

Instrument of Engagement of a Person as an AFP Employee**Section 24 Australian Federal Police Act 1979**

I, **Delegate Name**, on behalf of the Delegate of the Commissioner of Police, under section 24 of the *Australian Federal Police Act 1979* (the Act), engage:

[[CANDIDATE_FIRST_NAME]] [[CANDIDATE_LAST_NAME]]

[[JOB_OFFER_DETAIL_CUSTOM1]]

(the employee), as an AFP employee with effect from **[[JOB_STARTDATE]]** .

The terms and conditions of the engagement and the duties to be performed by the employee are as specified in the offer of employment.

You will be required to complete drug testing upon commencement with the AFP and prior to your six month minimum employment period (probation) ending. Further information regarding this requirement is outlined in your Instrument of Engagement.

Delegate Name

Coordinator Recruitment

Delegate of the Commissioner of Police

[[TODAY]]

Schedule: Terms and Conditions of Engagement**Conditions of Engagement**

The following conditions apply:

Minimum Employment Period – Your ongoing employment will be subject to you successfully completing a minimum employment period. This period will be for six months and will commence on engagement with the AFP.

During the minimum employment period your suitability for employment in the AFP will be assessed. You will be required to enter into a Performance Development Agreement (PDA), against which your conduct, work performance, and your capacity to perform the work, will be assessed by your supervisor against a standard set in your PDA. At the conclusion of the six month period, and subject to you meeting the standards set in your PDA, your engagement is confirmed.

Where aspects of poor work performance or conduct are sufficiently serious and/or not showing any sign of improvement, employment may be terminated.

Australian Citizenship - Before you can be engaged as an AFP employee, you must be an Australian Citizen.

Secrecy requirement - The Secrecy requirements in section 60A of the Act apply to you during your engagement and after you cease employment with the AFP (See Attachment). You are considered to be a Commonwealth officer as defined by the *Crimes Act 1914* (Cth) and in Part 5.6 of the *Criminal Code Act 1995* (Cth)(Criminal Code), and/or a Commonwealth public official as defined in the *Criminal Code*, and subject to Commonwealth secrecy laws.

Security Clearance - You are required to satisfactorily undertake a security clearance to the level specified for the position. Should you fail to satisfactorily complete the security vetting process then your employment will cease.

Drug Testing - AFP employment policy requires that you return a negative body sample test for the presence of prohibited drugs within the meaning of the term under the Act. Should you fail to return a negative body sample test then your suitability for AFP employment will be assessed.

Fingerprinting - As a condition of your employment with the AFP, you will be required to provide your fingerprints for a number of operational and security reasons. Your ongoing employment may be subject to the results.

Medical Clearance - As a condition of your employment with the AFP, you will be required to have and maintain up to date vaccinations designated by the AFP as critical, to mitigate risks to health and safety. This includes the COVID-19 vaccination. Should you fail to provide your COVID-19 Vaccination Certificate or an AFP endorsed medical exemption, your suitability for AFP employment will be assessed.

Good Character – Mindful of the AFP values of integrity, commitment, excellence, accountability, fairness, respect and trust, AFP employees are required to possess a high degree of good character. Should you fail to meet the requisite level of good character then your employment will cease.

Professional Standards - To effectively perform its role and functions, the AFP must secure and maintain the community's confidence, both in the integrity of individual employees and in the ability of the organisation to prevent and counter internal corruption and misconduct. Mindful of the AFP's values of integrity, commitment, excellence, accountability, fairness and trust, AFP employees are required to exercise their powers, and otherwise conduct themselves at all times, in accordance with their legal obligations and the professional standards properly expected of us by Government and the wider community.

There are a number of instruments that state the professional standards expected of AFP appointees including the [AFP Code of Conduct](#).

If you fail to meet any of the requirements specified above, your engagement as an AFP employee may be terminated.

Collection of your Personal Information - The AFP protects the safety of its staff in a number of ways, including through monitoring activity in and around our premises to detect potential threats. You should be aware that your personal or sensitive information may be captured by these systems when you attend or are in the vicinity of AFP premises.

Terms and conditions of employment

The terms and conditions of your employment are as contained in the [Australian Federal Police Enterprise Agreement 2017-2020, \(EA\)](#).

Assignment of Duties

Under section 40H(1) of the Act, your duties as an AFP employee are determined as follows:

Commencement date:	[[JOB_STARTDATE]]
AFP Band:	[[JOB_OFFER_DETAIL_CUSTOM5]].[[JOB_OFFER_DETAIL_CUSTOM18]]
Salary on commencement:	[[SALARY_BASE]]
Employment location on commencement:	[[JOB_REQUISITION_CUSTOM29]]
Role title:	[[JOBREQ_TITLE]]
AFP number:	[[JOB_OFFER_DETAIL_CUSTOM1]]
AGS number:	[[JOB_OFFER_DETAIL_CUSTOM13]]

AUSTRALIAN FEDERAL POLICE ACT 1979

60A Secrecy

1) This section applies to a person who is, or was at any time:

- (a) the Commissioner; or
- (b) a Deputy Commissioner; or
- (c) an AFP employee; or
- (d) a special member; or
- (da) a special protective service officer; or
- (e) a person engaged under section 35; or
- (f) a person performing functions under an agreement under section 69D.

2) A person to whom this section applies must not, directly or indirectly:

- (a) make a record of any prescribed information; or
- (b) divulge or communicate any prescribed information to any other person;

except for:

- (c) the purposes of this Act or the regulations; or
- (d) the purposes of the Law Enforcement Integrity Commissioner Act 2006 or regulations under that Act; or
- (e) the purposes of the Witness Protection Act 1994 or regulations under that Act; or
- (ea) the purposes of the Parliamentary Joint Committee on Law Enforcement Act 2010 or regulations under that Act; or
- (f) the carrying out, performance or exercise of any of the person's duties, functions or powers under Acts or regulations mentioned in paragraphs (c), (d), (e) and (ea).

Penalty: Imprisonment for 2 years.

(2A) This section does not apply:

- (a) divulgence or communication of prescribed information that is authorised by the Commissioner under subsection (2B); or

(b) a divulgence or communication of personal information that is authorised by the Commissioner under subsection (2C).

(2B) The Commissioner may, if he or she is of the opinion that it is in the interests of the due administration of justice to do so, authorise a person to whom this section applies to divulge or communicate prescribed information that relates to the National Witness Protection Program established by the Witness Protection Act 1994 to a person specified in the authorisation.

(2C) The Commissioner may authorise a person to whom this section applies to divulge or communicate an individual's personal information if the individual requests, or gives consent to, that divulgence or communication.

(2D) Subsection (2C) does not require the Commissioner to authorise a divulgence or communication of personal information that is otherwise required or authorised under this Act.

3) In this section:

Personal information has the same meaning as in the Privacy Act 1988.

Prescribed information means information obtained by a person to whom this section applies:

(a) in the course of carrying out, performing or exercising any of the person's duties, functions or powers under:

- i. this Act or the regulations; or
- ii. the Law Enforcement Integrity Commissioner Act 2006 or regulations under the Act; or
- iii. the Witness Protection Act 1994 or regulations under that Act

(b) otherwise in the course of the person's service, employment or engagement under Acts or regulations mentioned in paragraph (a).

Note: The *Privacy Act 1988* contains provisions relevant to the use and disclosure of information divulged or communicated under this Act.

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Pages 5 through 62 redacted for the following reasons:

s 47E(c), s 47F(1)
s 47E(c), s 47F(1), s 47G

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