



Defence Force Remuneration Tribunal Determination No. 24 of 2021, Salaries – Navy Engineer Officers, Engineer Warrant Holder Grade 2 – amendment

The Defence Force Remuneration Tribunal, make this Determination under section 58H of the *Defence Act 1903*. It relates to Matter 20 of 2021 – RAN Engineering Officers Level 2 – supplementary, Engineer Warrant Holder 2.

Dated 22 December 2021

Ingrid Asbury
President

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Adrian Morris
Member

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Major General Gerard Fogarty, AO (Retd)
Member

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1 Name

1. This Determination is Defence Force Remuneration Tribunal Determination No. 24 of 2021, Salaries – Navy Engineer Officers, Engineer Warrant Holder Grade 2 – amendment.
2. This Determination may also be cited as DFRT Determination No. 24 of 2021.

2 Commencement

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
Provisions	Commencement
1. The whole of this instrument	On the day it is 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Note: This table relates only to the provisions of this instrument as originally made.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.

3 Authority

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

4 Schedules

1. Defence Force Remuneration Tribunal Determination No. 2 of 2017, *Salaries*, as amended,¹ is amended as set out in Schedule 1 of this Determination.

NOTE

1. Defence Force Remuneration Tribunal Determination No. 2 of 2017, *Salaries*, as amended by DFRT Determination Nos. 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of 2021.

Schedule 1— Navy Engineer Officers amendments

DFRT Determination No. 2 of 2017, Salaries

1 Schedule B.2 (Officer pay grades), Part 2: Navy, Pay grade 8, table item 2

Omit the table item, substitute:

2.	Aeronautical Engineering	Principal Engineer, Subordinate Materiel Governance Authority or Engineer Warrant Holder Grade 2
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2 Schedule B.2 (Officer pay grades), Part 2: Navy, Pay grade 8, table item 12

Omit the table item, substitute:

12.	Marine Engineering	Principal Engineer, Subordinate Materiel Governance Authority or Engineer Warrant Holder Grade 2
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3 Schedule B.2 (Officer pay grades), Part 2: Navy, Pay grade 8, table item 13

Omit the table item, substitute:

13.	Marine Engineering SM	Principal Engineer, Subordinate Materiel Governance Authority or Engineer Warrant Holder Grade 2
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4 Schedule B.2 (Officer pay grades), Part 2: Navy, Pay grade 8, table item 48

Omit the table item, substitute:

48.	Weapons Electrical Aircraft Engineering	Principal Engineer, Subordinate Materiel Governance Authority or Engineer Warrant Holder Grade 2
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5 Schedule B.2 (Officer pay grades), Part 2: Navy, Pay grade 8, table item 50

Omit the table item, substitute:

50.	Weapons Electrical Engineering	Principal Engineer, Subordinate Materiel Governance Authority or Engineer Warrant Holder Grade 2
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6 Schedule B.2 (Officer pay grades), Part 2: Navy, Pay grade 8, table item 51

Omit the table item, substitute:

51.	Weapons Electrical Engineering SM	Principal Engineer, Subordinate Materiel Governance Authority or Engineer Warrant Holder Grade 2
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Schedule 2—Transitional provisions

1 Application

1. This Schedule applies to a member who meets both the following between 24 February 2020 and the commencement of this Determination.
 - a. They held the award of Warrant Holder delegation as an Engineer Warrant Holder Grade 2.
 - b. The member was eligible for salary under Pay Grade 7 of Part 2 of Schedule B.2 of the Defence Force Remuneration Tribunal Determination No. 2 of 2017, *Salaries*.

2 Benefit

1. A member is eligible to the rate of salary for which they would have been eligible if this Determination had been in force, between the following dates.
 - a. The date the member was awarded the Warrant Holder delegation as an Engineer Warrant Holder Grade 2.
 - b. The commencement of this Determination.
2. The amount the member receives under subsection 1 is reduced by the salary the member has received for the same period.

EXPLANATORY STATEMENT

Defence Force Remuneration Tribunal Determination No. 24 of 2021, Salaries – Navy Engineer Officers, Engineer Warrant Holder Grade 2 – amendment

This Determination amends Defence Force Remuneration Tribunal (DFRT) Determination No. 2 of 2017, *Salaries* (the Principal Determination), made under section 58H of the *Defence Act 1903* (the Act) and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901* (AIA Act). The Principal Determination sets out provisions dealing with salary for members of the Australian Defence Force (ADF).

The purpose of this Determination is to amend Schedule B.2 of the Principal Determination to add the Engineer Warrant Holder Grade 2 classification to various employment categories in the Graded Officer Pay Structure for Navy. These changes were inadvertently not included as part of the changes made by Defence Force Remuneration Tribunal Determination No. 2 of 2018, *Salaries – Navy engineer officer employment categories – amendment* that commenced on 20 April 2018.

The Determination also provides for members who held the Engineer Warrant Holder Grade 2 delegation since 24 February 2020 to be paid at Pay Grade 8 from the date they held the delegation as though this Determination had been in force at that time.

Section 1 of this Determination sets out the manner in which this Determination may be cited.

Section 2 of this Determination provides that the Determination commences on the day it is signed.

Section 3 provides that this instrument has authority under section 58H of the *Defence Act 1903*.

Section 4 provides that 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–Navy Engineer Warrant Holder employment category amendments

Sections 1 to 6 amend the table for Pay Grade 8 in Part 2 (Navy) of Schedule B.2 (Officer pay grades) of the Principal Determination. The table lists the employment categories in Navy that are placed in Pay Grade 8. The amendments insert the 'Engineer Warrant Holder Grade 2' classification into various employment categories in order to include engineering officers who held an 'Engineer Warrant Holder Grade 2' classification for these employment categories in Navy.

Schedule 2–Transitional provisions

Section 1 provides that this Schedule applies to a member who was awarded the Warrant Holder delegation for Engineer Warrant Holder Grade 2 and was eligible for salary under Pay Grade 7 of Part 2 of Schedule B.2 of the Defence Force Remuneration Tribunal Determination No. 2 of 2017, *Salaries* between 24 February 2020 and the commencement of this Determination.

Section 2 provides that a member is eligible for the equivalent rate of salary for which they would have been eligible if this Determination had been in force, between the date they were awarded the Warrant Holder delegation for Engineer Warrant Holder Grade 2 and the commencement of this Determination. As they have already been paid salary under Pay Grade 7, the amount for which they will be eligible is the difference between Pay Grade 7 and Pay Grade 8 for the relevant period.

Authority: Section 58H of the
Defence Act 1903