



DEFENCE DETERMINATION 1996/1

DETERMINATION UNDER THE DEFENCE ACT 1903

I, THOMAS FISHER, Acting First Assistant Secretary, Government Authorities and Defence Division, Department of Industrial Relations, acting under a delegation made by the Minister for Industrial Relations under Defence Force Regulation 72A, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 25 January 1996

T. FISHER
Acting First Assistant Secretary
Government Authorities and Defence Division
Department of Industrial Relations

1. Citation

1.1 This Determination may be cited as Defence Determination 1996/1.

2. Amendment

2.1 Defence Determination 1991/45, as amended¹, is amended as set out in this Determination.

3. Clause 4A (Chaplain taken to hold rank)

3.1 Delete the clause, substitute:

"4A. For the purpose of a determination, a Chaplain is taken to hold the same rank as an officer who is entitled to the same rate of salary as the Chaplain."

Note:

1. Determination 45 of 1991 has been amended by Determination Nos. 87 and 103 of 1991; Nos. 5, 19, 21, 60 and 61 of 1992; Nos. 7, 10, 13, 19 and 25 of 1993; No. 46 of 1994 and Nos 10, 11, 15, 27, 34 and 37 of 1995.

EXPLANATORY MEMORANDUM
DEFENCE DETERMINATION 1996/1

Defence Act 1903

Defence Determination 1991/45 (the Principal Determination) sets out standard definitions and interpretation provisions for use with other determinations made under section 58B of the *Defence Act 1903*.

Clause 4A provides an interpretation of the rank taken to be held by Chaplains in the Australian Defence Force (ADF) for the purpose of establishing various conditions of service entitlements under other determinations.

The provision formerly relied on the officer rank in respect of which the various classifications of Chaplain were entitled to be paid salary.

Determination No. 5 of 1995 made by the Defence Force Remuneration Tribunal under section 58H of the *Defence Act 1903* ceased the practice of authorising Chaplains' salary by reference to salaries determined for other ADF officer ranks, and instead directly specified the annual rates of salary applicable to Chaplain classifications. Those rates correspond to certain rates in the officers' common scale of salaries.

This Determination consequentially amends clause 4A of the Principal Determination to reflect the change in the basis on which Chaplains' salaries are authorised.

Authority: Section 58B of the
Defence Act 1903