DEFENCE FORCE REMUNERATION TRIBUNAL DETERMINATION NO. 12 OF 2012, OFFICER AVIATION REMUNERATION STRUCTURE ALLOWANCE

The Defence Force Remuneration Tribunal makes this Determination under section 58H of the Defence Act 1903.

Compilation date: 1 October 2026

Includes amendments: DFRT Determination No. 11 of 2026

Prepared by the Department of Defence

About this compilation

This compilation

This is a compilation of Defence Force Remuneration Tribunal Determination No. 12 of 2012, Officer Aviation Remuneration Structure Allowance that shows the text of the law as amended and in force on 1 October 2026 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Defence Force Remuneration Tribunal (www.DFRT.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

1 Citation

1. This Determination is DFRT Determination No. 12 of 2012, Officer Aviation Remuneration Structure Allowance.

2. This Determination may also be cited as DFRT Determination No. 12 of 2012.

2 Commencement

This Determination commences on 1 January 2013.

3 Purpose

The purpose of this Determination is to create a seniority-based allowance for identified Officer Aviation members, to regulate workforce flow and distribution through career and salary structures.

4 Definitions

This table defines terms used in this Determination.

Term	Definition
Aviation specialist	Has the same meaning prescribed by clause B.3.2 (Definitions) of DFRT Determination No. 15 of 2008, Salaries, as in force immediately before its repeal.
CDF	Means the Chief of the Defence Force.
Fast jet pilot	Means a pilot specialisation who has completed a conversion to F35, F/A18, F111 or foreign equivalent.
Fixed wing pilot	Means a pilot who has successfully attained an operational captaincy on a fixed wing platform and is not a fast jet pilot.
Flexible service determination	Means a determination made under subsection 23(2) of the *Defence Act 1903*.
Nonworking period	Means a period under a flexible service determination that applies to a member that is not the member's pattern of service.
Pattern of service	Means the hours of duty or the periods of duty prescribed under a flexible service determination.
Officer Aviation	Has the same meaning prescribed by section A.1.12 (Specialist officers) of DFRT Determination No. 2 of 2017, *Salaries*, as in force from time to time.

5 Effective service

1. For the purposes of this determination, effective service means service that meets all these conditions:

(a) it is service in the Permanent Air Force;

(b) it is paid; and

(c) it is not counted as a period of ineffective service under subclause 5.2 of this Determination.

2. The table below lists a range of leave types and activities and sets out how a period of leave or activity affects determination of a period of effective service.

Item	Activity	Effect
1.	Leave at full pay. **Example:** Annual leave, full pay long service leave.	The period of the leave counts as effective service.
2.	Part-time leave without pay, long service leave at half pay.	The paid component counts as effective service.
3.	Unpaid leave. **Example:** Leave without pay, maternity leave without pay.	The period does not count as effective service.
4.	A period when the member is discharging a period of service, which a member must complete in relation to initial employment training in their current specialisation.	The period counts as effective service.
5.	A period when the member is performing an undertaking for further service under Part 8 of the *Military Superannuation and Benefits Act 1991* (as preserved by item 4 of Schedule 4 *Defence Legislation Act (No. 1) 2005*).	

6.	Any period when the member is discharging: a. a return of service obligation; or b. an undertaking for service associated with any bonus schemes determined under section 58B of the *Defence Act 1903*. **Note:** The service towards the bonus described in paragraph 7(c) of this determination can never count as service because the member is not eligible.	
7.	Absence without leave.	The period does not count as effective service.
8.	Imprisonment, detention or suspension from duty without pay.	
9.	A nonworking period.	

6 Member this Determination applies to

This allowance applies to an Officer Aviation member of the Permanent Air Force who is a fast jet or fixed wing pilot.

7 Conditions for eligibility

For any period when the member holds a combination under paragraph (a) and meets a set of circumstances under paragraph (b), that member is eligible for the Officer Aviation Remuneration Structure allowance.

(a) The member has attained and remains suitable to hold any of the following qualification combinations in a RAAF flying squadron (in accordance with the Defence Aviation Safety Regulation):

(i) a fast jet pilot with Proficient (category C) status.

(ii) a fixed wing pilot with Proficient (category C) status.

(b) The member is in any of the following circumstances:

(i) The member is in the fast jet pilot competency stream of the Command Pathway of the Officer Aviation Pay Structure and has held the rank of Squadron Leader or Wing Commander for less than four years commencing on their seniority date.

(ii) The member is in the fixed wing pilot competency stream of the Command Pathway of the Officer Aviation Pay Structure and Structure and has held the rank of Squadron Leader or Wing Commander for less than four years commencing on their seniority date.

(iii) The member has completed more than three years, but less than six years, as an aviation specialist.

(iv) The member has completed more than three years, but less than six years in the fast jet pilot competency stream of the Specialist Pathway of the Officer Aviation Pay Structure.

(v) The member has completed more than three years, but less than six years, as a combination of being an Aviation Specialist and in the fast jet pilot competency stream of the Specialist Pathway of the Officer Aviation Pay Structure.

(vi) The member has completed more than three years, but less than six years, in the fixed wing pilot competency stream of the Specialist Pathway of the Officer Aviation Pay Structure.

(vii) The member has completed more than three years, but less than six years, as a combination of being an Aviation Specialist and in the fixed wing pilot competency stream of the Specialist Pathway of the Officer Aviation Pay Structure.

8 Events that end eligibility

Eligibility for Officer Aviation Remuneration Structure allowance ceases for a member from the day on which any of the following apply to the member:

(a) The member ceases to be eligible under clause 7 of this Determination;

(b) The member ceases to be a member of the Permanent Forces.

(c) The member is issued a notice of the ending of the member's service other than for one of the following reasons.

(i) Being medically unfit for service in the Defence Force.

(ii) Redundancy in the Defence Force.

(ca) The member is issued a notice of termination of service under section 100 of the *Defence Act 1903*.

(d) The member initiates training as part of a voluntary transfer of employment category.

Exception: It is not a cessation event if the training relates to a transfer to or from the Officer Aviation Specialist Stream.

9 Annual rate of allowance

The annual rate of allowance is $25,000.

10 Payment of the allowance

The amount of allowance is calculated for each calendar year and is payable annually after each year ends.

11 No eligibility for payment

The member is not eligible for annual or pro-rata payment of the allowance for a year in which any of the circumstances in paragraphs 8(b), 8(c) and 8(d) apply to the member.

12 Pro-rata calculation of allowance

1. Periods of ineligibility (other than a period to which clause 11 applies) reduce the amount of the allowance on a pro-rata basis.

2. Periods that do not count as effective service under clause 5 reduce the amount of the allowance on a pro-rata basis.

3. For a member on a flexible service determination, the method for calculating the pro-rata payment of allowance is set out in section 3.2.7AA of Defence Determination 2016/19, *Conditions of Service*.

13 Early pro-rata payment in certain circumstances

1. This clause applies if a member does not render effective service in relation to the payment of the Officer Aviation Remuneration Structure Allowance due to any of the following circumstances:

(a) the member dies; or

(b) the CDF considers that the member's eligibility ceased for any of the following reasons:

(i) The member has reached compulsory retirement age; or

(ii) The member is medically unfit.

2. The member (or if the member has died, the member's legal personal representative) is eligible for a pro-rata payment for the period of effective service provided by the member, payable as soon as practicable after the event.

14 Superannuation

To avoid doubt, this allowance is not part of a member's salary.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history

Abbreviation key—Endnote 2
The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4
Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments
A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and "(md not incorp)" is added to the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted
am = amended
amdt = amendment
c = clause(s)
C[x] = Compilation No. x
Ch = Chapter(s)
def = definition(s)
disallowed = disallowed by Parliament
Div = Division(s)
exp = expires/expired or ceases/ceased to have effect
(md not incorp) = misdescribed amendment cannot be given effect
mod = modified/modification
No. = Number(s)
orig = original
par = paragraph(s)/subparagraph(s)/sub-subparagraph(s)
pres = present
prev = previous
(prev…) = previously
Pt = Part(s)
reloc = relocated
renum = renumbered
rep = repealed
rs = repealed and substituted
s = section(s)/subsection(s)
Sch = Schedule(s)
Sdiv = Subdivision(s)
Sub-Ch = Sub-Chapter(s)
SubPt = Subpart(s)
underlining = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Name	Signed	Commencement	Application, saving and transitional provisions
Defence Force Remuneration Tribunal Determination No. 5 of 2016, Amendment of references to Determination made under section 58B of the *Defence Act 1903* – amendment	22 June 2016	1 July 2016	
Defence Force Remuneration Tribunal Determination No. 2 of 2017, Salaries	30 March 2017	4 April 2017	
Defence Force Remuneration Tribunal Determination No. 1 of 2018, Salaries – Flexible Service Determination – amendment	20 February 2018	20 February 2018	
Defence Force Remuneration Tribunal Determination No. 2 of 2018, Salaries – Officer Aviation Pay Structure – amendment	7 March 2018	3 May 2018	
Defence Force Remuneration Tribunal Determination No. 6 of 2021, Officer Aviation Remuneration Structure Allowance – amendment	13 April 2021	13 May 2021	
Defence Force Remuneration Tribunal Determination No. 21 of 2025, Miscellaneous amendments	21 January 2026	21 January 2026	
Defence Force Remuneration Tribunal Determination No. 11 of 2026, Defence Regulations 2026 Consequential Amendments	25 September 2026	1 October 2026	

Endnote 4—Amendment history

Clause	Amendments
3	am: No. 6 of 2021.
4	am: No. 2 of 2017; Nos. 1 and 3 of 2018. rs: No. 6 of 2021.
5	am: No. 11 of 2026.
7	am: No. 5 of 2016; No. 1 of 2018. rs: No. 6 of 2021.
8	am: No. 6 of 2021; No 21 of 2025.
12	am: No. 5 of 2016; No. 6 of 2021.