

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 7 OF 2014

SALARIES – RESERVE LEGAL OFFICERS – TRANSITION

The Defence Force Remuneration Tribunal makes the following Determination under section 58H of the *Defence Act 1903*. It relates to Matter No.6 of 2012 - Legal Officer Specialist Officer Career Structure.

1 Citation

1. This Determination is DFRT Determination No. 7 of 2014, Salaries – Reserve Legal Officers – Transition.
2. This Determination may also be cited as DFRT Determination No. 7 of 2014.

2 Commencement

This Determination commences on the date of signature.

3 Amendment

1. Determination No. 15 of 2008, *Salaries*, as amended, is amended as set out in this Determination.
2. To avoid doubt, the placement of members under the salary structure by this Determination does not have a retrospective effect on salary. It does not generally modify the ordinary operation of the structures or incrementing rules in place under Determination No. 15 of 2008, *Salaries*, or Defence Determination 2005/15, *Conditions of Service*, made under section 58B of the *Defence Act 1903*.

4 Transition

1. This clause applies to a member whose rank on the day this Determination commences is the same as that held on 30 January 2013.
2. On the day this Determination commences, a Reserve legal officer is to be placed in the salary structure by reference to the table in the Schedule to this Determination, having regard to:
 - a) Column 2 of the Schedule (the member's placement under DFRT Determination No. 11 of 2012); and
 - (b) if specified in Column 3 of the Schedule, the period of time that has passed since the member entered their current legal level:

- (i) including any time in an equivalent competency level held before 31 January 2013; and
 - (ii) excluding any period for which the member did not complete the training days required of them under regulation 100 of the *Defence (Personnel) Regulations 2002*.
- (c) the final placement indicated in Column 4, corresponding to that first placement and experience at level.

3. The member's period of service for incremental advancement (if any) for any placement made on the day this Determination commences is taken to have started on the member's ordinary incremental anniversary date immediately before the placement under Column 4 of the table in the Schedule.

5 Transition for members – equivalence with Permanent Force legal officer

1. This clause applies to a Reserve Force legal officer with the rank of Major (or equivalent rank) who was placed at LL4-1 in the salary structure on 31 January 2013 and who holds that same rank on the day this Determination commences, for the purpose of assessing a placement under the Schedule to this Determination.

2. If, for example, on 31 January 2013, the officer had less than 1 year of experience at LL4, then for the purposes of assessing incremental movement under Column 3 — that officer is taken to have been placed at Legal Level (LL) 4-3, on their increment advancement date following 31 January 2013. This means that from their incremental advancement date after 31 January 2014, the member is taken to hold LL4-4.

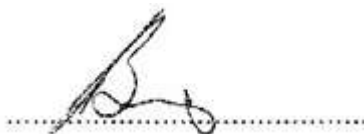
Note: This places the members into the new salary structure at the same level as Permanent Force members who were in similar circumstances when the new structure was first introduced. This provides a pay adjustment for some members from the date of this determination.

Dated this twenty third day of July two thousand and fourteen.

The Honourable A Harrison
President



The Honourable Arch Bevis
Member



Brigadier William Rolfe, AO (Ret'd)
Member



Schedule

Conversion Schedule for Reserve Legal Officer

Column 1	Column 2	Column 3	Column 4
A Reserve legal officer who holds the rank of...	and held this legal level and increment on 31 January 2013...	and on the day this Determination commences has this experience at the legal level or equivalent competency level...	is taken to hold the following legal level-increment in Schedule B.7 Part 2...
Lieutenant (E)	LL1	-	LL1
Captain (E)	LL1	-	LL1
	LL2-1	has held LL2 for at least 1 year, but less than 2 years	LL2-2
	LL2-2	has held LL2 for at least 2 years, but less than 3 years	LL2-3
	LL2-2	has held LL2 for at least 3 years, but less than 4 years	LL2-4
	LL2-2	has been LL2 qualified for at least 4 years, but less than 5 years	LL2-5
	LL2-2	has been LL2 qualified for 5 years or more	LL2-6
	LL3-1	has been LL3 qualified for 1 year or more	LL3-2

Column 1	Column 2	Column 3	Column 4
A Reserve legal officer who holds the rank of...	and held this legal level and increment on 31 January 2013...	and on the day this Determination commences has this experience at the legal level or equivalent competency level...	is taken to hold the following legal level-increment in Schedule B.7 Part 2...
Major (E)	LL2-2	has been LL2 qualified for at least 1 year, but less than 2 years	LL2-2
	LL2-2	has been LL2 qualified for at least 2 years, but less than 3 years	LL2-3
	LL2-2	has been LL2 qualified for 3 years or more	LL2-4
	LL3-2	has been LL3 qualified for at least 1 year, but less than 2 years	LL3-2
	LL3-2	has been LL3 qualified for at least 2 years, but less than 3 years	LL3-3
	LL3-2	has been LL3 qualified for 3 years or more	LL3-4
	LL4-1	has been LL4 qualified for at least 1 year, but less than 2 years	LL4-3
	LL4-1	has been LL4 qualified for at least 2 years, but less than 3 years	LL4-4
	LL4-1	has been LL4 qualified for 3 years or more	LL4-4

Column 1	Column 2	Column 3	Column 4
A Reserve legal officer who holds the rank of...	and held this legal level and increment on 31 January 2013...	and on the day this Determination commences has this experience at the legal level or equivalent competency level...	is taken to hold the following legal level-increment in Schedule B.7 Part 2...
Lieutenant Colonel (E)	LL3-1	has been LL3 qualified for 1 year or more	LL3-2
	LL4-1	has been LL3 qualified for 1 year or more	LL4-2
	LL4-2	-	LL4-2
	LL5	-	LL5
Colonel (E)	LL3	-	LL3
	LL4	-	LL4
	LL5-1	has been LL5 qualified for 1 year or more	LL5-2