accountable officer:	Chief of Personnel
Policy owner:	Head People Capability
Policy contact:	Director General Veterans' Support
Cancellations:	NIL

PPL2.1 Defence personnel are authorised to disclose personal information held by Defence about a Defence member to the Department of Veterans' Affairs and the Commonwealth Superannuation Corporation in certain circumstances.

PPL2.2 Defence personnel are not authorised to disclose sensitive information to the Department of Veterans' Affairs or the Commonwealth Superannuation Corporation.

PPL2.3 The Military Personnel Policy Manual (MILPERSMAN) contains policy, directions, policies and procedures relating to ADF personnel management. [MILPERSMAN Part 7 Chapter 9](#) - *Disclosure of certain personal information to the Department of Veterans' Affairs and the Commonwealth Superannuation Corporation* contains:

- a. details regarding certain circumstances in which disclosures are authorised in accordance with PPL2
- b. information authorised to be disclosed and mechanisms for, and timings of, disclosures in accordance with PPL2
and
- c. definitions that are specific to PPL2. Directions contained within Part 7, Chapter 9 of the MILPERSMAN are to be read in conjunction with PPL2 as if the directions are part of PPL2.

PPL2.4 Defence personnel who award contracts on behalf of the Commonwealth are not authorised to include in the terms of a contract the requirement to comply with PPL2.

For the purpose of PPL2 Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

PEOPLE PROVISIONS

Title:	People Provision 3 – <i>Alcohol testing in the Australian Defence Force (PPL3)</i>
Object:	The object of PPL3 is to establish a regime for alcohol testing in the Australian Defence Force.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director General Joint Transition Authority
Cancellations:	NIL

PPL3.1 Defence members, Defence civilians and members of foreign Defence forces serving with Defence (where alcohol testing is permitted within an international agreement or arrangement) **must** maintain a zero percent blood alcohol concentration while on duty in, or visiting a safety critical area.

PPL3.2 Commanding Officers are alcohol testing authorising officers and will authorise random and/or targeted alcohol testing of members under their command within safety critical areas.

PPL3.3 Defence members, Defence civilians and members of foreign Defence forces serving with Defence (where alcohol testing is permitted within an international agreement or arrangement) **must**, when directed to do so by an alcohol testing supervisor, undergo alcohol testing and provide a sufficient sample.

PPL3.4 Refusing to undergo testing authorised by the relevant alcohol authorising officer or failing to provide a sufficient test sample may be considered an offence under section 29 of the [Defence Force Discipline Act 1982](#). This may also lead to issue of a termination notice under subsection 24(1) of the [Defence Regulation 2016](#).

PPL3.5 Defence personnel who are appointed by an alcohol testing authorising officer to be an alcohol testing supervisor or an alcohol tester **must** meet the mandated training requirements outlined in the [Military Personnel Policy Manual \(MILPERSMAN\)](#), Part 4, Chapter 2 – *Alcohol Testing in the Australian Defence Force* to conduct alcohol testing on Defence members, Defence civilians and members of foreign Defence forces serving with Defence (where alcohol testing is permitted within an international agreement or arrangement).

PPL3.6 Defence personnel are authorised to collect, use and disclose personal information, including sensitive information, for official purposes. Personal information **must** be used, disclosed or handled in accordance with MILPERSMAN Part 4, Chapter 2 – *Alcohol Testing in the Australian Defence Force*. The use of personal information relating to the alcohol testing program may include (but is not limited to) the:

- a. administration of testing
- b. administration and management of actions to be taken following testing by the testing personnel and command
- c. management and analysis of the testing program
- d. statistical reporting of the testing program

PEOPLE PROVISIONS

- e. medical treatment or rehabilitation of a Defence member, Defence civilian or foreign Defence person concerned
- f. disclosure of personal and sensitive information about a member of a foreign Defence force to an overseas recipient, that is, their parent Defence force.

PPL3.7 The MILPERSMAN contains policy, directions and procedures relating to ADF personnel management. [MILPERSMAN Part 4, Chapter 2—Alcohol Testing in the Australian Defence Force](#) contains the authorisations, roles, responsibilities and requirements associated with alcohol testing in the Australian Defence Force and contains definitions that are specific to PPL3. Directions contained within Part 4, Chapter 2 of the MILPERSMAN are to be read in conjunction with PPL3 as if the directions are part of PPL3.

For the purpose of PPL3:

Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

Zero per cent blood alcohol concentration means blood alcohol concentration readings below 0.02 per cent.

PEOPLE PROVISIONS

Title:	People Provision 4 – <i>Management of the use of prohibited substances in the Australian Defence Force (PPL4)</i>
Object:	The object of PPL4 is to establish the prohibited substance testing program in the Australian Defence Force.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director Military People Policy
Cancellations:	NIL

PPL4.1 Defence members and Defence civilians **must not** inappropriately use or involve themselves with prohibited substances. The use of prohibited substances is incompatible with an effective and efficient Australian Defence Force. Prohibited substance use can adversely affect the public image and the reputation of the Australian Defence Force. Prohibited substance use reduces capability and will not be tolerated by the Chief of the Defence Force.

PPL4.2 Defence members and Defence civilians **must**, in accordance with section 94 of the [Defence Act 1903](#), undergo a prohibited substance test if required to do so by an authorised person. Failing to provide a sufficient specimen or sample, or failing to undergo a screening test is an offence under section 106 of the *Defence Act 1903* and section 29 of the [Defence Force Discipline Act 1982](#). These offences may also lead to the issue of a termination notice under subsection 24(1) of the [Defence Regulation 2016](#).

PPL4.3 If the authorised person is satisfied that the presence of any prohibited substance revealed by testing was wholly attributable to substances administered by or taken at the direction or recommendation of:

- a. a medical practitioner registered with the [Medical Board of Australia](#)
 - b. an [Australian Health Practitioner Regulation Agency](#) registered health professional who, under section 94 of the Health Practitioners Regulation National Law Act 2009, is registered, in a health profession for which their National Board is established, as being qualified to administer, obtain, possess, prescribe, sell, supply or use a scheduled medicine or class of scheduled medicines
- or
- c. a Defence endorsed person(s) for the prescribing or dispensing of medication (for example, Defence pharmacists, dentists, nurse practitioners, medical assistants, overseas medical practitioner)

the authorised person **must** disregard the positive test result.

PPL4.4 Testing of hair, saliva or urine samples for prohibited substances **must** be undertaken by an accredited laboratory.

PPL4.5 The Military Personnel Policy Manual (MILPERSMAN) contains policy, directions and procedures relating to ADF personnel management. [MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the*

PEOPLE PROVISIONS

Australian Defence Force is an administrative policy. It details the authorisations, roles, responsibilities and requirements associated with the prohibited substance testing program in the Australian Defence Force and contains definitions that are specific to PPL4. Directions contained within Part 4, Chapter 3 of the MILPERSMAN are to be read in conjunction with PPL4 as if the directions are part of PPL4.

Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

PEOPLE PROVISIONS

Title:	People Provision 5 – <i>Disclosure of certain personal information to foreign entities (PPL5)</i>
Object:	PPL5 authorises Defence personnel to disclose certain personal information to overseas entities relating to activities involving Defence members overseas.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director Military People Policy
Cancellations:	NIL

PPL5.1 Defence personnel are authorised to disclose personal information about Defence personnel (except those with Protected Identity Status) to an overseas recipient, if:

- a. Defence personnel are undertaking, or are scheduled to undertake any of the following:
 - i. personnel exchanges
 - ii. exercises or deployments
 - iii. third-country deployments
 - iv. placements
 - v. training
 - or
 - vi. visits with foreign forces, governments or a person/s engaged under a contract

and
- b. the disclosure of that information is reasonably necessary to facilitate, manage or administer any of the activities outlined in PPL5.1a(i) or (vi).

PPL5.2 Defence personnel are authorised to disclose to an overseas recipient personal information about Defence personnel (except those with Protected Identity Status) involved, directly or indirectly, with the acquisition, sustainment or use of Defence equipment and capabilities if the disclosure is reasonably necessary to facilitate, manage or administer those uses or activities.

PPL5.3 Defence personnel making a disclosure to an overseas recipient **must** record and maintain details of the disclosure on unit or other official records. The record **must** include detail about the type of information disclosed. Where a disclosure occurs via an automated information system, records kept by that system are considered sufficient.

PPL5.4 Defence personnel are **not** authorised to disclose the personal information of Defence personnel to an overseas recipient if the disclosure is otherwise specifically prohibited by law or contrary to another Defence Instruction or general order.

PEOPLE PROVISIONS

PPL5.5 Defence personnel who award contracts on behalf of the Commonwealth are **not** authorised to include in the terms of a contract the requirement to comply with PPL5.

PPL5.6 PPL5 should be read in conjunction with SE1 to ensure Defence meets its security obligations in providing personal information.

For the purpose of PPL5 Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates

PEOPLE PROVISIONS

Title:	People Provision 6 – <i>Reporting, recording and dealing with civilian offences, service and civil convictions and diversionary programs (PPL6).</i>
Object:	PPL6 requires mandatory reporting of civilian offences, service and civil convictions and diversionary programs by Defence members, and authorises Defence personnel to collect, use and disclose such sensitive information, as defined in the Privacy Act 1988 . The sensitive information enables Defence to determine the employment suitability of Defence members and potential Defence members.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director of Military People Policy
Cancellations:	NIL

PPL6.1 A Defence member, who has been arrested, charged with, or convicted of a civilian offence, **must** notify their commander/manager within 24 hours of return to duty by completing part A of Form [PD052](#). The member is to provide details of the nature of the arrest charge or conviction, including pending court dates and any further requirements that may affect their availability for duty.

PPL6.2 Defence personnel are authorised to collect, use and disclose sensitive information about a Defence member for the purpose of reporting, recording and dealing with civilian offences, service and civil convictions and diversionary programs.

PPL6.3 Other uses and disclosures of the same sensitive information, which are consistent with:

- a. the [Australian Privacy Principles](#),
- b. this Defence Instruction or any other interim Defence Instruction are not excluded by the operation of PPL6.

PPL6.4 Defence personnel who award contracts on behalf of the Commonwealth are not authorised to include in the terms of a contract the requirement to comply with PPL6.

PPL6.5 The Military Personnel Policy Manual (MILPERSMAN) contains policy, directions and procedures relating to ADF personnel management. [MILPERSMAN Part 9, Chapter 7—Reporting Recording and Dealing with Civilian Offences, Service and Civil Convictions and Diversionary Programs, and Disciplinary Infringements](#) contains:

- a. details regarding certain circumstances in which disclosures are authorised
- b. information authorised to be disclosed and mechanisms for, and timings of, disclosures, and
- c. definitions that are specific to PPL6.

PEOPLE PROVISIONS

Directions contained within Part 9, Chapter 7 of the MILPERSMAN are to be read in conjunction with PPL6 as if the directions are part of PPL6.

For the purpose of PPL6 Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

PEOPLE PROVISIONS

Title:	People Provision 7 – <i>Required behaviours in Defence</i> (PPL7)
Object:	PPL7 establishes the behaviours the Secretary and the Chief of the Defence Force expect of Defence personnel. Adhering to the Defence Values and avoiding unacceptable behaviours contributes significantly to morale and promotes a cohesive, healthy, safe and effective workplace. It builds the capability of the Australian Defence Force and helps to protect and enhance the reputation of Defence.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Services
Policy contact:	Director Complaints and Resolution
Cancellations:	NIL

PPL7.1 Defence personnel are responsible for their own behaviour. Defence personnel **must** give appropriate consideration to how they behave at work and in any situation that may be connected to Defence outside of official duty.

PPL7.2 Defence personnel **must not** engage in unacceptable behaviour.

PPL7.3 Defence personnel found to have engaged in, contributed to, ignored, assisted, or encouraged unacceptable behaviour, including misconduct of a sexual nature, may be held personally responsible.

PPL7.4 Defence managers **must** ensure that they issue all such lawful and reasonable directions necessary to Defence personnel whom they supervise and take any such actions necessary, to implement the terms of:

- a. a Stop Sexual Harassment Order issued by the Fair Work Commission under the Fair Work Act 2009, where the Commonwealth (represented by Defence) is subject to such an order; or
- b. a Stop Sexual Harassment Direction (including an interim direction) issued by an authorised application officer under Defence Regulation 2016, where they are personally subject to the terms of such a direction.

PPL7.5 Defence personnel to whom a Stop Sexual Harassment Direction (including an interim direction) issued by an authorised application officer under Defence Regulation 2016 applies, **must** not contravene a term of such direction.

PPL7.6 Defence personnel to whom a Stop Sexual Harassment Order issued by the Fair Work Commission under the Fair Work Act 2009 applies, **must not** contravene a term of such direction or order.

PPL7.7 Annex 3G to Chapter 3 of the [Complaints and Alternative Resolutions Manual](#) is an administrative policy. It specifies the types of unacceptable behaviour as well as obligations, functions and duties with respect to managing and reporting unacceptable behaviour, including sexual misconduct. Annex 3G to Chapter 3 of the [Complaints and Alternative Resolutions Manual](#) is to be read in conjunction with PPL7 as if it is part of PPL7.

PEOPLE PROVISIONS

For the purposes of PPL7:

unacceptable behaviour is unreasonable conduct at work or in any situation that may be connected to Defence that is offensive, belittling, abusive or threatening to another person, or adverse to morale, discipline or workplace cohesion. This includes unlawful discrimination and harassment.

conduct means actions or omissions

NOTE: Refer [Annex 3G, Chapter 3](#) of the [Complaints and Alternative Resolutions Manual](#) for detailed descriptions of all types of unacceptable behaviour.

Refer to [Annex 3A to Chapter 3](#) of the [Complaints and Alternative Resolutions Manual](#) for the Defence Values.

Refer [Chapter 9](#) of the [Complaints and Alternative Resolutions Manual](#) for definitions and complaint management guidance relating to all types of sexual misconduct.

Manager means Defence personnel or a person/s engaged under a contract who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or perform the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

PEOPLE PROVISIONS

Title:	People Provision 8 – <i>Engaging in political activities (PPL8)</i>
Object:	PPL8 mandates conduct by Defence members and Defence civilians in relation to engaging in political activities to ensure that the ADF is, and is perceived to be, an apolitical organisation.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director of Military People Policy
Cancellations:	NIL

PPL8.1 Unless permitted by the Chief of the Defence Force or a person authorised by the Chief of the Defence Force, Defence members **must not**:

- a. take a leading or publicly prominent position or role in the affairs of a political organisation or party where that role would identify any part of Defence
 - i. with a political activity
and/or
 - ii. compromise their ability to adequately fulfil their obligations to Defence
- b. take part in activities of a political nature on Defence premises unless all of the following apply:
 - i. the Department of Prime Minister and Cabinet *Guidance on Caretaker Conventions*
 - ii. Defence has issued specific guidance
and
 - iii. the area has been set aside as a polling place on polling days in accordance with section 80 of the [Commonwealth Electoral Act 1918](#)
- c. when taking part in activities of a political nature, use any information attained by, or conveyed to them through their connection with Defence
- d. allow activities of a political nature to interfere with the functioning of Defence in the performance of its roles or compromise the performance of the duties of Defence members
- e. engage in conduct in such a manner as to identify Defence with a political activity, position or perspective
- f. when taking part in activities of a political nature, use their rank or Service when identifying, describing, or referring to themselves
- g. wear their uniform while taking part in activities of a political nature
- h. publish pictures of themselves or other Defence members in uniform in the context of political activity or with political identities

PEOPLE PROVISIONS

- i. wear party ribbons or emblems or other political insignia while on duty or in uniform.

PPL8.2 The Military personnel policy manual (MILPERSMAN) is an administrative policy. [MILPERSMAN Part 7 Chapter 5 – Political Activities of Defence Members](#) contains further information with respect to ADF members engaging in political activities. Directions contained within Part 7, Chapter 5 of the MILPERSMAN are to be read in conjunction with PPL8 as if the directions are part of PPL8.

For the purpose of PPL8:

Defence member means a member of the Permanent Navy, the Regular Army, the Permanent Air Force, or the Reserves.

Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

PEOPLE PROVISIONS

Title:	People Provision 9 – <i>Religious and spiritual services to the Australian Defence Force (PPL9)</i>
Object:	PPL9 prescribes and proscribes particular conduct by Defence members and establishes authorities relating to the provision of religious and spiritual services in the Australian Defence Force.
Accountable officer:	Chief of Personnel
Policy owner:	Head People Capability
Policy contact:	Chair of the Australian Defence Force Chaplains' Committee
Cancellations:	NIL

PPL9.1 Unless operational imperatives preclude, commanders **must** take all reasonable and practical steps to provide Defence members and Defence civilians with their families, the opportunity to adhere to their religious, philosophical or spiritual practices and requirements.

PPL9.2 ADF chaplains and Navy Maritime Spiritual Wellbeing Officers (MSWO) **must** provide religious and/or spiritual services to the full spectrum of Defence peacetime and operational environments in accordance with PPL9 and the ADF Chaplaincy Policy (CHAPPOL). CHAPPOL is an administrative policy framework document and should be read in conjunction with PPL9. It describes principles, roles and responsibilities associated with the provision of chaplaincy services to the ADF.

PPL9.3 The CDF or approved delegate may advance an ADF chaplain or MSWO by appointing them to a higher honorary rank commensurate to the member's experience and competence. An ADF Chaplain or MSWO granted an honorary rank is taken to also hold one of the divisions or classes detailed at Part 4 of the Defence Determination 2016/19, Conditions of Service.

PPL9.4 ADF Chaplains and MSWO do not have, and **must not** exercise, military executive authority, **must not** be appointed to any position that would require them to exercise such authority.

PPL9.5 Notwithstanding PPL 9.4, ADF Chaplains and MSWO **must** exercise and comply with normal administrative and technical authority consistent with an officer of the ADF and commensurate with their role and honorary rank.

PPL9.6 The Navy, Army and Air Force Directors General Chaplaincy exercise technical control for all religious, spiritual and pastoral policy matters on behalf of their respective Service Chief.

For the purpose of PPL9:

An **ADF Chaplain** is a commissioned officer who is honorarily appointed to a rank specified in Schedule 1 of the [Defence Act 1903](#) and who is a religious leader appointed to provide religious, spiritual and pastoral care to members of the ADF.

A **religious leader** means a person who is endorsed by a particular faith group, where that faith group is recognised by the Chief of the Defence Force.

PEOPLE PROVISIONS

A **MSWO** is a commissioned officer appointed to chaplaincy positions within Navy to provide spiritual services. All provisions of PPL9 apply to MSWO, with the exception of the provision of religious ministry and support.

PEOPLE PROVISIONS

Title:	People Provision 10 – <i>Notification of Protection Order or Weapons Prohibition Order (PPL10)</i>
Object:	PPL10 mandates conduct by Defence members in respect of Protection Orders and Weapons Prohibition Orders.
Accountable officer:	Deputy Secretary Defence People
Policy owner:	First Assistant Secretary People Policy and Culture
Policy contact:	Director Military People Policy
Cancellations:	NIL

PPL10.1 A Defence member serving in SERCAT 6 or 7 who is a respondent to a Protection Order (PO) or a Weapons Prohibition Order (WPO) **must** notify their commander or manager, in writing no later than 24 hours after becoming aware they are a respondent to an order, or of any changes to an existing Order. A member in SERCAT 2-5 **must** notify their commander or manager on commencement of the first period of duty, or no later than 14 days (whichever is earlier) after becoming aware they are a respondent to the PO or WPO, or of any changes to an existing Order.

PPL10.2 On initial notification by a Defence member who is a respondent to a PO or WPO, the commander **must** immediately prevent the member from accessing weapons, ammunition, body armour and explosives stored in Australian Defence Force armouries, magazines, and other designated storage facilities.

PPL10.3 The Military Personnel Policy Manual (MILPERSMAN) contains policy, directions and procedures relating to ADF personnel management. [MILPERSMAN Part 9, Chapter 4 - Protection Orders and Weapons Prohibition Orders](#) contains further information relating to the management of Defence members who are a protected person of a protection order, or respondent to a protection order. Directions contained within Part 9, Chapter 4 of the MILPERSMAN are to be read in conjunction with PPL10 as if the directions are part of PPL10.

For the purpose of PPL10 Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

PEOPLE PROVISIONS

Title:	People Provision 11 – <i>Defence Transition System (PPL11)</i>
Object:	The object of PPL11 is to establish Head People Capability as the Technical Authority for the Defence Transition System.
Accountable officer:	Chief of Personnel
Policy owner:	Head People Capability
Policy contact:	Director General Joint Transition Agency
Cancellations:	NIL

PPL11.1 Head People Capability is appointed as the Technical Authority for Defence Transition (the Transition Technical Authority).

PPL11.2 The Transition Technical Authority is responsible for integrating, synchronising and assuring the Defence Transition System’s governance, management, planning and delivery is fit for purpose.

PPL11.3 The Defence Transition System includes all services and programs across Defence that relate to member transition with the aim of preparing and supporting them and their families as they transition from military service to civilian life.

PPL11.4 The Military Personnel Policy Manual (MILPERSMAN) contains policy, directions policies, directions and procedures relating to ADF personnel management. The [MILPERSMAN Part 10, Chapter 6](#) – *Defence Transition System* contains further information on preparing and supporting ADF members and their families through transition to civilian life. Directions contained within Part 10, Chapter 6 of the MILPERSMAN are to be read in conjunction with PPL11 as if the directions are part of PPL11.

For the purpose of PPL11:

Manager means Defence personnel who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or performs the role of a first-level supervisor where they have immediate subordinates, in addition to the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

INTELLIGENCE PROVISIONS

THERE ARE NO PROVISIONS BELONGING TO THE ACCOUNTABILITY OF
THE CHIEF OF DEFENCE INTELLIGENCE CURRENTLY IN FORCE

SUBMISSIONS MEETING PARTICULAR CRITERIA OUTLINED ON THE
[DEFENCE ADMINISTRATIVE POLICY ARRANGEMENTS](#) CAN BE SUBMITTED
TO THE [ADMINISTRATIVE POLICY TEAM](#) FOR CONSIDERATION AND
POSSIBLE INCLUSION IN
THE NEXT EDITION OF THIS INSTRUCTION

[VIEW ADMINISTRATIVE POLICIES](#) BELONGING TO THE ACCOUNTABILITY
OF THE CHIEF OF DEFENCE INTELLIGENCE

INNOVATION, SCIENCE AND TECHNOLOGY PROVISIONS

THERE ARE NO PROVISIONS BELONGING TO THE ACCOUNTABILITY OF
THE CHIEF DEFENCE SCIENTIST CURRENTLY IN FORCE

SUBMISSIONS MEETING PARTICULAR CRITERIA OUTLINED ON THE
[DEFENCE ADMINISTRATIVE POLICY ARRANGEMENTS](#) CAN BE SUBMITTED
TO THE [ADMINISTRATIVE POLICY TEAM](#) FOR CONSIDERATION AND
POSSIBLE INCLUSION IN
THE NEXT EDITION OF THIS INSTRUCTION

[VIEW ADMINISTRATIVE POLICIES](#) BELONGING TO THE ACCOUNTABILITY
OF THE CHIEF DEFENCE SCIENTIST

DEFINITIONS

Accountable officer is a person at Senior Executive Service Band 3 or Australian Defence Force 3 Star, appointed in writing by, and accountable to, the Secretary and the Chief of the Defence Force for achieving Defence strategic outcomes.

Administrative policy, in the Defence context, is a statement of a specified Defence outcome on a particular matter and the principles by which Defence decision-making is guided to achieve it. Administrative policy:

- a. has long-term application to Defence
- b. aligns corporate operations with the achievement of strategic goals and priorities
- c. promotes operational efficiency
- d. is consistent with Australian law, Australia's international responsibilities and applicable Government policy, and
- e. is developed, issued and maintained in accordance with the Administrative Policy Arrangements, or was developed, issued and maintained under the former arrangements known as the Administrative Policy Framework.

Administrative policies may be supported by a range of other material including, Defence Instructions, directions, procedures, guidance and information.

A person/s engaged under a contract is a contractor, consultant or outsourced service provider as defined in the [Financial Delegations Glossary of Terms](#).

Australian Public Service employee is a person employed under the [Public Service Act 1999](#).

Commander is an Australian Defence Force officer who, by virtue of a delegation or instrument of appointment, exercises authority, and has responsibility for assigned Defence personnel and includes an administrative Commanding Officer.

Defence is the Department of Defence and the Australian Defence Force.

Defence civilian, as defined in [section 3 of the Defence Force Discipline Act 1982](#), is a person (other than a Defence member) who:

- a. with the authority of an authorised officer as defined in the [Defence Force Discipline Act 1982](#), accompanies a part of the Australian Defence Force that is outside Australia, or on operations against the enemy
- b. has consented, in writing, to subject themselves to Australian Defence Force discipline while so accompanying that part of the Australian Defence Force.

Defence locally engaged employee is any person engaged overseas by contract or under section 74 of the [Public Service Act 1999](#).

Defence member, as defined in the [Defence Force Discipline Act 1982](#), is a person who is:

- a. a member of the Permanent Navy, the Regular Army or the Permanent Air Force, or
- b. a member of the Reserves who:
 - i. is rendering continuous full-time service, or

DEFINITIONS

- ii. is on duty or in uniform.

Defence personnel means all Australian Public Service employees in the Department of Defence, Defence locally engaged employees, Defence civilians, Defence members and the equivalents from other Defence organisations on exchange to Defence.

Manager means Defence personnel or a person/s engaged under a contract who direct a range of human and physical resources and their associated financial responsibilities to achieve corporate objectives. A manager may be a first-level supervisor or perform the role of a first-level supervisor where they have immediate subordinates, as well as the role of a second-level supervisor where they have Defence personnel supervised by those subordinates.

Personal information is defined in the [Privacy Act 1988](#).

Policy owner is a person appointed by an [accountable officer](#) to be responsible to that accountable officer for achieving effective policy outcomes for their particular business function and for effectively implementing policies contained in the Defence Instruction, an interim Defence Instruction and administrative policies.

Provision. Is a condition or stipulation formally incorporated in this Defence Instruction, an Interim Defence Instruction and administrative policies.

Directions means a set of prescribed or proscribed (mandatory) conduct to be complied with by all or specified Defence personnel in order to achieve an administrative policy outcome. They are indicated by words such as '**must**', '**must not**' or '**are required to**'. They are normally only issued by the Secretary and CDF and included in an annex in this Defence Instruction. The Secretary and CDF may expressly delegate to specified appointments at SES Band 2/ADF 2 Star level or higher (as detailed in the provisions of this Defence Instruction) the power to issue directions to all or specified Defence personnel where those appointments have been given regulatory type functions to perform. They may be found in Defence documents titled 'Directives', 'Instructions', 'Regulations', 'Controls' and in some cases, 'Manuals'. Such documents as in force from time to time, should be incorporated by reference in this Defence Instruction. Any directions issued pursuant to a delegation granted in this Defence Instruction is itself, taken to be a Defence Instruction for the purposes of subsection 11(1) of the *Defence Act 1903* regardless of the title of the document and/or whether it was incorporated by reference in this Defence Instruction or not.

Sensitive information is defined in the [Privacy Act 1988](#).

Supervisor means Defence personnel or a person/s engaged under a contract who have direct or line supervisory responsibilities for Defence personnel.

Technical authority is a person or entity responsible for making arrangements and issuing policy and/or directions for the technical regulation and management of a specified technical environment within Defence.