

DEFENCE FORCE REMUNERATION TRIBUNAL

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Defence Act 1903

SALARY NON-REDUCTION PROVISIONS

MATTER NO 13 OF 1992

DETERMINATION NO. 1 OF 1994

Canberra

21 January 1994

THE HON JUSTICE A.J. BOULTON

J.T.C. BRASSIL AM

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 1 OF 1994

SALARY NON-REDUCTION PROVISIONS

Pursuant to section 58H of the Defence Act 1903, the Defence Force Remuneration Tribunal, having inquired into provisions for salary non-reduction, hereby determines as follows:

1. Determination No. 6 of 1992, Salaries, as amended, is amended by inserting after clause 11 the following clause:

"Salary Non-Reduction Provisions

11A.1 This clause applies to a member where, but for this clause, the salary payable to the member would be reduced as a result of -

- (a) compulsory transfer from one employment category to another employment category; or
- (b) transfer of an employment category to a lower pay level,
but not where a salary reduction results from:
 - (c) unsatisfactory performance of duty; or
 - (d) disciplinary action.

11A.2 Unless otherwise entitled to be paid at a higher rate, a member to whom this clause applies is entitled, for a period of not more than 18 months commencing on the day on which this clause applies, to continue to receive the rate of salary payable to the member immediately before this clause applies."

2. This Determination is taken to have commenced on 23 December 1993.

Dated this *Twenty-first* day of January 1994.

Hon Justice A.J. Boulton
Chairman

A.J. Boulton
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J.T.C. Brassil AM
Member

James T.C. Brassil
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