



# Declarable Circumstances

## Procedural Instruction

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# 1. Purpose

The Department of Home Affairs (the Department) provides central strategy leadership and coordination to support the entire Home Affairs Portfolio, including the Australian Border Force (ABF), the Australian Criminal Intelligence Commission (ACIC), the Australian Federal Police (AFP), the Australian Security Intelligence Organisation (ASIO), and the Australian Transaction Reports and Analysis Centre (AUSTRAC). This ensures our efforts are coordinated and consistent in delivering outcomes for Government and the Australian community in line with Government expectations.

The Department is responsible for national security and law enforcement policy, immigration, countering terrorism policy and coordination, cyber security policy and coordination, countering foreign interference policy and coordination, security and resilience of critical infrastructure, countering violent extremism programs, aviation and maritime transport security, multicultural affairs and social cohesion, border policy, customs and trade policy, and customs and trade operations.

The Department and its staff have a broad range of powers and responsibilities as well as access to a significant amount of personal and sensitive information, which if used incorrectly could have serious consequences to the security, unity and prosperity of our nation.

The work of the Department and the information that is held by (or available to) the Department is of significant value to a range of entities who may seek to act against Australia's interests or exploit Immigration and Border Protection (IBP) workers to further their own interests.

Within this context, the Australian Government's Protective Security Policy Framework (PSPF) contains the controls used by the Australian Government to protect its people, information and assets. The PSPF places a range of mandatory obligations on the Department, including a requirement for the Department to

- undertake pre-employment screening of all IBP workers, and
- actively monitor and manage the ongoing suitability of all IBP workers.

In addition to requiring all IBP workers to obtain a minimum Baseline security clearance, the Department's Employment Suitability Clearance (ESC) process is designed to meet all mandatory and recommended pre-employment screening and ongoing suitability checks required under the PSPF, including a range of agency-specific checks over and above the minimum recommended standard in the PSPF. These checks are designed to mitigate against the Department's specific threat environment.

However, both an ESC and a security clearance are only a 'point in time' assessment. The potential for insiders (employees, contractors and others with access to Australian Government resources) to betray the trust placed in them presents an enduring security risk. Insiders who compromise security may be unwitting or malicious. Possible motives are complex and can be driven by a mix of personal vulnerabilities, life events and situational factors.

The PSPF requires the Department to collect and assess change of circumstances reporting, and makes it clear that the Department's ongoing awareness of changes in an individual's circumstances and workplace behaviours is essential to manage the risk of an insider threat. Effective assessment of an individual's ongoing suitability relies on the Department encouraging and facilitating reporting of concerns, as well as collating and assessing information on IBP workers from a range of sources, including their management and colleagues.

## 2. Scope

This Procedural Instruction outlines:

- what is a declarable circumstance, and
- when and how declarable circumstances must be declared.

This Procedural Instruction applies to any individual who:

- holds a Commonwealth security clearance that is sponsored by the Department, and/or
- requires an Employment Suitability Clearance (ESC) as defined by the *Employment Suitability Screening Process* Supporting Material (regardless of whether they currently hold an ESC), unless that individual has been:
  - permanently waived from the requirement to hold an ESC (including the requirement to report declarable circumstances), or
  - otherwise determined to fall outside the scope of the Department's Employment Suitability Screening policy.

### 2.1. Individuals subject to more than one integrity framework / reporting obligation

Certain individuals (such as secondees, co-located officers and contractors with multiple sponsoring agencies/employers) may be subject to multiple integrity frameworks and reporting requirements.

- Employees of other Home Affairs Portfolio agencies who are seconded to the Department or otherwise require an ESC to enable access to (or co-location within) a Departmental premises are bound in full by Department's *Declarable Circumstances* Procedural Instruction.
  - It is recognised that the majority of Home Affairs Portfolio agency employees have had their ESC granted on the basis that they have undergone an equivalent process with their home agency, rather than undergoing a substantive ESC process with the Department.
  - In the first instance, employees of Home Affairs Portfolio agencies should report all declarable circumstances to the business area within their home agency that is responsible for receiving and assessing declarable circumstances reports (however described).
  - The home agency (in consultation I&PS) will have primary responsibility for assessing and managing the declaration in accordance with their own declarable circumstances (or equivalent) policies and procedures.
- In all other cases, individuals are bound in full by the Department's *Declarable Circumstances* Procedural Instruction (PPN SM-1552) and must report all matters directly to the Department. This requirement applies regardless of whether the individual:
  - has a security clearance that is sponsored by one or more other Australian Government agency, and/or
  - is subject to the integrity framework of one or more other employer.

## 3. Procedural Instruction

### 3.1. What is a declarable circumstance?

As outlined above, both an ESC and a security clearance are only a 'point in time' assessment of an individual's suitability to hold either clearance, based (among other things) on the information declared by the individual. A declarable circumstance is defined as an event in, change to, or information about an individual's life that:

- makes any information previously declared by the individual as part of their ESC, security clearance process or previous declarable circumstances reports (however described) incomplete or out-of-date.
- may otherwise be relevant to an assessment of an individual's ongoing suitability for either an ESC or security clearance.

### 3.2. Identifying a declarable circumstance

Individuals who are subject to this Procedural Instruction must proactively and continually self-assess to determine whether they have any declarable circumstances.

As soon as reasonably practicable after an individual becomes aware that a circumstance exists (or forms a reasonable suspicion that a circumstance may exist) which meets the definition of a declarable circumstance, then the matter must be declared. A declaration must be made irrespective of an individual's personal opinion of the risk or relevance of the matter.

Where doubt exists as to whether a matter is declarable, individuals must resolve any doubt in favour of the national interest and declare the matter. I&PS can also provide advice where an individual is unable to determine whether a matter is declarable (please email [securityclearances@homeaffairs.gov.au](mailto:securityclearances@homeaffairs.gov.au)).

### 3.3. Reporting a declarable circumstance

Declarable circumstances must be reported to I&PS using the Department's Declarable circumstances online form. Individuals who are 'unable to access the *Declarable circumstances online form* must contact Personnel Security to arrange for a manual report to be provided.

Email: [securityclearances@homeaffairs.gov.au](mailto:securityclearances@homeaffairs.gov.au)

To minimise the administrative burden on individuals created by duplicate reporting processes, internal administrative arrangements may also be developed with relevant portfolio business areas to facilitate the internal sharing of information which may be relevant to an individual's security clearance and/or ESC. This may include, for example:

- decisions regarding outside employment approvals
- use of force incident reports
- decisions regarding breaches of internal security policies
- substantiated allegations of workplace bullying and harassment
- conflict of interest reports
- contact reports

The table at **Attachment D** provides guidance on the types of declarable circumstances that must be reported, timeframes for reporting and the supporting evidence/information required. Further detail on the alternative reporting arrangements that may apply are also outlined at **Attachment D**.

### **3.3.1. Reporting declarable circumstances about another individual**

In addition to individuals reporting declarable circumstances about themselves, consistent with best practice guidance recommended by the PSPF, declarable circumstances about another individual must also be reported in the following cases:

- Line managers and contract managers must report any concerns in relation to staff they manage, regardless of whether the line manager and/or contract manager believes that their staff have reported the circumstances directly to I&PS.
- All individuals who are subject to this Procedural Instruction must report concerns about other individuals who are subject to this Procedural Instruction, where those concerns may impact on that individual's continued suitability to maintain an ESC and/or security clearance. This requirement applies regardless of whether or not:
  - the individual supervises the other individual, or
  - the individual believes that the other individual has reported the circumstances directly to I&PS.

In addition to the above, where an individual who is obliged to report a declarable circumstance is genuinely unable to submit a declarable circumstances report, they may request another individual to submit a declarable circumstances report on their behalf.

### **3.4. Triage and referral of information declared**

Once a declarable circumstances report has been received, I&PS will triage the declaration.

- To determine whether a declaration may be relevant to an individual's continued suitability to hold a security clearance, I&PS will consider the information declared within the context of the PSPF, as well as any additional guidance provided to the Department by the AGSVA or other Australian Government agencies regarding matters which may be of a security concern. Where I&PS determines a matter is of relevance to an individual's security clearance, the declaration will be forwarded to the AGSVA (or other relevant vetting agency as appropriate).
- To determine whether a declaration may be relevant to another secondary purpose, I&PS will consider the information declared within the context of the purposes for which the individual has consented for their information to be further used and disclosed, as well as any applicable legislation which may place a positive lawful obligation on the Department to further disclose the information. Where I&PS determines that a matter is of relevance to a secondary purpose, the declaration will be forwarded as appropriate.

### **3.5. Assessment of information for ESC purposes**

The *Employment Suitability Screening Process Supporting Material (PPN SM-1555)* and *Employment Suitability Clearance Assessment Criteria (PPN SM-1553)* outline how information received by I&PS (including through a declarable circumstances report) will be assessed and considered within the context of an individual's continued suitability to hold an ESC. As outlined in the *Employment Suitability Screening Process Supporting Material (PPN SM-1555)*, as part of the process for assessing a declarable

circumstances report, I&PS may require an individual to provide additional supporting information or documentary evidence to support their declaration.

Where risks are identified to the individual or the Department, consideration may be given by the decision-maker as to what strategies may be appropriate to mitigate or manage the risk (over and above those already taken by the individual). As outlined in the *Employment Suitability Screening Process Supporting Material* (PPN SM-1555), this may include (but is not limited to) informal risk management strategies and plans or, in the case of higher risk declarations, consideration as to whether a formal Aftercare Arrangement is required.

The grounds upon which a decision-maker may determine that an individual is not suitable to hold or maintain an ESC are detailed in the *Employment Suitability Screening Process Supporting Material* (PPN SM-1555) and the *Employment Suitability Clearance Assessment Criteria* (PPN SM-1553).

### 3.6. Privacy and security of information declared

As an Australian Government agency, the Department is bound by the *Privacy Act 1988*. Information declared by an individual as part of a declarable circumstances report will only be collected, stored, used and disclosed:

- in accordance with the privacy notice and general consent signed by the individual, and/or
- as otherwise authorised or required by law.

The *Employment Suitability Screening Process Supporting Material* (PPN SM-1555) contains further details regarding the Department's measures to ensure the privacy and security of information held by I&PS.

## 4. Accountability and Responsibility

Role	Description
All individuals who are subject to this Procedural Instruction	Comply with this Procedural Instruction including reporting declarable circumstances about themselves and others in accordance with the provisions specified above.
Line managers and contract managers	Ensure all IBP workers they manage are aware of their obligations regarding the reporting of declarable circumstances.  Report any concerns in relation to IBP workers they manage, regardless of whether the line manager and/or contract manager believes that the other individual has reported the circumstances directly to I&PS.
Integrity and Professional Standards Branch	Receiving, triaging and assessing declarable circumstances reports (and on-forwarding to the AGSVA or other third parties as appropriate).
Director, Personnel Security and Suitability	Policy responsibility for ensuring this Procedural Instruction complies with the Department's relevant mandatory obligations under the PSPF.
Division Heads	Own policy and procedure for the functions within the division and are responsible for approving policy statements for the functions owned by

Role	Description
(SES Band 2)	their division, ensuring there is high-level support for the outlined policy intent. Are accountable for ensuring the policy statement aligns with the strategic objectives of the Department.
Branch Heads (SES Band 1)	Owner and responsible for the development of policy statement documents for the functions of the branch. Approve PI for the functions owned by the branch, ensuring the policy statement owner has been consulted in the process and confirms that the procedural instruction is in line with any tiered policy statement.

## Statement of Expectation

The APS Code of Conduct states that 'an APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction' (subsection 13(5) of the *Public Service Act 1999* (Public Service Act)).

Failure by an APS employee to comply with any direction contained in a PPCF document may be determined to be a breach of the APS Code of Conduct, which could result in sanctions up to and including termination of employment, as set out in subsection 15(1) of the Public Service Act.

The Secretary's Professional Standards Direction, issued under subsection 55(1) of the *Australian Border Force Act 2015* (ABF Act), requires all IBP workers who are not APS employees (such as contractors or consultants) to comply with any lawful and reasonable direction given by someone in the Department with authority to issue that direction.

Failure by an IBP worker who is not an APS employee to comply with a direction contained in a PPCF document may be treated as a breach of the Professional Standards Direction, which may result in the termination of their engagement under section 57 of the ABF Act. Non-compliance may also be addressed under the terms of the contract engaging the contractor or consultant.

## 5. Version Control

Version number	Date of issue	Author(s)	Brief description of change
1.0	27/06/2019	Assistant Director, Employment Suitability Section	Initial Draft of PI in new PPCF format
2.0	04/08/2020	Personnel Security & Suitability Section	Update and content review of Draft PI



## Attachment A – Definitions

Term	Acronym (if applicable)	Definition
Australian Border Force	ABF	The ABF is an operational law enforcement workforce trained and equipped to undertake functions across the border continuum.
Australian Government Security Vetting Agency	AGSVA	The Australian Government Security Vetting Agency (AGSVA) is the central agency for the processing and granting of security clearances for the majority of Australian Government agencies and state and territory agencies.
Australian Public Service	APS	Australian Public Service
Declarable Association	N/A	As defined by section 3.2 of the <i>Declarable Associations Procedural Instruction</i> (PPN SM-1551)
Declarable Circumstance	N/A	As defined by section 3.1 of this Procedural Instruction
Department of Home Affairs	The Department	The Department of Home Affairs, including the Australian Border Force.
Illicit Drug	N/A	As per the definition in the <i>Employment Suitability Clearance Assessment Criteria</i> (PPN SM-1553)
Immigration and Border Protection worker	IBP worker	Defined in the Secretary's Determination of Immigration and Border Protection Workers and under subsection 4(1) of the ABF Act, includes but is not limited to: <ul style="list-style-type: none"> <li>• all APS employees in the Department</li> <li>• persons employed by an Agency under the Public Service Act whose services are made available to the Department (often referred to as 'seconded')</li> <li>• persons engaged as consultants or contractors to perform services for the Department in-house in the Department</li> <li>• persons engaged as consultants or contractors to performing services for the Department that require non-public access to Departmental Assets.</li> </ul>
Integrity and Professional Standards Branch	I&PS	Administers the Professional Standards and Integrity Frameworks, which set out the standards of integrity and ethical behaviour required by all employees of the Department.
Immediate Family	N/A	As per the definition in the <i>Employment Suitability Clearance Assessment Criteria</i> (PPN SM-1553)

Term	Acronym (if applicable)	Definition
Policy and Procedure Control Framework	PPCF	The Policy and Procedure Control Framework mandates a consistent and integrated approach to the development and management of the Department's policies and procedures. The PPCF is aligned to, and complements, the Department's Risk Management Framework, Quality Management Framework and Information Environment Strategy.
Protective Security Policy Framework	PSPF	The Protective Security Policy Framework contains the controls used by the Australian Government to protect its people, information and assets
Policy Statement	PS	A statement of principle which outlines statutory, regulatory or organisational requirement in line with the strategic direction of the Department and the Australian Government.
Procedural Instruction	PI	Describes how to implement a Policy Statement by outlining actions in relation to a particular activity.
Use of Force	UoF	Use of Force is the authority to carry and use approved firearms and other Personal Defence Equipment. This is issued on the successful completion of training as specified within section 12 of the Commissioner's Operational Safety Order.

# Attachment B – Assurance and Control Matrix

## 1.1. Powers and Obligations

Legislative Provision			Is this a delegable power?	If delegable, list the relevant instruments of delegation
Legislation	Reference (e.g. section)	Provision		
<i>Australian Border Force Act 2015</i>	55	The Secretary may give directions to IBP workers in connection with the administration and control of the Department	No	
<i>Public Service Act 1999</i>	13	Section 13 of the Public Service contains the APS Code of Conduct.	No	

## 1.2. Controls and Assurance

<b>Procedures / Supporting Materials</b>	<ul style="list-style-type: none"> <li>Employment Suitability Screening Procedural Instruction (PPN SM-1554)</li> <li>Employment Suitability Screening Process Procedural Instruction (PPN SM-1555)</li> <li>Employment Suitability Clearance Assessment Criteria Supporting Material (PPN SM-1553)</li> <li>Declarable Associations Procedural Instruction (PPN SM-1551)</li> <li>Security Clearances Procedural Instruction (PPN SM-1550)</li> <li>Declarable Circumstances Procedural Instruction (PPN SM-1552)</li> <li>Drug and Alcohol Testing Procedural Instruction (PPN SM-6177)</li> <li>Mandatory reporting of Serious Misconduct, Corrupt Conduct and Criminal Activity Procedural Instruction (PPN SM-1557)</li> <li>Procedures for Determining Suspected Breaches of the Code of Conduct Procedural Instruction (PPN SM-1547)</li> <li>Outside Employment and Voluntary Activities Procedural Instruction</li> <li>Public Interest Disclosure Procedural Instruction (PPN IIB-1548)</li> <li>Use of Social Media and Other Online Services (PPN SM-1560)</li> <li>Dress and Appearance Standards Procedural Instruction (PPN HR-1221)</li> <li>Protective Security Policy Framework</li> </ul>
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	<ul style="list-style-type: none"> <li>• Protective Security Policy Framework</li> <li>• Secretary Determination of Immigration and Border Protection Workers</li> <li>• Secretary Determination 1 of 2015 – Professional Standards</li> <li>• Secretary Determination 2 of 2015 – Employment Suitability and Security Screening</li> <li>• Secretary Determination 3 of 2015 – Integrity Measures</li> </ul>
<b>Training/Certification or Accreditation</b>	<i>The Essentials</i> mandatory eLearning module
<b>Other required job role requirements</b>	Employment Suitability Clearance Baseline Security Clearance
<b>Other support mechanisms (eg who can provide further assistance in relation to any aspects of this instruction)</b>	Personnel Security and Suitability Team <a href="mailto:securityclearances@homeaffairs.gov.au">securityclearances@homeaffairs.gov.au</a> 1300 243 717
<b>Escalation arrangements</b>	Director, Personnel Security and Suitability Integrity and Professional Standards
<b>Recordkeeping (eg system based facilities to record decisions)</b>	Electronic records to be stored in secure I&PS TRIM repository or ESC Case Management System
<b>Control Frameworks (please refer to a specific document outlining QA or QC arrangements)</b>	Integrity Framework
<b>Job Vocational Framework Role</b>	All Job Roles

# Attachment C – Consultation

## 1.1. Internal Consultation

- Integrity, Security and Assurance Division
- Legal Group
- Media and Engagement Branch
- all staff through Department-wide consultation

## 1.2. External Consultation

- staff representatives through the National Staff Consultative Forum
- Community and Public Sector Union.

## Attachment D - Declarable circumstances, supporting evidence and timeframes

DECLARABLE CIRCUMSTANCE	EXPLANATORY NOTES	SUPPORTING EVIDENCE/INFORMATION REQUIRED	REASONABLE TIMEFRAME TO REPORT	WHAT IS THIS INFORMATION RELEVANT TO	ALTERNATIVE REPORTING ARRANGEMENTS
<b>Part 1 - Circumstances relevant to both your security clearance and your ESC</b>					
Changes to your name or identity.	Any name change whether this occurs by marriage, deed poll, or if you informally change who you are 'known as'. If you obtain an assumed identity for the purposes of performing your official duties, you do not need to declare this information.	Any one of the following documents,(are required to be certified for transmission to AGSVA) where applicable: <ul style="list-style-type: none"> <li>marriage certificate (not ceremonial)</li> <li>final divorce decree</li> <li>registered relationship certificate</li> <li>government issued photo identity card (such as a driver's license or passport) containing the full new name and/or identity.</li> </ul>	Within 3 months of the change occurring.	Security Clearance and/or ESC.	Not applicable. Changes made in HR systems are not provided to I&PS.
Changes to your contact details.	This primarily relates to changes in your home or postal address. Should you wish to do so, you may also report changes to your phone number or other contact details to ensure you can be easily contacted if required.	Government issued photo identity card (such as a driver's license) containing the new address, or a copy of any one of the following documents that indicates the new residence: <ul style="list-style-type: none"> <li>utilities account</li> <li>lease, land title or mortgage document</li> <li>drivers license</li> <li>electoral enrolment.</li> </ul> No specific supporting evidence is required for a change to other contact details.	Within 3 months of any change in address.  Other changes to your contact details may be reported by you as you choose.	Security Clearance and/or ESC.	Not applicable. Changes made in HR systems are not provided to I&PS.
New passport(s) including new passport number(s).	This includes any passport(s) which have been issued since your Commonwealth security clearance was granted and which have not been previously supplied to AGSVA or other authorised Commonwealth vetting agency. Individuals do not need to report details of official passports	A certified copy of the identity page of the new passport(s).	Within 1 month of the new passport(s) being issued or at least 5 business days prior to travelling using the new passport (whichever is earlier).	Security Clearance and/or ESC.	Not applicable for personal passports.
Changes to your marital status, domestic partnership or personal relationship (including casual sexual relationships)	This includes: <ul style="list-style-type: none"> <li>entering into a new domestic partnership or personal relationship,</li> <li>ceasing an existing domestic partnership or personal relationship, or</li> <li>a change to an existing relationship (such as getting married or divorced).</li> </ul> This includes (but is not limited to) marriages, civil unions and de facto relationships, or other significant relationships including casual sexual relationships, whether living together or separately.	For an existing relationship, any one of the following: <ul style="list-style-type: none"> <li>marriage certificate</li> <li>final divorce decree</li> <li>registered relationship certificate.</li> </ul> For any new relationship, include on the Declarable Circumstances form the individual's: <ul style="list-style-type: none"> <li>full name</li> <li>date of birth</li> <li>previous/other names by which they have been/are known</li> <li>occupation.</li> <li>Nationality if other than Australian</li> </ul>	Within 3 months of the change occurring. Where domestic circumstances change on a particular date (for example moving in together), this change should be declared within 3 months.  Changes involving Departmental workers must however be declared within 14 days of the change occurring.	Security Clearance and/or ESC.	Not applicable unless the change relates to a relationship with a Departmental worker that has been reported to I&PS as part of a Conflict of Interest declaration.
Changes in domestic circumstances, including people sharing your home.	This includes (but is not limited to) changes to your house-mates, cohabitants, relatives or other adult persons living with you. AGSVA also requires notification of adopted children sharing your home.	For any new person living with you, include on the Declarable Circumstances form the individual's <ul style="list-style-type: none"> <li>full name</li> <li>date of birth</li> <li>previous/other names by which they have been/are known, and</li> <li>occupation.</li> <li>Nationality (if other than Australian)</li> </ul>	Within 1 month of the change occurring.	Security Clearance and/or ESC.	Not applicable.

Visits to, or residence in foreign countries.	Travel in some foreign countries (whether official or private) may be significant due to your security clearance or your duties with the Department. When travelling to certain countries at certain times, travel advice may need to be provided by the Department. Countries of significance are identified by ASIO and the Department of Foreign Affairs and Trade. Travel warnings and advice is available on <a href="http://www.smarttraveller.gov.au">www.smarttraveller.gov.au</a>	Include details of your travel on the Declarable Circumstances form. Where some travel details are unknown, include the information you have.	Prior to travel.	Security Clearance and/or ESC (depending on nature of visits/residence).	Not applicable.
Close relatives residing in foreign countries.	Any changes in the country of residence of your close relatives (that is, your immediate family or relatives who you have regular or consistent contact with). Changes in the overseas residence of close relatives may be significant. See explanation in row above.	Include on the Declarable Circumstances form their: <ul style="list-style-type: none"> <li>• full name</li> <li>• date of birth, and</li> <li>• new address.</li> </ul>	Within 3 months of the change occurring.	Security Clearance and/or ESC (depending on nature of the relationship).	Not applicable.
Contact with foreign nationals (in accordance with the Australian Government Contact Reporting Scheme).	Any contact with a foreign national which could be considered to be <b>suspicious, unusual, persistent or becomes ongoing</b> , should be declared through the Commonwealth Contact Reporting Scheme. This includes non-routine communications with employees of any foreign government.	As per the requirements of Security Branch.  Contact with foreign nationals reported via the Security Reporting Portal..	As soon as practicable after the suspected contact has occurred.	Security Clearance and/or ESC (depending on nature of contact).	If you submit a Contact Report to the ESC mailbox using the approved Contact Report form, you do not need to also submit a Declarable Circumstances form.
Changes in citizenship or nationality.	Non-Australian citizens cannot obtain a Commonwealth security clearance without a 'citizenship waiver'. Once you receive Australian citizenship, this waiver can be withdrawn. If you obtain foreign citizenship either by renouncing your Australian citizenship or attaining dual citizenship, this may impact on your eligibility to maintain a Commonwealth security clearance or ESC.	Relevant citizenship or nationality documents.	For existing Australian citizens – at least 5 working days prior to lodging your <u>application</u> associated with a change in your nationality.  Where a security clearance has been issued on a 'citizenship waiver', within 1 month of receiving Australian citizenship.	Security Clearance and/or ESC.	Not applicable.
Official interaction with any law enforcement agency or regulatory agency (such as a motoring authority) which is not related to the performance of your official duties. This includes criminal acts, misconduct or behavior warranting law enforcement intervention.	This includes, for example, contact with the police where you are warned, interviewed or spoken to by the police in an official capacity, but not charged or issued with a penalty/fine. Serious traffic infringements must also be declared, including: <ul style="list-style-type: none"> <li>• any infringement involving driving under the influence of alcohol and/or drugs</li> <li>• any infringement that (either singularly, or due to the cumulative loss of demerit points) results in the loss, suspension or cancellation or your driver's license.</li> </ul> You do not need to report interactions which are considered within the scope of general 'mass screening' police activity – such as situations where you are subject to a random roadside breath test. You also do not need to declare circumstances if you make a statement as a result of a crime against you, or when making a statement in support of a victim of crime.	Include a description of the interaction on the Declarable Circumstances form.	Within 5 business days of the interaction occurring.  If you are required to drive a vehicle as part of your official duties – immediately upon return to the workplace.	Security Clearance and/or ESC.	Not applicable.
Attendance at any court of law which is not related to the performance of your official duties.	This includes, for example: <ul style="list-style-type: none"> <li>• if you attend court because you are the subject of legal proceedings</li> <li>• if you attend court in relation to family members or matters</li> </ul>	Include a description of the reason for attendance on the Declarable Circumstances form.	At least 5 business days prior to the attendance.  Or as soon as you are aware of the court date	Security Clearance and/or ESC.	Not applicable.

	<ul style="list-style-type: none"> <li>if you are required to attend court because you are the witness in relation to a non-work-related matter</li> <li>if you attend court as an observer in a matter which relates to a current or former Departmental officer</li> <li>if you provide a character statement or reference for any individual who is subject to criminal or civil charges</li> <li>if you are issued with a summons to attend court.</li> </ul> <p>There is no requirement to declare jury duty for the purposes of this policy.</p>				
Becoming the subject of a court order in relation to criminal acts, misconduct or behavior warranting court intervention.	This includes, for example, becoming the subject of an Apprehended Violence Order, Personal Protection Order, Domestic or Family Violence Order or any order or undertaking of a similar nature (however described). This also includes being subject to good behavior bonds/orders, cautions and community service orders (regardless of whether a conviction is recorded or not).	Include a description of the matter on the Declarable Circumstances form along with a copy of the court order, outcome or undertaking.	Next working day after the court order is issued or ceases.	Security Clearance and/or ESC.	Not applicable.
Non-compliance with a border-related law.	This includes having goods seized by the Department or any other border or law enforcement agency, as well as circumstances where you are issued with any other infringement notice, fine or penalty due to non-compliance with a border-related law (whether in Australia or overseas). In circumstances where you have declared goods and they were either seized or you surrendered them, you do not need to declare this.	Include a description of the non-compliance on the Declarable Circumstances form. Where relevant, a copy of any seizure or infringement notice (if available) should be provided.	Within 5 working days of the non-compliance occurring or (if relevant) being notified of the non-compliance.	Security Clearance and/or ESC.	Not applicable.
Being the subject of an administrative investigation or facing formal disciplinary or administrative action.	This includes work-related sanctions or APS Code of Conduct activity taken against you, as well as action which results in you being deregistered from a professional body or association.	Include a description of the allegation, finding or outcome of the particular matter on the Declarable Circumstances form.	Within 5 working days of the allegation being made or a finding or outcome being made in relation to the matter.	Security Clearance and/or ESC.	You do not need to report any investigation or disciplinary action which is being conducted by I&PS.
Security incidents.	This includes any security breaches, incidents or violations which are attributed to you – such as a failure to observe agency security policies and procedures. You do not need to report any investigation which is conducted internally by the Department.	Include a description of the incident and (if relevant) any applicable sanction on the Declarable Circumstances form.	Within 5 working days of the finding being made against you.	Security Clearance and/or ESC.	Details of all internally substantiated breaches will be forwarded to I&PS by the work area responsible for conducting the investigation.
Involvement in any criminal activity, corrupt conduct or serious misconduct.	Departmental employees, secondees, contractors and consultants must report any involvement, or approach to be involved in, criminal activity, corrupt conduct or serious misconduct. This includes, for example, deliberate and accidental involvement in criminal activity, as well as any criminal charges, warnings, investigations or convictions. You are not excused from your mandatory reporting obligations on the grounds of self-incrimination. Refer to the Mandatory Reporting of Serious Misconduct, Corrupt Conduct and Criminal Activity Instruction and Guideline for further information.	Include the details of the criminal activity, corrupt conduct or serious misconduct.	<p>If the matter relates to you – as soon as practicable.</p> <p>If the matter relates to another Departmental individual - as soon as practicable after becoming aware of a reasonable belief that another Departmental individual has, or may be engaging in serious misconduct, corrupt conduct or conduct that involves criminal activity.</p>	Security Clearance and/or ESC.	If you comply with your obligations and report in a manner permitted under the Mandatory Reporting Instruction and Guideline, you do not need to also submit a Declarable Circumstances form.
Declarable associations.	Departmental employees, secondees, contractors and consultants must declare all 'declarable associations'. This includes, but is not limited to, the following examples: members of outlaw motorcycle gangs, individuals who are suspected or known (by you) to be engaged in criminal activity, individuals who approach you to be involved in criminal activity (e.g. offer a bribe) or association with groups or individuals who hold extreme political, social or	Include the details of the association being declared and the circumstances in which you became aware of the fact that the association was declarable on the Declarable Circumstances form.	As soon as practicable after you become aware (or a reasonable person would become aware) of facts about the association that makes it declarable.	Security Clearance and/or ESC.	Not applicable.



	religious views that may incite violent action in support of those views.				
Illicit drug use.	This includes 'one off' or 'experimental' or 'unintentional' use (for example, being a victim of drink spiking) regardless of when, where or how the usage occurred. For the purposes of this requirement, illicit drugs include: <ul style="list-style-type: none"> <li>'traditional' illicit drugs such as marijuana, heroin, cocaine, ecstasy and methamphetamine</li> <li>steroids and other performance and image enhancing substances</li> <li>pharmaceutical substances and prescription drugs (if/when consumed for a non-prescribed/medical purpose) such as benzodiazepines and opiate based medications</li> <li>novel psychoactive substances or other substances commonly referred to, or marketed as, 'legal' or 'natural' alternatives to illicit drugs.</li> </ul>	Include a description of the events surrounding the consumption on the Declarable Circumstances form.	Next working day after the illicit drug use occurs.	Security Clearance and/or ESC.	Not applicable.
Any other matter which represents a change from any information previously declared or provided to AGSVA, other authorised Commonwealth vetting agency, or as part of your ESC.	The Commonwealth security clearance and ESC processes require you to declare a range of information and answer a number of questions about you and your family, friends and/or associates. If there is any other change that makes the information you provided during your last Commonwealth security clearance or ESC process, or have previously declared to AGSVA, other authorised Commonwealth vetting agency, or as part of your ESC incomplete, out-of-date or in some other way does not reflect your current situation or circumstances, you must report those changes.	Include a description of the matter or change on the Declarable Circumstances form.	Within 1 month of the change occurring.	Security Clearance and/or ESC.	Not applicable.
Any other changes that you think may be of interest or concern to AGSVA or relevant to your ESC.	There are a range of other changes in your circumstances which may occur that are relevant to your security clearance or ESC.	Include a description of the matter or change on the Declarable Circumstances form.	Within 1 month of the change occurring.	Security Clearance and/or ESC.	Not applicable.
<b>Part 2 - Circumstances relevant only to your security clearance</b>					
Changes in financial circumstances.	This includes (but is not limited to): <ul style="list-style-type: none"> <li>receipts of large amounts of money</li> <li>significant increases in debt (e.g. personal loan or mortgage)</li> <li>new financial associations (e.g. new business partner)</li> <li>being in financial hardship</li> <li>bankruptcy.</li> </ul> <p><b>As a general principle, only transactions equivalent to \$10,000 AU or more should be reported.</b></p>	Include a description of the change on the Declarable Circumstances form.	Within 1 month of the change occurring.	Security Clearance.	Not applicable.
Changes in health or medical circumstances.	This includes: <ul style="list-style-type: none"> <li>medical conditions which may lead to significant financial or personal stress, or increased vulnerability leading to an individual engaging in misconduct, fraud or criminal activities</li> <li>any medical condition which may make it easier for interested persons to gain information from you</li> <li>the use of prescription medications which may impact your ability to determine when to not disclose information.</li> </ul>	Include a description of the health or medical circumstance on the Declarable Circumstances form.	Within 1 month of the change occurring.	Security Clearance.	Not applicable.
Changes in religious or political beliefs.	This does not include identifying how you vote. However, it does include significant changes in your political convictions that result in allegiance or active support of, or participation in, any political cause. It also includes major changes of	Include a description of the change on the Declarable Circumstances form.	Within 1 month of the change occurring.	Security Clearance.	Not applicable.

	religious philosophy (such as Christian to Buddhist or Islam or atheist, or non-practicing to devout).				
Alcohol problems or dependence.	Dependence on alcohol can affect a person's judgement and must be reported.	Include a description of the problems or dependence on the Declarable Circumstances form.	Within 1 month of the individual or their medical practitioner identifying a dependency.	Security Clearance.	Not applicable.