

Defence Determination, Conditions of Service Amendment (Salary non-reduction) Determination 2018 (No. 42)

I, FIONA LOUISE McSPEERIN, Assistant Secretary, People Policy and Employment Conditions, make the following Determination under section 58B of the *Defence Act 1903.*

Dated 17 December 2018

F L McSPEERIN

Assistant Secretary
People Policy and Employment Conditions
Defence People Group

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Defence Determination 2016/19, Conditions of service

1 Name

 This instrument is *Defence Determination, Conditions of Service Amendment* *(Salary non-reduction) Determination 2018 (No. 42)*.

2 Commencement

 This instrument commences on 27 December 2018.

3 Authority

 This instrument is made under section 58B of the *Defence Act 1903.*

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

**Schedule 1—** **Salary non-reduction amendments**

***Defence Determination 2016/19, Conditions of service***

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| 1 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 1: Members with the rank of Warrant Officer Class 1, table item 6 |
|  | Omit the table item, substitute: |

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| 6. | Manager Surveillance Target Acquisition (Reserves) | 27 December 2018 | 31 December 2020. |

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| 2 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 1: Members with the rank of Warrant Officer Class 1, table item 10 |
|  | Omit the table item, substitute: |

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| 10. | Manager Surveillance Target Acquisition (Reserves) | 27 December 2018 | 31 December 2020. |

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| 3 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 1: Members with the rank of Warrant Officer Class 1, table item 14 |
|  | Omit the table item, substitute: |

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| 14. | Manager Surveillance Target Acquisition (Reserves) | 27 December 2018 | 31 December 2020. |

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| 4 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 10, column 3 |
|  | Omit "2018", substitute "2020". |
| 5 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 17, column 3 |
|  | Omit "2018", substitute "2020". |

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| 6 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 18, column 3 |
|  | Omit "2018", substitute "2020". |
| 7 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 19, column 3 |
|  | Omit "2018", substitute "2020". |
| 8 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 24, column 3 |
|  | Omit "2018", substitute "2020". |
| 9 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 25, column 3 |
|  | Omit "2018", substitute "2020". |
| 10 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 31, column 3 |
|  | Omit "2018", substitute "2020". |
| 11 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 32, column 3 |
|  | Omit "2018", substitute "2020". |

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| 12 | Annex 3.2.B (Salary non-reduction – members with the rank of Warrant Officer Class 1 or lower), Part 2: Members with the rank of Warrant Officer Class 2 or lower, table item 36 |
|  | Omit the table item, substitute: |

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| 36. | Manager Operations Ground Based Air Defence on 16 November 2016 at the rank of Sergeant | 27 December 2018 | 17 November 2020. |
| 36A. | Manager Operations Offensive Grade 2 on 16 November 2016 at the rank of Sergeant | 27 December 2018 | 17 November 2020. |
| 36B. | Manager Surveillance Target Acquisition on 16 November 2016 at the rank of Sergeant (Permanent Forces) | 27 December 2018 | 17 November 2020. |
| 36C. | Manager Surveillance Target Acquisition (Reserves) | 27 December 2018 | 31 December 2020. |

**Schedule 2—** **Salary non-reduction transitional provisions**

***Defence Determination 2016/19, Conditions of service***

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| 1 | Salary non-reduction – transitional provision |
| 1. | This section applies to a member to whom all the following applied on 16 November 2016. |
|  | a. | The member held the rank sergeant. |
|  | b. | The member's employment category was either of the following. |
|  | i. | Manager Operations Ground Based Air Defence. |
|  | ii. | Manager Operations Offensive Grade 2. |
|  | c. | The member was in receipt of salary at pay grade 6.  |
| 2. | For the period 17 May 2018 to the commencement of this Determination, the member is eligible to be paid the rate of salary payable to the member on 16 November 2016 (adjusted in accordance with subsection 3), payable under Schedule B.12 of DFRT Determination No. 15 of 2008, *Salaries*, as amended to 3 April 2017, and from 4 April 2017 the rate of salary under Schedule B.12 of DFRT Determination No. 2 of 2017, *Salaries*, as amended to date. |
| 3. | The rate of salary used in subsection 2 may be adjusted by either of the following. |
|  | a. | An increment advancement owed to the member under Defence Determination 2016/19, Conditions of service Chapter 3 Part 2 Division 5, during the period described in subsection 2. |
|  | b. | The rate of a general salary increase determined by the Defence Force Remuneration Tribunal that applied to a period described in subsection 2. |
| 4. | This section ceases to apply to a member whose salary is affected by any of the following. |
|  | a. | The member's performance of duty being unsatisfactory. |
|  | b. | The member being subject to disciplinary action. |
|  | c. | An administrative sanction. |
|  | d. | The member choosing to transfer to another employment category. |
|  | e. | Reduction in rank. |
|  | f. | The member ceasing to hold a competency required by the specialist career structure for which salary was previously payable to the member. |
|  | g. | The Defence Force Remuneration Tribunal has determined a transitional salary structure for the member that includes salary non-reduction period for the member. |