

EXPLANATORY STATEMENT

Defence Force Remuneration Tribunal Determination No. 6 of 2020, Omnibus Technical Amendments

This Determination amends Defence Force Remuneration Tribunal (DFRT) Determination No. 2 of 2017, *Salaries* (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* (AI Act). The Principal Determination sets out provisions dealing with salary for members of the Australian Defence Force (ADF).

The purpose of this Determination is to make administrative amendments that are technical in nature.

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

Section 2 of this Determination specifies the day this Determination commences.

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

Section 4 provides that each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 - amendments to DFRT Determination No.2 of 2017

Section 1 amends section A.1.12 of the Principal Determination. An incorrect reference to paragraph 3.2.42.b has been omitted and substituted with the correct reference to paragraph 3.2.42.2.b.

Section 2 omits and substitutes section B.2.5 of the Principal Determination. The table sets out the conditions for the rate of salary for an enlisted member on becoming an officer. The amendment is administrative by condensing the information and simplifying the table for the reader, while the intent of the provision remains unchanged.

Section 3 amends the table at subsection B.3.4.1 of the Principal Determination. Table item 7 directed the reader to Schedule B.14 for the rate of salary for aviation specialists; since the introduction of the Officer Aviation Pay Structure at Parts 3 and 4 of that same schedule, it is necessary to update item 7 to now point to Schedule B.14 Parts 1 and 2 for aviation specialists.

Section 4 omits and substitutes Part 1 of Annex B.3.A of the Principal Determination. Part 1 of Annex B.3.A provides the increment ranges for each of the competency streams in Navy's Command Pathway. The substituted tables for Navy's competency streams in Part 1 of the Annex now makes express which increments are quarantined for Command appointments.

Section 5 omits and substitutes the table at Annex B.3.D of the Principal Determination. The table provides the increment ranges for Army's Rotary Wing competency stream in the Generalist Pathway. The substituted table now makes express which increments are quarantined for Command appointments.

Section 6 omits and substitutes the table in paragraph C.3.1.1.a of the Principal Determination. The substituted table makes the following amendments.

- Item 9 of the table has been amended to remove the word 'Technician' from the position of 'Communications and Information Systems Controller'.
- Item 17 of the table in has been amended by inserting the word 'Manager' into the position listed to read 'Communications Electronic Technician Manager (Warrant Officer Engineering) Grade A'.
- A new item 22 has been inserted at the end of the table for a Communications Electronic Systems Technician (Warrant Officer Engineering) Grade A.

Sections 7 to 11 omit and substitute pay grade tables 3, 5, 6, 7 and 8 in Part 2 of Schedule B.2 of the Principal Determination. The amendments previously made by DFRT Determination No. 13 of 2018 have not been captured in subsequent amendments to these tables. These amendments set a new baseline for subsequent amendments to these tables made by Schedule 2 of this determination.

Sections 12, 13 and 14 omit and substitute the tables in pay grades 2, 3 and 4 in Part 1 of Schedule B.11 of the Principal Determination. The employment category titles for Maritime Personnel in these tables have been renamed Maritime Personnel Sailor.

Schedule 2 – Technical amendments to DFRT Determination No.2 of 2017

Section 1 amends the table in subsection B.3.4.1 of the Principal Determination. A new table item 13 has been inserted for an Officer Aviation member.

Sections 2 to 4 omit and substitute the tables for pay grades 5, 6 and 7 in Part 2 of Schedule B.2 of the Principal Determination so as to capture the amendments made by sections 8, 9 and 10 of Schedule 1 of this determination as well as the amendments made by DFRT Determination No. 4 of 2020. Of note, item 20 in the table in pay grade 5 of Part 2 of Schedule B.2 has been corrected to 'Mine Clearance Diver Officer'.

Authority: Section 58H of the
Defence Act 1903