



DETERMINATION NO 29 OF 1992

DETERMINATION UNDER SECTION 58B OF THE DEFENCE ACT 1903

I, MERYL ANNETTE STANTON, First Assistant Secretary, Remuneration and Conditions Division, Department of Industrial Relations, pursuant to a delegation made by the Minister of State for Industrial Relations under Defence Force Regulation 72A, hereby make the following determination under section 58B of the *Defence Act 1903*.

Dated 22 June 1992.

M.A. Stanton
First Assistant Secretary
Remuneration and Conditions Division
Department of Industrial Relations

Citation

1. This determination may be cited as Defence Determination 1992/29.

PART A

Principal Determination

2. In this Part Determination 101, Increments and related matters, as in force¹ is referred to as the Principal Determination.

Increment of salary payable where member is competent

3. The Principal Determination is amended by omitting clause 13.

Deferral of increment of salary

4. The Principal Determination is amended by omitting clause 14.

PART B

Principal Determination

5. In this Part Determination 104, Higher Duties Allowance, as in force² is referred to as the Principal Determination.

Rate of allowance - pay levels

6.1 Clause 24 of the Principal Determination is amended by omitting the table and substituting the following table -

Column 1	Column 2	Column 3
PNGDF Pay Level	Australian Notional Pay Level	Australian Pay Level
3	4	1, 2 or 3
4	5	1, 2, 3 or 4

6.2 Clause 25 of the Principal Determination is amended by -

- (a) omitting "pay level 1.1, 1.2 or 2.1" from paragraph (a) and substituting "pay level 1, 2 or 3";
- (b) omitting "pay level 2.2 or 3.1" from paragraph (b) and substituting "pay level 4 or 5";
- (c) omitting "pay level 3.2" (twice occurring) from paragraph (c) and substituting "pay level 6"; and
- (d) omitting "pay level 4.1" (twice occurring) from paragraph (d) and substituting "pay level 7".

PART C

Principal Determination

7. In this Part Overseas Defence Determination 1992/18 as in force³ is referred to as the Principal Determination.

Rent group

8.1 Sub-clause 7.1 of the Principal Determination is amended by omitting "the pay level, circumstances or years of service appropriate to the member" and substituting "the pay level or circumstances appropriate to the member".

8.2 The Principal Determination is amended by omitting the Schedule and substituting the Schedule set out in Attachment A to this determination.

PART D

Miscellaneous amendments

9. Each of the provisions referred to in column 1 of Attachment B to this determination is amended in the manner set out in column 2 opposite the reference to the provision in column 1.

Notes

1. Determination 101, as amended to date. For previous amendments see Note to Determination 21 of 1992 and see also Determination Nos. 21 and 24 of 1992. The Determination has also been amended by Determination No. 3 of 1992 made under section 58H.
2. Determination 104, as amended to date. For previous amendments see Note to Determination 3 of 1992 and see also Determination Nos. 3, 21 and 23 of 1992.
3. Determination 1992/18 was made on 5 May 1992 and has been amended by Determination No. 21 of 1992.
4. Determination 114, as amended to date. For previous amendments see Note to Determination 21 of 1992 and see also Determination No. 21 of 1992.
5. Determination 503, as amended to date. For previous amendments see Note to Determination 4 of 1992 and see also Determination Nos. 4, 7, 13, 16, 20, 21 and 26 of 1992.
6. Determination 504, as amended to date. For previous amendments see Note to Determination 21 of 1992 and see also Determination Nos. 21 and 28 of 1992.
7. Determination 712, as amended to date. For previous amendments see Note to Determination 21 of 1992 and see also Determination No. 21 of 1992.
8. Determination 2601, as amended to date. For previous amendments see Note to Determination 12 of 1992 and see also Determination Nos. 12, 19, 21 and 22 of 1992.
9. Determination 2602, as amended to date. For previous amendments see Note to Determination 21 of 1992 and see also Determination No. 21 of 1992.
10. Determination 2607, as amended to date. For previous amendments see Note to Determination 14 of 1992 and see also Determination Nos. 14 and 21 of 1992.
11. Determination 3732, as amended to date. For previous amendments see Note to Determination 21 of 1992 and see also Determination No. 21 of 1992.

**ATTACHMENT A
TO
DEFENCE DETERMINATION 1992/29**

SCHEDULE

RENT GROUP

Column 1	Column 2		
Rent group	Rank and, if applicable, pay level or circumstances		
	Navy	Army	Air Force
1	Seaman (pay level 1 or 2)	Private (pay level 1 or 2)	Aircraftman (pay level 1 or 2)
	Able Seaman (pay level 1)	Lance Corporal (pay level 1)	Leading Aircraftman (pay level 1)
2	Seaman (pay level 3, 4 or 5)	Private (pay level 3, 4 or 5)	Aircraftman (pay level 3, 4 or 5)
	Able Seaman (pay level 2, 3 or 4)	Lance Corporal (pay level 2, 3 or 4)	Leading Aircraftman (pay level 2, 3 or 4)
	Leading Seaman (pay level 1, 2 or 3)	Corporal (pay level 1, 2 or 3)	Corporal (pay level 1, 2 or 3)
3	Seaman (pay level 6 or 7)	Private (pay level 6 or 7)	Aircraftman (pay level 6 or 7)
	Able Seaman (pay level 5, 6 or 7)	Lance Corporal (pay level 5, 6 or 7)	Leading Aircraftman (pay level 5, 6 or 7)
	Leading Seaman (pay level 4 or 5)	Corporal (pay level 4 or 5)	Corporal (pay level 4 or 5)
	Acting Sub Lieutenant	Second Lieutenant	Pilot Officer
4	Leading Seaman (pay level 6 or 7)	Corporal (pay level 6 or 7)	Corporal (pay level 6 or 7)
	Petty Officer (pay level 1, 2, 3, 4, 5 or 6)	Sergeant (pay level 1, 2, 3, 4, 5 or 6)	Sergeant (pay level 1, 2, 3, 4, 5 or 6)

SCHEDULE - continued

Column 1	Column 2		
Rent group	Rank and, if applicable, pay level or circumstances		
	Navy	Army	Air Force
5	Petty Officer (pay level 7)	Sergeant (pay level 7)	Sergeant (pay level 7)
		Staff Sergeant	
	Officer performing year of compulsory residency (from undergraduate scheme)	Officer performing year of compulsory residency (from undergraduate scheme)	Officer performing year of compulsory residency (from undergraduate scheme)
	Acting Sub Lieutenant (who is paid salary in accordance with Schedule 3 of Determination No. 6 of 1992, Salaries)		Pilot Officer (who is paid salary in accordance with Schedule 3 of Determination No. 6 of 1992, Salaries)
	Sub Lieutenant	Lieutenant	Flying Officer
6	Chief Petty Officer	Warrant Officer, Class 2	Flight Sergeant
	Sub Lieutenant (who is paid salary in accordance with Schedule 3 of Determination No. 6 of 1992, Salaries)	Lieutenant (who is paid salary in accordance with Schedule 3 of Determination No. 6 of 1992, Salaries)	Flying Officer (who is paid salary in accordance with Schedule 3 of Determination No. 6 of 1992, Salaries)
7	Warrant Officer	Warrant Officer, Class 1	Warrant Officer
	Lieutenant	Captain	Flight Lieutenant
9	Lieutenant Commander	Major	Squadron Leader

SCHEDULE - continued

Column 1	Column 2		
Rent group	Rank and, if applicable, pay level or circumstances		
	Navy	Army	Air Force
11	Lieutenant (who is a Medical Officer or a Dental Officer) Commander	Captain (who is a Medical Officer or a Dental Officer) Lieutenant Colonel	Flight Lieutenant (who is a Medical Officer or a Dental Officer) Wing Commander
12	Lieutenant Commander (who is a Medical Officer or a Dental Officer) Captain	Major (who is a Medical Officer or a Dental Officer) Colonel	Squadron Leader (who is a Medical Officer or a Dental Officer) Group Captain
14	Commander (who is a Medical Officer or a Dental Officer) Commodore	Lieutenant Colonel (who is a Medical Officer or a Dental Officer) Brigadier	Wing Commander (who is a Medical Officer or a Dental Officer) Air Commodore
15	Captain (who is a Medical Officer or a Dental Officer)	Colonel (who is a Medical Officer or a Dental Officer)	Group Captain (who is a Medical Officer or a Dental Officer)
16	Commodore (who is a Medical Officer or a Dental Officer) Rear Admiral	Brigadier (who is a Medical Officer or a Dental Officer) Major General	Air Commodore (who is a Medical Officer or a Dental Officer) Air Vice Marshal
18	Vice Admiral	Lieutenant General	Air Marshal

ATTACHMENT B
TO
DEFENCE DETERMINATION 1992/29

Column 1 Provision	Column 2 Amendment
<u>Determination 104.</u> <u>Higher Duties Allowance.</u> <u>as in force²</u>	
Clause 2, definition of "salary"	Omit "salary," and substitute "'salary',"
<u>Determination 114.</u> <u>Trainee's Dependant Allowance.</u> <u>as in force⁴</u>	
Clause 2, definition of "specified salary"	Omit "to whom pay level 1.1 applies;" and substitute "to whom pay level 1 applies."
<u>Determination 503.</u> <u>Temporary Rental Allowance.</u> <u>as in force⁵</u>	
Schedule 3	Omit "pay level 1.1" and substitute "pay level 1"
<u>Determination 504.</u> <u>Temporary Accommodation Allowance.</u> <u>as in force⁶</u>	
Clause 2, definition of "salary"	Omit "from time to time" and substitute "from time to time;"
<u>Determination 712.</u> <u>Medical and Dental Officers -</u> <u>Refresher Training Bounty.</u> <u>as in force⁷</u>	
Clause 2, definition of "military salary"	Omit "ceased to be a member." and substitute "ceased to be a member;"

Column 1	Column 2
Provision	Amendment
<u>Determination 2601.</u> <u>Recreation Leave,</u> <u>as in force⁸</u>	
Clause 2, definition of "trainee"	Omit "clause 23 of Determination 101" and substitute "clause 22 of Determination 101"
<u>Determination 2602.</u> <u>Leave for Members Under Training,</u> <u>as in force⁹</u>	
Clause 2, definition of "trainee"	Omit "clause 23 of Determination 101" and substitute "clause 22 of Determination 101"
Clause 6	Omit "clause 23 of Determination 101" and substitute "clause 22 of Determination 101"
<u>Determination 2607.</u> <u>Recreation Leave Bonus,</u> <u>as in force¹⁰</u>	
Clause 2, definition of "trainee"	Omit "clause 23 of Determination 101" and substitute "clause 22 of Determination 101"
	Omit "from time to time." and substitute "from time to time;"
<u>Determination 3732.</u> <u>Overseas Vehicle Allowance,</u> <u>as in force¹¹</u>	
Clause 2, definition of "salary"	Omit "from time to time." and substitute "from time to time;"

EXPLANATORY MEMORANDUM

DETERMINATION NO 29 OF 1992

Defence Act 1903

The main amendments made by this determination arise in consequence of Determination No. 6 of 1992, Salaries, made under section 58H of the *Defence Act 1903* on 4 June 1992 by the Defence Force Remuneration Tribunal.

Defence Determination 1992/21 made on 7 May 1992 under section 58B of the Act amended Determination 101, Increments and related matters, to take account of changes being made by the Tribunal. The determination was prepared in anticipation of the Tribunal adopting certain approaches in line with a general decision it had handed down.

In the event, in making Determination No. 6 of 1992 the Tribunal concluded that its determination should deal with two aspects of incremental advancement.

Clauses 13 and 14, which deal with those two aspects and which were inserted into Determination 101 by Determination 1992/21, have therefore been rendered redundant. Clauses 3 and 4 of this determination repeal those two clauses.

The Tribunal's determination has also varied the nomenclature of pay levels used in the Australian Defence Force salary structure. Clauses 6 and 8 of this determination make consequential amendments to Determination 104, Higher Duties Allowance, and Determination 1992/18.

Clause 9 of this determination makes minor consequential corrections to various determinations affected by the revision of the salary determinations.

Authority: Section 58B of the
Defence Act 1903