



Defence Determination, Conditions of service Amendment (Cyber warfare pay structure) Determination (No. 12) 2025

I, Brigadier Kirk Lloyd, Director General, People Policy and Employment Conditions, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 23 July 2025

BRIG Kirk Lloyd
Director General
People Policy and Employment Conditions
Defence People Group

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1 Name

This instrument is the Defence Determination, Conditions of service Amendment (Cyber warfare pay structure) Determination (No. 12) 2025.

2 Commencement

1. Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4.	The day the instrument is registered.	
2. Schedule 1 and 2.	The later of the following dates: a. the date DFRT Determination No. 7 of 2025 commences. b. the date the instrument is registered. However, the provisions do not commence at all if DFRT Determination No. 7 of 2025 does not commence within 12 months beginning on the date this instrument was signed.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

2. Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Defence Determination 2016/19, Conditions of service

1 Section 3.2.29

Omit “who is paid a rate of salary under Division 4, Division 4A or Division 4B”, substitute “whom Division 4, Division 4A, Division 4B or Division 4C applies”.

2 After Division 4B of Part 2 of Chapter 3

Insert:

Division 4C: Cyber warfare — increment placement, advancement, transfer, promotion and deferral

Subdivision 1: General provisions

3.2.47AB Purpose

This Division provides for the increment placement, advancement, transfer, promotion or deferral of a salary increment for a cyber warfare member.

3.2.47AC Definitions

In this Division, the following apply.

Anniversary date has the meaning given in section 3.2.47AD.

Completion of year in rank for the purpose of increment advancement has the meaning given in section 3.2.47AO.

Cyber warfare member has the same meaning as provided in Part B Division 3B of DFRT Determination No. 2 of 2017.

Cyber warfare officer has the same meaning as provided in Part B Division 3B of DFRT Determination No. 2 of 2017.

Cyber warfare specialist has the same meaning as provided in Part B Division 3B of DFRT Determination No. 2 of 2017.

Cyber warfare pay structure means the pay structure provided under Part B Division 3B of DFRT Determination No. 2 of 2017.

Decision maker means any of the following.

- a. Director General Military Personnel Branch.
- b. Director Space and Cyber Career Management.
- c. Director General Navy People.
- d. Director General Career Management – Army.

- e. Director General Personnel – Air Force.

Other rank means a member who holds a rank specified in items 14 to 21 of the table in Schedule 1 of the *Defence Act 1903*, as in force from time to time.

3.2.47AD Anniversary date

1. **Anniversary date** means the day that is 12 months after the later of the following.
 - a. The day the member became a cyber warfare member.
 - b. If the member is an officer, the day they were last promoted.
 - c. The day the member is promoted to Able Seaman or Leading Aircraftman.
 - d. The day the member is made a Private Proficient.
 - e. The day the member is transferred into a different career pathway.
 - f. If the member is an officer and all of the following applied immediately before they were appointed an officer, the day they are appointed as a cyber warfare officer.
 - i. They held an other rank.
 - ii. They were a cyber warfare member.
 - g. The member's last anniversary date as defined in this section.
2. The anniversary date under subsection 1 is extended by one day for each day that any of the following applies to the member.
 - a. The member is on leave without pay.
 - b. The member is absent without leave.
 - c. The member is not entitled to salary.

Note: The anniversary date is not changed if the member's 'year in rank' is deferred.
3. Despite subsection 1, if a member would have entered the cyber warfare pay structure between 3 July 2025 and commencement of this Division, their initial anniversary date is the date they would have entered the pay structure.

3.2.47AE Member this Division applies to

This Division applies to a cyber warfare member.

Subdivision 2: Increment on entry to the cyber warfare pay structure

3.2.47AF Entry placement – general

A member has the increment that corresponds with their rank and zero years in rank in their pathway when they become a cyber warfare member unless section 3.2.47AG or section 3.2.47AH applies.

3.2.47AG Entry placement – member transferring from another pay structure

1. This section applies to a member who meets all of the following.
 - a. They are a cyber warfare member.
 - b. They transferred into the cyber warfare pay structure from another pay structure.
2. The member's increment is one of the following.
 - a. The increment in the table in the annex for their pathway in Part B Division 3B of DFRT Determination No. 2 of 2017 that has a rate of salary equal to, or the next higher rate of salary than, the rate of salary the member was paid immediately before they transferred the cyber warfare pay structure.

Note: The rate of salary for an increment is provided in Part 3 and 4 of Schedule B.14 of DFRT Determination No. 2 of 2017.
 - b. If the increment under paragraph a. is less than the lowest increment for the member's rank and pathway, their increment is the increment set by subsection B.3B.5.1 of DFRT Determination No. 2 of 2017.

3.2.47AH Discretionary increment placement

1. If the decision maker is satisfied that it is reasonable for a member to be given a higher increment on entry to the cyber warfare pay structure than otherwise provided by this subdivision, the member's increment is the increment set by the decision maker that is between the minimum and maximum increment available for their rank and pathway.

Note: An increment is available in the member's pathway if the increment is in the table in the annex for their pathway in Part B Division 3B of DFRT Determination No. 2 of 2017 for their rank.
2. For the purposes of subsection 1, the decision maker must consider the following.
 - a. The member's experience, qualifications and skills.
 - b. The member's previous relevant military service.
 - c. The increment that would apply if a decision under subsection 1 was not made.
 - d. If one of the following applies, whether the qualifications, skills or training requirements for the rank have changed since the member last served.
 - i. The officer is reappointed.
 - ii. The other rank member is reenlisted.
 - e. If a member was reduced in rank, the reason for the reduction in rank.
 - f. If a member was reduced in rank and was later promoted to the rank they held before being reduced in rank, the duration of the member's service at the higher rank.
 - g. Any other relevant matters.

Subdivision 3: Increment on transfer between pathways within the cyber warfare pay structure

3.2.47AI Increment on transfer between pathways

1. This section applies to a cyber warfare officer who transfers to a different pathway within the cyber warfare pay structure.
2. On the day the member transfers to a different pathway, one of the following applies.
 - a. If their increment before transfer is equal to or above the minimum increment for the gaining pathway, their increment is the increment they held immediately before they transferred pathways.
 - b. If the increment under paragraph a is less than the lowest increment provided for the member's rank and career pathway, their increment is the increment set by subsection B.3B.5.1 of DFRT Determination No. 2 of 2017.
3. Despite paragraph 2.a, if the decision maker is satisfied that it is reasonable for a member to be given a higher increment when they transfer between pathways within the cyber warfare pay structure than otherwise provided by this section, the member's increment is the increment set by the decision maker that is between the minimum and maximum increment that is available for their rank and pathway.

Note: An increment is available in the member's pathway if the increment is in the table in the annex for their pathway in Part B Division 3B of DFRT Determination No. 2 of 2017 for their rank.
4. For the purpose of subsection 3, the decision maker must have regard to all of the following.
 - a. The member's experience, qualifications and skills.
 - b. The member's previous relevant military service.
 - c. Any other relevant matters.

Subdivision 4: Increment on promotion or appointment as an officer

3.2.47AJ Increment on promotion – officer

1. This section does not apply to an officer promoted to the rank of Flying Officer or Pilot Officer.
2. On the day an officer is promoted, they have the increment that corresponds with their rank and zero years in rank in their pathway.

3.2.47AK Increment on promotion – other rank

1. On the day a member holding an other rank is promoted, their increment is one of the following.
 - a. If the member is promoted from an Able Seaman or Leading Aircraftman to a Leading Seaman or a Corporal, the higher of the following
 - i. The increment that is 2 increments above their increment immediately before they were promoted.

- ii. The lowest increment for their rank in their pathway.
- b. If the member is a Private Proficient and is promoted to Corporal, the higher of the following
 - i. The increment that is 2 increments above their increment immediately before they were promoted.
 - ii. The lowest increment for their rank in their pathway.
- c. If the other rank member is promoted to Warrant Officer Class 2, the higher of the following.
 - i. The increment that is 2 increments above their increment immediately before they were promoted.
 - ii. The lowest increment for their rank in their pathway.
- d. If the other rank member is promoted in any other circumstance, the higher of the following.
 - i. The increment that is 1 increment above their increment immediately before they were promoted.
 - ii. The lowest increment for their rank in their pathway.
- 2. Despite subsection 1, the member's increment cannot exceed the highest increment available for the member's pathway and rank.

3.2.47AL Other rank member appointed as an officer

- 1. This section applies to a member who meets all of the following.
 - a. They were a cyber warfare specialist immediately before being appointed as an officer.
 - b. They are a cyber warfare officer.
- 2. On the day that a member is appointed as an officer, their increment is the higher of the following.
 - a. The minimum increment for their rank and pathway.
 - b. The increment they held immediately before becoming an officer.

3.2.47AM Discretionary increment placement

- 1. Despite sections 3.2.47AJ to 3.2.47AL, if the decision maker is satisfied that it is reasonable for a member to be given a higher increment when they are promoted than otherwise provided by this subdivision, the member's increment is the increment set by the decision maker that is between the minimum and maximum increment available for their rank and pathway.

Note: An increment is available in the member's pathway if the increment is in the table in the annex for their pathway in Part B Division 3B of DFRT Determination No. 2 of 2017 for their rank.
- 2. For the purposes of subsection 1, the decision maker must consider the following.

- a. The member's experience, qualifications and skills.
- b. The member's previous relevant military service.
- c. The increment that would apply if a decision under subsection 1 were not made.
- d. If one of the following applies — whether the qualifications, skills or training requirements for the rank have changed since the member last served.
 - i. The officer is reappointed.
 - ii. The other rank member is reenlisted.
- e. If a member was reduced in rank — the reason for the reduction in rank.
- f. If a member was reduced in rank and was later promoted to the rank they held before being reduced in rank — the duration of the member's service at the higher rank.
- g. Any other relevant matters.

Subdivision 4: Increment advancement and completion of years in rank

3.2.47AN Effect of entry placement at a higher increment

- 1. This section applies to a member who meets all of the following.
 - a. They entered the cyber warfare pay structure from another pay structure.
 - b. They have been placed at an increment under section 3.2.47AG.
- 2. The member's increment does not advance until the date the decision maker has set in connection with the member's entry into the pathway having regard to principles set for the management of cyber warfare pay structure.

3.2.47AO Completion of year in rank

For the purpose of Part B, Division 3B of DFRT Determination No. 2 of 2017, a member **completes a year in rank** if all of the following apply.

- a. They complete one of the following in the 12 months from their last anniversary date.
 - i. If the member is in the Permanent Forces — 12 months of service.
 - ii. If the member is in the Reserves — 20 or more days of Reserve service.
 - iii. If the member has served in both the Permanent Forces and the Reserves in the 12 month period — 20 days of service.
- b. A decision maker has assessed the member as having carried out their duties and responsibilities at the standard expected in connection with one of the following.
 - i. The member's anniversary date.
 - ii. A review of the member's performance following a deferral decision under section 3.2.47AP.

Note: A member's increment advances when they complete a year in rank.

3.2.47AP Deferral decisions

1. For the purpose of section 3.2.47AO, a decision maker must assess the member as having carried out their duties and responsibilities at the standard expected.

Note: A member who has been assessed as not having carried out their duties and responsibilities at the standard expected, has not completed a year in rank under section 3.2.47AO.
2. If the decision maker assesses a member as not having carried out their duties and responsibilities at the standard expected (the deferral decision), the deferral decision must meet all of the following.
 - a. Be in writing.
 - b. Specify a period of deferral.
 - c. Be provided to the member.
3. The decision maker must review the deferral decision at all of the following times.
 - a. If a deferral period is greater than 4 months, within 4 months of the date of deferral.
 - b. At the end of the period of deferral.
 - c. At any other time within the deferral period, the decision maker considers reasonable.
4. If, on review, the member is assessed as having carried out their duties and responsibilities at the standard expected the deferral period ends.

Note 1: If the member is assessed as having carried out their duties and responsibilities at the standard expected on a review, the member will advance a year in rank from the day the deferral period ends.

Note 2: If at the end of the deferral period the member is not assessed as having carried out their duties and responsibilities at the standard expected, the member does not complete a year of service and stays on the same increment.

Note 3: A deferred increment under this section does not change the member's increment anniversary date.

Schedule 2—Transitional provisions

1 Definitions

In this Schedule, the following apply.

Salary Determination means DFRT Determination 2017/2, *Salaries*, as in force from time to time.

2 Transitional – Cyber warfare pay structure

1. This clause applies to a member who would have been eligible for pay under the cyber warfare pay structure in the Salaries Determination between 3 July 2025 and the commencement of Schedule 1 of this Determination had Schedule 1 of this Determination been in force at the time.
2. The member is paid the difference between the salary they have been paid under Schedule B.2, B.9 or B.11 of the Salary Determination, and what the member would have been eligible for under DFRT determination No. 7 of 2025, had it been in force at the time.