



**Declaration by Person Conducting Services for the Commonwealth**

**Crimes Act 1914 – Section 70**

- i. A person who, being a Commonwealth officer, publishes or communicates, except to some person to whom he/she is authorised to publish or communicate it, any fact or document which comes to his/her knowledge, or into his/her possession, by virtue of being a Commonwealth officer, and which it is his/her duty not to disclose, shall be guilty of an offence.
- ii. A person who, having been a Commonwealth officer, publishes or communicates, without lawful authority or excuse (proof whereof shall lie upon him/her), any fact or document which came to his/her knowledge, or into his/her possession, by virtue of having been a Commonwealth officer, and which, at the time when he/she ceased to be a Commonwealth officer, it was his/her duty not to disclose, shall be guilty of an offence.

Penalty: Imprisonment for 2 years.

**Note:** the term "Commonwealth officer" used in Section 70 of the Commonwealth Crimes Act includes a non-ongoing employee or a person performing services for the Commonwealth.

**APS Code of Conduct and Public Interest Disclosure Act 2013**

**APS Code of Conduct**

All APS employees are required to comply with the APS Code of Conduct and APS Employment Principles and uphold the APS Values. The Department requires that all persons who are employed by recruitment agencies/employment agencies to provide services for the Department comply with the APS Code of Conduct and APS Employment Principles and uphold the APS Values as if they were APS employees.

More information on the APS Code of Conduct is available at:

<http://www.apsc.gov.au/aps-employment-policy-and-advice/aps-values-and-code-of-conduct>

**Public Interest Disclosure Act 2013**

Any person who is contracted to provide services to the Department or is an officer or employee of an organisation that is contracted to provide services to the Department is deemed to be a "public official" under the Act. A public official can disclose information that they believe relates to a type of "disclosable conduct" as listed in section 29 of the Act (at <http://www.comlaw.gov.au/Details/C2013A00133>).

"Public officials" that are contracted to provide services to the Department who either as part of entering into, or giving effect to, the contract for services, engage in "disclosable conduct" may be subject to disclosure under the Act. The Department requires all public officials, including those associated with contracts for the provision of services to the Department, to cooperate with any investigation required under the Act.

More information on the *Public Interest Disclosure Act 2013* is available:

- the Department's website at <http://www.environment.gov.au/node/33725>
  - the Commonwealth Ombudsman's website at <http://www.ombudsman.gov.au/pages/pid/>
- or contact the Department's Workplace Behaviour and Conduct Unit at [behaviourandconduct@environment.gov.au](mailto:behaviourandconduct@environment.gov.au).



**Character clearance**

You will need to complete the attached National Police Checking Service Application/Consent form - NPCS, provide the information requested below and return these completed forms without delay.

To assess your suitability to provide services to the Department please answer the following questions, noting that you are not required to reveal any conviction(s) which may be protected by Part VIIC of the Crimes Act 1914, relating to pardoned, quashed or spent convictions, except where exclusion applies.

Are you the subject of any charge(s) for <b>any offence(s)</b> still pending before a court?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have any conviction(s) or finding(s) of guilt for <b>any offence (s)</b> recorded against your name, which are less than ten (10) years old?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have any juvenile conviction(s) or finding(s) of guilt for <b>any offence (s)</b> recorded against your name, which are less than five (5) years old?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have any conviction(s) or finding(s) of guilt for <b>any offence (s)</b> recorded against your name, which are over ten (10) years old, where the sentence imposed was greater than thirty (30) months imprisonment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have any juvenile conviction(s) or finding(s) of guilt for <b>any offence (s)</b> recorded against your name, which are over five (5) years old, where the sentence imposed was greater than thirty (30) months imprisonment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please note that conviction(s) and/or finding(s) of guilt include the following:

- Driving under the influence (DUI)
- Licence suspension
- Driving without a licence
- Speeding offences
- Drug offences

**If you answered YES** to any of the above questions, please attach full details.

**Security Clearance**

Do you have a current security clearance?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If yes, please complete the following:		
	Security Level:	
	Name of Department:	
	Date of Birth:	
	Full Name:	

**Health and Fitness**

Have you ever claimed any form of workers compensation?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Have you ever suffered from a medical condition which may impact on your work or be aggravated by your work?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

If you answered **YES** to either of the two questions above please attach full details, including the nature of the injury or illness, current limitations and the name of your employer at time of injury or illness (if compensable).



**Contractor Declaration**

**Contractor Name:**

- I acknowledge that I have read and understand Section 70 of the *Crimes Act 1914*;
- I acknowledge that I have received and read information regarding the APS Code of Conduct, APS Employment Principles, the APS Values and the *Public Interest Disclosure Act 2013*;
- I declare that I have not provided false or misleading information to the Department or any other person or organisation acting on behalf of the Department\* in connection with my performance of services for the Department.

\* This includes persons or organisations conducting health, security or character checks on behalf of the Department.

Date:

Signature:

**Witness Details**

Witness Name:

Date:

Signature:

Sensitive: Personal (when completed)