



Defence Determination 2016/7, Bonus application forms – amendment

I, JOHN WILLIAM GEERING, Director General People Policy and Employment Conditions, make this Determination under section 58B of the *Defence Act 1903*.

Dated 4 March 2016


Director General
People Policy and Employment Conditions
Defence People Group

1 Citation

1. This Determination is Defence Determination 2016/7, Bonus application forms – amendment.
2. This Determination may also be cited as Defence Determination 2016/7.

2 Commencement

This Determination commences on the date of signature.

3 Amendment

Defence Determination 2005/15, Conditions of Service, as amended,¹ is amended as set out in this Determination.

4 Clause 3.5.3 (Contents)

omit entries for Division 3, Division 5, Divisions 7 and 8, Divisions 11 to 20, Divisions 23 to 25, and Divisions 27 to 36.

5 Subclause 3.5.22.2 (How the offer is accepted)

substitute

2. A member must take both the following actions to accept an offer.
 - a. Accept the offer using the acceptance form at Part B to Annex 3.5.AB.
See: Annex 3.5.AB, Bonus framework form
 - b. Elect how the benefit is to be paid, using the form at Annex 3.5.ZN.
See: Annex 3.5.ZN, Bonus payment election

6 Clause 3.5.22B (Payment of the bonus)

substitute

A retention bonus becomes payable to an eligible member when the member has submitted both forms required under subclause 3.5.22.2.

See:
Annex 3.5.AB, Bonus framework form
Annex 3.5.ZN, Bonus payment election

7 Clause 3.5.22D (Administration of payment)

omit

8 Division 3 (Air Force Logistics Officers retention bonus)

omit

9 Subclause 3.5.39F.1 (Acceptance payment)

substitute

1. The member may accept an offer by taking all of the following actions.
 - a. Signing the form at Annex 3.5.E, Part B, within one of the following periods.
 - i. Up to four weeks after receiving the offer.
 - ii. If the member is deployed, up to six months after receiving the offer.
 - b. Electing how the benefit is to be paid, using the form at Annex 3.5.ZN.
See: Annex 3.5.ZN, Bonus payment election
 - c. Providing the signed form to CDF.

10 Subclause 3.5.39G.2 (Entitlement to yearly completion bonus)

after subclause 3.5.39G.2, insert

3. A member may choose to make a fresh election about how each bonus is to be paid, using the form at Annex 3.5.ZN.

See: Annex 3.5.ZN, Bonus payment election

11 Division 5 (Retention allowance)

omit

12 Subclause 3.5.44F.1 (Acceptance)

substitute

1. The member may accept an offer by taking all of the following actions.
 - a. Signing the form at Annex 3.5.F, Part B, within one of the following periods.
 - i. Four weeks after receiving the offer.
 - ii. If the member is deployed, six months after receiving the offer.
 - b. Electing how the benefit is to be paid, using the form at Annex 3.5.ZN.
See: Annex 3.5.ZN, Bonus payment election
 - c. Providing the signed form to CDF.

13 Clause 3.5.46B (Member's options for payment under this Division)

substitute

The member must complete a bonus payment election using the form at Annex 3.5.ZN.

See: Annex 3.5.ZN, Bonus payment election

- 14** **Division 7 (Army completion bonus scheme – various pay categories)**
omit
- 15** **Division 8 (Navy – Seaman Officer specialisation completion bonus)**
omit
- 16** **Division 11 (Navy – Combat Systems Operator (sailors) completion bonus)**
omit
- 17** **Division 12 (Navy – Communication Information Systems completion bonus scheme)**
omit
- 18** **Division 13 (Navy Acoustic Warfare Analyst and Cryptologic Systems Submarines completion bonus scheme)**
omit
- 19** **Division 14 (Navy – Aviation Technician completion bonus scheme)**
omit
- 20** **Division 15 (Navy – Aircrew retention and completion bonus scheme)**
omit
- 21** **Division 16 (Hydrographic Systems Manager completion bonus scheme)**
omit
- 22** **Division 17 (Navy Cryptologic Linguist completion bonus scheme)**
omit
- 23** **Division 18 (Navy – Naval Police Coxswain completion bonus scheme)**
omit
- 24** **Division 19 (Army – Expansion and rank retention and completion bonus)**
omit

25 Division 20 (Army – Critical employment category retention bonus)

omit

26 Subclause 3.5.208.2 (How to accept the offer of a retention bonus)

omit

Parts A to D of

27 Subclause 3.5.208.2 (How to accept the offer of a retention bonus)

after subclause 3.5.208.2, insert

- 2A. The member must also complete a bonus payment election using the form at Annex 3.5.ZN.

See: Annex 3.5.ZN, Bonus payment election

28 Subclause 3.5.210.1 (Payment of the retention bonus)

substitute

1. A retention bonus becomes payable to an eligible member when the member has submitted both the following forms.
 - a. Annex 3.5.V, Bonus framework form.
 - b. Annex 3.5.ZN, Bonus payment election.

Exception: If the member is offered a bonus because they have applied to achieve qualifications and skills that are essential to the delivery of Navy's capability, the bonus is payable on the day the member successfully completes the course or training and achieves the qualification or skill specified in the bonus offer

29 Paragraph 3.5.216.1.e (Member eligible for the recruit instructors scheme)

after paragraph 3.5.216.1.e, insert

- ee. The member must also complete Annex 3.5.W, Army – 1st Recruit Training Battalion recruit instructors scheme. See clause 3.5.223, Administration of payment.

30 Subclause 3.5.220.3 (Completion payment)

after subclause 3.5.220.3, insert

4. A member may choose to make a fresh election about how each payment is to be paid, using the form at Annex 3.5.ZN.

See: Annex 3.5.ZN, Bonus payment election

- 31 Clause 3.5.223 (Administration of payment)**
substitute
The member must complete a bonus payment election using the form at Annex 3.5.ZN.
See: Annex 3.5.ZN, Bonus payment election
- 32 Division 23 (Army – Trade transfer bonus)**
omit
- 33 Division 24 (Navy – Recruit training instructors scheme)**
omit
- 34 Division 25 (Military instructors scheme)**
omit
- 35 Division 27 (Medical Officer retention benefit scheme)**
omit
- 36 Division 29 (Navy – Medical Officer recruitment bonus scheme)**
omit
- 37 Division 30 (Army and Air Force – Targeted pilot retention bonus scheme)**
omit
- 38 Division 31 (Navy – Clearance Divers and Mine Warfare Clearance Diving Officers retention bonus scheme)**
omit
- 39 Division 32 (Air Force – Airfield Engineering Trades retention bonus scheme)**
omit
- 40 Division 33 (Air Force – Air Traffic Control retention bonus scheme)**
omit
- 41 Division 34 (Air Force – Military instructor completion bonus scheme)**
omit

42 Division 35 (Air Force – Military instructor on Reserve service completion bonus scheme)

omit

43 Division 36 (Senior officer retention bonus)

omit

44 Clause 3.5.366.3 (How to accept an offer under this Division)

substitute

3. A member must take both the following actions to accept an offer.
 - a. Accept the offer using the acceptance form at Part B to Annex 3.5.ZM.
See: Annex 3.5.ZM, Army – targeted rank and employment category completion bonus
 - b. Elect how the benefit is to be paid, using the form at Annex 3.5.ZN.
See: Annex 3.5.ZN, Bonus payment election

45 Clause 3.5.372 (Member's options for payment under this Division)

omit

46 Annex 3.5.AB (Bonus framework form)

substitute

the Annex set out in Schedule A

47 Annex 3.5.B (Air Force Logistics Officer retention bonus – application and undertaking to serve)

omit

48 Annex 3.5.E (Navy Electronics Technical (junior sailor) completion bonus)

substitute

the Annex set out in Schedule B

49 Annex 3.5.F (Navy – Marine Technical and Electronics Technical (sailors) retention bonus)

substitute

the Annex set out in Schedule C

- 50 **Annex 3.5.G (Application for the Army completion bonus scheme – various pay categories, Group A pay category)**
omit
- 51 **Annex 3.5.H (Application for the Army completion bonus scheme – various pay categories, Group B pay category)**
omit
- 52 **Annex 3.5.I (Seaman officer specialisation completion bonus – payment details)**
omit
- 53 **Annex 3.5.L (Navy – Combat Systems Operator (sailors) completion bonus)**
omit
- 54 **Annex 3.5.M (Navy – Communication Information)**
omit
- 55 **Annex 3.5.N (Navy Acoustic Warfare Analyst and Cryptologic Systems Submarines completion bonus scheme)**
omit
- 56 **Annex 3.5.O (Navy – Aviation Technician completion bonus)**
omit
- 57 **Annex 3.5.P (Navy – Aircrew retention and completion bonus scheme)**
omit
- 58 **Annex 3.5.Q (Navy – Hydrographic Systems Manager completion bonus)**
omit
- 59 **Annex 3.5.R (Navy Cryptologic Linguist completion bonus scheme)**
omit
- 60 **Annex 3.5.S (Navy – Naval Police Coxswain completion bonus)**
omit

- 61 Annex 3.5.T (Army – Expansion and rank retention and completion bonus scheme)**
omit
- 62 Annex 3.5.U (Army – Critical employment category retention bonus scheme)**
omit
- 63 Annex 3.5.V (Navy – Individuals critical to Navy capability)**
substitute
the Annex set out in Schedule D
- 64 Annex 3.5.W (Army – 1st Recruit Training Battalion recruit instructors scheme)**
substitute
the Annex set out in Schedule E
- 65 Annex 3.5.X (Army – List of technical trades for trade transfer bonus)**
omit
- 66 Annex 3.5.Y (Army – Payment details form for trade transfer bonus)**
omit
- 67 Annex 3.5.Z (Navy – Recruit training instructors scheme)**
omit
- 68 Annex 3.5.ZA (Military instructors scheme)**
omit
- 69 Annex 3.5.ZB (Medical Officer retention benefit scheme)**
omit
- 70 Annex 3.5.ZD (ADF gap year – educational bonus)**
substitute
the Annex set out in Schedule F

- 71 **Annex 3.5.ZE (Navy – Medical Officer recruitment bonus scheme)**
omit
- 72 **Annex 3.5.ZF (Army and Air Force – Targeted pilot retention bonus scheme)**
omit
- 73 **Annex 3.5.ZG (Navy – Clearance Divers and Mine Warfare Clearance Diving Officers retention bonus scheme)**
omit
- 74 **Annex 3.5.ZH (Air Force – Airfield Engineering Trades retention bonus scheme)**
omit
- 75 **Annex 3.5.ZI (Air Force – Air Traffic Control retention bonus scheme)**
omit
- 76 **Annex 3.5.ZJ (Air Force – Military instructor completion bonus scheme)**
omit
- 77 **Annex 3.5.ZK (Air Force – Military instructor on Reserve service completion bonus scheme)**
omit
- 78 **Annex 3.5.ZL (Senior officer retention bonus form)**
omit
- 79 **Annex 3.5.ZM (Army – targeted rank and employment category completion bonus)**
substitute
the Annex set out in Schedule G
- 80 **Annex 3.5.ZN (Bonus payment election)**
after Annex 3.5.ZM, insert
the Annex set out in Schedule H

NOTE

1. Defence Determination 2005/15, as amended to date. For previous amendments see Note to Defence Determination 2016/1 and amendments made by Defence Determination 2016/1, 2, 4, 5 and 6.

SCHEDULE A

Annex 3.5.AB: Bonus framework form

This form is in two parts.

Part A – provides information about the offer and the bonus scheme, and is for you to keep.
Part B – your formal acceptance of the offer and your agreement to serve for an agreed period of between one and three years.

You must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid.

Part A: Offer and information about the retention bonus scheme

This Part provides information about the retention bonus you have been offered, and is for you to keep.

If you fill in and sign the acceptance form, you are accepting an offer made to you under the retention bonus scheme authorised under Chapter 3 Part 5 Division 2 of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* ('the Determination').

Offer

The offer made is as follows:

.....[member's name] is hereby offered a bonus by Director General Navy People/Director General Personnel – Army/Director General Personnel – Air Force [delete whichever is irrelevant].

The bonus offered is an amount of \$.....which has been approved by Chief of Navy/Chief of Army/Chief of Air Force [delete whichever is irrelevant].

If the offer is accepted, the member must perform a period of service [period between one and three years] (the 'agreed period of service'), in the following position, employment category or specialisation:

.....

Signed this day by:

Name:.....Rank:.....
Director General Navy People/Director General Personnel – Army/Director General Personnel – Air Force [delete whichever is irrelevant].

Information about the retention bonus scheme

I understand that my acceptance of this retention bonus is subject to the following terms and conditions.

1. I hold a position, employment category or primary qualification for which I have been offered a bonus under this Division.
2. I cannot agree a period of service for the purpose of this bonus if it is longer than I have to serve, unless I also apply to extend my fixed period of service or my compulsory retirement age.
3. On joining the scheme, I will be paid the amount of retention bonus that was offered to me.
4. If I accept the offer of a retention bonus under this Division, I must serve the period specified in the offer. This period is called my 'agreed period of effective service' and I must serve it in the position, employment category or specialisation for which the bonus was offered to me.
5. If I leave the position, employment category or primary qualification for which the bonus was offered to me by my Service for a reason within my control, I will have to repay the full amount of the bonus.
6. I may not be asked to repay part of the bonus if I do not complete the agreed period of service for a reason beyond my control. Examples are if I transfer out of the trade, employment category or specialisation I am in for Service reasons; reach the end of a fixed period of service; am discharged for medical reasons; or die.
7. If I start to serve an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 of the *Defence Legislation Amendment Act (No. 1) 2005*) ('an MSBS undertaking') before I finish the retention bonus, I may not finish my agreed period of service for the retention bonus until after I have completed the MSBS undertaking.
8. If I start to serve a return of service (ROSO) or other undertaking for further service after I have accepted the offer of a retention bonus, I will have to complete my agreed period of service after I finish my ROSO or undertaking for further service.
9. I must also elect how the money is to be paid. It may be paid into my bank or superannuation accounts.
See: Annex 3.5.ZN, Bonus payment election
10. Effective service for the retention bonus is continuous full-time service for which salary is paid. Leave or other events may not be effective service and may reduce my amount of retention bonus. The table in subclause 3.5.21.3 of the Determination shows what counts as effective service.
11. If I am already in another bonus scheme under the Determination, I may be paid out of that scheme on a pro rata basis or serve my agreed period of service under this bonus after I complete my service undertaking for the earlier bonus.

Full details of the completion bonus scheme are contained in Chapter 3 Part 5 Division 2 of Defence Determination 2005/15, Conditions of Service.

This acceptance form, and the related parts of Defence Determination 2005/15, is the whole agreement between the Commonwealth and me about the nature of this scheme. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things I may have been told about the scheme or things I may have read elsewhere.

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 2 of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Acceptance of offer and undertaking to serve an agreed period for a retention bonus

I,
 (Rank) (Last name) (Given name)

 (Service number) (Employee ID)

accept the offer to join the retention bonus scheme.

The amount of the bonus offered to me is \$.....

I agree to serve in the Permanent Forces/perform continuous full-time service as a member of the Reserves for:

..... of effective service (*time period of between one and three years*)

in the following position/employment category/specialisation (*delete the descriptors that do not apply*):

.....

I acknowledge that the provisions of Chapter 3 Part 5 Division 2 of Defence Determination 2005/15, Conditions of Service ('the Determination'), have been brought to my notice.

Please tick the boxes that apply below.

I have read and understood Part A of this form.	Yes []	No []
I have sought independent legal advice in relation to this undertaking.	Yes []	No []
I have sought independent financial advice in relation to this undertaking.	Yes []	No []
I have completed the options for payment (see Annex 3.5.ZN, Bonus payment election.)	Yes []	No []
[] This is my first acceptance of a place in the scheme.		
[] I am not currently in receipt of any other retention or completion bonus.		
[] I elect to be paid out of the following retention or completion bonus on a pro rata basis so as to commence my agreed period of service under this bonus scheme: <i>(List other bonus scheme)</i>		
[] I am required to serve under these other bonus schemes before I serve my agreed period of service for this bonus: <i>(List any other bonus schemes)</i>		

Dated this day of 20

Signed

Printed name

Witness
*(This person must be
above the applicant in the
chain of command)*

Signed

Printed name and rank

I,

.....
(Rank) (Last name) (Given name) (Employee ID)

verify that the member has met all requirements for payment of the retention bonus.

Approved
Administrator authorised for and on behalf of the
member's Service

SCHEDULE B

Annex 3.5.E: Navy Electronics Technical (junior sailor) completion bonus

This form is in two parts.

Part A – provides information about the offer and the bonus scheme, and is for you to keep.

Part B – your formal acceptance of the offer and your agreement to serve for an agreed period of between one and five years.

You must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid.

Part A: ADF offer

I am offering you entry to the Navy Electronics Technical junior sailor completion bonus scheme. This is authorised under Chapter 3 Part 5 Division 4A of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903*. The offer will only be made once.

1. You elect to serve in the Electronics Technical category for between one and five years. This may be called your required period of effective service.
2. You will be paid a \$5,000 acceptance payment on electing to join the scheme.
3. You will be paid a \$5,000 yearly completion bonus on your first anniversary of joining the scheme. If you had service that was not effective service in that year, this amount will be reduced or the period you must serve will be extended.
4. You will be paid a \$10,000 yearly completion bonus on your second and later anniversaries of joining the scheme. If you had service that was not effective service in those years, this amount will be reduced or the period you must serve will be extended.
5. The yearly completion bonuses will be paid for the number of years you provide effective service under the scheme. For example, if you elected to serve for four years, you will be paid four yearly completion bonuses.
6. Yearly completion bonuses will not be paid after you leave the Electronics Technical category, or become a commissioned officer. If you resign your commission special arrangements apply.
7. You will be paid a part payment should you be retrenched, have to leave the Electronics Technical category because you are discharged for medical reasons, become a commissioned officer or should you die.
8. I must also elect how the money is to be paid. It may be paid into my bank or superannuation accounts.

See: Annex 3.5.ZN, Bonus payment election

9. You are strongly advised to seek professional financial advice about this decision. ADF members are not qualified to provide this advice.
10. If you wish to accept this offer you have four weeks from the date you receive the offer to sign the form at Part B. If you are deployed, you have six months from the date you receive the offer (see clause 3.5.39F of the Determination).

Effective service for the purposes of this offer is defined as continuous full time service for which salary is paid. It does not include these periods.

Activity	Effect
Part time leave without pay	The unpaid component of a part-time leave without pay working pattern will reduce your yearly completion bonus.
Unpaid leave for 21 days or more	Will extend the period of time you must serve.
Absence without leave	
Imprisonment, detention or suspension from duty without pay	
Leave at half pay	Half the period of the leave will reduce your yearly completion bonus.
An undertaking for further service, under the <i>Military Superannuation and Benefits Act 1991</i> or another arrangement.	This period is not effective service, and will extend the period you must serve.
A period when you are discharging another return of service obligation. There are limited exceptions.	

Full details of the completion bonus scheme are contained in Chapter 3 Part 5 Division 4A of Defence Determination 2005/15, Conditions of Service.

This offer, and the related parts of Defence Determination 2005/15, are the whole agreement between the Commonwealth and you about the nature of this scheme. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things you may have been told about the scheme or things you may have read elsewhere.

Signed for and on behalf of the CDF

.....
(Signature)

.....
(Date)

Printed name.....

Rank.....

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 4A of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Acknowledgment and undertaking to serve form

I,
(Rank) (Name) (Service number)
accept the offer to serve in the Electronics Technical employment category and to join the Navy Electronics Technical (junior sailor) completion bonus scheme.

I agree to serve for years.
(insert whole number, between one and five)

I acknowledge that the provisions of Chapter 3 Part 5 Division 4A of Defence Determination 2005/15, Conditions of Service, have been brought to my notice.

I acknowledge that the required period of effective service will be suspended during any periods that are not effective service as defined in clause 3.5.39B of the Determination.

I acknowledge that I will not be paid yearly completion bonuses unless I stay in the Electronics Technical employment category.

I have/have not* sought independent legal advice in relation to this undertaking.
I have/have not* sought independent financial advice in relation to this undertaking.
I have completed the options for payment (Annex 3.5.ZN).

Dated this day of 20

_____ _____
Signed Printed name

_____ _____
Signed (witness) Printed name (witness)

Address _____

Occupation _____

Date _____

I approve this application under Chapter 3 Part 5 Division 4A of Defence Determination 2005/15, Conditions of Service.

Authorised person
for and on behalf of
the Chief of the Defence Force

Send the completed forms to the Directorate of Sailors' Career Management
Attention: Promotion PO

SCHEDULE C

Annex 3.5.F: Navy – Marine Technical and Electronics Technical (sailors) retention bonus

This form is in three parts.

- Part A – provides information about the offer and the bonus scheme, and is for you to keep.
- Part B – your formal acceptance of the offer and your agreement to serve for an agreed period.
- Part D – to be completed if you are seeking an offer or adjustment to previous payments.

You must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid.

Part A: ADF offer

Under Chapter 3 Part 5 Division 5A of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* (the Determination), I am authorised to offer you a Navy Marine Technical or Electronics Technical retention bonus of \$

In accepting the offer, you are agreeing to serve for

The retention bonus scheme has these features.

1. You will serve in the Marine Technical or Electronics Technical category for the period of the offer.
2. The amount of bonus you are paid depends on your rank and qualifications, outlined in the Determination.
3. The retention bonus will not be paid after you leave the Marine Technical or Electronics Technical category or leave the ADF. If you do these things you will have to repay a part of your bonus.
4. You will not have to repay an amount should you be retrenched, have to leave the Marine Technical or Electronics Technical category because you are discharged for medical reasons or transferred out for Service reasons, or should you die.
5. You must elect how the money is to be paid. It may be paid into your bank or superannuation accounts.

See: Annex 3.5.ZN, Bonus payment election

6. If you wish to accept this offer you have four weeks from the date you receive the offer to sign the form at Part B. If you are deployed, you have six months from the date you receive the offer (see clause 3.5.44F of the Determination).

If you have periods that are not effective service, the period you must serve may be extended. "Effective service" is defined as continuous full time service which is paid. It does not include these periods.

Activity	Effect
Part time leave without pay	The unpaid component of a part-time leave without pay working pattern will reduce your yearly bonus.
Unpaid leave for 21 calendar days or more Absence without leave	Will extend the period of time you must serve.
Imprisonment, detention or suspension from duty without pay	
Leave at half pay	
An undertaking for further service, under the <i>Military Superannuation and Benefits Act 1991</i> or another arrangement.	This period is not effective service, and will extend the period you must serve.
A period when you are discharging another return of service obligation. There are limited exceptions.	

Full details of the retention bonus are contained in Chapter 3 Part 5 Division 5A of Defence Determination 2005/15, Conditions of Service.

All members are strongly advised to seek independent legal and financial advice when making this decision. ADF members are not qualified to provide this advice.

This offer, and the related parts of Defence Determination 2005/15, are the whole agreement between the Commonwealth and you about the nature of this scheme. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things you may have been told about the scheme or things you may have read elsewhere.

.....
 (for and on behalf of
 the Chief of the Defence Force)

Printed name.....

Rank.....

Date.....

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 5A of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Acknowledgment and undertaking to serve form

I,
(Rank) (Name) (Service number)

accept the offer to serve in the Marine Technical or Electronics Technical employment category and to join the Marine Technical or Electronics Technical (sailors) retention bonus scheme.

I agree to serve for the period stated in the offer.

I acknowledge that the provisions of Chapter 3 Part 5 Division 5A of Defence Determination 2005/15, Conditions of Service, have been brought to my notice.

I acknowledge that the required period of effective service will be suspended during any periods that are not effective service as defined in the Determination.

I acknowledge that I will be required to repay part of the retention bonus in the circumstances outlined in the Determination.

I have/have not* sought independent legal advice in relation to this undertaking.
I have/have not* sought independent financial advice in relation to this undertaking.

Dated this day of 20

Signed

Printed name

Signed (witness)

Printed name (witness)

Address _____

Occupation _____

Date _____

I approve this application under Chapter 3 Part 5 Division 5A of Defence Determination 2005/15, Conditions of Service.

Authorised person
for and on behalf of
the Chief of the Defence Force

(Note: There is no Part C of this form.)
Send the completed forms to the Directorate of Sailors' Career Management
Attention: Promotion PO 3.

Part D: Application

Members who are eligible for a benefit will be automatically made an offer, to start on 1 November each year. In certain circumstances, out of session offers will need to be made. Members seeking an offer or adjustment to previous payments should complete this application form and send it to the Directorate of Sailors' Career Management, Attention: Promotion PO 3.

I am seeking an offer under Chapter 3 Part 5 Division 5A of Defence Determination 2005/15, Conditions of Service, made under section 58B of the Defence Act 1903 for a Navy Marine Technical or Electronics Technical Sailor Retention Bonus. This is because:

- I have gained an initial qualification
(Marine Technical sailors only)
- Marine Systems Controller Certificate or Machinery Watchkeeping Certificate gained on _____ (date)
- The qualification must be recorded in PMKeyS.
- I have gained a higher qualification
- I gained the higher qualification on _____ (date)
- It is a:
- Marine Systems Manager Certificate
- Engine Room Watchkeeping Certificate Common
- Marine Technical Charge Certificate
- Electronics Technical Certificate of Competence
- The qualification must be recorded in PMKeyS.
- I have been promoted to Petty Officer
(Electronics Technical sailors only)
- I am not under an obligation to serve due to payment of an Electronics Technical (junior sailor) retention bonus.
- Other
- Provide reason for application:

.....
(Signature of member)

.....
(Signature of Divisional Officer)

Printed name.....

Printed name.....

Rank.....

Rank.....

No.

No.

Date.....

Date.....

[] I have confirmed that the qualification is entered into PMKeyS.

SCHEDULE D

Annex 3.5.V: Navy – Individuals critical to Navy capability

This form is in two parts.

Part A – provides information about the offer and the bonus scheme, and is for you to keep.
Part B – your formal acceptance of the offer and your agreement to serve for an agreed period of up to two years.

You must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid.

Part A: Offer and information about the retention bonus scheme

This Part provides information about the retention bonus you have been offered, and is for you to keep.

If you fill in and sign the acceptance form and the form in Annex 3.5.ZN, you are accepting an offer made to you under the Navy – Individuals critical to Navy capability retention bonus authorised under Chapter 3 Part 5 Division 21 of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* ('the Determination').

Offer

The offer made is as follows:

.....[member's name] is hereby offered a bonus by Director Navy People Career Management Agency/Deputy Director Navy People Career Management Agency [*delete whichever is irrelevant*].

The bonus offered is an amount of \$.....which has been approved by the Director General Navy People.

If the offer is accepted, the member must perform a period of

.....service (the 'agreed period of service') in the following position, employment category or primary qualification:

.....

Signed this day by:

Name:.....Rank:.....
Director Navy People Career Management Agency/Deputy Director Navy People Career Management Agency [*delete whichever is irrelevant*].

Information about the retention bonus scheme

I understand that my acceptance of this retention bonus is subject to the following terms and conditions.

1. I hold a position, employment category, primary qualification or skill set for which I have been offered a bonus under this Division.
2. I cannot agree a period of service for the purpose of this bonus if it is longer than I have to serve, unless I also apply to extend my fixed period of service or my compulsory retirement age.
3. On joining the scheme, I will be paid the amount of retention bonus that was offered to me.
4. If I accept the offer of a retention bonus under this Division, I must serve the period specified in the offer. This period is called my 'agreed period of effective service' and I must serve it in the position, employment category or primary qualification for which the bonus was offered to me.
5. If I leave the position, employment category or primary qualification for which the bonus was offered to me by Navy for a reason within my control, I may have to repay a part of the bonus.
6. I may not be asked to repay part of the bonus if I do not complete the agreed period of service for a reason beyond my control. Examples are if I transfer out of the trade, employment category or primary qualification I am in for Service reasons; am retrenched or made redundant; reach the end of a fixed period of service or compulsory retirement age; am discharged for medical reasons; or die.
7. If I start to serve an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 of the *Defence Legislation Amendment Act (No. 1) 2005*) ('an MSBS undertaking') before I finish the retention bonus, I may not finish my agreed period of service for the retention bonus until after I have completed the MSBS undertaking.
8. If I start to serve a return of service (ROSO) or other undertaking for further service after I have accepted the offer of a retention bonus, I will have to complete my agreed period of service after I finish my ROSO or undertaking for further service.
9. I must also elect how the money is to be paid. It may be paid into my bank or superannuation accounts.
See: Annex 3.5.ZN, Bonus payment election
10. Effective service for the retention bonus is continuous full-time service for which salary is paid. Leave or other events may not be effective service and may reduce my amount of retention bonus. The table in subclause 3.5.209.3 of the Determination shows what counts as effective service.
11. If I am already in another bonus scheme under the Determination, I may be paid out of that scheme on a pro rata basis or serve my agreed period of service under this bonus after I complete my service undertaking for the earlier bonus.

Full details of the completion bonus scheme are contained in Chapter 3 Part 5 Division 21 of Defence Determination 2005/15, Conditions of Service.

This acceptance form, and the related parts of Defence Determination 2005/15, is the whole agreement between the Commonwealth and me about the nature of this scheme. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things I may have been told about the scheme or things I may have read elsewhere.

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 21 of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Acceptance of offer and undertaking to serve an agreed period for a retention bonus

I,.....
 (Rank) (Last name) (Given name)

 (Service number) (Employee ID)

accept the offer to join the Navy – Individuals critical to Navy capability retention bonus scheme.

The amount of the bonus offered to me is \$.....

I agree to serve in the Permanent Navy/perform continuous full-time service as a member of the Navy Reserve for:

.....year/s and.....months of effective service (*time period of up to two years*)

in the following position/employment category/primary qualification (*delete the descriptors that do not apply*):

.....

I acknowledge that the provisions of Chapter 3 Part 5 Division 21 of Defence Determination 2005/15, Conditions of Service ('the Determination'), have been brought to my notice.

Please tick the boxes that apply below.

I have read and understood Part A of this form.	Yes []	No []
I have sought independent legal advice in relation to this undertaking.	Yes []	No []
I have sought independent financial advice in relation to this undertaking.	Yes []	No []
I have completed the options for payment (see Annex 3.5.ZN, Bonus payment election.)	Yes []	No []
I have applied to extend my fixed period of service, or have sought extension of my compulsory retirement age beyond the period of service required for the bonus.	Yes []	No []
[] This is my first acceptance of a place in the scheme.		
[] I am not currently in receipt of any other retention or completion bonus.		
[] I elect to be paid out of the following retention or completion bonus on a pro rata basis so as to commence my agreed period of service under this bonus scheme: (List other bonus scheme).....		
[] I am required to serve under these other bonus schemes before I serve my agreed period of service for this bonus: (List any other bonus schemes).....		

Dated this day of 20

Signed

Printed name

Witness
*(This person must be
above the applicant in the
chain of command)*

Signed

Printed name and rank

I,

.....
(Rank) (Last name) (Given name) (Employee ID)

verify that the member has met all requirements for payment of the retention bonus.

Approved
Administrator authorised for and on behalf of the Navy

SCHEDULE E

Annex 3.5.W: Army – 1st Recruit Training Battalion recruit instructors scheme

This form is in two parts.

Part A – provides application information about the new scheme, and is for you to keep.

Part B – is your application to join the new scheme.

You must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid.

Part A

I am applying for the 1st Recruit Training Battalion (1RTB) recruit instructors scheme. This is authorised under Chapter 3 Part 5 Division 22 of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* ('the Determination').

I understand that my application for this scheme is subject to the following terms and conditions.

1. I meet the requirements to be eligible to apply for the new scheme under this Determination.
2. I will be paid a \$13,000 completion payment at the end of each training year if I serve the whole period as eligible service, performing the duties of a recruit instructor.
3. I will be paid a partial completion payment if I fail to complete a full training year as a recruit instructor for a reasons specified in clause 3.5.221 of the Determination.
4. Eligible service for the bonus is paid service. Leave or other events may not be eligible service and may reduce my amount of completion bonus. The table in subclause 3.5.218.2 of the Determination shows periods that will not count as eligible service.
5. I am advised to seek professional legal and financial advice about this decision. ADF members are not qualified to provide this advice.
6. I must also elect how the money is to be paid. It may be paid into my bank or superannuation accounts.

See: Annex 3.5.ZN, Bonus payment election

Full details of the 1RTB recruit instructors scheme are contained in Chapter 3 Part 5 Division 22 of Defence Determination 2005/15, Conditions of Service.

This application, and the related parts of Defence Determination 2005/15, are the whole agreement between the Commonwealth and me about the nature of this scheme. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things I may have been told about the scheme or things I may have read elsewhere.

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 22 of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Application for the 1RTB recruit instructors scheme

I,

.....
 (Rank) (Last name) (Given name)

..... ,
 (Service number) (Employee ID)

apply to join the 1RTB recruit instructors scheme.

I acknowledge that the provisions of Chapter 3 Part 5 Division 22 of Defence Determination 2005/15, Conditions of Service, have been brought to my notice.

I have read and understood Part A of this application. Yes [] No []

I have completed the options for payment (see Annex 3.5.ZN, Bonus payment election.) Yes [] No []

Dated this day of 20

 Signed

 Printed name

Witness
(This person must not be below the applicant in the chain of command)

 Signed

 Printed name

I,

.....
 (Rank) (Last name) (Given name) (Employee ID)

certify that the member is posted and performing the duties of a recruit instructor ECN 347 and is eligible for the 1RTB recruit instructors scheme.

Member's posted APN

 Signed

 Appointment

 Date

SCHEDULE F

Annex 3.5.ZD: ADF gap year – educational bonus

This form is in two parts.

Part A – provides information about the scheme, and is for you to keep.

Part B – is your application to join the scheme.

You must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid.

Part A: Application information

I am applying for the ADF gap year – education bonus. This is authorised under Chapter 3 Part 5 Division 6 of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* ('the Determination').

I understand that my application for this scheme is subject to the following terms and conditions.

1. I must meet the conditions for eligibility to join the scheme under the Determination.
2. I will be paid a \$10,000 bonus payment on re-enlistment or re-appointment to the ADF.
3. I must also elect how the money is to be paid. It may be paid into my bank or superannuation accounts.

See: Annex 3.5.ZN, Bonus payment election

4. I am advised to seek professional financial advice about the payment of the bonus. ADF members are not qualified to provide this advice.

Full details of the ADF gap year – education bonus are contained in Chapter 3 Part 5 Division 6 of Defence Determination 2005/15, Conditions of Service.

This application, and the related parts of Defence Determination 2005/15, are the whole agreement between the Commonwealth and me about the nature of this bonus. It overrides any other prior understanding or agreement about the scheme. This would include, for instance, things I may have been told about the bonus or things I may have read elsewhere.

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 6 of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Application for the ADF gap year – education bonus

I,.....
 (Rank) (Last name) (Given name)
 ,
 (Service number) (Employee ID)

apply for the ADF gap year – education bonus.

I acknowledge that the provisions of Chapter 3 Part 5 Division 6 of Defence Determination 2005/15, Conditions of Service, have been brought to my notice.

This is my first application for the bonus. Yes [] No []
 I have read and understood Part A of this application. Yes [] No []

I have completed the options for payment (see Annex 3.5.ZN, Bonus payment election.) Yes [] No []

Dated this day of 20

 Signed

 Printed name

Witness
(This person must not be below the applicant in the chain of command)

 Signed

 Printed name

I,

 (Rank) (Last name) (Given name) (Employee ID)

verify that the member has met all the requirements for payment of the bonus payment.

SCHEDULE G

Annex 3.5.ZM: Army – targeted rank and employment category completion bonus

This form is in two parts.

Part A – provides information about the offer and the bonus scheme, and is for you to keep.
Part B – provides the formal acceptance of the offer and the agreement to serve for three years.

To accept an offer you must also complete Annex 3.5.ZN, Bonus payment election, to advise how the bonus is to be paid

Part A: Offer and information about the scheme

This Part provides information about the completion bonus you have been offered, and is for you to keep.

If you fill in, sign and return the acceptance form at Part B, you are accepting or refusing an offer made to you under the Army – targeted rank and employment category completion bonus scheme authorised under Chapter 3 Part 5 Division 38 of Defence Determination 2005/15, Conditions of Service, made under section 58B of the *Defence Act 1903* ('the Determination').

Offer

The Director General Personnel – Army is offering you,

.....[member's name], a completion bonus.

The amount of bonus offered is the greater of your current base salary, or your base salary at the end of your service that counts towards the bonus, including any promotions you receive in that time. In return you must perform three years of service that counts towards the bonus. Service that counts towards the bonus is described in clause 3.5.368 of the Determination.

You can only accept this offer if you also take the action that is ticked below.

- No additional action required.
- To accept the offer you must also be transferred to the Australian Regular Army. You must apply to transfer and have your application approved.
- To accept the offer you must also extend your compulsory retirement age to at least three years from the commencement date below. You must apply to extend your compulsory retiring age and have your application approved.
- To accept the offer you must also extend your fixed period of enlistment to at least three years from the commencement date below. You must apply to extend your fixed period of enlistment and have your application approved.
- To accept the offer you must also withdraw your application to resign, and have your withdrawal approved. (Resignation may be known as discharge.)

Your period of service commences on:

.....

Privacy notice

This information is being collected by the Department of Defence.

You may request access to or correction of personal information held about you in relation to this scheme by contacting the Defence Service Centre on 1800 333 362 or emailing dsc@defence.gov.au

If you have concerns about the handling of your personal information, you should raise your concerns with the Defence Service Centre in the first instance, or contact the Defence Privacy Officer at defence.privacy@defence.gov.au.

Defence collects your personal information provided under this form for the primary purpose of assessing eligibility for a retention and completion benefit, and administering it. The Department of Defence may also use your personal information to conduct investigations or inquiries and to take administrative or disciplinary action relating to the making of false claims for the benefit.

Defence may disclose personal information about you relating to this scheme to Commonwealth Superannuation Corporation, the Commonwealth Superannuation Corporation, the Australian Taxation Office and Smartsalary.

Your information is collected under Chapter 3 Part 5 Division 38 of *Defence Determination 2005/15, Conditions of Service*. You do not have to provide the information. However, if you do not provide the information, Defence will not be able to see if you are eligible for the benefit, or administer it.

Information disclosed to Smartsalary may be held on Smartsalary servers located in Japan and the United States of America.

Further information is provided in the Defence Privacy Policy, which is available on the internet at www.defence.gov.au/ComplaintResolution/privacy.asp. This contains information on how an individual may apply for access to their personal information and how an individual may apply to have their personal information amended. It also contains information for individuals on how to make a privacy complaint to Defence if they consider Defence may have breached the Australian Privacy Principles.

Part B: Acceptance or refusal of offer and undertaking to serve

I,
 (Rank) (Last name) (Given name)

 (Service number) (Employee ID)

Please tick one.

- () **accept** the offer to join the Army – targeted rank and employment category completion bonus scheme.
- () **refuse** the offer to join the Army – targeted rank and employment category completion bonus scheme.

If you have accepted the offer, please tick the boxes that apply below.

I have read and understood Chapter 3 Part 5 Division 38 of Defence Determination 2005/15.	Yes []	No []
I have read and understood Part A of this form.	Yes []	No []
I agree to serve for three years of service that counts towards the bonus. Any service that I have that is not service that counts towards the bonus will extend the period until I reach three years of service that counts towards the bonus.	Yes []	No []
I have sought independent legal advice in relation to this undertaking.	Yes []	No []
I have completed the options for payment (see Annex 3.5.ZN, Bonus payment election.)	Yes []	No []

Dated this day of 20

Signed

Printed name

Witness _____
Signed

Printed name and rank

SCHEDULE H

Annex 3.5.ZN: Bonus payment election

This form is to be used in many ADF bonus schemes to elect the way that the bonus is to be paid. It must be submitted with the other forms prescribed by the scheme.

Taxation and superannuation

A pre-taxation salary sacrifice contribution can be made to your superannuation fund. There are caps on how much you can contribute to superannuation in this way each financial year. If you contribute more than the cap you may have a taxation debt. The Australian Taxation Office website has more information on concessional caps and superannuation.

.....
(Rank) (Last name) (Given name) (Employee ID)

There are three options for payment.

- Option one: Paid into the member's normal pay account. The amounts will be taxed at the applicable tax rate at the time of payment.
- Option two: As an employer contribution to superannuation. You will only be able to vary this election before the payment is processed.
- Option three: As a combination of these.

All members are strongly advised to seek professional financial advice when making this decision. ADF members are not qualified to provide this advice.

Part A: Election to pay into bank or superannuation

I choose this payment method for my bonus:

- Option one:** [] Paid into my normal pay account. The amounts will be taxed at the applicable tax rate at the time of payment.
- Option two:** [] The full amount paid as an employer contribution to superannuation. I have nominated a superannuation fund in Part B of this form.
- Option three:** [] 1. _____% of the bonus payment as an employer contribution to superannuation. I have nominated a superannuation fund in Part B of this form.
2. The balance of the amount paid into my normal pay account.

*Tick one box. Only select **one** of the options.*

Part B: Superannuation fund nomination

This section must be completed if either option two or three has been selected for one of the items in Part A. I understand that if I select option 2 there may be a cost I must pay.

Option one: [] Paid as an employer contribution into my Military Superannuation and Benefits Scheme ancillary account.

Refer to the Military Superannuation website for more details on the Military Superannuation and Benefits Scheme. This includes information on the ancillary account.

Option two: [] Paid as an employer contribution into another fund. This may be an eligible choice, industry or self-managed superannuation fund.

I understand that the Department of Defence will not be responsible for the contribution. Instead the Department of Defence will pay the money to Smartsalary, the company contracted to administer salary sacrifice arrangements. Smartsalary will then pay the money into my superannuation fund.

I acknowledge that I must arrange the contribution with Smartsalary

I understand that if I do not already have an account with Smartsalary I must take the following steps.

- a. I must register with Smartsalary.
- b. I must fill out a Smartsalary Salary Packaging Application Form. This can be found on their website at <http://www.smartsalary.com.au/>.
- c. I can only complete this election when Smartsalary have confirmed that these arrangements are in place.

The Smartsalary account number for this contribution is

.....

EXPLANATORY STATEMENT

Defence Determination 2016/7

This Determination amends Defence Determination 2005/15, Conditions of service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Defence Act) and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901* (AIA Act). Determinations made under section 58B of the Defence Act are disallowable non-legislative instruments and are subject to the interpretation principles in the AIA Act, as modified by section 58B of the Defence Act.

Chapter 3 of the Principal Determination sets out provisions dealing with salaries and allowances for members of the Australian Defence Force (ADF).

The purpose of this Determination is to remove a number of expired retention and completion bonuses from the Principal Determination, and therefore no longer accessible to ADF members. It also refreshes application forms for eight completion or retention bonus schemes.

The forms make three categories of change.

- They have been amended to comply with SuperStream, part of the Government's Super Reform package. SuperStream provides a consistent, reliable electronic method of transacting linked data and payments for superannuation.
- The privacy statements have been improved.
- Application forms for the bonus schemes have been amended, to remove details relating to where the money is to be paid. A single payment form has been created, to be used by applicants for each of the schemes.

Clause 1 of this Determination sets out the manner in which this Determination may be cited.

Clause 2 of this Determination provides that the Determination commences on the date of signature.

Clause 3 specifies that the amendment is made to the Principal Determination, as amended.

Clause 4 of this Determination amends the contents list for Chapter 3 Part 5 of the Principal Determination as a consequence of the changes made by clauses 8, 11, 14 to 25, and 32 to 43 of this Determination.

Clauses 5, 6 and 7 make changes to the bonus framework, to provide for changes to Annex 3.5.AB of the Principal Determination, changes made by clause 46. They provide that Annex 3.5.ZN must be completed as well as the acceptance of the offer to join the bonus scheme contained in Annex 3.5.AB. Annex 3.5.ZN is inserted by clause 80. It sets out the member's election about how they want the money to be paid.

- Clause 5 substitutes subclause 3.5.22.2 of the Principal Determination. The new subclause provides that Annex 3.5.ZN must be completed as well as 3.5.AB to accept an offer to join the bonus framework scheme.
- Clause 6 substitutes clause 3.5.22B of the Principal Determination. The clause provides for timing of the payments under the bonus framework scheme. The revised clause provides that both Annex 3.5.ZN and Annex 3.5.AB must be completed before the bonus can be paid.
- Clause 7 omits clause 3.5.22D from the Principal Determination. The former clause set out payment requirements. Those requirements are now covered in subclause 3.5.22.2 and clause 3.5.22B of the Principal Determination.

Clause 8 removes the Air Force logistics officers retention bonus from the Principal Determination. This bonus ceased to operate on 31 December 2005.

Clauses 9 and 10 make changes to the Navy Electronics Technical (junior sailor) completion bonus.

- Clause 9 substitutes subclause 3.5.39F.1 of the Principal Determination. The subclause sets out the procedures to accept an offer under the bonus scheme. The requirement that the member complete Annex 3.5.ZN has been added. Annex 3.5.ZN is inserted by clause 80. It sets out the member's election about how they want the money to be paid.
- Clause 10 inserts a new subclause 3.5.39G.2 into the Principal Determination. The subclause allows a member to make a fresh election about payment arrangements in respect of each bonus that is paid.

Clause 11 removes the Retention allowance from the Principal Determination. This allowance ceased operation for the last group of eligible ADF members on 9 August 2008.

Clause 12 substitutes subclause 3.5.44F.1 of the Principal Determination. The subclause sets out the procedures to accept an offer under the Navy – Marine Technical and Electronics Technical (sailors) retention bonus. The requirement that the member complete Annex 3.5.ZN has been added. Annex 3.5.ZN is inserted by clause 80. It sets out the member's election about how they want the money to be paid.

Clause 13 substitutes clause 3.5.46B of the Principal Determination which provides for administration of the ADF gap year – educational bonus scheme. The clause provides that Annex 3.5.ZN must be completed. Formerly providing payment details was optional, with the money to be paid into the member's bank account if no other details were provided.

Clauses 14 to 25 remove the following bonuses and schemes from the Principal Determination. The respective cessation dates are also provided.

- Clause 14 – Army completion bonus scheme – various pay categories. Army ceased using this bonus 30 December 2015 as the purpose of the bonus has met its objective and the critical employment categories are no longer suffering critical workforce shortages.
- Clause 15 – Navy – Seaman Officer specialisation completion bonus. Ceased 31 August 2007.
- Clause 16 – Navy – Combat Systems Operator (sailors) completion bonus. Ceased 1 July 2012.
- Clause 17 – Navy – Communication Information Systems completion bonus scheme. Ceased 1 January 2011.
- Clause 18 – Navy Acoustic Warfare Analyst and Cryptologic Systems Submarines completion bonus scheme. Ceased 1 July 2012.
- Clause 19 – Navy – Aviation Technician completion bonus scheme. Ceased 30 June 2012.
- Clause 20 – Navy – Aircrew retention and completion bonus scheme. Ceased 30 June 2014.
- Clause 21 – Hydrographic Systems Manager completion bonus scheme. 30 June 2013.
- Clause 22 – Navy Cryptologic Linguist completion bonus scheme. Ceased 1 July 2012.
- Clause 23 – Navy – Naval Police Coxswain completion bonus scheme. Ceased 1 July 2012.
- Clause 24 – Army – Expansion and rank retention and completion bonus. Ceased 30 June 2012.
- Clause 25 – Army – Critical employment category retention bonus. Army ceased using this bonus 30 December 2015 as the purpose of the bonus has met its objective and the critical employment categories are no longer suffering critical workforce shortages.

Clauses 26, 27 and 28 make changes to the Navy – Individuals critical to Navy capability scheme, to provide for changes to Annex 3.5.V of the Principal Determination, changes made by clause 63. They provide that Annex 3.5.ZN must be completed as well as the acceptance of the offer to join the bonus scheme contained in Annex 3.5.V. Annex 3.5.ZN is inserted by clause 80. It sets out the member's election about how they want the money to be paid.

- Clause 26 varies subclause 3.5.208.2 of the Principal Determination. Reference to the parts of Annex 3.5.V of the Principal Determination that must be completed have been removed, following the revision of the Annex in clause 63.
- Clause 27 inserts subclause 3.5.208.2A into the Principal Determination. The new subclause provides that Annex 3.5.ZN must also be completed to join the Navy – Individuals critical to Navy capability scheme.

- Clause 28 substitutes subclause 3.5.210.1 of the Principal Determination. The subclause provides for timing of the payments under the Navy – Individuals critical to Navy capability scheme. The revised clause provides that both Annex 3.5.V and Annex 3.5.ZN must be completed before the bonus can be paid.

Clauses 29, 30 and 31 make changes to the Army – 1st Recruit Training Battalion recruit instructors scheme, to provide for changes to Annex 3.5.W of the Principal Determination, changes made by clause 64. They provide that Annex 3.5.ZN must be completed as well as the acceptance of the offer to join the bonus scheme contained in Annex 3.5.W. Annex 3.5.ZN is inserted by clause 80. It sets out the member's election about how they want the money to be paid.

- Clause 29 inserts a note after paragraph 3.5.216.1.e of the Principal Determination. The note advises the reader that clause 3.5.223 contains an additional requirement to join the Army – 1st Recruit Training Battalion recruit instructors scheme, to complete the form at Annex 3.5.ZN.
- Clause 30 inserts a new subclause 3.5.220.4 into the Principal Determination. The subclause allows a member to make a fresh election about payment arrangements in respect of each bonus that is paid.
- Clause 31 substitutes clause 3.5.223 of the Principal Determination, which provides for administration of the Army – 1st Recruit Training Battalion recruit instructors scheme. The clause provides that Annex 3.5.ZN must be completed. Formerly providing payment details was optional, with the money to be paid into the member's bank account if no other details were provided.

Clauses 32 to 43 remove the following bonuses and schemes from the Principal Determination. The respective cessation dates are also provided.

- Clause 32 – Army – Trade transfer bonus. Army ceased using this bonus 30 December 2015 as the purpose of the bonus has met its objective and the critical employment categories are no longer suffering critical workforce shortages.
- Clause 33 – Navy – Recruit training instructors scheme. Ceased 30 June 2012.
- Clause 34 – Military instructors scheme. For Army this bonus ceased to operate on 30 June 2010. For Navy this bonus ceased to operate on 30 June 2012.
- Clause 35 – Medical Officer retention benefit scheme. Ceased 30 June 2013.
- Clause 36 – Navy – Medical Officer recruitment bonus scheme. Ceased 31 December 2012.
- Clause 37 – Army and Air Force – Targeted pilot retention bonus scheme. 1 January 2012.
- Clause 38 – Navy – Clearance Divers and Mine Warfare Clearance Diving Officers retention bonus scheme. Ceased 1 May 2012.
- Clause 39 – Air Force – Airfield Engineering Trades retention bonus scheme. Ceased 1 December 2012.
- Clause 40 – Air Force – Air Traffic Control retention bonus scheme. Ceased 1 October 2009.
- Clause 41 – Air Force – Military instructor completion bonus scheme. Ceased 30 June 2011.
- Clause 42 – Air Force – Military instructor on Reserve service completion bonus scheme. Air Force have not had Reservists performing periods of duty in specified military instructor roles for a number of years, so this bonus is now redundant.
- Clause 43 – Senior officer retention bonus. The three Services have overcome the challenges of retaining members in individual positions critical to their Service. As a result, the Services no longer use this bonus, so it is now redundant.

Clauses 44 and 45 make changes to the Army – targeted rank and employment category completion bonus, to provide for changes to Annex 3.5.ZM of the Principal Determination, changes made by clause 79. They provide that Annex 3.5.ZN must be completed as well as the acceptance of the offer to join the bonus scheme contained in Annex 3.5.ZM. Annex 3.5.ZN is inserted by clause 80. It sets out the member's election about how they want the money to be paid.

- Clause 44 substitutes subclause 3.5.366.3 of the Principal Determination. The new subclause provides that Annex 3.5.ZN must be completed as well as 3.5.ZM to accept an offer to join the Army – targeted rank and employment category completion bonus scheme. Formerly providing payment details was optional, with the money to be paid into the member's bank account if no other details were provided.

- Clause 45 omits clause 3.5.372 from the Principal Determination. The former clause set out payment requirements. Those requirements are now covered in subclause 3.5.366.3 of the Principal Determination.

Clause 46 substitutes Annex 3.5.AB of the Principal Determination, which provides application and financial forms associated with the bonus framework.

Clause 47 removes Annex 3.5.B of the Principal Determination. It was the mandated form for the retention bonus that is removed by clause 8 of this Determination.

Clause 48 substitutes Annex 3.5.E of the Principal Determination, which provides application and financial forms associated with the Navy Electronics Technical (junior sailor) completion bonus.

Clause 49 substitutes Annex 3.5.F of the Principal Determination, which provides application and financial forms associated with the Navy – Marine Technical and Electronics Technical (sailors) retention bonus.

Clauses 50 to 62 remove the annexes in the Principal Determination associated with the bonuses and schemes that are removed by clauses 14 to 25 of this Determination.

Clause 63 substitutes Annex 3.5.V of the Principal Determination, which provides application and financial forms associated with the Navy – Individuals critical to Navy capability scheme.

Clause 64 substitutes Annex 3.5.W of the Principal Determination, which provides application and financial forms associated with the Army – 1st Recruit Training Battalion recruit instructors scheme.

Clauses 65 to 69 remove the annexes in the Principal Determination associated with the bonuses and schemes that are removed by clauses 32 to 35 of this Determination.

Clause 70 substitutes Annex 3.5.ZD of the Principal Determination, which provides application and financial forms associated with the ADF gap year – education bonus.

Clauses 71 to 78 remove the annexes in the Principal Determination associated with the bonuses and schemes that are removed by clauses 36 to 43 of this Determination.

Clause 79 substitutes Annex 3.5.ZM of the Principal Determination, which provides application and financial forms associated with the Army – targeted rank and employment category completion bonus.

Clause 80 inserts Annex 3.5.ZN into the Principal Determination. The Annex provides a form on which a member can provide their financial instructions for the payment of a number of retention and completion bonus schemes. The member may choose to have their money paid into a bank account or into a superannuation fund, and advise the superannuation fund of their choice.

Criteria are provided for the exercise of discretions under the Principal Determination, as amended by this Determination. Adverse decisions may be subject to inquiry under the ADF redress of grievance system. A person may make a complaint to the Defence Force Ombudsman.

Authority: Section 58B of the
Defence Act 1903

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Defence Determination 2016/7, Bonus application forms – amendment

This Determination is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Determination

This Determination makes technical amendments to Defence Determination 2005/15, Conditions of Service.

The purpose of this Determination is to remove a number of expired retention and completion bonuses from the Principal Determination, and therefore no longer relevant to ADF members. It also refreshes application forms for eight completion or retention bonus schemes.

The forms make three categories of change.

- They have been amended to comply with SuperStream, part of the Government's Super Reform package. SuperStream provides a consistent, reliable electronic method of transacting linked data and payments for superannuation.
- The privacy statements have been improved.
- Application forms for the bonus schemes have been amended, to remove details relating to where the money is to be paid. A single payment form has been created to be used by applicants for each of the schemes.

Human rights implications

This Determination engages the following human rights:

- *Right to privacy* (article 17 International Covenant on Civil and Political Rights).
- *Right to an adequate standard of living* (article 11(1) International Covenant on Economic, Social and Cultural Rights).
- *Right to the enjoyment of just and favourable conditions of work* (article 7 of the International Covenant of Economic, Social and Cultural Rights).

Legitimate objective: Defence members are highly trained and valuable on the Australian employment market. Completion and retention bonuses induce members to serve. The payments help to address shortages of members with particular skills at the time the payment is offered.

Reasonable, necessary and proportionate: Defence uses completion bonuses to make an ADF career more attractive than other opportunities at critical points of workforce shortage or potential shortage. The schemes are voluntary. They provide incentive to members to perform agreed amounts of service to address shortages of particular skills. This Determination includes notices to assist members with understanding the privacy policy that is applied in relation to information collected from them in the bonus application process.

Conclusion

This Determination is compatible with human rights because to the extent that it may limit human rights, those limitations are reasonable, necessary and proportionate.

John William Geering, Director General People Policy and Employment Conditions