

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 9 OF 2016

LANGUAGE PROFICIENCY ALLOWANCE — AMENDMENT

This Determination relates to Matter No. 9 of 2016 — Language Proficiency Allowance.

1 Citation

1. This Determination is Defence Force Remuneration Tribunal Determination No. 9 of 2016, *Language Proficiency Allowance — Amendment*.
2. This Determination may also be cited as DFRT Determination No. 9 of 2016.

2 Commencement

This Determination commences on 1 December 2016.

3 Authority

This instrument is made under section 58H of the *Defence Act 1903*.

4 Amendment

DFRT Determination No. 14 of 1992, *Language Proficiency Allowance*, as amended, is amended as set out in this Determination.

5 Defence Force Remuneration Tribunal Determination 14 of 1992, *Language Proficiency Allowance*, title

substitute title

Language Allowance

6 Clause 1 (Citation)

substitute

1. This determination may be cited as Determination No. 14 of 1992, *Language Allowance*.

7 Clause 2 (Definition)

substitute

2. This table defines terms used in this Determination.

Term	Definition
Grade of language competency	Means the highest current grade of competency attained under the Defence Languages-other-than English (LOTE) Capability Model, as in force on 1 December 2016, by that member.
Level of language proficiency	Means the highest current level of proficiency attained under the Australian Defence Language Proficiency Rating Scale (ADLPRS), as in force on 1 December 2016, by that member.

8 Clause 5 (Specified languages)

omit

language proficiency allowance

insert

language allowance

9 Clause 6 (Rates of Allowance)

substitute

6. The annual rate of language allowance payable to a member is as follows:

	Language level			
	Proficiency – lower or Competency - Strategic Engagement – lower	Proficiency – intermediate or Competency - Strategic Engagement – intermediate or operational engagement	Proficiency – higher or Competency - Strategic Engagement – higher	Proficiency – advanced or Competency - Professional interpreter
Unspecified languages approved by CDF under special circumstances	\$1,110	-	-	-
Specified Difficulty Group 2 languages	\$1,110	\$2,223	\$3,333	\$4,446
Specified Difficulty Group 3 languages	\$1,668	\$3,333	\$5,557	\$7,769
Specified Difficulty Group 4 languages	\$2,223	\$4,446	\$7,769	\$11,101

10 Clause 7 (Payment of Allowance)

7.1. A member who has attained a level of language proficiency or competency at the lower language level or above is entitled to be paid, on the date the member qualifies or subsequently requalifies, language allowance of the amount specified in clause 6 according to the level of language proficiency or competency of the member and the degree of language difficulty.

7.2. A member is also entitled to be paid language allowance for the language on the anniversary of the date the member qualifies or subsequently requalifies, but is not entitled to be paid twice in the same year.

7.3 Unless the Chief of the Defence Force so approves, having regard to the requirements of the Australian Defence Force, a member is not to be paid language allowance for more than one specified language.

11 Clause 8 (Member to be Taken to be Qualified)

substitute

Member to be Taken to be Qualified

8. Where a member fails to requalify in a language but is employed in a position where language skills are used, and the member is able to qualify in certain language skills, the Chief of the Defence Force may approve that the member is to be taken to be qualified in the language at the lower level of proficiency.

12 Clause 9.1 (Payment in Special Circumstances)

substitute

9.1 A member who is not otherwise entitled to language allowance under this determination is entitled to be paid language allowance at the lower proficiency or competency amount if the Chief of the Defence Force certifies that the member is –

- (a) appropriately skilled in a language other than English or a specified language; and
- (b) employed in a position where language skills are essential.

13 Clause 10 (Requalification)

substitute

Requalification

10.1 A member is not entitled to be paid language allowance unless the member requalifies at an interval of not more than three years.

10.2 The three year interval may be extended by a further period as authorised by the Chief of the Defence Force if Service requirements or compelling compassionate circumstances of the member make it impractical for the member to attend a requalification examination.

10.3 A member, posted for 12 months or more to a country where the native language is the same as the language for which the member is entitled to be paid language allowance, is not required to requalify during the period from the commencement of the posting to a date one year after the posting ceases.

10.4 A member posted as an instructor to the Defence Force School of Languages is not required to requalify in the language the member teaches for the period from the commencement of the posting to a date two years after the posting ceases.

14 Clause 11 (Qualification Attained at Other Than Australian Defence Force School of Languages)

substitute

Qualification Attained at Other Than The Defence Force School of Languages

11. A member who has acquired a specified language other than at the Defence Force School of Languages is not entitled to be paid language allowance at an amount above the intermediate language level of language proficiency on first qualifying, unless the Chief of the Defence Force determines a higher level of proficiency should apply.

15 Clause 12 (Repayment of Allowance)

omit, wherever occurring

Proficiency

Dated this *third* day of *November* two thousand and sixteen.



Ingrid Asbury
President



Adrian Morris
Member



Rear Admiral James Goldrick AO CSC RAN Rtd
Member