

## 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

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