

EXPLANATORY STATEMENT

Defence Force Remuneration Tribunal Determination No. 9 of 2017

This Determination made under section 58KD of the *Defence Act 1903* (the Act) amends the following Defence Force Remuneration Tribunal (DFRT) Determinations, made under section 58H of the Act, and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901* (AIA Act).

- DFRT Determination No. 2 of 2017, *Salaries*.
- DFRT Determination No. 14 of 1992, *Language Allowance*.
- DFRT Determination No. 11 of 2013, *ADF Allowances*.

This Determination gives effect to the first set of remuneration increases as set out in Matter 6 of 2017, ADF Workplace Remuneration Arrangement 2017-2020 (the Arrangement), which is an agreement reached between the Minister, acting on behalf of the Commonwealth, and the Chief of Defence Force, acting on behalf of the members of the Australian Defence Force (ADF).

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 2 November 2017.

Section 3 provides that this instrument has authority under section 58KD 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.

Section 5 provides that the two percent increase is to apply to the rates of salary of ADF members preserved by the provisions set out in sections 3.2.56, 3.2.57 or 3.2.58 of Defence Determination 2016/19, *Conditions of service*.

Schedule 1 sets out amendments to DFRT Determination No. 2 of 2017, *Salaries*. In accordance with the Arrangement, a two per cent increase is applied across each of the salary schedules in this Determination. The following Schedules are substituted:

- Schedule B.1 (Senior officer salary rates)
- Schedule B.3 (Officer salary rates)
- Schedule B.4 (Other rank member appointed as officer – transitional salary rates)
- Schedule B.5 (Specialist officer salary rates – Chaplain)
- Schedule B.6 (Specialist officer salary rates – dental officer)
- Schedule B.7 (Specialist officer salary rates – legal officer)
- Schedule B.8 (Specialist officer salary rates – medical officer)
- Schedule B.10 (Service Warrant Officer and Warrant Officer Class 1 salary rates)
- Schedule B.12 (Other rank salary rates)
- Schedule B.13 (Specialist officer salary rates – aviation)
- Schedule B.14 (Trainee salary rates)
- Schedule B.15 (Senior officer specialist salary rates – medical officer)
- Schedule B.16 (Senior officer specialist salary rates – dental officer)
- Schedule B.17 (Senior officer specialist salary rates – legal officer)
- Schedule B.18 (Senior officer specialist salary rates – Chaplain)

Schedule 2 sets out amendments to DFRT Determination No. 14 of 1992, *Language Allowance*. In accordance with the Arrangement, a two per cent increase is applied to the table in clause 6 (Rates of allowance) of this Determination. The table at clause 6 is substituted.

Schedule 3 sets out amendments to DFRT Determination No. 11 of 2013, *ADF Allowances*. In accordance with the Arrangement, a two per cent increase is applied across each of the allowance rates listed in Part F Table 1 (General allowance rates) and Table 2 (Quarantined disability allowance rates) of this determination. Table 1 and Table 2 are substituted.

Criteria are provided for the exercise of discretions under the Principal Determination, as amended by this Determination. Adverse decisions may be subject to inquiry under the ADF redress of grievance system. A person may make a complaint to the Defence Force Ombudsman.

Authority: Section 58H of the
Defence Act 1903