

## CHAPTER 1

# INHERENT REQUIREMENTS OF SERVICE IN THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

1.1 Defence's mission is to defend Australia and its national interests. This requires Defence to maintain an operationally capable force with high levels of fitness, commitment, efficiency and discipline among members of the Australian Defence Force (ADF).

### POLICY STATEMENT

1.2 To enable Defence to maintain an operationally capable force, Defence members are required to meet and maintain certain inherent requirements of service.

### SCOPE

1.3 This chapter is applicable to all Defence members.

### DEFINITIONS

1.4 [Military Personnel Policy Manual \(MILPERSMAN\), Part 1, Chapter 3](#)—*Military Personnel Policy Manual Glossary* in conjunction with the [Australian Defence Glossary \(ADG\)](#) contains terms and definitions used throughout this chapter.

### ROLES AND RESPONSIBILITIES

1.5 The Defence Force Recruiting Centre, Area Managers and Commanders of training units are responsible for ensuring that candidates for appointment or enlistment and initial trainees are fully aware of the requirements of Defence service, as detailed in this chapter.

1.6 Members transferring within their Service or transferring to another Service are required to meet the requirements of service applicable to their gaining Service Category or gaining Service.

### REQUIREMENTS OF SERVICE

1.7 Subsection 12(3) of the [Defence Regulation 2016](#) requires that, before a person is appointed or enlisted, consideration must be given to whether the person is a fit and proper person. In addition to the requirements of this chapter, a Service Chief may prescribe additional requirements as they pertain to the skills, qualifications and experience necessary to render service in the employment category to which a person is to be appointed or enlisted. Further information on arrangements for service is provided in [MILPERSMAN Part 2, Chapter 3](#)—*Appointment and Enlistment in to the Australian Defence Force*.

1.8 The requirements of service, as detailed in this chapter, address the following areas:

a. citizenship

- b. service obligations
- c. command and discipline
- d. security clearance
- e. workplace behaviour
- f. unrestricted service
- g. regulation of lifestyle
- h. dress and grooming standards
- i. employment opportunity
- j. individual readiness
- k. medical and physical fitness
- l. military and trade skills
- m. postings and deployments
- n. operational service
- o. employment and voluntary activities in off-duty hours
- p. political activities.

## CITIZENSHIP

1.9 Defence policy requires individuals joining the ADF to be Australian citizens. This fundamental national identity represents the full and formal membership of the wider community and demonstrates an enduring commitment to, and long-term stake in, the future of Australia.

1.10 Permanent residents who are not Australian citizens may be eligible for provisional entry to the ADF either through being appointed or enlisted as an overseas lateral recruit, or where Defence is satisfied that the applicant clearly intends to become an Australian citizen and the requirement for pre-existing Australian citizenship would unduly restrict the ADF's ability to address a shortfall of potential applicants with particular skills. Non-citizens are required to satisfy the provisional entry requirements and selection criteria of the appropriate single-Service and all other eligibility requirements including educational, medical, psychological, and security clearances.

1.11 Defence members are required to maintain their Australian citizenship. Failure to maintain Australian citizenship may result in the Defence member's involuntary separation from service, under [Defence Regulation 2016](#), section 24. The Defence member is responsible for notifying their relevant Career Management Agency if any circumstance arises whereby that Defence member sees the need to relinquish, or intends to renounce, their Australian citizenship. Additional guidance is

provided in [MILPERSMAN Part 2, Chapter 2](#)—*Citizenship Requirements for Entry to, and Service in, the Australian Defence Force*.

## SERVICE OBLIGATIONS

1.12 There are two different types of service obligation that may be imposed as a condition of appointment or enlistment by a delegate; an Initial Minimum Period of Service (IMPS) or a Return of Service Obligation (ROSO). Additional information in relation to IMPS and ROSO can be found in the [Defence Regulation 2016](#), Section 25 and [MILPERSMAN Part 2, Chapter 4](#)—*Service Obligations*.

1.13 Reserve obligation. Defence members are compulsorily transferred to the Reserves at the end of their period of service subject to the exceptions outlined in [MILPERSMAN Part 2, Chapter 3](#)—*Appointment and enlistment in to the Australian Defence Force*.

1.14 Defence members who wish to bring forward the end date for their period of service are to make an application in accordance with [Defence Regulation 2016](#), section 18 and [MILPERSMAN Part 10, Chapter 1](#)—*Permanent Defence Member's Notification of Intention to Resign or Transfer to the Reserves*.

## COMMAND AND DISCIPLINE

1.15 Defence members are subject to the provisions of the [Defence Act 1903](#), the [Defence Force Discipline Act 1982 \(DFDA\)](#) and the [Defence Regulation 2016](#). The Chief of the Defence Force maintains command of the ADF in accordance with Section 9 of the [Defence Act 1903](#). Command is a purely military concept which lies at the very heart of the military profession and is central to success in battle. It includes authority and responsibility for using available human and material resources, extending to the responsibility for health, welfare, morale and discipline. Accordingly, Defence members are bound to follow all lawful commands which may be given at any time and which could involve considerable risk to life.

1.16 Defence members are subject to military discipline law in addition to civilian law. The military discipline system has its own Service tribunals for the prosecution of offences under the [DFDA](#). These processes are designed to deal with offences that substantially affect the maintenance of Service discipline in the ADF. Defence members are subject to civilian criminal law and remain liable to prosecution in civilian courts in respect of such offences. Criminal offences or other illegal activities may be referred to civil authorities, such as the police. Additional guidance on discipline law is provided in [DFDA Law Manual 2020—Chapter 4—paragraph 4.51](#)—*Disciplinary action*.

1.17 Under the [DFDA](#), failure to comply with any of the provisions contained in general orders is an offence and may be enforced with respect to the functioning or operation of a particular part or area of the ADF. Such orders could require members to live, work and operate anywhere in Australia or overseas at short notice.

1.18 Defence members whose posting or duties place them under the supervision of a Defence employee are required to comply with all lawful and reasonable directions given by their supervisor that relate to the carrying out of those functions and duties falling within the responsibility of that Defence employee in accordance with [Defence Instruction, People Provision 1—Authority in an integrated Defence Workplace \(PPL1\)](#).

## SECURITY CLEARANCE

1.19 All Defence members are required to hold a security clearance. The security clearance process forms part of the [Defence Security Principles Framework](#), ensuring that only suitable persons have access to sensitive information and assets. The Australian Government Security Vetting Agency (AGSVA) conducts security clearance vetting of all Defence personnel. Failure to maintain a security clearance may result in the Defence member's involuntary separation from service, under [Defence Regulation 2016](#), section 24.

1.20 To ensure their ongoing suitability to hold a security clearance Defence members are to comply with [Defence Security Principles Framework](#), Control 40.1—*Personnel Security Clearance*.

## WORKPLACE BEHAVIOUR

1.21 Defence aims to be an inclusive and progressive organisation that maximises capability through capitalising on a diverse workforce. Workplace behaviour is a key element to achieving this aim. During their career, Defence members will, invariably, work in integrated and diverse environments that include members of other Defence Services, Defence employees, external service providers and the general community. Working in such an integrated and diverse environment places obligations on Defence members to conduct themselves appropriately. This obligation applies equally to all Defence employees. Everyone in Defence is to be treated with respect, fairness and without harassment.

1.22 The rule of law underpins the way Australian society is governed and acts as a shaping influence on workplace behaviour, in particular as a constraint upon unacceptable behaviour. Defence members are to comply with the rule of law, and are accountable for their actions, required to make rational decisions and protect human rights whether it is in support of operations or in a non-operational setting. Values also underpin and help shape relationships and behaviour. Together, such values-based behaviour, which is embodied and reinforced within individual Service cultural reform programs, requires everyone to accept personal responsibility and accountability and to think clearly about the consequences of their actions.

1.23 At its centre is a recognition and acceptance of Defence's cultural intent which sets out the organisation's enduring cultural aspirations and which describes how Defence members should think about their work and behaviour towards others. Defence members found to have engaged in, contributed to, ignored, assisted, or personally encouraged unacceptable behaviour will be held personally responsible.

The policy on dealing with matters of unacceptable behaviour is contained in [Defence Instruction, People Provision 7— Required behaviours in Defence \(PPL7\)](#).

1.24 Appropriate workplace behaviour also extends to ensuring Defence members take all reasonable and practical steps to protect the health and safety of themselves and others in the workplace and behave responsibly and ethically in regard to the use of Commonwealth resources. Additional guidance can be found in the Defence Safety Manual (SafetyMan).

1.25 **Mandatory annual awareness training.** Defence members are required to complete mandatory annual awareness training to ensure that they are aware of and understand their workplace responsibilities which include developing and maintaining a safe and secure work environment and behaving ethically at all times. Mandatory awareness training may also form part of a member's individual readiness requirements as determined by single-Service polices.

### UNRESTRICTED SERVICE

1.26 Defence members may be required to work long hours, shift work, irregular hours or a combination of these. Defence members do not have penalty rates or overtime as a condition of service, however the payment of an ADF Military Salary (which pays for a member's occupation and level of skill) incorporates unique factors of service life including the need to be on call and the liability to work long and irregular hours. Notwithstanding, Defence members may need to work long and irregular hours if required for a specific purpose.

### REGULATION OF LIFESTYLE

1.27 Defence expects its members to maintain the appropriate standards of behaviour normally expected of a professional military organisation. Such behaviours and standards accord with the high public expectations that tend to shape and influence the personal conduct and behaviour of Defence members while both on and off-duty. Military standards of appropriate behaviour may be more stringent than contemporary practices deemed acceptable in the broader community or under civil law.

1.28 Therefore, Defence members should ensure they are aware of extant policies, rules and regulations informing activities such as the use of social media, use of alcohol, non-medical use of drugs, indebtedness or other inappropriate behaviour. Additionally, there are circumstances when relationships between members may be considered inappropriate, and may be contrary to the inherent requirements of ADF service. Additional guidance on the spectrum of response is contained in [MILPERSMAN Part 9, Chapter 2—Formal Warnings and Censures in the Australian Defence Force](#).

1.29 **Social media.** Social media is defined within the Defence context as 'digital tools that enable communication and sharing across the internet and which allow for the creation of user-generated content.' Whereas an individual may believe they are acting in privacy or anonymity, such acts by a Defence member may not eliminate a

possible/apparent or identified connection with the Defence organisation. Members should consider carefully whether they should identify themselves, or be reasonably identifiable, as a member of Defence in any social media forum or setting.

1.30 The use of social media in official communications for public engagement as well as in private activities that pose a reputational risk to Defence and certain behaviour within a social media environment may result in administrative sanctions or charges being laid under the [DFDA](#). Policy guidance on the use of social media is provided in the [Media and Communication Policy](#), Chapter 7—*Social media*.

1.31 **Public comment.** During the course of a Defence member's service they may be required to make public or media comment. Defence members are to distinguish carefully between personal and official views in order to avoid any mistaken perception that personal comment is in fact an official comment. Defence's policy on public comment and dissemination of official information is contained in the [Media and Communication Policy](#), Chapter 4—*Defence spokespeople and conduction interviews*.

1.32 **Use of prohibited substances and compulsory testing.** The ADF has a zero tolerance principle for the unlawful or inappropriate use of prohibited substances. Prohibited substance use or involvement undermines discipline, morale, organisational cohesion and security and can adversely affect the public image and reputation of Defence. Detection of the use of prohibited substances will result in action being taken under the ADF prohibited substance policy framework, which includes the compulsory Prohibited Substance Testing Program (PSTP) in the ADF, in accordance with [MILPERSMAN Part 4, Chapter 3—Management of the Use of Prohibited Substances in the Australian Defence Force](#). Detection outside the PSTP may result in possible disciplinary action under the [DFDA](#), administrative sanction or civilian criminal proceedings.

1.33 **Use of alcohol.** The [ADF Alcohol Behaviour Expectations Statement](#) outlines the organisational expectation for Defence members to set the benchmark standard for the use of alcohol and behave in a responsible, safe and respectful manner at all times. Alcohol management in the ADF aims to minimise alcohol-related harm and deals with the supply, availability and use of alcohol, including authorised alcohol testing in accordance with [MILPERSMAN Part 4, Chapter 2—Alcohol Testing in the Australian Defence Force](#).

1.34 Drunkenness and alcohol abuse is taken very seriously and may result in disciplinary action under the [DFDA](#). Policy guidance is provided in [MILPERSMAN Part 4, Chapter 1—Alcohol Management in the Australian Defence Force](#).

1.35 **Personal searches.** Defence has an obligation to provide and maintain a safe and secure environment for the protection of its workforce along with its information, capabilities and assets. Defence members may periodically be subjected to consensual and non-consensual personal searches by military police personnel or appropriate security staff during the course of their service. This level of physical security environment aims to minimise risks to the efficient and effective performance



of Defence's goals and objectives. Such actions also complement the application and enforcement of other protective security measures in place across the wider Defence organisation. For more information refer to the [Defence Security Principles Framework \(DSPF\)](#).

1.36 **Personal information.** The [Privacy Act 1988](#) governs the collection, recording, use and disclosure of personal information in Defence. Defence collects and records a broad range of information, including health-related information, about Defence members. Such information is used by Defence to make a variety of Service-related decisions (including decisions about individual deployability and employability) affecting, or otherwise relating to, Defence members.

### DRESS AND GROOMING STANDARDS

1.37 To allow for identification of its members, Defence promulgates specific dress and grooming standards. By wearing the uniform of their Service and by having the same general style of appearance, Defence members develop a sense of belonging to an organisation with long standing and proud traditions. Such a sentiment develops the required cohesion and morale necessary for the proper functioning of Defence. Well groomed members of Defence also help to promote a sense of confidence and pride in Australia's armed forces across the wider Australian community.

1.38 Military dress and grooming regulations may or may not reflect community trends. Not all fashions in clothing, accoutrements and appearance will, however, be permissible for Defence members when on duty or in uniform. Equally, specific rules may be introduced for certain groups or in special areas to allow for operational, hygiene and safety requirements. The single-Service documents on uniform and dress standards are listed in the [related legislation, policy and publications](#) section of this chapter.

### EMPLOYMENT OPPORTUNITY

1.39 Competitive selection for all roles and employment categories within the ADF may be based on merit irrespective of gender, age, sexual orientation, religion or culture, provided that individuals are capable of meeting all necessary requirements for their chosen role or employment category.

### RELIGION

1.40 Defence is committed to enabling and ensuring appropriate religious ministry is provided, where possible, to all Defence members. Defence accepts the significance of religious faith in some people's lives and upholds the freedom of religious practice as provided for in the Commonwealth, State and Territory legislation. Defence members are encouraged to pursue their own religious beliefs and practices in the context of Defence operational requirements. Commanders at all levels are to make every effort to allow members of any faith group to practice their faith according to their own particular religious observances, including the right of individuals not to follow any faith. All Defence members are to remain cognisant of

the inherent service conditions of Defence and the military exemptions required of particular faith groups.

### INDIVIDUAL READINESS

1.41 An inherent requirement of ADF service is that all Defence members maintain a base level of individual preparedness and be ready and able to deploy at short notice on operations or exercises. Defence members of all ranks are to accept a high level of personal responsibility to meet Individual Readiness (IR) standards in accordance with [MILPERSMAN Part 3, Chapter 1](#)—*Australian Defence Force Policy on Individual Readiness* and as detailed in single-Service instructions.

1.42 Within the ADF, IR comprises the six components of availability, employment, weapons, medical, dental and physical fitness. Defence members should refer to single-Service documents for additional guidance on Service specific compliance standards and IR requirements.

### MEDICAL AND PHYSICAL FITNESS

1.43 A prescribed level of medical and physical fitness is a fundamental requirement for entry to and retention in Defence, since all members may be called upon to perform operational service, often at short notice. Refer to the [Defence Health Manual \(DHM\)](#), Volume 2, Part 5—*Health Standards and Assessments for Entry and Transfer* and the single-Service physical fitness instructions for additional information.

1.44 To be able to fulfil their duties, Defence members are required to undertake, to varying degrees, arduous training throughout their career. Defence members who fail to meet the required medical and fitness standards may not be able to perform their duties safely in a deployed and/or operational setting, without placing themselves and others at risk, and or comprising the operation and/or mission. Therefore, any injury, illness or health condition permanently affecting fitness for duty may result in the necessity to transfer the Defence member to an alternate employment category, or to another arm of the Defence Force (refer [Defence Regulation 2016](#), section 15); or, may result in the Defence member's involuntary separation from the ADF (refer [Defence Regulation 2016](#), section 24(d)).

1.45 Further guidance on medical and physical fitness standards can be found in [MILPERSMAN, Part 3, Chapter 2](#)—*Australian Defence Force Military Employment Classification System*, [DHM](#), Volume 2, Part 13—*Rehabilitation* and [MILPERSMAN, Part 10, Chapter 2](#)—*Involuntary Separation from the Australian Defence Force*.

### MILITARY TRADE AND SKILLS

1.46 Throughout their career, Defence members are required to develop and maintain military skills as well as trade skills and professional qualifications applicable to their employment. Military skills include competency with weapons, combat proficiencies and drill and ceremonial procedures. Further information may be obtained from the relevant single-Service category/trade/mustering sponsors, or in



the career management documents listed in the Related legislation, policy and publications section of this chapter.

## **POSTINGS AND DEPLOYMENTS**

1.47 Defence posts its members in order to fill vacancies and to rotate members through operational, staff and training appointments to develop their skills and experience. Such postings are not always possible within the same geographic area or an area or role of the member's choosing. Accordingly, Defence members, and their families will normally experience numerous moves between different localities during their career. Such relocations can have a disruptive effect on family life, particularly in regard to a child's education and the employment/career prospects for spouses/partners. Similarly, members of the Navy, Ship's Army Detachments and members of the Amphibious Response Element will from time to time, be obliged to serve at sea, which can also have an effect on career, personal and family circumstances. For further information refer to [MILPERSMAN Part 6, Chapter 1—Australian Defence Force Postings of Defence Members](#) and [MILPERSMAN Part 6, Chapter 2—Posting of Inter-service Couples in the Australian Defence Force](#).

1.48 Deployments of Defence members within Australia and overseas occur on a regular basis as part of Defence's preparedness requirements to posture Defence for a sustainable capacity to efficiently prepare and provide effective military options to meet Government's requirements. Such options include deployments in support of operational and peacekeeping missions, military exercises and wider Defence responses to humanitarian assistance and disaster relief activities. In many cases, members are required to move at short notice to areas that can only provide basic amenities. Such deployments can separate members from their families for long periods.

## **OPERATIONAL SERVICE**

1.49 The defence of Australia means that all Defence members face the possibility of deploying to or near combat zones should hostilities occur.

1.50 As well as facing the possibility of service in hostile areas, Defence members participate in other forms of operational activities where a degree of personal risk still exists. Such duties include, but are not limited to, major exercises, search and rescue missions, regional disaster relief and humanitarian assistance activities.

1.51 While the degree of exposure to combat situations depends on a number of factors, Defence members may be called upon to engage in direct action against enemy forces. During peacetime, Defence is often called upon to deploy to unstable and unpredictable areas where the risk of violence is high. In such cases, Defence members may be required to engage in action to protect themselves and others. Defence members may also be called upon to operationally deploy as part of a multi-national force under the auspices of the United Nations and not under direct command of Defence.

1.52 Further information on the employment of underage members is detailed in [MILPERSMAN Part 7, Chapter 2—Management and Administration of Australian Defence Members Under 18 Years of Age](#).

### **EMPLOYMENT AND VOLUNTARY ACTIVITIES IN OFF-DUTY HOURS**

1.53 Defence members in the Permanent Forces are legally bound to render continuous full-time service. Defence members are therefore restricted in engaging in employment or voluntary activities in off-duty hours without prior approval from the appropriate authority in accordance with [MILPERSMAN Part 7, Chapter 4—Employment and Voluntary Activities of Defence Force Members in Off-Duty Hours](#). This restriction reinforces the primacy of the ADF's right to the services of Defence members in the Permanent Forces. It is also designed to ensure that there is no actual or perceived conflict with their official duties or their performance as a Defence member.

1.54 Both the approver and the member seeking approval should be guided by the restrictions outlined in [MILPERSMAN Part 7, Chapter 4—Employment and Voluntary Activities of Defence Force Members in Off-Duty Hours](#), as well as [Defence Instruction Administrative and Governance Provision 5—Conflicts of interest and declarations of interest \(AG5\)](#). The member is responsible for reporting to the appropriate authority any change in circumstances which might breach these restrictions.

### **POLITICAL ACTIVITIES**

1.55 Defence members have a right to participate in the political life of Australia within acceptable limits of engagement in particular political activities. Restrictions on Defence members' participation in political activities are necessary to ensure the political neutrality of Defence and the ongoing ability of its members to properly serve the Government of the day in the performance of their official duties.

1.56 Defence members are, without the permission of the appropriate authority, precluded from being nominated for election to a local Government body or accept an office in a local government body. Defence members who wish to contest an election are to apply to their Service Chief to resign or transfer to the Standby Reserve (Service Category 2) as applicable. Further information on political activities can be found in [MILPERSMAN Part 7, Chapter 5—Political Activities of Defence Members](#).

### **RELATED MANUAL CHAPTERS**

[MILPERSMAN Part 1, Chapter 5—Military Personnel Policy Delegations](#)

[MILPERSMAN Part 2, Chapter 2—Citizenship Requirements for Entry to, and Service in, the Australian Defence Force](#)

[MILPERSMAN Part 2, Chapter 3—Appointment and Enlistment in to the Australian Defence Force](#)

[MILPERSMAN Part 2, Chapter 4](#)—*Service Obligations*

[MILPERSMAN Part 2, Chapter 5](#)—*Australian Defence Force Total Workforce System – Service Spectrum*

[MILPERSMAN Part 2, Chapter 7](#)—*Service Option C - Continuous Full-time Service*

[MILPERSMAN Part 3, Chapter 1](#)—*Australian Defence Force Policy on Individual Readiness*

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

[MILPERSMAN Part 4, Chapter 1](#)—*Alcohol Management in the Australian Defence Force*

[MILPERSMAN Part 4, Chapter 2](#)—*Alcohol Testing in the Australian Defence Force*

[MILPERSMAN Part 4, Chapter 3](#)—*Management of the Use of Prohibited Substances in the Australian Defence Force*

[MILPERSMAN Part 5, Chapter 3](#)—*Promotion, Acting Rank and Honorary Rank in the Australian Defence Force*

[MILPERSMAN Part 6, Chapter 1](#)—*Australian Defence Force Postings of Defence Members*

[MILPERSMAN Part 6, Chapter 2](#)—*Posting of Inter-service Couples in the Australian Defence Force*

[MILPERSMAN Part 6, Chapter 3](#)—*Employment of Immediate Family Members in the Same Area of Operation, Chain of Command or Workplace*

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

[MILPERSMAN Part 7, Chapter 2](#)—*Management and Administration of Australian Defence Members Under 18 Years of Age*

[MILPERSMAN Part 7, Chapter 4](#)—*Employment and Voluntary Activities of Defence Force Members in Off-Duty Hours*

[MILPERSMAN Part 7, Chapter 5](#)—*Political Activities of Defence Members*

[MILPERSMAN Part 9, Chapter 2](#)—*Formal Warnings and Censures in the Australian Defence Force*

[MILPERSMAN Part 9, Chapter 7](#)—*Reporting, Recording and Dealing with Civil Offences, Service and Civil Convictions and Diversionary Programs, and Discipline Officer Infringements*

[MILPERSMAN Part 10, Chapter 1](#)—*Permanent Defence Member's Notification or Intention to Resign or Transfer to the Reserves*

[MILPERSMAN Part 10, Chapter 2](#)—*Involuntary Separation from the Australian Defence Force*

RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[Privacy Act 1988](#)

[Work Health and Safety Act 2011](#)

[Defence Regulation 2016](#)

[Defence Instruction Administrative and Governance Provision 4](#)—*Incident reporting and management (AG4)*

[Defence Instruction Administrative and Governance Provision 5](#)—*Conflicts of interest and declarations of interest (AG5)*

[Defence Instruction, People Provision 1](#)—*Authority in an integrated Defence Workplace (PPL1)*

[Defence Instruction, People Provision 7](#)—*Required behaviours in Defence (PPL7)*

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

[Australian Defence Glossary \(ADG\)](#)

[ADF Pay and Conditions Manual](#)

[ADF Alcohol Behaviour Expectations Statement](#)

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

[Defence Health Manual](#)

[Defence Safety Manual \(SafetyMan\)](#)

[Defence Security Principles Framework \(DSPF\)](#)

[Media and Communication Policy](#)

[Air Force Dress Manual](#)

[Australian Navy Publication 4104](#)—*NAVPERSMAN*

[DFDA Law Manual 2020](#)—[Chapter 4](#)—[paragraph 4.51](#)—*Disciplinary action*

**Sponsor:** ASPPEC (DMPP)

## CHAPTER 2

# CITIZENSHIP REQUIREMENTS FOR ENTRY TO, AND SERVICE IN, THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

2.1 The Parliament of Australia recognises through the [Australian Citizenship Act 2007](#), that Australian citizenship represents full and formal membership of the community of the Commonwealth of Australia. Australian citizenship is a common bond, involving reciprocal rights and obligations, uniting all Australians, while respecting their diversity. The Parliament recognises that persons conferred Australian citizenship enjoy these rights and undertake to accept the obligations below:

- a. pledging loyalty to Australia and its people
- b. sharing Australia's democratic beliefs
- c. respecting their rights and liberties
- d. upholding and obeying the laws.

### SCOPE

2.2 This chapter is applicable to all Defence members and sets out the process for persons, particularly non-Australian citizens, who wish to join the Australian Defence Force (ADF) stating the citizenship requirements for entry to and service in the ADF. It includes provisional entry requirements for specific cases.

### POLICY STATEMENT

2.3 The Australian Government considers it appropriate for Defence members to be Australian citizens as a demonstration of their commitment to, and long-term stake in, the future of Australia.

### DEFINITIONS

2.4 [Military Personnel Policy Manual \(MILPERSMAN\), Part 1, Chapter 3](#)—*Military Personnel Policy Manual Glossary* in conjunction with the [Australian Defence Glossary \(ADG\)](#) contains terms and definitions used throughout this chapter.

### ROLES AND RESPONSIBILITIES

2.5 The following individuals or organisations are responsible for Australian citizenship legislation, policy and citizenship requirements for entry to and service in the permanent and reserve elements of the ADF:

- a. **Home Affairs.** Home Affairs is responsible for the administration of the [Australian Citizenship Act 2007](#) which governs the conferral of Australian citizenship.

- b. **Directorate of Military People Policy (DMPP).** DMPP is responsible for developing and maintaining policy on the Australian citizenship requirements for entry to and service in the ADF.
- c. **Defence Force Recruiting (DFR).** For applications made through DFR, DFR is responsible for ensuring applicants meet the required permanent residency requirements prior to enlistment or appointment in the ADF.
  - (1) **DFR applications made by non-Australian citizens.** Where applicants are not Australian citizens at the time of appointment or enlistment and the Service Career Management Agency (CMA) agrees that the application should proceed (paragraph 2.5.d(1) refers) DFR is to:
    - (a) ensure applicants are fully informed of the Australian citizenship requirements for service in the ADF before appointment or enlistment, and
    - (b) ensure individual applicants complete [Annex 2A](#).
  - (2) **DFR approvals.** Where responsible for approving appointment or enlistment, DFR is responsible for:
    - (a) confirming the relevant CMA is willing to accept the appointment of a non-citizen, and
    - (b) ensuring that the instrument of appointment or enlistment stipulates that appointment/enlistment is conditional upon applying for Australian citizenship as prescribed in paragraph 2.11 and in [Annex 2A](#).
- d. **Career management agencies (CMA).** For applications made directly to the Service CMA, CMAs are responsible for ensuring applicants meet the required permanent residency requirements prior to appointment or enlistment:
  - (1) **CMA applications made by non-citizens.** Where applicants will not be Australian citizens at the time of appointment or enlistment, CMAs are to:
    - (a) ensure applicants are fully informed of the Australian citizenship requirements for service in the ADF before appointment or enlistment, and
    - (b) ensure applicants complete and submit [Annex 2A](#).
  - (2) **CMA approvals.** Where responsible for approving appointment or enlistment, CMAs are responsible for:
    - (a) ensuring that the instrument of appointment or enlistment stipulates that appointment/enlistment is conditional upon applying



for Australian citizenship as prescribed in paragraph 2.11 and in [Annex 2A](#), and

- (b) ensuring compliance with the conditions of the appointment/enlistment and initiating action where citizenship requirements are not met.
- e. **Individual applicants/members.** Non-citizen applicants are to complete [Annex 2A](#), to acknowledge their obligation to apply for Australian citizenship and possible effect of non-acceptance. After meeting the eligibility requirements, members must apply for Australian citizenship and provide the subsequent citizenship documentation, or evidence of a refused application, through their Commanding Officer (CO) to their CMA. Members must also report any subsequent changes to their citizenship status as required by paragraph 2.16.
- f. **Commanding officers (COs).** COs are to ensure they notify the CMA of any changes to the citizenship status of Defence members under their command.

## AUSTRALIAN CITIZENSHIP LEGISLATION AND POLICY REFERENCES

2.6 *Part 2, Division 2* of the [Australian Citizenship Act 2007](#) details the eligibility requirements for a person to obtain Australian citizenship by conferral, including residency requirements and the pledge of commitment.

2.7 Further information relating to eligibility for Australian citizenship, residency and visa requirements (including the New Zealand special category visa) can be found on the [Home Affairs](#) website or by contacting Home Affairs on 131 881.

## AUSTRALIAN DEFENCE FORCE CITIZENSHIP POLICY REQUIREMENTS

2.8 Australian citizenship is a requirement for entry to and service in the ADF. Under certain circumstances non-Australian citizens may be appointed or enlisted on a provisional basis as detailed in paragraphs 2.9 to 2.11. Failure to be granted, hold or to accept citizenship may result in the member's involuntary separation from the ADF under [Defence Regulation 2016](#), section 24.

2.9 **Provisional entry into the ADF.** Non-citizens may be appointed or enlisted provisionally into the ADF either as an overseas lateral applicant sponsored by Defence under a [Labour Agreement](#) with Immigration, or when the service CMA is satisfied that the applicant clearly intends to become an Australian citizen and the requirement for pre-existing Australian citizenship would unduly restrict the ADF's ability to address a shortfall of potential applicants with particular skills.

2.10 A non-citizen who wishes to join the ADF must satisfy all eligibility requirements including educational, medical, psychological and security clearances. Some lateral applicants recruited under the [Labour Agreement](#) may not be able to satisfy the requirement to provide a declaration by someone who has known them for 12 months; however, in this case, Home Affairs have agreed to identity declarations being completed where the applicant has been known for at least three months.

2.11 Non-Australian citizens, seeking to enter the ADF must be permanent residents of Australia immediately prior to enlistment/appointment; and, satisfy the individual provisional entry requirements and selection criteria of the applicable single-Service. Appointment or enlistment into the ADF of non-Australian citizens are subject to the following conditions, dependent on the specific circumstances. Failure to meet the Australian citizenship conditions (following a non-Australian citizen's appointment or enlistment) may result in the Defence member's involuntary separation from the ADF under [Defence Regulation 2016](#), section 24.

- a. Applicants who are not Australian citizens, and not yet eligible to apply for citizenship may be enlisted or appointed conditionally, subject to their immediate application for Australian citizenship as soon as they become eligible to do so. Applicants are to complete the form of undertaking and acknowledgement in [Annex 2A](#), including option 'A'.
- b. Applicants who are not Australian citizens, but who are eligible to apply for citizenship must do so before they become a Defence member. Applicants must complete the form of acknowledgement in [Annex 2A](#), including option B, and provide evidence of their citizenship application to DFR.

2.12 A non-Australian citizen, conditionally appointed or enlisted into the ADF, is not to have their period of service extended, beyond the expiration of their current period of service, unless they have achieved and maintained Australian citizenship prior to the expiry.

2.13 **Dual citizenship requirements.** Dual citizenship, when held, must be declared on entry and recorded in PMKeyS. Dual citizenship applicants are also subject to the security clearance process as applied to all other personnel. Security clearances granted to non-Australian citizens may be subject to restrictions on the level of information the member can access. Further information is available from the [Defence Security Principles Framework \(DSPF\)](#).

2.14 **Evidence of permanent residency.** The preferred method of confirming a visa status is by using the [Visa Entitlement Verification Online \(VEVO\)](#) system. [VEVO](#) allows organisations to verify the visa entitlement and status information of individuals. Permanent residency may be demonstrated by way of a visa or entry permit placed into a valid passport. The appearance of visa labels and entry permits can vary considerably. If there is any doubt as to the authenticity or nature of the stamp, DFR or CMAs are to obtain confirmation from a Home Affairs state or territory office via the Australian citizenship information line on 131 880.

2.15 **Exemptions to the general residence requirement.** The [Australian Citizenship Act 2007](#) provides exemptions for Defence members (and recognised members of their family unit) from the general residence requirement and allows:

- a. the conferral of citizenship to be brought forward if a member has completed 'relevant Defence service' (*Section 23* of the [Australian Citizenship Act 2007](#))

- b. members of the Permanent Forces are to perform at least 90 days service before becoming eligible to apply for citizenship (*subsection 23(4)(a) of the [Australian Citizenship Act 2007](#)*)
- c. Reservists to have undertaken a total of at least 90 days service on which they were required for, and attended and were entitled to be paid for, duty in one or more of the reserves (whether or not that service was continuous), before becoming eligible to apply for citizenship (*subsection 23(4)(b) of the [Australian Citizenship Act 2007](#)*).

2.16 Attendance is recorded and retained by the Military Pay Administration Centres who must provide confirmation to Home Affairs on request. Applications for citizenship should be made, at the latest, within three months of becoming eligible, and citizenship must be accepted when offered.

2.17 **Maintenance of Australian citizenship.** Defence members are to maintain their Australian citizenship. Should a Defence member renounce or cease their Australian citizenship (or be presented with a situation that they feel necessitates their renouncement/cessation), they are to notify their relevant CMA, and their CO immediately. Failure to maintain Australian citizenship, or attainment of permanent residency in a country other than Australia, may result in the Defence member's involuntary separation from the ADF, under [Defence Regulation 2016](#), section 24.

#### RELATED MANUAL CHAPTERS

[MILPERSMAN Part 2, Chapter 3](#)—*Appointment and Enlistment into the Australian Defence Force*

[MILPERSMAN Part 6, Chapter 5](#)—*Transfer of personnel between the Services*

[MILPERSMAN Part 10, Chapter 2](#)—*Involuntary Separation from the Australian Defence Force*

#### RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Australian Citizenship Act 2007](#)

[Migration Act 1958](#)

[Australian Defence Glossary \(ADG\)](#)

[Australian Navy Publication 4104](#)—NAVPERSMAN

[Australian Navy Publication 4112](#)—CAREER MANAGEMENT - NAVY

[ADF Labour Agreement](#)

[Air Force Personnel Standing Instructions](#)

[ADF Pay and Conditions Manual \(PACMAN\)](#)—14.3.13—*Benefits if enlisted overseas*

[Defence Security Principles Framework \(DSPF\)](#)

**Annex:**

2A Form of undertaking and acknowledgement for non-citizens

**Sponsor:** ASPPEC (DMPP)

## FORM OF UNDERTAKING AND ACKNOWLEDGEMENT FOR NON-CITIZENS

1. Under *Section 23* of the [Australian Citizenship Act 2007](#), a person who has completed at least 90 days service in one or more of the Permanent Forces is eligible to apply for Australian citizenship. In the case of reservists, a person is eligible to apply for Australian citizenship if they have undertaken at least 90 days service (whether continuous or not) on which they were required for, and attended and were entitled to be paid for, duty in one or more of the Reserves (*subsection 23(4)(b)* of the [Australian Citizenship Act 2007](#)). Complete option A or B below and sign all sections, as appropriate.

### PRIVACY NOTICE

2. Defence collects your personal information for the purpose of making decisions related to your career/personnel management in the case that you do not apply for, or obtain Australian citizenship when required to do so. While providing the information on this form is voluntary, your application to become a Defence member may not proceed if you do not complete the form. Information about your application for citizenship or relevant defence service may be collected from and disclosed to the Department of Immigration and Border Protection for these purposes. Defence does not anticipate that information collected for these purposes will be provided to an overseas recipient. In the event that you are granted Australian citizenship, that you are Australian citizen may be provided to recipients in countries where you may be deployed, posted (including exchange postings), or otherwise travel for official purposes.

3. If you wish to seek access to personal information about you that Defence holds you should contact the Defence Privacy Officer or if you have any concerns about how Defence has handled your personal information, you may submit a complaint to the Defence Privacy Officer by emailing [defence.privacy@defence.gov.au](mailto:defence.privacy@defence.gov.au). The Defence Privacy Policy provides additional information in this regard and can be accessed via the [Complaint Resolution](#) website or, by contacting the Defence Privacy Officer at [defence.privacy@defence.gov.au](mailto:defence.privacy@defence.gov.au).

### Option A

I \_\_\_\_\_

Full Name: \_\_\_\_\_

hereby undertake to apply for Australian citizenship as soon as I am eligible to do so. I acknowledge that if I fail to apply for Australian citizenship within three months of becoming eligible, or if my application is not approved, or if I do not accept an offer of Australian citizenship, I may be subject to [Defence Regulation 2016](#), section 24.

### Option B

I \_\_\_\_\_

**OFFICIAL**

MILPERSMAN Part 2

2-2

Full Name: \_\_\_\_\_

acknowledge that I have applied for Australian citizenship. Should my application for Australian citizenship not be approved or if I do not accept the offer of Australian citizenship when made, I may be subject to [Defence Regulation 2016](#), section 24.

Applicant's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness (Full name): \_\_\_\_\_

Appointment: \_\_\_\_\_

Contact details: \_\_\_\_\_

Date: \_\_\_\_\_

Appointment/Enlistment Officer's name: \_\_\_\_\_

Date: \_\_\_\_\_



## CHAPTER 3

# APPOINTMENT AND ENLISTMENT INTO THE AUSTRALIAN DEFENCE FORCE

### INTRODUCTION

3.1 The Australian Defence Force (ADF) expends considerable resources in the recruitment, entry, training and skills development of Defence members. The increasing complexity of the military environment requires highly trained and experienced members who, once trained, represent a significant investment in training time and are an asset that is difficult to replace.

### POLICY STATEMENT

3.2 Defence recognises the importance of ensuring that all Defence members understand their conditions of service and the obligations associated with their appointment or enlistment in the ADF. These conditions and obligations include extensions of service, retirement ages and subsequent service in the Reserves at the end of permanent service.

### DEFINITIONS

3.3 [Military Personnel Policy Manual \(MILPERSMAN\), Part 1, Chapter 3](#)—*Military Personnel Policy Manual Glossary* in conjunction with the [Australian Defence Glossary \(ADG\)](#) contains terms and definitions used throughout this chapter.

### AUTHORITY

3.4 [Defence Regulation 2016](#) empowers delegates to specify appointment and enlistment conditions for Defence members, and to specify other conditions of service including changes to periods of service, and transfers.

### ROLES AND RESPONSIBILITIES

3.5 The following key stakeholders have major roles and responsibilities in relation to the management and effective implementation of this chapter:

- a. **Delegates.** Delegates are responsible for making decisions on arrangements for service in the ADF (including appointment and enlistment) and detailing the associated conditions clearly to applicants and Defence members.
- b. **Career Management Agencies (CMA) and Defence Force Recruiting (DFR).** The CMAs and DFR are jointly responsible for ensuring that all Defence members understand their conditions of service and the obligations associated with their appointment or enlistment. This responsibility is apportioned on the basis of which agency has approved the person's appointment or enlistment.

## APPOINTMENT TO, AND ENLISTMENT IN, THE AUSTRALIAN DEFENCE FORCE

3.6 **Eligibility.** *Subsection 12(3) of [Defence Regulation 2016](#) requires that, before a person is appointed or enlisted, consideration must be given to whether the person is a fit and proper person to perform duties as such an officer or enlisted member. In addition to the following considerations, when determining whether a person is a fit and proper person to be appointed to or enlisted in the ADF, delegates are to have regard to any Service-specific requirements as amended from time to time:*

- a. **Character.** A person must be of good character. This assessment will be undertaken as decided by the relevant delegate through a combination of personal interviews and consideration of referee reports, declarations made by the applicant, and results of their National Police History Check.
- b. **Age.** A person must be at least 17 years of age and no older than the age that would allow them to serve an Initial Minimum Period of Service before reaching Compulsory Retirement Age.
- c. **Physical fitness.** A person must successfully complete the applicable pre-entry fitness assessment.
- d. **Health standards.** A person must meet the entry health standard applicable to the service and employment category in which they are to be appointed or enlisted.
- e. **Citizenship status.** The citizenship eligibility requirements are outlined in MILPERSMAN, Part 2, Chapter 2—*Citizenship requirements for entry to and service in the Australian Defence Force.*

3.7 **Period of service.** Defence members may be appointed or enlisted for a period of service (as specified at the time of the appointment or enlistment) or for an indefinite period. The period of appointment or enlistment in the Service includes any period of appointment or enlistment subject to any conditions (inclusive a probationary period).

3.8 **Appointment/enlistment.** A delegate must specify in the appointment or enlistment:

- a. the period of service (see paragraph 3.7)
- b. the arm of the ADF in which the Defence member will serve
- c. whether the Defence member will commence service in the Permanent or Reserve Force, and the associated service category
- d. the Defence member's employment category
- e. the Defence member's rank and seniority on appointment/enlistment; and

- f. any conditions applicable to the Defence member's appointment/enlistment (*subsection 12(4) of [Defence Regulation 2016](#)*) which may include but not be limited to:
- (1) the period of covered service (under subsection 25(3) of [Defence Regulation 2016](#))
  - (2) the initial obligation amount (under subsection 25(3) of [Defence Regulation 2016](#))
  - (3) the service debt calculation method (under subsection 25(4) of [Defence Regulation 2016](#))
  - (4) whether the appointment/enlistment is conditional (see paragraph 3.12); and
  - (5) whether the appointment/enlistment is subject to a period of probation (see paragraph 3.13).

3.9 Further guidance concerning appointment and enlistment conditions may be found in single-Service instructions.

3.10 A person being appointed/enlisted is required to take an oath or make an affirmation at the time of appointment/enlistment.

3.11 Australia is party to the [Optional Protocol on the Involvement of Children in Armed Conflict \(2002\)](#), which provides that recruitment of people under 18 into the ADF is carried out with the informed consent of the person's parents or legal guardians. This consent does not include authority for Defence to disclose personal information about the person to the parents or legal guardians once the person is appointed or enlisted.

3.12 **Conditional appointment or enlistment.** A delegate may appoint or enlist a person subject to a specified condition or conditions, including a period of probation (refer [Defence Regulation 2016](#), section 12(4)). Should a Defence member fail to meet a condition on their appointment or enlistment, that Defence member may be subject to involuntary separation from the ADF, under [Defence Regulation 2016](#), section 24(1)(d).

### VOLUNTARY CHANGE OF A PERIOD OF SERVICE

3.13 Section 18 of [Defence Regulation 2016](#) provides that a Defence member may apply to, or may agree to:

- a. extend their period of service
- b. reduce their period of service
- c. convert a fixed period of service to an indefinite period of service
- d. convert an indefinite period of service to a fixed period of service.

## RELATED MANUAL CHAPTERS

[MILPERSMAN Part 2, Chapter 1](#)—*Inherent Requirements of Service in the Australian Defence Force*

[MILPERSMAN Part 2, Chapter 4](#)—*Service Obligations*

[MILPERSMAN Part 2, Chapter 6](#)—*Australian Defence Force Gap Year*

[MILPERSMAN, Part 5, Chapter 3](#)—*Promotion, Acting Rank and Honorary Rank in the Australian Defence Force*

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

[MILPERSMAN Part 6, Chapter 5](#)—*Transfer of Personnel Between the Services*

[MILPERSMAN Part 7, Chapter 1](#)—*Flexible Work Arrangements for Members of the Australian Defence Force*

[MILPERSMAN Part 10, Chapter 1](#)—*Permanent Defence Members Notification of Intention to Resign or Transfer to the Reserves*

[MILPERSMAN Part 10, Chapter 2](#)—*Involuntary Separation from the Australian Defence Force*

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

[MILPERSMAN Part 10, Chapter 5](#)—*Australian Defence Force Standby Reserve*

## RELATED LEGISLATION, POLICY AND PUBLICATIONS

[Defence Act 1903](#)

[Defence Force Discipline Act 1982](#)

[Defence Regulation 2016](#)

[Australian Defence Glossary \(ADG\)](#)

[Optional Protocol on the Involvement of Children in Armed Conflict \(2002\)](#)

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

[Air Force Personnel Standing Instructions](#)

[Australian Navy Publication 4104](#)—NAVPERSMAN

[Australian Navy Publication 4112](#)—CAREER MANAGEMENT - NAVY

**Sponsor:** ASPPEC (DMPP)



Australian Government  
Defence

Ministerial Brief for Action

s47E(d)

FOR: Minister for Defence Personnel

Action Requested by: 22 March 2024

INFO: Deputy Prime Minister

Reason for Urgency: To address Defence Strategic Review recommendation.

THROUGH: SEC CDF

CC: VCDF, ASSOCSEC, DEPSEC DSRI, DEPSEC SP&I, DEPSEC GOV, CPERS, FASMECC

RECRUITING OPTIONS FOR NON-AUSTRALIAN CITIZENS

Key Issues:

ADF personnel numbers are more than 4,400 below approved guidance (as at 1 February 2024), at a time when Australia's strategic environment is deteriorating. Defence is prioritising four key initiatives to improve recruiting and retention as the primary means of stabilising and growing the required workforce. These are:

1. Widening the aperture of potentially suitable applicants to join the ADF. The recruitment of non-Australian citizens into the ADF is one element of this initiative;
2. Increasing the volume of candidates in the recruiting system;
3. Improving recruiting processes to enable faster recruiting; and
4. Drawing out the propensity for people to serve longer through retention initiatives.

s47C

To assist in addressing ADF personnel recruiting challenges, the Defence Strategic Review (DSR) directed Defence to provide options to the Government by 2024 for the recruitment of non-Australian citizens into the ADF. Defence has developed s47 options for recruiting non-Australian citizens, in consultation with the Department of Home Affairs (Home Affairs).

Options 1 and 2 are recommended. These options retain the extant requirement for ADF recruits to attain Australian citizenship, which they can apply for after 90 days' service in the ADF.

s47C

Recommendations:

That you:

1. **approve** the implementation of Option 1 in 2024 - streamline the recruitment of foreign military personnel via the existing Overseas Lateral Recruitment Scheme (OLRS) enabled under a revised, more flexible Labour Agreement with Home Affairs. Recruits would be required to attain Australian citizenship.

Decision

Approve/Not approved

MECC

s47E(d)

CDR No:.....

s47E(d)

SERIAL:.....



[Redacted]

- 2. **approve** the implementation of Option 2 in 2024 - expand the recruitment of permanent residents living in Australia, who are citizens of select partner countries <sup>s47C</sup> [Redacted] **Approve/Not approved**  
[Redacted] Recruits would be required to attain Australian citizenship.
- 3. **approve** one of the following conditions for Option 2:
  - a. Apply a one year residency requirement to all eligible permanent resident applicants <sup>s42 and s33(a)(iii)</sup> [Redacted] **Approve/Not approved**  
<sup>s42 and s33(a)(iii)</sup> [Redacted]
  - b. <sup>s47C</sup> [Redacted] **Approve/Not approved**
- 4. **approve** that as a first step under Option 2, Defence immediately amend internal Defence policy to enable New Zealand Special Category Visa (sub-class 444) (SCV 444) holders who have resided in Australia for a minimum of one year to apply to join the ADF (Note: There were approximately 365,000 SCV 444 holders aged 20-54 years living in Australia in 2021). **Approve/Not approved**

5. <sup>s47C</sup> [Redacted]

6. [Redacted]

7. [Redacted]

**Media Considerations:**

Implementation of options to expand recruitment of non-Australian citizens is highly likely to generate media interest. <sup>s33(a)(iii)</sup> [Redacted]  
<sup>s33(a)(iii)</sup> [Redacted]

[Redacted]



[Redacted]

Option 2 is highly likely to generate media interest, noting media reporting following an interview with you on ABC radio on 5 January 2024. You mentioned that as part of initiatives to grow the ADF workforce, the Government was considering allowing foreign nationals to serve in the ADF. This was reported by various media outlets and generated diverse opinions regarding the recruitment of non-Australian citizens into the ADF. s33(a)(ii), s33(a)(iii)  
s33(a)(ii), s33(a)(iii)

s47C

Signature

s22

Matt Keogh

s22

21 March 2024

Minister comments:

*I would like to see advice sooner how DFR would seek to promote Option 2 to maximise effectiveness.*

Cleared by

Ms Justine Greig PSM  
Deputy Secretary Defence People  
Defence People Group

4 March 2024

s47E(d)

Contact Officer

Ms Fiona McSpeerin  
First Assistant Secretary People Policy and  
Development  
s47E(d)

Secondary Contact Officer

s47E(d)  
Acting Assistant Secretary People Policy and  
Employment Conditions  
s47E(d)



Sensitivity: Yes.

1. s33(a)(iii)  
s33(a)(iii)

s33(a)(iii) Attachment A provides detail on the changes to the SCV 444 and its implications for ADF recruiting. The conditions set out in Recommendation 3(a) are targeted to address these concerns, including;

- a. Applying a residency requirement to eligible permanent residents s47E(d) and s33(a)(ii)  
s47E(d) and s33(a)(ii) s47E(d), s33(a)(ii)  
s47E(d), s33(a)(ii)
- b. s33(a)(ii), s33(a)(iii)

2. In regard to Option 2, Defence has received advice from the Australian Government Solicitor (AGS) on s42

3. Defence has also received advice from the Office of International Law (OIL) in the Attorney-General's Department (AGD) (Attachment C). s42 and s33(a)(iii)  
s42, s33(a)(iii)

4. s33(a)(iii) and s47C

5. Decisions regarding the recruitment of non-Australian citizens into the ADF are within your remit as the Minister for Defence Personnel. s47C  
s47C





**Financial Impacts:** No impacts for implementing Options 1 and 2.

6. Under Option 1, it is anticipated that overseas lateral recruitment levels would remain within the existing Labour Agreement cap s47E(d) [redacted] s47E(d) [redacted]. It is also anticipated that under Option 2, the expansion of recruitment of eligible permanent residents would not contribute to Defence Force Recruiting (DFR) exceeding funded annual recruitment levels. s47C [redacted] s47C [redacted]

**Systems/legislation/deregulation:** Yes.

7. Under all options, system changes will be required to identify ADF applicants who are non-Australian citizens, these changes can be accommodated within existing resources. No changes are anticipated to existing legislation for Options 1 and 2. For Option 2, application of an Australian residency requirement, restrictions on those with previous military service, and a requirement for citizenship of select partner nations, will require either a change to personnel policy or an amendment to *Defence Regulation 2016*. s47C [redacted] [redacted] [redacted]

**Consultation:** Yes.

- s [redacted]  
4 [redacted]  
7 [redacted]  
E [redacted]  
( [redacted]  
d [redacted]  
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[redacted]







**Attachments:**

- Attachment A      New Zealand Special Category (sub-class 444) Visa holders.
- Attachment B      s42 [Redacted]
- Attachment C      s42 [Redacted]
- Attachment D      Talking Points.
- Attachment E      Five Eyes Militaries' Citizenship Requirements.

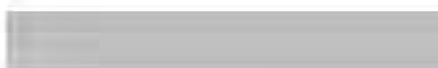
**Current Situation**

22. Defence is currently facing significant challenges to recruit, retain and grow the ADF workforce. s47E(d) [Redacted] But to achieve the required growth path, a significant increase in ADF inflow, combined with improved retention rates is needed. Defence is implementing a range of targeted financial and non-financial initiatives to grow the ADF, combined with Government investment in several retention programs. These measures have positively influenced the ADF's separation rate, which continues to reduce, s47E(d) [Redacted]
23. Table 2 shows that as at 1 February 2024, Defence had achieved s47E(d) [Redacted] of its year to date (YTD) target for ADF permanent (all avenues less Gap Year) workforce inflow.

FY 23/24	YTD Result	YTD Target	Full Year Target	Per cent of YTD target
Navy	s33(a)(ii) and s47E(d) [Redacted]			
Army	[Redacted]			
Air Force	[Redacted]			
<b>Total</b>	[Redacted]			

**Table 2: Recruiting achievement for ADF permanent (all avenues less Gap Year) workforce against year to date targets as at 1 February 2024.**

24. s33(a)(ii) and s47E(c) [Redacted]
25. The measures listed above and other Defence recruiting initiatives are intended to lift ADF recruiting achievement. Recruiting applications have increased by approximately 11 per cent over the last 12 months, and it is anticipated that with further processing improvements these increased applications will flow through to future recruitment. s47C & 47E(c) [Redacted]
26. The DSR directed Defence to provide options to Government by 2024 for the recruitment of non-Australian citizens into the permanent force of the ADF, as one step among a range of others. s47C [Redacted] Defence recommends to the Government the implementation of Options 1 and 2, both of which require recruits to attain Australian citizenship for continued service in the ADF. s47C [Redacted]



[Redacted]

27. s33(a)(ii), s33(a)(iii) and s47C [Redacted] While specific estimates are difficult, Options 1 and 2 are expected to provide at least an additional 350 personnel per financial year towards achievement of Defence recruiting targets, s33(a)(ii), s33(a)(iii) and s33(a)(ii), s33(a)(iii) and s47C [Redacted] 47C

28. s47C [Redacted]

29. Defence is prioritising three key initiatives to improve recruiting outcomes. These are:

- a. Widening the aperture of potentially suitable applicants to join the ADF. The recruitment of non-Australian citizens into the ADF is one element of this initiative;
- b. Increasing the volume of candidates in the recruiting system; and
- c. Improving recruiting processes to enable faster recruiting.

30. s47E(d) [Redacted] Widening the aperture of potentially suitable applicants, including the recruitment of eligible permanent residents, is complementary to the main recruiting effort. Should Defence achieve its ADF workforce requirements through the successful implementation of the three recruiting initiatives outlined above, Defence anticipates that it would not need to permanently rely on recruiting eligible permanent residents, but would seek to have this option permanently available. The recruitment of Australian citizens would continue to be preferred over recruiting non-citizens as a right of extant citizenship.

**Options**

31. 47C [Redacted] Through the combination of Options 1 and 2, Defence would initially seek to recruit an additional 350 people per annum from 2024-25 (noting recruitment beyond 350 would continue subject to demand). While this initiative would assist in addressing recruiting underachievement, the primary means of addressing ADF recruitment requirements continues to be the priority initiatives to achieve a more effective and efficient recruitment of Australian citizens through Defence Force Recruiting.

32. s47E(d) [Redacted]  
[Redacted]  
[Redacted] s33(a)(iii) & 47E(d) [Redacted]  
s47E(d) & 33(a)(iii) [Redacted] s33(a)(iii) [Redacted]  
s33(a)(iii) [Redacted]

- a. s33(a)(ii) & 47E(d) [Redacted]

[Redacted]

s47C

### ADF Citizenship Requirements

33. The primary legislative provision which concerns entry into ADF service is regulation 12 of *Defence Regulation 2016*, which is made under section 124 of the *Defence Act 1903*. Regulation 12 provides for the CDF to appoint or enlist a person into the Navy, Army or Air Force. Under this regulation, before a person is appointed or enlisted, consideration must be given to whether the person is a fit and proper person to perform duties in the ADF. Subordinate policy on what constitutes a 'fit and proper person' is articulated in the Military Personnel Policy Manual. This policy currently requires individuals joining the ADF to be Australian citizens. Defence has engaged with our Five Eyes partners to understand their citizenship requirements; a summary is at [Attachment E](#).

34. s33(a)(ii) and s33(a)(iii)

35. Australian citizenship remains a requirement for employment in the Australian Public Service, Australian Border Force and Australian Federal Police.

### Key Risks and Mitigation

36. Key risks and mitigation strategies for Options 1 and 2 are summarised below:

- a. s33(a)(ii) and s33(a)(iii)

- b. s33(a)(iii)



[Redacted]

c. s33(a)(ii) & s33(a)(iii)  
[Redacted]

s33(a)(ii) & s33(a)(iii)  
[Redacted]

d. Should an eligible permanent resident living in Australia be recruited under Option 2 but is subsequently not granted Australian citizenship, Defence would take appropriate administrative action. s47E(d)

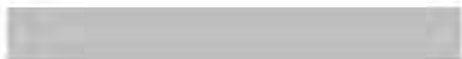
e. s33(a)(ii) & s33(a)(iii)  
[Redacted]

37. The key risks associated with Options 1 and 2 (outlined above) also exist under s33(a)(ii) & s33(a)(iii)

s33(a)(ii) & s33(a)(iii)  
[Redacted]

[Redacted]





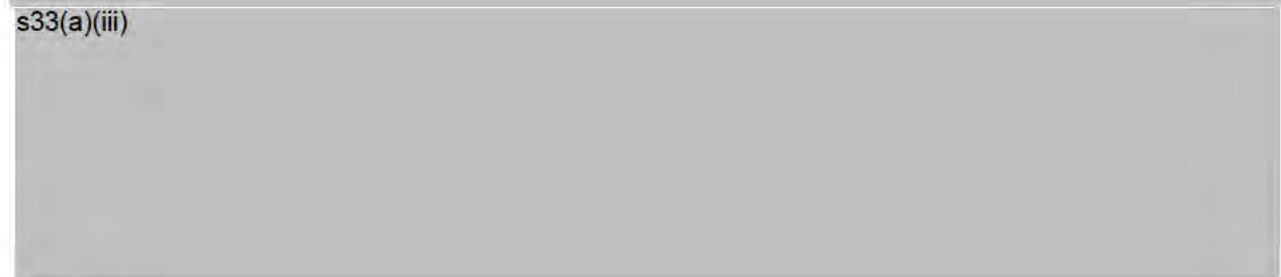
**DSR External Advisory Panel Advice**

38. s47E(d)

s33(a)(ii) & s33(a)(iii) & 47C

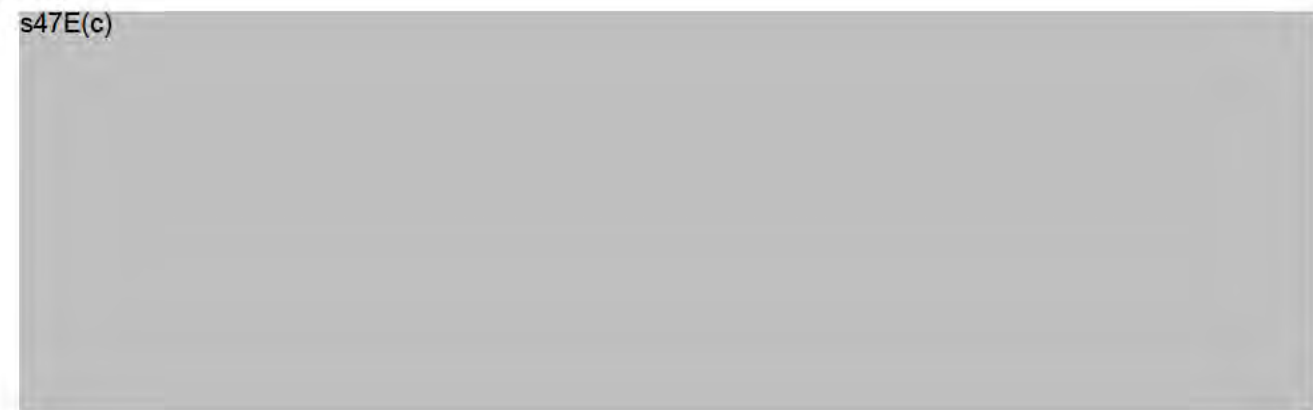


39. s33(a)(iii)



**Next Steps**

40. s47E(c)



## Attachment A

## New Zealand Special Category Visa sub class 444 holders

**Background**

The New Zealand Special Category Visa (sub class 444) (SCV 444) allows New Zealand citizens to visit, study, stay and work in Australia, provided they meet the eligibility conditions for the visa. A New Zealand citizen can access an SCV 444 on entry to Australia which allows them to stay in Australia for as long as they remain a New Zealand citizen.

**Change on 1 July 2023**

From 1 July 2023, a determination made by the Minister for Immigration, Citizenship and Multicultural Affairs, the Hon Andrew Giles MP, under the *Australian Citizenship Act 2007*, provides that SCV 444 holders are taken to be permanent residents of Australia for citizenship eligibility purposes. This change allows a New Zealand citizen on an SCV 444 to apply for Australian citizenship provided they meet the general residence requirement.

**Eligibility to apply to join the ADF**

Defence policy stipulates Australian citizenship is a requirement for entry to and service in the ADF. In exceptional circumstances, the policy permits the recruitment of non-citizens living in Australia as permanent residents. A permanent resident who joins the ADF must apply for and attain Australian citizenship to remain in the ADF. To facilitate this requirement, the *Australian Citizenship Act 2007* allows a permanent resident to apply for Australian citizenship on completion of 90 days Defence service.

**s33(a)(ii)**

specifies that a non-citizen will only be considered when there is no Australian citizen available for a position, and where the security risk is assessed against the risk to capability of not filling the position.

Prior to July 2023, a New Zealand citizen holding a SCV 444 was ineligible to apply to join the ADF. The July 2023 change to SCV 444 conditions, means that a New Zealand citizen residing in Australia on a SCV 444 is now eligible to apply to join the ADF. Like other permanent residents, the recruitment of a New Zealander living in Australia can be considered in exceptional circumstances; when there is no suitable Australian citizen to fill the ADF position. In 2021, there were approximately 365,000 New Zealand citizens between the ages of 20 and 54 years on an SCV 444 in Australia.

**s33(a)(iii)**



Attachment D

## MINISTERIAL TALKING POINTS

### Recruiting Options for non-Australian citizens

s47C



Contact officer: Fiona McSpeerin

Contact officer phone: S47E(d)

Clearance	Name	Appointment	Date and time
Cleared by: (Group/Service)	Justine Greig PSM	Deputy Secretary Defence People	1400, 04 March 2024
MECC Embedded Communication Director	s47E(d)	Director Communications, DPG (PSO)	1651, 04 March 2024
Has a copy been provided to Defence Media for Information?			



Attachment E

Five Eyes Militaries' Citizenship Requirements

s33(a)(iii)





**FOR:** Minister for Defence Personnel

**INFO:** Deputy Prime Minister

**CC:** SEC, CDF, VCDF, ASSOCSEC, CPERS, DEPSEC GOV, DEPSEC DSRI, DEPSEC SP&I, DEPSEC SEG, FASMECC

**RECRUITMENT OF NON-AUSTRALIAN CITIZENS**

**Key Issues:**

On 21 March 2024, you endorsed Options 1 and 2 of MS23-900723 – Recruitment of non-Australian citizens. Option 1 streamlines the ADF recruitment of foreign military personnel under the extant Overseas Lateral Recruit Scheme (OLRS). Option 2 expands the ADF recruiting base to encompass the recruitment of certain permanent residents living in Australia.

You requested advice on how Defence Force Recruiting would seek to promote Option 2 to maximise effectiveness. This advice is included in the Communication Strategy Overview at [Attachment A](#). A Media Release and Talking Points to support the public announcement of Option 2 are being prepared. These will be provided to the Office of the Minister for Defence Personnel by no later than 27 May 2024. Defence Force Recruiting communication products and media to promote Option 2 will be released from 1 July 2024 in alignment with the phases identified in [Attachment A](#).

**Media Considerations:**

Defence anticipates this announcement will receive a high level of media interest.

During the question and answer session following the Deputy Prime Minister’s speech on 17 April 2024 at the National Press Club, announcing the release of the *National Defence Strategy*, the Deputy Prime Minister was asked about the recruiting of non-Australians, in particular New Zealanders. A copy of the transcript is at [Attachment B](#).

s33(a)(iii)

**Minister comments:**

**Cleared by:**

Ms Justine Greig PSM  
Deputy Secretary Defence People  
Defence People Group

2 May 2024

s47E(d)

**Primary Contact Officer**

Ms Fiona McSpeerin  
First Assistant Secretary People Policy and  
Development

s47E(d)

**Secondary Contact Officer**

s47E(d)  
Acting Assistant Secretary People Policy and  
Employment Conditions

s47E(d)



Sensitivity: Yes.

1. In response to the Deputy Prime Minister’s speech on 17 April 2024 at the National Press Club announcing the release of the National Defence Strategy, Matthew Knott from the Sydney Morning Herald asked – “it has been discussed the idea of enlisting Pacific Islanders or perhaps members from five eyes nations, but we do not have any detail from the Government on how far could that can go, how many numbers of people we could be talking about?”

The Deputy Prime Minister’s response was – *“There are questions and issues we need to work through in respect of any category of non-Australian citizens that might enter into the Australian Defence Force but I think the important thing is we need to start looking at this and an obvious place to start looking is amongst Australia’s partners – AUKUS and five eyes. There are 600,000 Kiwis who live in Australia right now, that is another obvious place to look too. We should think about ways in which we can involve our Pacific family more in our Defence Force and there is certainly, an interest around the Pacific in respect of that. As I say, there are issues to work through, but this is a Rubicon that has been crossed by the Defence forces of our friends and allies, you will see Nepalese and Fijians serving in the British Armed Forces, Micronesians serving in the US Armed Forces. It is a bridge that has been crossed by others. We do have significant workforce challenges which I have articulated, we are starting to turn that around in terms of recruitment and retention of those currently in the force, but it is not just a matter of maintaining the current numbers in the force, we need to grow the force out to 2040 and to do that we need to be thinking about these avenues and this wider pool of people we can draw from.”*

Financial Impacts: No.

Systems/legislation/deregulation: No.

Consultation: Yes.

2. **s47E(d), s47C** [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted] These stakeholders will be engaged in the development of the communications products.

**Attachments:**

- Attachment A Communication Strategy Overview – Recruitment of non-Australian citizens.
- Attachment B Launch of the National Defence Strategy and Integrated Investment Program – Transcript.

**Background:**

3. Under Option 2, a permanent resident who joins the ADF is required to attain Australian citizenship to continue to serve and must meet the following conditions at the time they apply to join the ADF:
  - a. they are a citizen of a select partner country (see paragraph 5);
  - b. they have lived in Australia for the previous 12 months; and
  - c. they have not served in a foreign military force in the previous two years.
4. **s33(a)(iii)**  
[Redacted]
5. To enable implementation of Option 2 from 1 July 2024, **s47E(d)**  
**s47E(d)**  
[Redacted]
6. **s33(a)(iii)**  
[Redacted], Defence Force Recruiting will initially focus on recruiting candidates from New Zealand. While the policy changes to enable the recruitment of eligible permanent residents will be implemented on 1 July 2024, the initial focus will be on New Zealanders.
7. **s47E(d)**  
[Redacted]
8. A Recruitment of Non-Australian Citizens Communication Strategy is being developed with initial communication activities at the strategic level (Phase 1) followed by communication activities at the operational level (Phase 2 – New Zealand, Phase 3 – select partner countries).
9. Phase 1 includes a proposed Ministerial announcement and will focus on how the policy change will support the Government’s decision to grow the ADF and information on updates to eligibility criteria.
10. Phase 2 will focus on ADF Careers communication products and paid media to promote the changes to New Zealand permanent residents living in Australia.
11. Phase 3 will focus on ADF Careers communication products and media to promote the changes to other eligible permanent residents living in Australia prior to 1 January 2025.

## Communication Strategy Overview - Recruitment of Non-Australian Citizens

A phased approach will be taken to communicate Defence policy changes to support the recruitment of eligible permanent residents living in Australia to the ADF.

Phase one has a strategic focus and includes a public announcement and media engagement to communicate the policy change to a broad audience. Phases two and three have an operational focus covering updates to ADF Careers communication products and media to promote the changes to Australia's permanent resident community, with an initial focus on New Zealanders.

### Phase one

The Office of the Minister for Defence Personnel has advised there is likely to be a Ministerial announcement on policy changes supporting the recruitment of eligible permanent residents living in Australia to the ADF. The announcement is proposed to occur after 27 May 2024.

A media release and talking points to support the public announcement of the ADF recruitment policy change are being prepared. Key messages will include relevant policy details and information on how the changes will support the recruitment of eligible permanent residents. It will highlight that the initial recruitment focus from 1 July 2024 will be on eligible New Zealanders living in Australia before being expanded to other eligible permanent residents in January 2025.

Communication products including question and answer documents to support s47E(d) s [REDACTED] will be developed. Key messages will focus on how the change supports the Government's decision to grow the ADF and will provide relevant policy details.

An internal Defence communication campaign will follow the public announcement. This will include s47E(d) [REDACTED] providing details on the policy change and where to find further information. This will be complemented with a suite of products to ensure consistency of messaging. The products will include s47E(d) [REDACTED].

### Phase two

Phase two will commence from 1 July 2024, when the policy changes take effect, with an initial focus on New Zealanders. Defence Force Recruiting will initially focus on recruiting eligible permanent residents from New Zealand. Defence Force Recruiting will amend the ADF Careers website to capture the new eligibility criteria and prepare call centre personnel to take enquiries as the key entry point for prospective candidates to seek information.

Defence Force Recruiting will conduct complex non-campaign advertising activity, primarily utilising s47E(d) [REDACTED] to disseminate information about the changes. This will include s47E(d) [REDACTED].

s47E(d)

A large rectangular area of the document is redacted with a solid grey fill, obscuring several lines of text.

**Phase three**

Phase three will focus on ADF Careers communication products and media to promote the changes to other eligible permanent residents living in Australia prior to 1 January 2025.

Lessons learned from Phase two will be taken into account to ensure messaging is clear, concise and achieves the desired recruitment outcomes for the ADF. Defence will work closely with the Department of Foreign Affairs and Trade and overseas posts to ensure appropriate engagement with select partner countries.



## **Launch of the National Defence Strategy and Integrated Investment Program**

The Hon Richard Marles MP  
Deputy Prime Minister  
Minister for Defence

17 APRIL 2024

I begin by acknowledging the traditional owners of the land on which we meet, the Ngunnawal people, and pay my respects to their Elders, past and present.

As the Minister for Defence, I also pay my respects to Aboriginal and Torres Strait Islander men and women who have served our nation in the past and continue to do so today.

It is a great honour to be back at the National Press Club.

### **The 2023 Defence Strategic Review**

On 24 April last year, the Albanese Government released the National Defence Statement and the Defence Strategic Review. Commissioned in the first 100 days of Government, the Defence Strategic Review set out a stark assessment of Australia's strategic circumstances and a bold agenda for necessary defence reform.

The National Defence Statement said that

A large-scale conventional and non-conventional military build-up without strategic reassurance is contributing to the most challenging circumstances in our region for decades.

And the Defence Strategic Review observed:

As a consequence, for the first time in 80 years, we must go back to fundamentals, to take a first-principles approach as to how we manage and seek to avoid the highest level of strategic risk we now face as a nation: the prospect of major conflict in the region that directly threatens our national interest.

The most complex strategic circumstances since the end of World War II has demanded the biggest reassessment of our strategic posture in 35 years: the foundational thinking about the fundamental task of the Australian Defence Force and what kind of an ADF we need to perform it.

Over the last few decades, the ADF has been a 'balanced' force capable of undertaking a broad range of functions in a broad range of environments, be it participating in a multinational effort in Afghanistan led by others, through to leading regional missions in Timor-Leste or Solomon Islands.

The essential thesis of the Defence Strategic Review demanded a shift from this 'balanced' force to a 'focused' force. There is now one job at hand: transforming our future capability

such that Australia can resist coercion and maintain our way of life in a much less certain region and world. The ADF needs to be entirely focused on this.

Of course Australia is part of a larger world. The strategic landscape in the Indo-Pacific is intimately connected with the success of Ukraine in its efforts to resist Russian aggression. A threat to the freedom of navigation in the Red Sea is a threat to the freedom of navigation in the South China Sea. It is important that Australia plays its global part and we are and, we will continue to do so.

But equally, the call for focus means that we simply have to make the difficult decision to keep the vast bulk of our effort in our region. This is what the world would expect of us. It is what our ally the United States does expects of us. But far more significantly and importantly it is where our national interest unambiguously lies. To make any other call would be to ignore the Defence Strategic Review at the first juncture and for Australia not to be taken seriously.

Our nation has a growing economic connection to the world. Trade is an increasing part of our national income. In 1990 trade represented 32 per cent of our GDP. By 2020 that had risen to 45 per cent of our GDP. Most of this trade is with our region: China, Korea and Japan being three of our top five trading partners. The great bulk of it is by sea.

We have key exposures. For example, at the beginning of this century we satisfied most of our liquid fuel needs by refining locally sourced crude oil in one of the eight oil refineries which then operated in Australia. Today there are just two refineries left. Around 80 per cent of what they refine is imported crude oil. Today, around 85 per cent of our liquid fuel needs are supplied by imported refined product, most of it from just three countries: Korea, Singapore and Malaysia. We are literally dependent upon this sea line of communication.

Our national security and our national prosperity are based on a stable peaceful region where the global rules-based order is preeminent and respected. Indeed the rules of the road at sea are everything for us. When the rules-based order is under pressure, Australia is under pressure.

Crucially, this narrative paints the picture of the geography of our national security. And it does not lie on the coast line of our continent. It lies further afield. An invasion of Australia is an unlikely prospect in any scenario, precisely because so much damage can be done to our country by an adversary without ever having to step foot on Australian soil.

Our national security actually lies in the heart of our region. Because the defence of Australia does not mean much without the collective security of the region in which we live.

And so to give effect to the focus the Defence Strategic Review demands, it in turn recommended the development of an ADF with a much greater capacity to project.

To contribute to regional security we must be able to project. To resist the coercion that would come from the disruption of our sea lines of communication we must be able to project. And to defend Australia's interests in the geography-less domain of cyber we must be able to project.



Impactful projection through the full spectrum of proportionate response is our task. We must be able to do this in a way which denies any adversary the ability to operate against Australia's interests: a strategy of denial.

And building a defence force capable of this is now the Albanese Government's historic mission.

The Defence Strategic Review recommended that the process of intermittent Defence White Papers be abandoned for a more structured and regular process of strategic update and renewal. It proposed a biennial National Defence Strategy accompanied by a refreshed Integrated Investment Program: Defence's ten-year procurement plan. It asked for the first of these to be released in 2024.

Today we are doing just that.

The 2024 National Defence Strategy is an evolution of the 2023 Defence Strategic Review. The 2024 Integrated Investment Program is the first version of Defence's ten-year procurement plan since the Defence Strategic Review, and it looks very different to Integrated Investment Programs of the past.

### **The 2024 National Defence Strategy**

Unsurprisingly, the National Defence Strategy reaffirms the complexity of our strategic circumstances.

The optimistic assumptions that guided defence planning after the end of the Cold War are long gone. Our environment is characterised by the uncertainty and tensions of entrenched and increasing strategic competition between the United States and China; large-scale war has returned to the European continent; and conflict is once again gripping the Middle East.

This competition is accompanied by an unprecedented conventional and non-conventional military build-up in our region, taking place without strategic reassurance or transparency.

The effects of this military build-up are occurring closer to Australia than previously, including a competition for security partnerships in Australia's immediate region.

This intensifying competition is creating an environment where the risk of miscalculation is more ominous and the consequences more severe.

The National Defence Strategy states:

China has employed coercive tactics in pursuit of its strategic objectives, including forceful handling of territorial disputes and unsafe intercepts of vessels and aircraft operating in international waters and airspace in accordance with international law.

Australia no longer has the luxury of a ten-year window of strategic warning time for conflict.

The National Defence Strategy observes that the combined effect of this has seen our strategic environment deteriorate over the last twelve months.

Against this strategic backdrop, the National Defence Strategy emphasises the need for impactful projection that can enable a strategy of denial which in turn is capable of deterring a potential adversary from projecting force against Australia. This includes the capability to hold the military assets of an adversary at risk at greater distance from our shores.

Equally important, this strategy aims to ensure that Australia can work with our partners to help deter broader conflict in our region that would be disastrous for us all. In this way, the Government seeks to invest in a sustainable strategic balance in the Indo-Pacific. A balance where no state is militarily predominant, and in which no state judges that the benefit of conflict might outweigh the risks.

## **Defence People**

People are Defence's most important asset, and like many other Australian industries, we face a profound workforce challenge.

Between 2020-21 and 2022-23 Defence achieved only 80 per cent of its uniformed recruiting requirements and, when combined with a strong external labour market draw for our people, this has resulted in a shortfall of around 4,400 personnel today.

Of course, we are focused on attracting and retaining the highly specialised and skilled workforce required to meet Defence's capability needs. This is not easy in a highly competitive labour market with record low levels of unemployment.

There have been fundamental shifts already to make Defence an employer of choice.

We are investing more in the education of our ADF personnel through the Defence Assisted Study Scheme and have expanded the ADF Health Program to include additional services. We have also introduced \$50,000 continuation bonuses to encourage personnel to stay in the ADF beyond their minimum service obligation requirements.

The Government acknowledges the importance of addressing cultural shortcomings within Defence, including those highlighted in the 2020 Inspector-General of the ADF Afghanistan Inquiry. The Government will also consider the findings of the forthcoming final report of the Royal Commission into Defence and Veteran Suicide, which will include informing strategies to improve Defence's culture.

We have taken meaningful steps to address Defence's workforce crisis, but there is more work to do to improve recruitment and retention, and to ensure Defence's workforce planning is informed by our capability requirements.

Defence will undertake a new, comprehensive workforce plan that will be aligned with the National Defence Strategy and the Integrated Investment Program – one that will deliver an effective and achievable approach to workforce planning.

This plan will look to how we can streamline recruiting practices and have them more focused on the skills that Defence needs the most. It will look at ways we can retain existing personnel for longer.

Significantly it will look at how the ADF can recruit from a wider pool of people. This means ensuring that Defence reflects the full diversity of Australia such that it is drawing on the talents of the entirety of Australian society. But like the defence forces of our friends and allies, we also need to look at ways in which we can recruit from among certain non-Australian citizens to serve in the ADF.

As a Government, we are committed to meeting the current and future needs of the Defence workforce – whether that be our ADF, Australian Public Service, or external workforce.

### **The 2024 Integrated Investment Program**

The 2024 Integrated Investment Program is a complete rebuild of the Integrated Investment Programs of the past. While it contains more money, it also required the reprioritisation of \$22.5 billion over the next four years and \$72.8 billion over the decade.

It is impossible to overstate the significance and difficulty of the task of rebuilding the Integrated Investment Program. I particularly want to pay tribute to Vice Admiral David Johnston – our next Chief of Defence Force – who led this work and the dedicated team that supported him.

The Integrated Investment Program accelerates spending on the critical capabilities that will enable the ADF to project.

Front and centre is a \$53-63 billion commitment over the next ten years to acquire a nuclear-powered submarine capability under the banner of AUKUS. This will see the first Australian flagged Virginia class submarine take its place in the Royal Australian Navy in the early 2030s. It will also see the establishment of the most high tech manufacturing facility in the country and work commence on the building of the first of the Australian built SSN-AUKUS submarines. These will start to roll off the production line at the Osborne Naval Shipyard in the early 2040s.

A nuclear-powered submarine capability represents the biggest leap in Australia's military capability since the establishment of the Royal Australian Navy. More than any other capability, this platform will give an adversary pause for thought and hold their assets at risk further from our shores.

Our future submarines define projection.

In addition, \$51-69 billion of investment will build and support the Navy's future surface combatant fleet and continuous naval shipbuilding. The six Hunter class frigates will be the most capable anti-submarine warfare frigates in the world. The 11 general purpose frigates will ultimately see the size of our surface combatant fleet double to the largest fleet Australia will have operated since the Second World War. Together with the six Large Optionally Crewed Surface Vessels, our Navy's vertical launch missile capacity will more than triple from around 200 cells to over 700 cells.

We are a maritime trading island nation. Having the most capable Navy in our history will be at the heart of our projection and, our strategy of denial.

A key emphasis of the Defence Strategic Review and now the Integrated Investment Program is the investment in longer range strike and targeting. \$28-35 billion is being directed to this effort.

A new range of missile systems will be integrated into our Navy's surface combatants which includes: Tomahawk, Evolved Sea Sparrow and Naval Strike Missiles.

Our Army will acquire 42 High Mobility Artillery Rocket Systems which will be equipped with Precision Strike Missiles and Guided Multiple Launch Rocket Systems. This will take Army's firing capacity from a tactical range of 30 kilometres today, to operational and strategically relevant ranges beyond 500 kilometres and will be at the heart of the Army's new Long Range Fires Regiment.

The Royal Australian Air Force will acquire longer range missiles for the Joint Strike Fighters, the Super Hornets and the Growlers. These will variously include: the Long Range Anti-Ship Missile, the Joint Air-to-Surface Standoff Missile – Extended Range and the Advanced Anti-Radiation Guided Missile – Extended Range. Work will also continue on the development of hypersonic air-launched weapons for employment on the Super Hornets.

The war in Ukraine has placed into sharp relief the pressure on global defence industry in producing missiles. Accordingly, ensuring Australia has access to the required quantity of new long-range missiles will be greatly assisted by the establishment of a domestic guided weapons and ordnance manufacturing capability.

Working closely with industry, the Government is committing \$16-21 billion over the next decade, including almost a quarter of that over the next four years, to see this industrial uplift become a reality. Defence is continuing to work with industry on initiatives to grow our domestic industrial base, building on recent commitments such as its \$37.4 million contract with Lockheed Martin Australia to commence manufacturing missiles in Australia from next year.

The Australian Army must become far more amphibious and mobile in order to be able to project and contribute to the collective security of our region. Investing in a more mobile army is central to the Integrated Investment Program. \$7-10 billion is being invested in over 26 new landing craft – both medium and heavy – which will transform the mobility of the Army building on the restructure of the Army that was announced last year.

The platform for Australia's projection is our northern bases. The Integrated Investment Program devotes \$14-18 billion over the decade to the enhancement of bases from the Cocos (Keeling) Island airfield through Darwin and Tindal to RAAF Base Scherger in Far North Queensland.

\$3.6-3.8 billion over the decade is seeing the establishment of the Advanced Strategic Capabilities Accelerator. ASCA will ensure that Australia remains at the cutting edge of military technology and asymmetric military developments.

Cyber is now a critical domain of conflict. Through both the ADF and the Australian Signals Directorate, Australia genuinely punches above our weight in this domain. A further



commitment of \$15-20 billion over the decade will ensure that Australia builds this capability such that we remain at the forefront of developments in the cyber domain.

We have all seen the prevalence of drones in combat, including in Ukraine and the Red Sea. So we are increasing funding for Australian drone and counter-drone capabilities. To make this happen, we are providing an additional \$300 million over the next four years and \$1.1 billion over the decade.

Reallocating spending cannot occur without difficult decisions. Just as important as what we are doing are the decisions we have taken about what we are not. Meaningful change and meaningful focus cannot happen without meaningful choices. To proceed on the basis that we can do it all, when no Government has ever funded it all, is both a fantasy and dishonest. But most critically, a weakness in not being able to make a difficult decision fundamentally compromises strategic planning.

In the Government's response to the Defence Strategic Review last year we announced the reduction in the number of new Infantry Fighting Vehicles from 450 to 129. This was on the basis that there was no capacity to ever move 450 Infantry Fighting Vehicles off our shores. This meant they would never contribute to Australia's ability to project. This is just one example of the decisions we have been prepared to take.

We are taking \$1.4 billion from planned enhancements to Defence facilities across Canberra and re-investing this in our operational bases, including northern base infrastructure such as those at RAAF Bases Darwin, Townsville and Learmonth.

Defence had planned to acquire two large support vessels to increase the capacity of our Navy's sea lift and refuelling support. The focus on improving our maritime lethality means these support vessels are no longer a priority. This action will generate savings of \$120 million over the next four years and \$4.1 billion over the decade.

These are all examples of difficult decisions to delay projects, reduce the scope of projects, to cancel projects.

Of vital importance these decisions will see the over-programming of the Integrated Investment Program come down to manageable levels. We are heading to that sweet spot of 20 per cent over-programming and with it a defence budget which is under control. After a decade of negligent defence budgeting under the Coalition, which robbed our defence establishment of the ability to plan and acquire critical capabilities on schedule, the Government has regained agency over the nation's fundamental security.

But overall we are increasing the Defence budget, and today I can announce that the Government will provide a further \$1 billion for Defence capability over the next four years.

This additional funding will provide for further investments in the near term that will go towards accelerating long-range fires, in particular the earlier purchase of the Precision Strike Missile.

It includes over \$200 million to enable Defence to go after more cutting-edge, asymmetric robotic and autonomous systems, so they can be tested and deployed in the field earlier. This

includes autonomous aerial munition delivery vehicles; Blue Bottle, an uncrewed surface vessel; and Ghost Shark, an extra-large autonomous underwater vehicle and a great example of Australian defence industry innovation.

This funding will allow Defence to uplift long-overdue upgrades to its theatre logistics like storage, logistics networks and infrastructure to be ready in times of need.

And it will go towards enhancing our fuel resilience, particularly across our northern bases.

Not all of these investments will be headline grabbing. But they are also the kinds of necessary investments that cannot be delivered quickly when you need them most.

### **The Defence Budget**

Almost two years into this job let me tell you that the centre of strategic policy is Defence funding. History will judge us not by what we say, but by what we do. And you can only do, if you properly fund.

In last year's Budget we announced an additional \$30.5 billion in Defence spending over the decade. Some have argued this is not real, but this is funding that has been contested and decided through all the cabinet processes. Accordingly the first tranche of this – \$3 billion – will appear in the forward estimates of this year's budget.

This year, on 20 February the Government announced it will provide an additional \$11.1 billion over the next decade to deliver an enhanced surface combatant fleet including \$1.7 billion over the next four years.

Including today's announcement of an additional \$1 billion in defence spending, the total increases in defence funding since the Albanese Government came to office has been, \$5.7 billion over the next four years to 2027-28 and over \$50 billion over the next decade to 2033-34 – compared to the previous government's plan for the exact same period.

This financial, year spending in Defence will be \$53 billion. These increases will see annual Defence spending almost double over the next ten years to \$100 billion in the financial year 2033-34.

It will see Defence spending as a proportion of Gross Domestic Product projected to increase to around 2.4 per cent by 2033-34. Prior to the Government commissioning the Defence Strategic Review in 2022, the previous trajectory of the Defence budget over the same period was to plateau at around 2.1 per cent of GDP.

Putting aside adjustments like foreign exchange and operations, the additional \$5.7 billion will be the biggest lift in Defence expenditure over a forward estimates period in decades.

The growth from 2.0 per cent to around 2.4 per cent of GDP in defence spending is the largest growth since defence spending went from 2 per cent to 5 per cent between 1949 and 1953 as Australia engaged in the Korean War. But taken over a ten year period it will be the largest sustained growth in the Defence budget since the Second World War.



These are facts which have been and will be in the Budget. And it doesn't matter how often the Liberal Party and their cheer squad try to deny them, they will remain the facts of Australia's strategic policy under the Albanese Government.

Rather than deny them, it is time for the Liberals to commit to them. Because as it stands this level of Defence spending is not bipartisan. The Liberals remain stuck in 2022 and a policy of spending 2.1 per cent of GDP on Defence.

### **The Liberals were a Defence Disaster**

When the Albanese Government came to office we inherited a mess.

A Defence budget that included \$42 billion of spending commitments without the provision of a single dollar. Over-programming which was on track to average around 36 per cent over the next four years.

28 major projects were running a total of 97 years over time.

The Coalition being in and out of a submarine deal with Japan and then in and out of a submarine deal with France had seen a ten-year capability gap open up on our most important and potent military platform.

The Royal Australian Navy's surface fleet was the oldest since the end of the Second World War.

The ADF was shrinking in size.

We saw six – really seven – different Defence Ministers in nine years with Defence Ministers churning at a rate of one every 18 months.

There was no consistency in government action ... a strategic void ... a lost decade.

The Liberals were one of the worst Defence governments in our nation's history at a time when Australia could least afford it

### **Two Years of Dramatic Reform**

Over the last two years our Government has taken AUKUS from a concept and turned it into reality.

The acquisition of the Virginia class submarines from the United States – a decade earlier than planned has closed the capability gap on our future submarines. The decision to operate the same future class of submarines with the United Kingdom means we will be sharing the risk of the biggest industrial endeavour in our country's history.

Infrastructure at HMAS Stirling in Perth and the Osborne Naval Shipyard in Adelaide is being built today. The Australian Submarine Agency exists today. Australian submariners are being trained to operate our future nuclear-powered submarines in the US today. Our industrial workforce which will maintain and build our submarines is being trained in the US and the UK today. And the sovereign submarine partners that will build and maintain our future submarines have been chosen and are up and running today.

We commissioned and delivered the biggest reassessment of our strategic circumstances in 35 years through the Defence Strategic Review.

This in turn has seen a restructuring of the Australian Army and the first real funding for a domestic Guided Weapons and Explosive Ordnance Enterprise.

We have a fully funded plan for a future surface fleet which more than doubles the current size of our Navy's surface combatant fleet.

We are revitalising our international defence relationships from Korea to the Philippines, from Japan to Indonesia, from the UK and France to India. We have put the Pacific at the heart of our strategic policy where it belongs. And we have deepened relationships with New Zealand, Singapore and of course the United States.

Legislation to establish a seamless defence industrial base between the United States and Australia has passed the US Congress and our own parliament. Breaking down these barriers had been a generational dream. Now it is done.

For the first time we have articulated the kind of defence industry we will need to underpin our future force through the Defence Industry Development Strategy.


We have responded to the interim findings of the Royal Commission into Defence and Veterans Suicide. And we are committed to fulfilling the promise of the Royal Commission by following through on improving defence force culture.

Later this year we will move forward on the biggest reform to the Defence estate in memory.

And most importantly these reforms have come with the biggest increases in defence funding in decades.

I am very fortunate and privileged to work alongside Pat Conroy, Matt Keogh and Matt Thistlethwaite in the Defence portfolio. Together I believe we have overseen a dramatic period of Defence reform in the first two years of the Albanese Government.

And in a very difficult world, this consistent vision, backed up by meaningful action and real funding gives Australia genuine agency over our future security.

 * * * *	<b>DECISION BRIEF FOR CDF:</b>	
	<b>RECRUITMENT OF NON-AUSTRALIAN CITIZENS – LETTERS TO FIVE-EYES PARTNERS</b>	
Group/Service: Defence People Group	Reference: s47E(d)	
For information: SEC, VCDF, ASSOC SEC, CPERS, DEPSEC SP&I, FAS IP, FAS PAC	Due date: 22 May 24 <b>URGENT</b>	

**Purpose**

1. To seek your endorsement of the letters to five-eyes partners advising them of changes to ADF recruitment policy which may affect their citizens living in Australia.

**Recommendations**

- 2. That you:
  - a. Note that SP&I have s33(a) [redacted] / your letter to your counterparts (Enclosure 1).
  - b. Sign the enclosed letters to five-eyes partners (Enclosures 2-5).

**Key Issues**

3. As endorsed by the Government, Defence will expand the recruitment of permanent residents living in Australia who are citizens of select partner countries. This will be implemented in two phases. From 1 Jul 24, Phase 1 will focus on the recruitment of New Zealanders living in Australia. s33(a) and 47C [redacted]

4. At Enclosure 1, SP&I have s33a and 47E(d) [redacted]


<p>s47E(d) [redacted]</p> <p><b>Justine Greig</b> DEPSEC DP Tel: s47E(d) Mob: s47E(d) 21 May 24</p> <p>Contact Officer: Fiona McSpeerin Clearance Officer: Fiona McSpeerin</p>	<ul style="list-style-type: none"><li>a. <b>Noted</b> Please discuss</li><li>b. <b>Signed</b> Please discuss</li></ul> <p>s47E(d) [redacted]</p> <p><b>Angus J Campbell</b> GEN CDF 22 May 24</p> <p>Tel: s47E(d) Tel: s47E(d)</p>
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5. As requested by you, the enclosed letters (Enclosures 2-5) provide advice to your five-eyes counterparts on changes to ADF recruitment policy that will be announced shortly.

**Consultation**

6. <sup>s47E(d)</sup>



**Enclosures:**

1. <sup>s33(a)</sup>
2. CDF letter to New Zealand Chief of the Defence Force – Recruitment of Australian Permanent Residents with New Zealand Citizenship
3. CDF letter to Canadian Chief of the Defence Staff – Recruitment of Australian Permanent Residents with Canadian Citizenship
4. CDF letter to United Kingdom Chief of the Defence Staff – Recruitment of Australian Permanent Residents with United Kingdom Citizenship
5. CDF letter to United States Chairman of the Joint Chiefs of Staff – Recruitment of Australian Permanent Residents with United States Citizenship

