Australian Government
Department of Finance

Application for an Act of Grace Payment

What is an act of grace payment?

Act of grace payments may be made when the Finance Minister or delegate considers it is appropriate to do so because of special circumstances (section 65 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act)).

Act of grace payments are discretionary. There is no guarantee of an outcome in favour of the applicant.

What are special circumstances?

'Special circumstances' and 'appropriate' are not defined in the PGPA Act and are for the decision maker to assess. Even where special circumstances are established, the decision maker may not consider it appropriate to approve an act of grace payment. Examples of special circumstances that may make it appropriate to approve an act of grace payment could include:

- An act of a non-corporate Commonwealth entity (NCE) has caused an unintended and inequitable result to the individual or organisation seeking the payment.
- Commonwealth legislation or policy has had an unintended, anomalous, inequitable or otherwise unacceptable impact on the claimant's circumstances.
- The matter is not covered by legislation or specific policy, but the Commonwealth Government intends to introduce such legislation or policy.

Who can apply?

Any individual, company or other organisation can apply for an act of grace payment, either for themselves or for a third party if authorised. If a company applies for an act of grace payment, this application must be completed by an individual who is authorised to make this request on behalf of the company (e.g. director).

Applications are made in writing. Face-to-face meetings are not conducted.

The act of grace power is available to provide a remedy for the actions of NCEs. A list of NCEs is available on the Department of Finance (Finance) website at: https://www.finance.gov.au/government/managing-commonwealth-resources/structure-australian-government-public-sector/pgpa-act-flipchart-and-list

If your application does not relate to an act of an NCE, or to the impact of Commonwealth legislation or policy, Finance may not be able to assist.

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What happens after you apply

The investigation of an application will be a lengthy process. If you want to find out about the progress of your application, you can contact the Discretionary Payments Section.

Finance may seek information about your application from relevant NCEs. A copy of any information provided by another NCE will generally be provided to you for the opportunity to comment on any adverse information or inference, prior to a decision being made.

Once all relevant information is available, your application will be submitted for a decision as soon as practicable. You and the relevant agencies will be notified of the decision in writing.

Where do I send this application?

Please provide the completed application, and any documentation relating to your application, to sfc@finance.gov.au, or via post addressed to:

Discretionary Payments Section
Department of Finance
One Canberra Avenue
FORREST ACT 2603
AUSTRALIA

Please note that Finance is unable to access third party document storage platforms.

Please provide all documentation in Word or PDF format.

Please note that paper copies sent by post will be digitised and then the hard copy will be destroyed in accordance with General Records Authority 31, and in line with Finance's 'digital by default' policy.

For more information

Website: http://www.finance.gov.au/resource-management/discretionary-financial-assistance/

Email: sfc@finance.gov.au

Freecall *(except from mobiles)*: 1800 227 572

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Part 1 (a): Personal details

Title	
Surname (Family name)	
Given name(s)	
Date of birth	

Part 1 (b): Company/Organisation details (if applicable)

Only complete this part if the application is on behalf of a company or organisation.
If you complete this part, you must also complete the declaration at Part 5.

Company/Organisation name	
Authorised officer & position	

Part 2: Contact details

Postal address	
Home Phone Number	
Work Phone Number	
Mobile Phone Number	
Email address	

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Part 3: Application details

Which NCE (Commonwealth department or agency) does your request relate to?
If your request relates to more than one NCE, please list each of them.

Have you sought review from the NCE(s) above or from another body e.g. an ombudsman, a tribunal or a court? (Please tick) **Yes** ☐ **No** ☐

If you have answered no, there may be other avenues of redress available to you. Please contact the relevant NCE(s) in the first instance.

If yes, who reviewed the matter and what was the outcome?
Please attach copies of review decisions.

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Please state why you consider your circumstances are special and why you consider an act of grace payment would be appropriate.

Please attach relevant supporting documentation.

Please **do not** provide us with your **tax file number** (TFN). Finance is not authorised to receive TFNs and we do not require it to assess your application.

Please note that a decision may be made based on the information and any supporting documents you have provided. You may not have a further opportunity to provide documents or evidence.

We value and welcome your lived experience and personal insights. If your application includes content that may be emotionally confronting, please let us know by ticking this box: ☐

What is the value of the act of grace payment you are seeking?

$

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Part 4A: Declaration for applicant

I declare that the information provided in this application, including in any attachments to this application, is true, correct and complete to the best of my knowledge. Should I become aware of any inaccuracies in the information provided I will inform Finance by email or phone (sfc@finance.gov.au or 1800 227 572) as soon as practicable.

I understand that giving false or misleading information is a serious offence under the *Criminal Code Act 1995*.

Signature

Date

Part 4B: Privacy Notice

Your personal information is protected by law, including by the *Privacy Act 1988*. It is collected by the Discretionary Payments Section at the Department of Finance (Finance) to assess your request for an act of grace payment, and to notify you of the outcome of your application. Please do not provide personal information relating to other people unless you have sought and received their consent to provide their personal information to Finance.

In order to assess your request Finance may communicate with relevant Australian Government departments and agencies about your application. This may require us to disclose personal information to other relevant Australian Government departments and agencies and collect and share further personal information from those departments and agencies if your request is relevant to the functions of those departments and agencies.

Finance will not use or disclose any personal information relevant to your application for any other purpose without your consent unless required or authorised by law.

For more information about how Finance handles your personal information, including information about access to or correction of your personal information, please visit Finance's Privacy policy available at: https://www.finance.gov.au/publications/policy/department-finance-privacy-policy.

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Please note that if you do not provide your consent, Finance will be prevented from progressing your application.

By signing this application, you **consent** to Finance collecting, using and disclosing your personal information in accordance with this Privacy Notice.

Signature

Date

Part 5: Declaration for applicants on behalf of companies [complete if applicable]

Only complete if the application is on behalf of a company or organisation.

I declare that I have the authority to make this application on behalf of:

Company name

Signature

Position

Date

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Part 6: Authority for Representative

Complete the following details if you would like another person or organisation to act on your behalf when dealing with Finance. The person you nominate can be anyone above the age of 18 years.

Representative's name	
Their relationship to you (e.g. sister, guardian, lawyer)	
Representative's organisation	
Postal address	
Home Phone Number	
Work Phone Number	
Mobile Phone Number	
Email address	

Representative's Acceptance

I declare and accept that any personal information I am given access to under this arrangement is protected under Commonwealth legislation. I agree to access, use or disclose the information only as authorised by the person to whom the information relates.

Signature of person authorising the representative

Signature of Representative

Date

Date