

CHAPTER 6

ADF CADETS REHABILITATION AND COMPENSATION

INTRODUCTION

2.6.1 Officers of Cadets (OOC), Instructors of Cadets (IOC) and cadets of the Australian Navy Cadets (ANC), Australian Army Cadets (AAC) and Australian Air Force Cadets (AAFC) are not Defence employees, but are covered under the [Military Rehabilitation and Compensation Act 2004](#) (MRCA) for injury, disease or death relating to cadet activities on or after 01 July 2004. Those with service prior to 01 July 2004, may also have coverage under the [Safety, Rehabilitation and Compensation \(Defence-related Claims\) Act 1988](#) (DRCA).

2.6.2 Defence Approved Helpers (DAH) are not eligible for compensation for injury, disease or death relating to cadet activities via DRCA or MRCA but may be covered for compensation by the Department of Defence's insurance arrangement with Comcover.

POLICY INTENT

2.6.3 The intent of this policy is to:

- a. provide information regarding compensation arrangements for DAH through Comcover.
- b. provide information regarding Commonwealth rehabilitation and compensation arrangements for cadets, OOC and IOC of the ANC, AAC and AAFC under the DRCA and MRCA; and
- c. provide guidance on the provision of personal information including health information, by a Service Chief to the Department of Veterans' Affairs (DVA).

POLICY PRACTICES AND MEASURES

2.6.4 Comcover provides cover in the event of bodily injury or death to a voluntary worker. For cover to apply to voluntary workers, the worker must be a person who consents to undertake duties under the direction or at the request of an organisation, receives nil or nominal reward and does so on a temporary or casual basis. DAH, as volunteers may be eligible for rehabilitation, compensation and support under Comcover, under certain conditions. Comcover claims are processed through the Defence Insurance Office (DIO).

2.6.5 Cadets, OOC, and IOC of the ANC, AAC and AAFC are, under certain conditions, eligible for rehabilitation, compensation and support under the DRCA or MRCA.

2.6.6 The DRCA provides rehabilitation and compensation coverage for cadets, OOC and IOC of the ANC, AAC and AAFC for accepted conditions (ie injury or illness) arising from service from 03 January 1949 until, and including, 30 June 2004.

2.6.7 The MRCA provides rehabilitation and compensation coverage for cadets, OOC and IOC of the ANC, AAC and AAFC for accepted conditions (ie injuries or diseases) arising from service on or after 01 July 2004.

2.6.8 Both Acts provide coverage for injury, disease or death which have been:

- a. occasioned while attending cadet activities
- b. sustained while travelling between home and the place where they undertake cadet activities, including parades and camps
- c. materially contributed to or aggravated by ADF Cadet activities.

2.6.9 DVA administers claims under both the DRCA and MRCA. Claimants may obtain further information on the DRCA and MRCA from the [DVA website](#) including a [MRCA fact sheet](#).

2.6.10 Cadets, OOC and IOC of ANC, AAC and AAFC are not eligible for assistance under the ADF Rehabilitation Program. The rehabilitation authority where liability has been accepted for a claim for compensation in respect to an OOC, IOC or cadet related injury or illness is the Military Rehabilitation and Compensation Commission.

2.6.11 Director General Australian Navy Cadets and Reserves (DGANCR), the Commander Australian Army Cadets (COMD AAC), and the Director General Cadets - Air Force (DGCADETS-AF) are to ensure that if an ADF Cadets participant believes that they have sustained an injury or illness that is related to their involvement in ADF Cadets activities, a report is raised through their relevant ADF Cadet organisation in accordance with Section 2 Chapter 5 and submit a claim through their ADF Cadet organisation as soon as practicable to the appropriate compensation body as follows:

- a. DAH – Defence Insurance Office (DIO) via Comcover claim
- b. cadets, OOC or IOC – DVA via a MRCA or DRCA claim.

2.6.12 DGANCR, COMD AAC and DGCADETS-AF are to ensure assistance is provided to ADF Cadets participants to complete compensation claims.

2.6.13 In order to ensure appropriate engagement between Defence and DVA or DIO, ADF Cadets must ensure procedures are implemented to enable timely and accurate notification of all incidents or fatalities involving ADF Cadets participants to Head Joint Support Services Division (HJSSD), the parent Service headquarters and the Chief of Defence Force (CDF) (refer [Part 1 Section 3 Chapter 3](#)).

2.6.14 ADF Cadets must ensure that ADF Cadets participant's information is collected, accessed, managed and disclosed in accordance with [Part 1 Section 1 Chapter 2](#), Defence Privacy Policy and the requirements of the DRCA and/or MRCA or Comcover as appropriate. Personal information records must be retained by the ADF Cadets organisations and made available to DVA or DIO on receipt of a lawful request.

2.6.15 In addition to the requirement to provide all relevant information to DVA or DIO in response to a claim, in the event of an ADF Cadets participant being involved in an incident, ADF Cadets must ensure the following information is disclosed to DVA or DIO as appropriate:

- a. the participant's name and ADF Cadets organisation's details
- b. that a serious incident or fatality, as defined in the Defence Casualty Manual, has occurred (including a general description of the nature and timing of that incident)
- c. the participant's contact details (including current cadet unit), or the contact details of the participant's cadet unit, as appropriate to the circumstances.

2.6.16 The provision of a participant's personal information to DVA or DIO by a cadet organisation allows DVA or DIO to proactively engage with the participant to determine what assistance DVA or DIO may be able to provide should the participant intend to submit a claim under DRCA/ MRCA or Comcover. Early engagement by DVA or Comcover does not; however, constitute a claim or acceptance of liability under the relevant legislation nor does it remove from the participant the responsibility to submit a claim to DVA or DIO.

2.6.17 Records of activity attendance, injury, illness and treatment are to be retained by the ADF Cadet organisations in accordance with the Section 4 Chapter 3 as evidence for any claims made through DVA or DIO.

DIRECTOR-GENERAL DEFENCE COMMUNITY ORGANISATION

2.6.18 Director-General Defence Community Organisation may provide assistance to the parent/guardian(s) of a cadet under the Australians Dangerously Ill Scheme in accordance with Chapter 2 of the [Defence Casualty Manual](#).

Accountable Officer: Chief of Joint Capabilities (CJC)

Policy Officer: Head Joint Support Services Division (HJSSD)