Defence Force Retirement and Death Benefits (Annual Rates of Pay) Amendment Regulations 2004 (No. 1)

Statutory Rules 2004 No. 1


Dated 24 JUN 2004

PM Jeffery
Governor-General

By His Excellency’s Command

MALCOLM BROUGHT
Minister for Employment Services
for the Minister for Defence
1 Name of Regulations
These Regulations are the Defence Force Retirement and Death Benefits (Annual Rates of Pay) Amendment Regulations 2004 (No. 7).

2 Commencement
These Regulations commence on 13 August 2004.

3 Amendment of Defence Force Retirement and Death Benefits (Annual Rates of Pay) Regulations
Schedule 1 amends the Defence Force Retirement and Death Benefits (Annual Rates of Pay) Regulations.

Schedule 1 Amendments
(regulation 3)

[1] Regulation 1
substitute

1 Name of Regulations
These Regulations are the Defence Force Retirement and Death Benefits (Annual Rates of Pay) Regulations 1979.
3 Definitions

In these Regulations:

*allowance* means an allowance determined by the Defence Force Remuneration Tribunal under section 58H of the Defence Act.

*Defence Act* means the *Defence Act 1903*.

*Determination No. 6 of 1992* means Determination No. 6 of 1992, Salaries, made under section 58H of the Defence Act, as in force from time to time.

*flying allowance* means the allowance of that name established by Determination No. 7 of 1997, Flying Allowance, made under section 58H of the Defence Act, as in force from time to time.

*member* means member of the Defence Force.

*Q & S component*, of an allowance, means the qualifications and skill component of the allowance.

*service allowance* means the allowance of that name established under Determination No. 11 of 1994, Service Allowance, made under section 58H of the Defence Act, as in force from time to time.

*special action forces allowance* means the allowance of that name established by Determination No. 11 of 2002, Special Action Forces Allowance, made under section 58H of the Defence Act, as in force from time to time.

*specialist operations allowance* means the allowance of that name established by Determination No. 19 of 2002, Specialist Operations Allowance, made under section 58H of the Defence Act, as in force from time to time.

*submarine service allowance* means the allowance of that name established by Determination No. 9 of 1995, Submarine Service Allowance, made under section 58H of the Defence Act, as in force from time to time.
Subregulation 4 (1)

substitute

(1) For the definition of annual rate of pay in subsection 3 (1) of the Defence Force Retirement and Death Benefits Act 1973, the amounts set out in this regulation are prescribed.

Subregulation 4 (3)

substitute

(3) Subject to subregulations (4) and (5), the annual rate of pay applicable on a particular day to a member is the sum of:

(a) the annual rate of salary of the member on that day under Determination No. 6 of 1992; and

(b) for a member to whom service allowance is payable — an amount equal to the annual rate of the service allowance that is applicable in respect of service by the member on that day; and

(c) for a member to whom the Q & S component of:

(i) flying allowance; or

(ii) special action forces allowance; or

(iii) specialist operations allowance; or

(iv) submarine service allowance;

is payable — an amount equal to the annual rate of the Q & S component that is applicable in respect of service by the member on that day.

Subregulation 4 (4)

omit annual pay

insert annual rate of pay
Notes

1. These Regulations amend Statutory Rules 1979 No. 90, as amended by 1979 Nos. 206 and 255; 1980 No. 341; Act No. 144, 1981; Statutory Rules 1982 Nos. 188 and 189; 1984 Nos. 118, 185, 393 and 394; 1985 No. 325 (as amended by 1986 No. 103); 1990 No. 12; 1991 No. 133; 1995 No. 49; 1997 No. 42.