

EXPLANATORY STATEMENT

Defence Force Remuneration Tribunal Determination No. 11 of 2017

This Determination amends Defence Force Remuneration Tribunal (DFRT) Determination No. 14 of 1992, *Language allowance* (the Principal Determination), made under section 58H of the *Defence Act 1903* (the Act) and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901* (AIA Act).

This Determination amends the language difficulty groups for the specified languages in the Principal Determination.

Section 1 of this Determination sets out the manner in which this Determination may be cited.

Section 2 of this Determination provides that the Determination commences on the date of signature.

Section 3 provides that this instrument has authority under section 58H of the *Defence Act 1903*.

Section 4 provides that each instrument made under section 58H of the Act that is specified in a Schedule to this instrument is amended as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1 sets out amendments to DFRT Determination No. 14 of 1992

Section 1 substitutes the table in clause 6 of the Principal Determination, which sets out the rate of language allowance a member may be eligible for based on the language difficulty and the member's proficiency or competency. The table is being amended to align the language difficulty grades in column 1 with those set out in clause 5 of the Principal Determination. Despite the table in clause 6 being out of alignment with the other cross references and rules in the Principal Determination, administration of language allowance has been correctly applied in accordance with the ADF's submission and the DFRT's decision in relation to Matter 9 of 2016.

Authority: Section 58H of the
Defence Act 1903

Explanatory Statement drafted by the Directorate of Engagement, Priorities and Drafting (DEPD), Department of Defence, on 20 July 2017.