Statutory Rules

1979 No. 4

REGULATIONS UNDER THE DEFENCE FORCE RETIREMENT AND DEATH BENEFITS ACT 1973*


Dated this Seventh day of June 1979.

ZELMAN GOWEN
Governor-General

By His Excellency's Command,

J.E. McLeay
MINISTER OF STATE FOR ADMINISTRATIVE SERVICES
FOR AND ON BEHALF OF THE
Minister of State for Defence

DEFENCE FORCE RETIREMENT AND DEATH BENEFITS (ANNUAL RATES OF PAY) REGULATIONS

1. These Regulations may be cited as the Defence Force Retirement and Death Benefits (Annual Rates of Pay) Regulations.


3. In these Regulations, unless the contrary intention appears, "member" means member of the Defence Force.

* Notified in the Commonwealth of Australia Gazette on 14th June 1979.

15/4/79 9/1
4. (1) This regulation applies for the purposes of the definition of "annual rate of pay" in sub-section 3 (1) of the Defence Force Retirement and Death Benefits Act 1973.

(2) Where, under the Defence Force (Salaries) Regulations, different annual rates of salary for a member holding a rank specified, or deemed, for the purposes of those Regulations, to hold a rank, are prescribed according to the number of years of service that a member holding that rank has completed, the annual rate of salary under those Regulations of a member who holds that rank shall, for the purposes of sub-regulation (3), be deemed to be the annual rate of salary payable to a member who has completed the longer or longest period of service that is specified in those Regulations in relation to a member holding that rank.

(3) Subject to sub-regulations (4), (5) and (6), the annual pay applicable on a particular day to a member is—

(a) if he belongs to a class of members to whom service allowance is payable under regulation 10 of the Defence Force (Salaries) Regulations—the amount ascertained by adding an amount equal to the rate of service allowance on that day under that regulation to an amount equal to the annual rate of salary of the member on that day under the Defence Force (Salaries) Regulations; or

(b) in any other case—the annual rate of salary of the member on that day under the Defence Force (Salaries) Regulations.

(4) The annual pay applicable on a particular day to a member holding the office of Chief of Defence Force Staff, Chief of Naval Staff, Chief of the General Staff or Chief of the Air Staff is the annual rate of salary on that day of a holder of that office as determined by the Remuneration Tribunal under sub-section 7 (3) of the Remuneration Tribunal Act 1973.

(5) For the purposes of sub-regulation (3), the annual rate of salary applicable on a particular day to a member who is a chaplain not holding an appointment as chaplain-general or principal air chaplain shall be deemed to be—

(a) if he is a chaplain in the Navy or Air Force who has completed not less than 20 years' service as a chaplain—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain in the Navy or Air Force who has completed 22 years' service as chaplain;

(b) if he is a chaplain in the Army whose classification is chaplain, 3rd class, and who has completed not less than 16 years' service in that classification—the annual rate of
salary on that day under the Defence Force (Salaries) Regulations for a chaplain whose classification is Chaplain, 3rd Class, who has completed 18 years' service in that classification;

(c) if he is a chaplain in the Navy or Air Force who has completed less than 20 years', but not less than 12 years', service as a chaplain—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain in the Navy or Air Force who has completed 18 years' service as chaplain;

(d) if he is a chaplain in the Army whose classification is chaplain, 3rd class, and who has completed less than 16 years', but not less than 8 years', service in that classification—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain whose classification is Chaplain, 3rd Class, who has completed 14 years' service in that classification;

(e) if he is a chaplain in the Navy or Air Force who has completed less than 12 years', but not less than 4 years', service as a chaplain—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain in the Navy or Air Force who has completed 10 years' service as chaplain;

(f) if he is a chaplain in the Army whose classification is Chaplain, 3rd class, and who has completed less than 8 years' service in that classification—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain whose classification is Chaplain, 3rd Class, who has completed 6 years' service in that classification;

(g) if he is a chaplain in the Navy or Air Force who has completed less than 4 years' service as a chaplain—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain in the Navy or Air Force who has completed 3 years' service as chaplain;

(h) if he is a chaplain in the Army whose classification is chaplain, 4th class—the annual rate of salary on that day under the Defence Force (Salaries) Regulations for a chaplain whose classification is Chaplain, 4th Class, who has completed 3 years' service in that classification.
(6) For the purposes of sub-regulation (3), the annual rate of salary on a particular day under the Defence Force (Salaries) Regulations of a member undergoing training in a capacity specified in Schedule 9 to the Defence Force (Salaries) Regulations is—

(a) for a member referred to in Item 3 of Schedule 9 to the Defence Force (Salaries) Regulations who is undergoing the first year of a course of training—the rate specified in that item for the 2nd year;

(b) for a member referred to in Item 5 of Schedule 9 to the Defence Force (Salaries) Regulations who is undergoing the first year of a course of training—the rate specified in that item for the 2nd year;

(c) for a member referred to in Item 6 of Schedule 9 to the Defence Force (Salaries) Regulations who is undergoing the third year of a course of training—the rate specified in that item for the 4th year;

(d) for a member referred to in Item 8 of Schedule 9 to the Defence Force (Salaries) Regulations who is undergoing the second year of a course of training—the rate specified in that item for the 3rd year.