



What is the CDDA Scheme?

The CDDA Scheme allows Government agencies to compensate persons who have experienced detriment as a result of an agency's defective actions or inaction.

The CDDA Scheme is available to provide a remedy for all *Financial Management and Accountability Act 1997* agencies.

Payments made under the CDDA Scheme are discretionary. This means there is no automatic entitlement to a payment.

Who has the authority to make decisions?

The CDDA Scheme is an administrative, not a statutory (legislative) scheme. It has been established under the executive power of section 61 of the Constitution.

Portfolio Ministers have responsibility for decisions made under the CDDA Scheme. Ministers may also authorise departmental officers to make decisions.

The Department of Finance and Deregulation only provides policy advice on the CDDA Scheme.

When are compensation payments made?

Payments made under the CDDA Scheme are discretionary. This means there is no automatic entitlement to a payment.

Payments may be made by the relevant portfolio Minister or authorised officer if a Government officer or agency has directly caused an applicant to experience detriment as a result of defective administration.

The CDDA Scheme is generally an avenue of last resort and is used only where there is no other viable avenue to provide redress.

What is defective administration?

Defective administration is defined as:

- a specific and unreasonable lapse in complying with existing administrative procedures; or
- an unreasonable failure to institute appropriate administrative procedures; or
- an unreasonable failure to give to (or for) an applicant, the proper advice that was within the officer's power and knowledge to give (or reasonably capable of being obtained by the officer to give); or
- giving advice to (or for) an applicant that was, in all the circumstances, incorrect or ambiguous.

What is detriment?

Detriment means quantifiable financial loss that an applicant has suffered.

There are three types of detriment:

- detriment relating to a personal injury including mental injury (personal injury loss);
- economic detriment that is not related to a personal injury (pure economic loss); and
- detriment relating to damage to property.

Who can apply for compensation?

Any individual, company or other organisation can apply for compensation, either for themselves or for an authorised third party.

How do I apply?

Claims are made in writing to the Australian Government agency to which your compensation claim relates. Contact details for large agencies are listed below.

Your application should address:

- the criteria for determining defective administration;
- explain how the actions or inactions were defective;
- provide details of the detriment being claimed, including an explanation of how the amount claimed is calculated; and
- explain how the defective administration directly caused the loss.

Please include all relevant evidence in support of your application e.g. correspondence between yourself and the relevant Government agency, medical certificates etc.

Contact details for other agencies

Australian Customs and Border Protection Service	Complaints and Compliments Management Unit Reply Paid 86251 MELBOURNE VIC 8060	1800 228 227
Australian Federal Police	Professional Standards Operations Monitoring Centre PO Box 401 CANBERRA CITY ACT 2601	(02) 6131 6789
Australian Taxation Office	ATO General Counsel PO Box 900 CIVIC SQUARE ACT 2608	1800 005 172
Australian Quarantine and Inspection Service	AQIS Client Feedback Reply Paid 858 CANBERRA ACT 2601	(02) 6272 3084
Centrelink	Your nearest Centrelink shopfront	1800 995 496
Child Support Agency	Attention: CSA Compensation Team The Child Support Agency GPO Box 1903 CANBERRA ACT 2601	1800 247 302
Department of Climate Change and Energy Efficiency	Green Loans Program Department of Climate Change and Energy Efficiency GPO Box 854 CANBERRA ACT 2601	1300 778 451
Department of Defence	Defence Legal—DSFC CP2-4-080 CAMPBELL PARK ACT 2600	1300 333 362
Department of Health and Ageing	GPO Box 9848 CANBERRA ACT 2601	1800 020 103
Department of Immigration and Citizenship	The Manager Global Feedback Unit GPO Box 241 MELBOURNE VIC 3001	133 177
Medicare Australia	National Feedback and Analysis Team Medicare Australia Reply Paid 9822 SYDNEY NSW 2001	1800 465 717

Further information

More detailed information on the CDDA Scheme can be found in Attachment A of Finance Circular 2009/09, *Discretionary Compensation and Waiver of Debt Mechanisms*.

The Commonwealth Ombudsman has produced a factsheet on the CDDA Scheme. You can contact the Commonwealth Ombudsman on the following details:

Commonwealth Ombudsman 1300 362 072
GPO Box 442
CANBERRA ACT 2601