Military Justice (Interim Measures) (Remuneration and Entitlements) Regulations 2011

Select Legislative Instrument No. 90, 2011

made under the

Military Justice (Interim Measures) Act (No. 1) 2009

Compilation No. 5

Compilation date: 29 August 2017
Includes amendments up to: F2017L01101
Registered: 31 August 2017

This compilation includes a retrospective amendment made by F2017L01101

Prepared by the Office of Parliamentary Counsel, Canberra
About this compilation

This compilation

This is a compilation of the Military Justice (Interim Measures) (Remuneration and Entitlements) Regulations 2011 that shows the text of the law as amended and in force on 29 August 2017 (the compilation date).

The notes at the end of this compilation (the endnotes) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Authorised Version F2017C00675 registered 31/08/2017
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1 Name of Regulations

These Regulations are the Military Justice (Interim Measures) (Remuneration and Entitlements) Regulations 2011.

3 Definition

In these Regulations:

Act means the Military Justice (Interim Measures) Act (No. 1) 2009.

4 Remuneration for Chief Judge Advocate

(1) For paragraph 2(4)(a) of Schedule 3 to the Act:
   (a) this regulation applies to the person taken to have been appointed, by force of item 2 of that Schedule, as the Chief Judge Advocate; and
   (b) the items in the table set out:
      (i) the total remuneration to which the person is entitled for the period mentioned in the item; and
      (ii) the base salary included in the total remuneration.

<table>
<thead>
<tr>
<th>Item</th>
<th>Period</th>
<th>Total remuneration</th>
<th>Base salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1 October 2009–31 July 2010</td>
<td>$324,980</td>
<td>$259,460</td>
</tr>
<tr>
<td>2</td>
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<td>$338,310</td>
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<td>4 March 2017–30 June 2017</td>
<td>$410,000</td>
<td>$299,920</td>
</tr>
<tr>
<td>8</td>
<td>1 July 2017–</td>
<td>$418,200</td>
<td>$305,290</td>
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</table>

(2) Subregulation (1) does not affect any other terms and conditions as to remuneration, allowances and recreation leave and other leave entitlements as purportedly applied to the person immediately before 26 August 2009.

Note: Under paragraph 2(3)(b) of Schedule 3 to the Act, the person is taken to have been appointed on the same terms and conditions as to remuneration, allowances and recreation leave and other leave entitlements as purportedly applied to the person immediately before 26 August 2009, subject to regulations made under subitem 2(4). Those terms and conditions were set out in Remuneration Tribunal Determination 2008/09 – Judicial and Related Offices – Remuneration and Allowances.

5 Remuneration for judge advocates’ panel

(1) For paragraph 4(4)(a) of Schedule 3 to the Act:
Regulation 5

(a) this regulation applies to a person taken to have been appointed, by force of item 4 of that Schedule, as a member of the judge advocates’ panel; and

(b) the items in the table set out:

(i) the total remuneration to which the person is entitled for the period mentioned in the item; and

(ii) the base salary included in the total remuneration.

<table>
<thead>
<tr>
<th>Item</th>
<th>Period</th>
<th>Total remuneration</th>
<th>Base salary</th>
</tr>
</thead>
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<td>$279 130</td>
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<td>1 August 2010–30 June 2011</td>
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<td>5</td>
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<td>$315 668</td>
<td>$249 400</td>
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(2) Subregulation (1) does not affect any other terms and conditions as to remuneration, allowances and recreation leave and other leave entitlements as purportedly applied to the person immediately before 26 August 2009.

Note: Under paragraph 4(3)(b) of Schedule 3 to the Act, the person is taken to have been appointed on the same terms and conditions as to remuneration, allowances and recreation leave and other leave entitlements as purportedly applied to the person immediately before 26 August 2009, subject to regulations made under subitem 4(4). Those terms and conditions were set out in Remuneration Tribunal Determination 2008/09 – Judicial and Related Offices – Remuneration and Allowances.
Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The Legislation Act 2003 authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.
Endnotes

Endnote 2—Abbreviation key

ad = added or inserted
am = amended
amdt = amendment
c = clause(s)
C[x] = Compilation No. x
Ch = Chapter(s)
def = definition(s)
Dict = Dictionary
disallowed = disallowed by Parliament
Div = Division(s)
ed = editorial change
exp = expires/expired or ceases/ceased to have effect
F = Federal Register of Legislation
gaz = gazette
LA = Legislation Act 2003
LIA = Legislative Instruments Act 2003
(md) = misdescribed amendment can be given effect
(md not incorp) = misdescribed amendment cannot be given effect
mod = modified/modification
No. = Number(s)
o = order(s)
Ord = Ordinance
orig = original
par = paragraph(s)/subparagraph(s)
/p = paragraph(s)/subparagraph(s)
pres = present
prev = previous
(prev…) = previously
Pt = Part(s)
r = regulation(s)/rule(s)
reloc = relocated
renum = renumbered
rep = repealed
rs = repealed and substituted
s = section(s)/subsection(s)
Sch = Schedule(s)
Sdiv = Subdivision(s)
SLI = Select Legislative Instrument
SR = Statutory Rules
Sub-Ch = Sub-Chapter(s)
SubPt = Subpart(s)
underlining = whole or part not commenced or to be commenced

Military Justice (Interim Measures) (Remuneration and Entitlements) Regulations 2011

Compilation No. 5
Compilation date: 29/8/17
Registered: 31/8/17

Authorised Version F2017C00675 registered 31/08/2017
### Endnote 3—Legislation history

<table>
<thead>
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<th>Number and year</th>
<th>FRLI registration</th>
<th>Commencement</th>
<th>Application, saving and transitional provisions</th>
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<td>21 June 2011 (see F2011L01093)</td>
<td>1 Oct 2009</td>
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<td>2011 No. 151</td>
<td>19 Aug 2011 (see F2011L01699)</td>
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<td>2012 No. 242</td>
<td>26 Oct 2012 (see F2012L02092)</td>
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<td>No 2, 2014</td>
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**Name**

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<th>Military Justice (Interim Measures) (Remuneration and Entitlements) Amendment (Chief Judge Advocate) Regulations 2017</th>
<th>Registration</th>
<th>Commencement</th>
<th>Application, saving and transitional provisions</th>
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### Endnote 4—Amendment history

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<th>How affected</th>
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<tbody>
<tr>
<td>r 2</td>
<td>rep LA s 48D</td>
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<tr>
<td>r 4</td>
<td>am No 151, 2011</td>
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<tr>
<td></td>
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<td>r 5</td>
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<td>rs No 53, 2012</td>
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<td>am No 242, 2012; No 2, 2014</td>
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