

Australian Defence Force Reserves Employer Support Payment Scheme

Employer's claim form

Date received by unit

Privacy statement

Defence is collecting the information on this form to determine your eligibility for payment under the ADF Reserves Employer Support Payment Scheme. This payment is authorised by Defence (Employer Support Payments) Determination 2005 made under Section 58B of the [Defence Act \(1903\)](#). Information provided in this Employer Support Payment claim form will be used for the administration of the Employer Support Payment Scheme. The information may also be used in the organisation or conduct of employer support activities. This information is safeguarded by the [Privacy Act \(1988\)](#) (Cth) which prohibits the information from being used for unauthorised purposes.

Completion instructions: Refer to pages 6 and 7 for instructions. Employers must complete Sections A to D of the claim form (tick all appropriate boxes). When completed, please submit pages 1 to 5.

Section A - To be completed by the employer of the Reservist

Name of organisation or business		ABN	
Contact name		Position	
Mailing address			
Phone number	Fax number	Email	
Name of Reservist		Service number (if known)	PMKeyS number (if known)
Reservist's Defence unit (if known)			

Ownership

This question does not apply to public sector employers (*Federal, State or Local Government*) or to companies listed on the Australian stock exchange.

Does your Reservist or any member of your Reservist's family (*including the Reservist's partner/spouse or partner's/spouse's child, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child, or any of their spouses*), have any form of ownership of this organisation/business including any shares, any right to receive dividends or distribution of capital or any ability to control the exercise of the voting power in the organisation/business?

Yes No Previously submitted (*and not changed since submitted*) N/A

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If 'Yes', you must submit a written explanation with this claim detailing the extent of this ownership (*please refer to the instructions on page 6 for more information*).

Periods of Defence service

My employee/Reservist, detailed above, was approved leave of absence (*if this is the first claim for the financial year, include the service that will meet the qualifying period requirement*):

Date from	Date to	Date from	Date to

STAFF-IN-CONFIDENCE *(After first entry)*

Section A - To be completed by the employer of the Reservist *(Continued)*

The employee commenced employment with my business or organisation on

The basis of his or her employment is *(tick appropriate box)*:

Full-time *(35 hours or more per week)*

Part-time for hours per week as my employee

↓

If part-time employment, also detail any other employment of the Reservist.

Name of employer	Average number of hours per week
Name of employer	Average number of hours per week

If part-time employment, no payment can be made if the Reservist is also in full-time employment.
 If Reservist is in more than one part-time employment, payment is shared on a pro-rata basis.

If Reservist is in multiple part-time jobs, his or her total number of part-time hours per week is

Section B - To be completed by the employer of the Reservist

The following documentation must be provided annually, with the first ESP claim of the financial year. The documentation must relate to the period immediately prior to the Defence service being claimed

The following documentation is attached **or** This documentation was provided with an earlier claim submitted in this financial year.

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Evidence that you employ the employee/Reservist *(eg payment summary, group certificate, payroll slip, superannuation guarantee contribution payment evidence, employee number, employment contract, or other similar evidence).*

Evidence that your business is bona fide and a registered employer *(eg notification of Australian Business Number, registration from the Australian Taxation Office, certificate of incorporation for a company, business name registration certificate, or other similar evidence).*

For part-time employees only - evidence of normal work hours *(eg last two months rosters, last two months payment details including hours worked, employment contract, or other similar evidence).*

Section C - To be completed by the employer of the Reservist

Business account details

Account name		Bank name	
Branch	BSB number	Account number	

(To be completed by bank signatories or company human resource manager)

I hereby authorise the Department of Defence to record and use the details provided for the purpose of Direct Credit payment of the ESP.

Signature	Printed name	Date
Signature	Printed name	Date

STAFF-IN-CONFIDENCE *(After first entry)*

Section D - Employer's declaration *(to be completed by the employer of the Reservist)*

I confirm that the Reservist to whom this claim relates:

- was not utilising annual leave, long service leave or other forms of accrued leave whilst on the periods of Defence service detailed on this claim form.
- will not engage or be required to engage in any activities related to his or her civilian employment whilst on the periods of Defence service detailed on this claim form, except in emergency situations or with prior written authorisation from the Reservist's unit commander or branch head.

I confirm that I have provided an undertaking to the Reservist to whom this claim relates that I will provide the employment protection benefits of the [Defence Reserve Service \(Protection\) Act \(2001\)](#) to the Reservist, regardless of whether the service is designated as protected or unprotected under the Act.

I acknowledge that I must advise the Director of the Scheme, through my Reservist's ESP delegate, if the Reservist to whom this claim relates leaves my employment while I am receiving ESP payments for a continuing period of eligible service. In this event, my entitlement to ESP payments will cease immediately the event occurs.

I acknowledge that I may make a claim in writing for additional payment if I can justify that the absence on Defence service causes substantial financial hardship or substantial financial loss. I acknowledge that I must make such a claim as soon as reasonably possible after becoming aware of the circumstances giving rise to this hardship or loss.

I declare that all the information that I have given in this form is true and correct.

I acknowledge that should I give misleading or false information in respect to this claim, penalties may apply.

I declare that I have not submitted a previous claim for the periods of Defence service undertaken by the Reservist as detailed in this claim.

I have read and understood each of the elements of this Declaration.

Signature	Printed name	Date
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STAFF-IN-CONFIDENCE *(After first entry)*

Section E - Official use only *(To be completed by ESP Delegate)*

Reservist's details

Service number	PMKeyS number	Rank	Family name	Initials

Prior to certifying a claim, the qualifying period and claimed service must be verified using CENRESPAY, PMKeyS or an authorised attendance diary or attendance source document.

Qualifying period service

The two weeks annual qualifying period service may have been undertaken prior to the service detailed on this claim form. Qualifying period service should be recorded from the first claim form submitted in each financial year.

Qualifying period calculations

Financial year	Date from	Date To	Number of days	Number of weeks qualifying service <i>(Must total two weeks)</i>

Eligible service for ESP payments

If qualifying period requirement was completed previously, all eligible service on this claim form should be detailed here. If qualifying period service was **not** completed previously, some of the service on this claim form must be detailed as qualifying period service.

ESP calculations

Date from	Date to	Number of days	Number of weeks payment	Part-time hours <i>(If applicable)</i>	Weekly rate	Amount payable
Total amount payable						

Note: GST does not apply to ESP claims for service commenced after 31 August 2005.

Certification by ESP Delegate *(not below the rank of MAJ(E))*

I have reviewed the documentation provided to support this claim and have conducted appropriate checks so as to satisfy myself that:

- The employer applicant is a bona fide business or company
- The employee/Reservist is employed by the business or organisation as outlined on the claim form:
 - on a full-time basis on a part-time basis (hours per week)
 - If employed on a part-time basis, payment has been calculated on the correct pro rata basis
- I approve the claim for ESP as detailed above I do not approve the claim for ESP

Comments

Signature	Printed name	Rank
Appointment	Phone number	Date

STAFF-IN-CONFIDENCE (After first entry)

Section F - Official use only (To be completed by delegate or central processing area and returned to the claimant once payment has been processed)

Notification of ESP payment		<input style="width: 95%;" type="text" value="Unit reference"/>	
Employer Support Payments have been approved for the following periods of Defence service undertaken by:			
<input style="width: 95%;" type="text" value="Name of Reservist"/>			
Date from	Date to	Date from	Date to

Payment of in Employer Support Payments will be made for this claim. If the Defence service covered by this claim includes any service in the next financial year, this payment figure will vary (as a higher rate of payment will apply from 1 July onwards). This payment figure will also vary if there is any change to the Reservist's dates of Defence service (eg if the member returns early from a Defence activity).

If your claim relates to a completed period of Defence service, you should have received this payment into your nominated account (or it will be paid into this account in the near future).

If your claim relates to ongoing service you will receive an initial payment of into your nominated account, with further payments until the claim period service is completed. In this case, you will receive further payments of on a fortnightly basis and a final payment of .

Thank you for your support of the Australian Defence Force Reserves.

<input style="width: 95%;" type="text" value="Signature"/>	<input style="width: 95%;" type="text" value="Printed name"/>	<input style="width: 95%;" type="text" value="Rank"/>
<input style="width: 95%;" type="text" value="Appointment"/>	<input style="width: 95%;" type="text" value="Phone number"/>	<input style="width: 95%;" type="text" value="Date"/>

Australian Defence Force Reserves Employer Support Payment Scheme

Employer's claim form - Instructions for completion

- Introduction** This Employer Support Payment (ESP) form must be completed to claim an employer support payment. Please do not submit these instructions with the claim form.
- Dates of Defence service** This form has been designed for claims that relate to Defence service commenced after 31 August 2005. This form may also be used to claim earlier periods of Defence service. However, claimants should note that a different (14 day) annual qualifying period applies and there are different rules for service over two financial years.
- Assistance** If you have difficulty understanding how to complete this form, assistance is available on the Defence Reserves Support Help-line on 1800 803 485 or by emailing esp@defence.gov.au.
- How to submit** Claim forms should be submitted to your Reservist's ESP delegate who will decide whether the claim meets requirements and payments will be made. Details and postal addresses of delegates are on the Reserves website at www.defence.gov.au/reserves (click on *Employer Support Payment Scheme > Submitting a claim*).
- When to claim** Claims should be made within six months from the first day of Defence service for which the claim is made (*this does not apply to annual qualifying period service*). Claims made later than six months will only be eligible for payment for periods of service within six months of the claim being made (*unless this requirement is waived by the Director of the ESP Scheme*). Claimants may provide justification with a late submission claim and request a waiver of the six month limitation period. The claim, with justification, must be submitted to the Reservist's ESP delegate for forwarding to the Director of the ESP Scheme.
- Ownership** You must complete this ownership question each time you submit an ESP claim. Tick 'N/A' if you are a public sector employer (*Federal, State or Local Government*) or are a company listed on the Australian stock exchange. If you tick 'Yes', please submit a written explanation outlining:
- Details of the shareholdings or other ownership rights in the organisation/business held by the Reservist and each member of the Reservist's family;
 - Details of the percentage of ownership of the organisation/business held by the Reservist and each member of the Reservist's family;
 - Details of the position, role and duties of the Reservist in the organisation/business and for each member of the Reservist's family; and
 - Any further information that may help to confirm whether the Reservist has a controlling interest in the organisation/business.
- Documentation requirement** For the first claim of each financial year, claim forms must be accompanied by the following supporting documents, which must relate to the period immediately **prior to** the Defence service being claimed:
- Evidence that you employ the employee/Reservist.
 - Evidence that your business is bona fide and a registered employer.
 - For part-time employees (and casual employees who work on a regular and reliable basis) - evidence of normal work hours (*this should, whenever possible, cover a two month period*). Generally employees are part-time if they work less than 35 hours per week.
- Examples of these forms of evidence are detailed in Section B of the claim form.
- In some cases, the approving ESP delegate may request more up-to-date information be provided. Supporting documents are **not** required with subsequent claims for Defence service within the same financial year unless there has been a change in circumstances (*eg the employee has moved from full-time to part-time employment*). You may rely on the previous evidence unless further evidence is requested by the approving ESP Delegate.
- Eligibility criteria** Employers will be eligible for ESP payments when they and their employee/Reservist have met all of the following criteria:
- The employee/Reservist, while in your employment, has completed, within the financial year, an **annual qualifying period of two weeks** of continuous Defence service prior to the period(s) of Defence service covered by this claim (*or the Defence service covered by this claim includes the two weeks of qualifying period service*).
 - The qualifying period can be undertaken as a single period or multiple periods of continuous Defence service of five days or more. A period of five days counts as one week. For longer periods of service, days six and seven are also included within the week.

STAFF-IN-CONFIDENCE (*After first entry*)

Eligibility criteria (Continued)

Examples.

1. Reservist serves 2 x 5 day blocks of continuous Defence service. This completes two week qualifying period.
 2. Reservist serves 21 days of continuous Defence service. Days 1-14 complete two week qualifying period. Employer is entitled to one week of ESP (for service on days 15 - 21).
- ESP is **not** payable during the qualifying period.
 - Each period of Defence service is **at least five consecutive days** in duration (**Note:** There are special provisions for Public Holidays, authorised stand-down days, and travel or rest days).
 - Each period of Defence service is considered discretely. A delegate is entitled to reassess evidence accepted for an earlier claim and make a different decision relating to the approval of the current claim.
 - The Reservist has been released to undertake the Defence service and has not undertaken duties for the employer while on the Defence service being claimed (*except in emergency situations or with prior written permission from the Reservist's Commanding Officer or Branch Head*).
 - Service utilising **annual leave, long service leave or other forms of accrued leave is not eligible** for ESP payments or as qualifying period service.

Substantial financial hardship or loss

In exceptional circumstances, where substantial financial hardship or substantial financial loss has occurred as the result of the Reservist's absence, an employer may apply for payment at a higher level (see www.defence.gov.au/reserves for more information on the hardship or loss provisions). These claims must be forwarded by the ESP delegate to the Director of the ESP Scheme for adjudication.

Injury/Illness

Special provisions apply if your employee/Reservist suffers an injury or illness as a result of their Defence service (see www.defence.gov.au/reserves for more information on these provisions).

Taxation

Payments under the scheme are taxable income under the [Income Tax Assessment Act \(1936\)](#) and must be declared in the appropriate Tax Return.

Important notice

It is an offence to make a false statement to obtain a financial benefit.

Guidance on sections

Section A

You must complete all areas in this section (*tick appropriate boxes*).

If possible, include your Reservist's service details to assist with processing. Your employee should be able to provide this information to you.

If this is your first claim of the financial year, you should include all eligible periods of Defence service (*when you have released your Reservist to undertake the Defence service and the Reservist is not utilising annual leave, long service leave or other forms of accrued leave*) including those periods that will meet the qualifying period requirement.

Only days of service on which the Reservist worked a full day can be counted (*unless the part day was used for approved travel or rest purposes or the member was authorised stand-down on that day*).

If a period of service is less than five consecutive days, it is not eligible for payment of ESP (*unless linked with a Public Holiday, an authorised stand-down day or a part day used for approved travel or rest purposes*).

Each period of service must be shown separately (*eg service from 12-16 Aug, 19-23 Aug and 2-6 Sep must be shown in three separate blocks; not as 12 Aug - 6 Sep*).

If you employ the Reservist as a part-time employee, you will not be eligible for payment of ESP if the Reservist also has a full-time employer. In this situation, the payment of ESP will go to the full-time employer. So, if you employ a Reservist as a part-time employee, you should ask the Reservist whether he or she also has a full-time employer - if the Reservist is in full-time employment, you should **not** submit a claim.

If you employ the Reservist as a part-time employee and your Reservist works for a number of part-time employers, you will be eligible for payment of ESP on a pro rata basis. Providing details of the total number of hours worked by your Reservist in these jobs (*as provided to you by your Reservist*) will assist to ensure the correct amount of payment is made.

Section B

This documentation **must** be provided annually, with the first ESP claim of the financial year. Tick appropriate boxes to show which evidence is attached.

The documentation must relate to the period immediately prior to the Defence service being claimed.

If you have already provided this evidence within the current financial year, you may rely on the previous evidence unless further evidence is requested by the ESP delegate.

Section C

This information is needed to allow Direct Credit payment of the ESP.

Section D

You must sign this declaration. **Please ensure that you read and understand each of the elements of the declaration.** You are required to confirm, acknowledge or declare a number of important points.

You must advise the Director of the ESP Scheme, through your Reservist's Defence unit, if your employee leaves your employment while undertaking Defence service for which you are receiving payments of ESP.