



# **Defence (Non-foreign work restricted individual) Amendment Determination 2024**

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I, Richard Marles, Minister for Defence, make the following determination.

Dated 21 August 2024

Richard Marles  
Minister for Defence

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## **1 Name**

This instrument is the *Defence (Non-foreign work restricted individual) Amendment Determination 2024*.

## **2 Commencement**

This instrument commences on the day after this instrument is registered.

## **3 Authority**

This instrument is made under subsection 115(1) of the *Defence Act 1903* (the Act).

## **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Defence (Non-foreign work restricted individual) Determination 2024*

#### 1 Section 5

Repeal the section, substitute:

#### 5 Individuals that are not foreign work restricted individuals

- (1) The following class of individuals comprises individuals who are not foreign work restricted individuals for the purposes of subsection 114(2) of the Act:
- (a) an individual that:
    - (i) previously worked in one or more roles, positions, functions, ranks or appointments mentioned in an item of a table in Schedule 1; and
    - (ii) satisfies the relevant condition mentioned in column 5 of a table in Schedule 1 for each role, position, function, rank and appointment that the individual previously worked in.

#### 2 Schedule 1, Part I, table item 41, column 5

Omit “5 years or more”, substitute “10 years or more”.

#### 3 Schedule 1, Part I, table item 43, column 5

Omit “1 year or more”, substitute “5 years or more”.

#### 4 Schedule 1, Part III, table item 60, column 5

Omit “10 years or more”, substitute “1 year or more”.

#### 5 Schedule 1, Part III, table item 62, column 5

Omit “10 years or more”, substitute “5 years or more”.

#### 6 Schedule 1, Part V, table item 1, column 4

Omit “Air Traffic Controller”

#### 7 Schedule 1, Part V, table

After item 1, insert:

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1A	Aviation	Air Traffic Controller	1 year or more
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#### 8 Schedule 1, Part V, table item 48, column 5

Omit “1 year or more”, substitute “5 years or more”.