



Defence Force Remuneration Tribunal Determination No. 5 of 2023, ADF Allowances – Military Factor (Phase 1) – amendment

The Defence Force Remuneration Tribunal, make this Determination under section 58H of the *Defence Act 1903*. It relates to Matter No. 8 of 2022 – ADF Allowance Modernisation Tranche 2.

Dated 27 April 2023

Ingrid Asbury
President

.....

Adrian Morris
Member

.....

Major General Gerard Fogarty, AO Rtd
Member

.....

1 Name

1. This Determination is Defence Force Remuneration Tribunal Determination No. 5 of 2023, ADF Allowances – Military Factor (Phase 1) – amendment
2. This Determination may also be cited as DFRT Determination No. 5 of 2023.

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	25 May 2023

Note: This table relates only to the provisions of this instrument as originally made.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. 11 of 2013, *ADF Allowances*, commenced on 12 September 2013 and has been amended by DFRT Determination Nos. 13, 19 and 20 of 2013; Nos. 6 and 9 of 2014; Nos. 5, 11, 12, 13, 14 and 16 of 2015; Nos. 1, 2, 5, 6 and 8 of 2016; Nos. 1, 4, 7, 9 and 10 of 2017; Nos. 1, 4 and 9 of 2018; Nos. 2, 5 and 9 of 2019; Nos. 2 and 10 of 2020; Nos. 1, 4, 5, 14, 15, and 17 of 2021; No 4 of 2022.

Schedule 1— Military Factor (Phase 1) amendment

DFRT Determination No. 11 of 2013, ADF allowances

1 Section A.1.4

Omit

“Part B General Disability Allowances

- Division B.3 – Separation allowance
- Division B.4 – Adventurous training instructor allowance
- Division B.5 – Arduous conditions instructor allowance
- Division B.6 – Diving allowance
- Division B.7 – Flying disability allowance
- Division B.8 – Submarine escape disability allowance
- Division B.9 – Maritime disability allowance
- Division B.10 – Boarding party allowance
- Division B.12 – Special Forces disability allowance
- Division B.13 – Field allowance
- Division B.14 – Clearance diver allowance
- Division B.15 – Unpredictable explosives allowance
- Division B.16 – Paratrooper allowance
- Division B.17 – Recruit instructor disability allowance”

substitute

“Part B General Disability Allowances

- Division B.3 – Separation allowance
- Division B.4 – Adventurous training leader allowance
- Division B.6 – Diving allowance
- Division B.7 – Flying disability allowance
- Division B.8 – Submarine escape disability allowance
- Division B.9 – Maritime disability allowance
- Division B.10 – Boarding party allowance
- Division B.12 – Special Forces disability allowance
- Division B.13 – Field allowance
- Division B.14 – Clearance diver allowance
- Division B.15 – Unpredictable explosives allowance
- Division B.16 – Paratrooper allowance
- Division B.17 – Recruit instructor disability allowance
- Division B.18 – Maritime deployable support element allowance”

2 Section A.1.4

Omit

“Part C Sustainment Allowances

- Division C.1 – Maritime sustainability allowance
- Division C.2 – Special Forces sustainability allowance
- Division C.3 – Recruit instructor sustainability allowance”,

substitute

“Part C Sustainment Allowances

- Division C.1 – Maritime sustainability allowance
- Division C.2 – Special Forces sustainability allowance
- Division C.3 – Recruit instructor sustainability allowance
- Division C.4 – Training sustainment allowance”

3 Section A.1.6 (After the definition of ADF)

Insert:

Calendar day	Means a 24 hour period which starts at 0000 on a day and ends at 2359 on the same day.
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4 Section A.1.6 (Definition of senior officer)

Repeal the definition.

5 Section B.3.1

Omit “of Service reasons”, substitute “because of a posting”.

6 Section B.3.2

Repeal the section, substitute:

B.3.2 Definitions

In this Division, the following apply.

Member with dependants (unaccompanied) has the meaning given in Defence Determination 2016/19, Conditions of service, as in force from time to time.

7 Section B.3.3

Repeal the section, substitute:

B.3.3 Member this Division applies to

This Division applies to a member who is one of the following.

- a. They are a member of the Permanent Forces.
- b. They are a member of the Reserves on continuous full-time service.

8 Paragraph B.3.4.c

Repeal the paragraph.

9 Section B.3.5

Repeal the section, substitute:

B.3.5 Eligibility for separation allowance

A member is eligible for separation allowance if they are a member with dependants (unaccompanied).

10 Section B.3.6

Repeal the section, substitute:

B.3.6 Rate of allowance

A member is eligible for the annual rate of separation allowance set out in Part F table item 2.

11 Section B.3.7

Repeal the section, substitute:

B.3.7 Events that end eligibility

A member ceases to be eligible for separation allowance from the day any of the following events occur.

- a. The day the member ceases to be a member with dependants (unaccompanied).
- b. The member is at their home location, or otherwise absent on a type of leave or have returned to the location where their dependants live for a period of more than 45 days.

12 Section B.3.8

Repeal the section.

13 Division B.4 (heading)

Omit "instructor", substitute "leader".

14 Section B.4.1

Omit "instructor", substitute "leader".

15 Section B.4.2 (definition of adventurous training instructor)

Repeal the definition.

16 Section B.4.3

Repeal the section, substitute:

B.4.3 Member this allowance applies to

This Division applies to a member of the Permanent Forces or Reserves who is a unit adventurous training leader.

17 Section B.4.4

Repeal the section, substitute:

B.4.4 Conditions of eligibility

1. A member is eligible for adventurous training leader allowance if all the following conditions are met.
 - a. The member conducts an adventurous training activity.
 - b. The member is authorised by the unit's commanding officer or officer commanding to lead the adventurous training activity.
2. A member is not eligible for the allowance for any of the following associated with adventurous training activities.
 - a. Pre- and post-activity planning and administration.
 - b. Reconnaissance for an adventurous training activity.
 - c. Adventurous training club activities.
 - d. Attendance as a student on a unit adventurous training leader course.
 - e. Attendance as a student on a course of an adventurous nature.
 - f. Participation in personal adventurous training activities.

18 Section B.4.5

Repeal the section.

19 Section B.4.6

Repeal the section, substitute:

B.4.6 Rate of allowance

A member is eligible for the daily rate of adventurous training leader allowance set out in Part F table 1 item 10.

20 Section B.4.7

Omit "instructor", substitute "leader".

21 Section B.4.8

Repeal the section.

22 Division B.5

Repeal the division.

23 Section B.6.5
Omit “item 5”, substitute “item 8”.

24 Section B.6.6 (table)
Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under this paragraph...	is to be paid...
1.	B.6.4.1.a	the rate listed for item 9, table 1 in Part F of this Determination.
2.	B.6.4.1.c	
3.	B.6.4.1.b	the rate listed for item 12, table 1 in Part F of this Determination.

25 Section B.7.7
Omit “item 8”, substitute “item 14”.

26 Section B.7.8
Omit “item 9”, substitute “item 16”.

27 Subsection B.8.4.1
Repeal the subsection, substitute:

1. A member who meets all of the following is eligible for submarine escape disability allowance.
 - a. The member is attending a course in submarine escape procedures.
 - b. The member is required to undertake an underwater ascent at the training facility.

Exception: A member posted to a seagoing submarine.

28 Section B.8.5
Repeal the section.

29 Section B.8.6 (table)
Repeal the table, substitute:

Item	A member on...	who has met the conditions of eligibility under...	is to be paid...
1.	continuous full-time service	One of the following a. paragraph B.8.4.1 b. paragraph B.8.4.2	the daily rate listed for item 19, table 1 in Part F of this Determination.

2.		subsection B.8.4.3	the daily rate listed for items 1 or 2, table 2 in Part F of this Determination.
3.	Reserve service	One of the following. a. paragraph B.8.4.1 b. subsection B.8.4.2	the daily rate listed for item 19, table 1 in Part F of this Determination.
4.		subsection B.8.4.3	the daily rate listed for items 1 or 2, table 2 in Part F of this Determination.

30 Section B.9.2 (definition of deemed position)

Omit "Sea Training Group".

31 Section B.9.2 (definition of non-deemed position)

Omit "Sea Training Group".

32 Subsection B.9.4.1

After "is eligible for", insert "the annual rate of".

33 Subsection B.9.4.1 (note)

Repeal the note.

34 Subsection B.9.4.2

Repeal the subsection, substitute:

2. A member of the Permanent Forces or Reserves is eligible for the daily rate of maritime disability allowance on a day they meet all of the following.
 - a. They are serving in any of the following circumstances.
 - i. On a major fleet unit, which includes a seagoing ship.
 - ii. On a minor war vessel.
 - iii. In a seagoing submarine.
 - iv. At a shore establishment for service in a vessel set out in subparagraphs i to iii.
 - b. They meet any of the following.
 - i. They are required to live, and undertake duty, on a vessel for a calendar day.
 - ii. They are required to live, and undertake duty, on a vessel and in the field for a calendar day.
 - iii. Immediately after completing a calendar day of maritime service, they complete less than a calendar day of maritime service and that day is their last day of maritime service.

35 Subsection B.9.4.3

Repeal the subsection, substitute:

3. A member is not required to meet paragraph 2.b for that day if one of the following applies.
 - a. All of the following apply.
 - i. The member has a break of 1 calendar day or less between 2 periods of maritime service.
 - ii. Had the break not occurred the member would have met paragraph 2.b.
 - b. Before reboarding a vessel, the member was accommodated ashore at an intermediate port of call during the course of a voyage.

36 Section B.9.4A

Repeal the section.

37 Section B.9.4B

Repeal the section.

38 Section B.9.5 (table)

Repeal the table, substitute:

Item	A member who meets the conditions of...	and...	is to be paid...
1.	paragraph B.9.4.1.a	-	the annual rate listed for item 22, table 1 in Part F of this Determination
2.	paragraph B.9.4.1.b	-	the annual rate listed for item 23, table 1 in Part F of this Determination.
3.	paragraph B.9.4.1.c	-	the annual rate listed for item 24, table 1 in Part F of this Determination.
4.	paragraph B.9.4.1.d	serving in a major fleet unit, including a seagoing ship	the annual rate listed for item 22, table 1 in Part F of this Determination.
5.	paragraph B.9.4.1.d	serving in a minor war vessel	the annual rate listed for item 23, table 1 in Part F of this Determination.
6.	paragraph B.9.4.1.d	serving in a seagoing submarine	the annual rate listed for item 24, table 1 in Part F of this Determination.
7.	paragraph B.9.4.1.e	in a deemed position, for service in a major fleet unit, including a seagoing ship	the annual rate listed for item 22, table 1 in Part F of this Determination.
8.	paragraph B.9.4.1.e	in a deemed position, for service in a minor war vessel	the annual rate listed for item 23, table 1 in Part F of this Determination.

9.	paragraph B.9.4.1.e	in a deemed position, for service in a seagoing submarine	the annual rate listed for item 24, table 1 in Part F of this Determination.
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39 Section B.9.6 (exceptions)

Repeal the exceptions, wherever occurring.

40 Subsection B.9.6.1 (table)

Repeal the table, substitute:

Item	A member who is serving in...	is to be paid the relevant rate for each completed day...
1.	a major fleet unit	the daily rate listed for item 27, table 1 in Part F of this Determination.
2.	a minor war vessel	the daily rate listed for item 29, table 1 in Part F of this Determination.
3.	a seagoing submarine	the daily rate listed for item 31, table 1 in Part F of this Determination.

41 Subsection B.9.6.2 (table)

Repeal the table, substitute:

Item	A member who is serving in...	is to be paid the relevant rate for each completed day...
1.	a major fleet unit in a non-deemed position (subparagraph B.9.4.2.a.i)	the daily rate listed for item 27, table 1 in Part F of this Determination.
2.	a minor war vessel in a non-deemed position (subparagraph B.9.4.2.a.ii)	the daily rate listed for item 29, table 1 in Part F of this Determination.
3.	a seagoing submarine in a non-deemed position (subparagraph B.9.4.2.a.iii)	the daily rate listed for item 31, table 1 in Part F of this Determination.

42 Section B.10.5

Omit "item 7", substitute "item 11"

43 Paragraph B.12.5.5.b

Repeal the paragraph, substitute:

- b. The member is directed to perform duty with any of the following.
 - i. 4 Squadron, Air Force.
 - ii. Special Air Service Regiment.
 - iii. 1st Commando Regiment.

- iv. 2nd Commando Regiment.
- v. Australian Defence Force School of Special Operations as an Instructor.

44 Paragraph B.12.6.5.b

Repeal the paragraph, substitute:

- b. The member is directed to perform duty with any of the following.
 - i. 4 Squadron, Air Force.
 - ii. Special Air Service Regiment.
 - iii. 1st Commando Regiment.
 - iv. 2nd Commando Regiment.
 - v. Australian Defence Force School of Special Operations as an Instructor.

45 Section B.12.7 (table)

Repeal the table, substitute:

Item	A member who meets the conditions set out in ...	and performing the posting or duty described for a position at...	is to be paid...
1.	B.12.5.2.a.i (Commando)	any of the following. a. B.12.5.2.b.i b. B.12.5.2.b.ii c. B.12.5.2.b.iii	the annual rate listed for item 39, table 1 in Part F of this Determination.
2.	B.12.5.2.a.ii (Special Air Service)	any of the following. a. B.12.5.2.b.i b. B.12.5.2.b.ii c. B.12.5.2.b.iii	
3.	B.12.5.2.a.iii (Tactical Assault Group clearance diver)	any of the following. a. B.12.5.2.b.i b. B.12.5.2.b.ii c. B.12.5.2.b.iii	
4.	B.12.5.2.a.i (Commando)	any of the following. a. B.12.5.2.b.iv b. B.12.5.2.b.v	the annual rate listed for item 40, table 1 in Part F of this Determination.
5.	B.12.5.2.a.ii (Special Air Service)	any of the following. a. B.12.5.2.b.iv b. B.12.5.2.b.v	
6.	B.12.5.2.a.iii (Tactical Assault Group clearance diver)	any of the following. a. B.12.5.2.b.iv b. B.12.5.2.b.v	
7.	B.12.5.3 (training)	-	
8.	B.12.5.4.a.iii (Special Forces support tier 2)	any of the following. a. B.12.5.4.b.i b. B.12.5.4.b.ii c. B.12.5.4.b.iii	
9.	B.12.5.4.a.iv (Special Forces support tier 3)	any of the following. a. B.12.5.4.b.i b. B.12.5.4.b.ii c. B.12.5.4.b.iii	

10.	B.12.5.4.a.i (Special Forces support tier 1B)	any of the following. a. B.12.5.4.b.i b. B.12.5.4.b.ii c. B.12.5.4.b.iii	the annual rate listed for item 6, table 1 in Part F of this Determination.
11.	B.12.5.4.a.ii (Special Forces support tier 1C)	any of the following a. B.12.5.4.b.i b. B.12.5.4.b.ii c. B.12.5.4.b.iii	
12.	B.12.5.4.a.iii (Special Forces support tier 2)	any of the following. a. B.12.5.4.b.iv b. B.12.5.4.b.v	
13.	B.12.5.4.a.iv (Special Forces support tier 3)	any of the following. a. B.12.5.4.b.iv b. B.12.5.4.b.v	
14.	B.12.5.5 (combat controller/ combat control officer)	any of the following. a. B.12.5.5.b.i b. B.12.5.5.b.ii c. B.12.5.5.b.iii d. B.12.5.5.b.iv	the annual rate listed for item 39, table 1 in Part F of this Determination.
15.	B.12.5.5 (combat controller/ combat control officer)	B.12.5.5.b.v	the annual rate listed for item 40, table 1 in Part F of this Determination.

46

Subsection B.12.8.1 (table)

Repeal the table, substitute:

Item	A member who meets the conditions set out in ...	and performing the posting or duty described for a position at...	is to be paid...
1.	B.12.6.2.a.i (Commando)	any of the following. a. B.12.6.2.b.i b. B.12.6.2.b.ii c. B.12.6.2.b.iii	the daily rate listed for item 49, table 1 in Part F of this Determination.
2.	B.12.6.2.a.ii (Special Air Service)	any of the following. a. B.12.6.2.b.i b. B.12.6.2.b.ii c. B.12.6.2.b.iii	
3.	B.12.6.2.a.iii (Tactical Assault Group clearance diver)	any of the following. a. B.12.6.2.b.i b. B.12.6.2.b.ii c. B.12.6.2.b.iii	
4.	B.12.6.2.a.i (Commando)	any of the following. a. B.12.6.2.b.iv b. B.12.6.2.b.v	the daily rate listed for item 48, table 1 in Part F of this Determination.
5.	B.12.6.2.a.ii (Special Air Service)	any of the following. a. B.12.6.2.b.iv b. B.12.6.2.b.v	
6.	B.12.6.2.a.iii (Tactical Assault Group clearance diver)	any of the following. a. B.12.6.2.b.iv b. B.12.6.2.b.v	
7.	B.12.6.3.a.iii (Special Forces support tier 2)	any of the following. a. B.12.6.3.b.i b. B.12.6.3.b.ii c. B.12.6.3.b.iii	
8.	B.12.6.3.a.iv	any of the following. a. B.12.6.3.b.i	

	(Special Forces support tier 3)	b. B.12.6.3.b.ii c. B.12.6.3.b.iii	
9.	B.12.6.3.a.i (Special Forces support tier 1B)	any of the following. a. B.12.6.3.b.i b. B.12.6.3.b.ii c. B.12.6.3.b.iii	the daily rate listed for item 47, table 1 in Part F of this Determination.
10.	B.12.6.3.a.ii (Special Forces support tier 1C)	any of the following. a. B.12.6.3.b.i b. B.12.6.3.b.ii c. B.12.6.3.b.iii	
11.	B.12.6.3.a.iii (Special Forces support tier 2)	any of the following. a. B.12.6.3.b.iv b. B.12.6.3.b.v	the daily rate listed for item 85, table 1 in Part F of this Determination.
12.	B.12.6.3.a.iv (Special Forces support tier 3)	any of the following. a. B.12.6.3.b.iv b. B.12.6.3.b.v	
13.	B.12.6.4 (training)	-	the daily rate listed for item 48, table 1 in Part F of this Determination.
14.	B.12.6.5 (combat controller/ combat control officer)	any of the following. a. B.12.6.5.b.i b. B.12.6.5.b.ii c. B.12.5.5.b.iii d. B.12.5.5.b.iv	the daily rate listed for item 49, table 1 in Part F of this Determination
15.	B.12.6.5 (combat controller/ combat control officer)	B.12.6.5.b.v	the daily rate listed for item 48, table 1 in Part F of this Determination.

47 Subsection B.12.8.2

Omit “rate listed at item 33”, substitute “tier listed at item 54”.

48 Subsection B.12.10.4

Repeal the subsection, substitute:

4. For the purposes of subsection B.12.10.5, a member’s eligibility to any of the following allowances may be affected by payment of Special Forces disability allowance.
 - a. Adventurous training leader allowance.
 - b. Boarding party allowance.
 - c. Diving allowance.
 - d. Field allowance.
 - e. Flying disability allowance.
 - f. Paratrooper allowance.
 - g. Maritime disability allowance.
 - h. Maritime sustainability allowance.
 - i. Submarine escape allowance.

48A Subsection B.12.10.5 (table)

Repeal the table, substitute:

Item	A member paid Special Forces disability allowance under...	may also be paid these allowances for the same period...
1.	B.12.7, table items 1–9	none of the allowances listed under subsection B.12.10.4.
2.	B.12.7, table items 10–11	any of the allowances listed under subsection B.12.10.4.
3.	B.12.7, table items 12–13	any of the allowances listed under subsection B.12.10.4, except paratrooper allowance.
4.	B.12.7, table item 14 - 15	none of the allowances listed under subsection B.12.10.4.
5.	B.12.8.1, table items 1–6	none of the allowances listed under subsection B.12.10.4.
6.	B.12.8.1, table items 7–8	none of the allowances listed under subsection B.12.10.4.
7.	B.12.8.1, table items 9–10	any of the allowances listed under subsection B.12.10.4.
8.	B.12.8.1, table items 11–12	any of the allowances listed under subsection B.12.10.4, except paratrooper allowance.
9.	B.12.8.1, table items 13–15	none of the allowances listed under subsection B.12.10.4.
10.	B.12.8.2	none of the allowances listed under subsection B.12.10.4.

49 Section B.13.5

Repeal the section, substitute:

B.13.5 Eligibility

1. A member is eligible for field allowance on a day they meet all of the following.
 - a. They meet any of the following.
 - i. They are required to live, and undertake duty, in the field for a calendar day.
 - ii. They are required to live, and undertake duty, in the field and on a vessel for a calendar day.
 - iii. Immediately after completing a calendar day of field service, they complete less than a calendar day of field service and that day is their last day of field service.
 - b. The CDF is satisfied of any of the following.
 - i. The member is undertaking field service under extreme levels of hardship in living and working conditions and at least three other elements listed at section B.13.4.

- ii. The member is undertaking field service under a combination of extreme and intermediate levels of hardship in living and working conditions and at least three other elements listed at section B.13.4.
 - ii. The member is undertaking field service under exceptional circumstances under a combination of extreme and intermediate levels of hardship in living and working conditions and at least one other element listed at section B.13.4.
2. A member is not required to meet paragraph 1.a for that day if one of the following applies.
- a. The member has a break of 1 calendar day or less between 2 periods of field service.
 - b. Had the break not occurred the member would have met paragraph 1.a.

50 Subsection B.13.6

Repeal the section.

51 B.13.7

Repeal the section.

52 B.13.8

Repeal the section, substitute:

B.13.8 Daily rate of allowance

1. A member who is eligible under subparagraph B.13.5.1.b.i is to be paid the daily rate listed for item 13 of table 1 in Part F of this Determination.
2. A member who is eligible under paragraph B.13.5.1.b.ii is to be paid the daily rate listed for item 30 of table 1 in Part F of this Determination.
3. If a member qualifies for more than one rate of allowance on a day, the rate that applies is the rate that the member would be eligible to receive at the end of the day.

Note: the member can only receive one rate of the allowance on a day.

Example: A member renders field service that meets the conditions of eligibility under subparagraph B.13.5.1.b.i for four days. On day five, the member is moved to an area that meets the conditions of eligibility under subparagraph B.13.5.1.b.ii and remains there for another day. For the first four days the member is paid the rate under subsection B.13.8.1. For the remaining two days the member is paid the rate under subsection B.13.8.2.

4. A member who meets the conditions of eligibility under subparagraph B.13.5.1.b.iii is to be paid the daily rate of field allowance listed at either item 13 or item 30, table 1 of Part F of this Determination, as chosen by the CDF having regard to the nature of the exceptional circumstances.
5. For a member who meets the conditions of eligibility under subsection B.13.5.1 and provides field service for a prolonged period, CDF may decide to pay a different daily rate of field allowance to that member for a specified period of time than would otherwise be payable. When approving the daily rate that is payable for the specified period, CDF must undertake the following.
 - a. CDF must have regard to the levels of hardship for each element experienced while providing field service.

- b. CDF must have regard to the duration of the period of field service.
- c. CDF must choose a rate listed at either item 13 or item 30, table 1 of Part F of this Determination.

53 After subparagraph B.14.4.1.c.v

Insert:

- vi. Defence Explosive Ordnance Training School Instructor

54 After subparagraph B.14.4.3.b.iv

Insert:

- v. Defence Explosive Ordnance Training School Instructor

55 After Subsection B.14.4.5

Insert:

- 6. A member is eligible for clearance diver allowance if the member meets one of the following.
 - a. All of the following.
 - i. They hold the Service recognised qualifications required to be a medical officer or medic in the ADF.
 - ii. They are posted to a position that performs clearance diving support activities that provide on-line support for a clearance diver team.
 - b. All of the following.
 - i. They hold the Service recognised qualifications required to be a medical officer or medic in the ADF.
 - ii. They are directed on a day to perform clearance diving support activities that provide on-line support for a clearance diver.

56 Section B.14.7 (table)

Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under...	and is posted to the position...	is to be paid...
1.	B.14.4.1	a. Unit.Clearance diving team.	the annual rate listed for item 55, table 1 in Part F of this Determination.

		One of the following. b. Mine Hunter Coastal Unit. c. RAN diving school. d. Explosive ordnance disposal or improvised explosive device disposal response team. e. Overseas exchange diving position in the United Kingdom f. Defence Explosive Ordnance Training School Instructor	the annual rate listed for item 41, table 1 in Part F of this Determination.
2.	B.14.4.2	One of the following. a. Australian Mine Warfare and Clearance Diving Task Group. b. Clearance diving support position.	the annual rate listed for item 5, table 1 in Part F of this Determination.
3.	B.14.4.5.a	Clearance diver trainee position	the annual rate listed for item 21, table 1 in Part F of this Determination.
4.	B.14.4.6.a	Clearance diver operations support medic	the annual rate listed for item 76, table 1 in Part F of this Determination.

57

Subsection B.14.8.1 (table)

Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under...	and is required to perform duties that are similar to those performed in the position of...	is to be paid...
1.	B.14.4.3	a. Clearance diving team.	the daily rate listed for item 58, table 1 in Part F of this Determination.
		One of the following. b. Mine Hunter Coastal Unit. c. RAN diving school. d. Explosive ordnance disposal or improvised explosive device disposal response team. e. Defence Explosive Ordnance Training School Instructor	the daily rate listed for item 50, table 1 in Part F of this Determination.
2.	B.14.4.4	One of the following. a. Australian Mine Warfare and Clearance Diving Task Group. b. Clearance diving support position.	the daily rate listed for item 53, table 1 in Part F of this Determination.
3.	B.14.4.5.b	Clearance diver trainee position	the daily rate listed for item 26, table 1 in Part F of this Determination.

4.	B.14.4.6.b	Clearance diver operations support medic	the daily rate listed for item 77, table 1 in Part F of this Determination.
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58 Section B.14.9

Repeal the section, substitute:

B.14.9 Supplementary rate for deep dive activities

A member eligible under section B.14.5 is to be paid the amount listed at Part F table 1 item 61 for each deep dive.

59 Section B.14.10

Repeal the section, substitute:

B.14.10 Supplementary rate for experimental dive activities

An eligible member under section B.14.6 is to be paid the amount as set out in column 4 of the following table.

Column 1 Grade of dive	Column 2 A...	Column 3 at this grade level involves...	Column 4 and the member is to be paid this amount for each dive...
1.	dive, other than a deep dive,	using in-service equipment and approved Service procedures	the on occurrence rate listed for item 62, table 1 in Part F of this Determination.
2.	deep dive	using in-service equipment and approved Service procedures	the on occurrence rate listed for item 63, table 1 in Part F of this Determination.
3.	dive, other than a deep dive,	using non in-service equipment or procedures which significantly extend the limit of physiological knowledge	the on occurrence rate listed for item 64, table 1 in Part F of this Determination.
4.	deep dive	using non in-service equipment or procedures which significantly extend the limit of physiological knowledge or data involving saturation diving	the on occurrence rate listed for item 65, table 1 in Part F of this Determination.

60 Subsection B.14.11.4

Repeal the subsection, substitute:

3. For the purposes of subsection B.14.11.5, a member's eligibility to any of the following allowances may be affected by payment of clearance diver allowance.
- a. Adventurous training leader allowance.
 - b. Boarding party allowance.
 - c. Diving allowance.
 - d. Field allowance.
 - e. Flying disability allowance.
 - f. Paratrooper allowance.
 - g. Maritime disability allowance.
 - h. Maritime sustainability allowance, unless they are a member posted to a clearance diver team.
 - i. Submarine escape allowance.

61 Paragraph B.15.4.1.c

Repeal the paragraph, substitute:

- c. The member holds a qualification for searching for unpredictable explosives.

62 Paragraph B.15.4.1.d

Repeal the paragraph.

63 Subsection B.15.5.1 (table)

Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under...	and...	is to be paid...
1.	Paragraph B.15.4.1.a (continuous low risk)	-	the annual rate listed for item 57, table 1 in Part F of this Determination.
2.	Paragraph B.15.4.1.b (continuous low risk)		
3.	Subsection B.15.4.2 (render safe or disposal)	One of the following.	the annual rate listed for item 44, table 1 in Part F of this Determination.
		a. has a continuous liability b. has a non-continuous liability	the annual rate listed for item 15, table 1 in Part F of this Determination.

64 Subsection B.15.5.2 (table)

Repeal the table, substitute:

Item	A member paid unpredictable explosives allowance under...	is not entitled to payment of unpredictable explosives allowance under any of the following...
1.	B.15.5.1 items 1 and 2	B.15.5.1 item 3
		B.15.6.1 item 1a
2.	B.15.5.1 item 3a	B.15.5.1 items 1 to 2
		B.15.5.1 item 3b
		B.15.6.1 items 1 and 2
3.	B.15.5.1 item 3b	B.15.5.1 items 1 and 2
		B.15.5.1 item 3a
		B.15.6.1 items 1 and 2

65 Subsection B.15.6.1 (table)

Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under...	and is directed to engage in...	is to be paid this rate for each occurrence...
1.	Subsection B.15.4.3 (search)	a. low risk search	the rate listed for item 28, table 1 in Part F of this Determination.
		b. high risk search	the rate listed for item 59, table 1 in Part F of this Determination.
2.	Subsection B.15.4.4 (on occurrence render safe/disposal)	-	the rate listed for item 60, table 1 in Part F of this Determination.

66 Subsection B.15.6.3 (table)

Repeal the table, substitute:

Item	A member paid unpredictable explosives allowance under...	is not entitled to payment of unpredictable explosives allowance under any of the following...
1.	B.15.6.1 item 1a (on occurrence low risk)	B.15.5.1 items 1 to 3
		B.15.6.1 item 1b
2.	B.15.6.1 item 1b (on occurrence high risk)	B.15.5.1 item 3
		B.15.6.1 item 1a
3.	B.15.6.1 item 2 (on occurrence render safe/disposal)	B.15.5.1 item 3

67 Subsection B.15.7.3

Repeal the subsection, substitute:

3. For the purposes of subsection B.15.7.4, a member's eligibility to any of the following allowances may be affected by payment of unpredictable explosives allowance.

- a. Adventurous training leader allowance.
- b. Boarding party allowance.
- c. Diving allowance.
- d. Field allowance.
- e. Flying disability allowance.
- f. Paratrooper allowance.
- g. Maritime disability allowance.
- h. Maritime sustainability allowance.
- i. Submarine escape allowance.

68

Section B.16.7 (table)

Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under...	is to be paid...
1.	Paragraph B.16.4.2.a (free fall instructor)	the annual rate listed for item 20, table 1 in Part F of this Determination.
2.	Subparagraph B.16.4.2.b.i (parachute jump instructor)	the annual rate listed for item 45, table 1 in Part F of this Determination.
3.	One of the following. a. Subparagraph B.16.4.2.b.ii (parachute jump instructor) b. Subparagraph B.16.4.2.b.iii (parachute jump instructor)	the annual rate listed for item 4, table 1 in Part F of this Determination.
4.	Paragraph B.16.4.2.b.ii, and is not eligible for Special Forces Support 1B or 1C (parachute jump instructor)	the annual rate listed for item 83, table 1 in Part F of this Determination
5.	Paragraph B.16.4.2.c (parachute jump master)	the annual rate listed for item 66, table 1 in Part F of this Determination.
6.	Paragraph B.16.4.2.c and is not eligible for Special Forces Support 1B or 1C (parachute jump master)	the annual rate listed for item 83, table 1 in Part F of this Determination
7.	Paragraph B.16.4.2.d (free fall paratrooper)	the annual rate listed for item 67, table 1 in Part F of this Determination.
8.	Paragraph B.16.4.2.d and is not eligible for Special Forces Support 1B or 1C (free fall paratrooper)	the annual rate listed for item 83, table 1 in Part F of this Determination
9.	Paragraph B.16.4.3.a to h	the annual rate listed for item 56 table 1 in Part F of this Determination.
10.	Paragraph B.16.4.3.a to h and is not eligible for Special Forces Support 1B or 1C	the annual rate listed for item 83, table 1 in Part F of this Determination
11.	Paragraph B.16.4.3.i to j	the annual rate listed for item 68, table 1 in Part F of this Determination.

69 Paragraph B.16.7.2.a

Omit "item 3", substitute "item 1".

70 Paragraph B.16.7.2.b

Omit "item 51", substitute "item 68".

71 Section B.16.8 (table)

Repeal the table, substitute:

Item	A member who has met the conditions of eligibility under...	is to be paid...
1.	Paragraph B.16.5.2.a (free fall instructor)	the daily rate listed for item 25, table 1 in Part F of this Determination.
2.	Subparagraph B.16.5.2.b.i (parachute jump instructor)	the daily rate listed for item 51, table 1 in Part F of this Determination.
3.	One of the following. a. subparagraph B.16.5.2.b.ii (parachute jump instructor) b. subparagraph B.16.5.2.b.iii (parachute jump instructor)	the daily rate listed for item 52, table 1 in Part F of this Determination.
4.	Subparagraph B.16.5.2.b.ii and is not eligible for Special Forces Support 1B or 1C (parachute jump instructor)	The daily rate listed for item 84, table 1 in Part F of this Determination
5.	Paragraph B.16.5.2.c (parachute jump master)	the daily rate listed for item 69, table 1 in Part F of this Determination.
6.	Paragraph B.16.5.2.c and not is eligible for Special Forces Support 1B or 1C (parachute jump master)	The daily rate listed for item 84, table 1 in Part F of this Determination
7.	Paragraph B.16.5.2.d (free fall paratrooper)	the daily rate listed for item 70, table 1 in Part F of this Determination.
8.	Paragraph B.16.5.2.d and not is eligible for Special Forces Support 1B or 1C (free fall paratrooper)	The daily rate listed for item 84, table 1 in Part F of this Determination
9.	Paragraph B.16.5.3.a to h	the daily rate listed for item 71, table 1 in Part F of this Determination.
10.	Paragraph B.16.5.3.a to h and is not eligible for Special Forces Support 1B or 1C	The daily rate listed for item 84, table 1 in Part F of this Determination
11.	Paragraph B.16.5.3.i to j	the daily rate listed for item 72, table 1 in Part F of this Determination.
12.	Subsection B.16.4.5 (paratrooper)	the daily rate listed for item 18, table 1 in Part F of this Determination.
13.	Subsection B.16.5.4 (paratrooper)	the daily rate listed for item 18, table 1 in Part F of this Determination.

72 Paragraph B.16.9.1.a
Omit “item 56”, substitute “item 73”.

73 Paragraph B.16.9.1.b
Omit “item 57”, substitute “item 74”.

74 Section B.17.4
Omit “item 8”, substitute “item 17”.

75 At the end of Division B.17
Add:

Division B.18 – Maritime deployable support element allowance

B.18.1 Purpose

Maritime deployable support element allowance compensates a member who is identified as having a high frequency sea going requirement with a short notice to deploy liability and has consistent liabilities for short notice recall outside of core working hours.

B.18.2 Eligibility

A member is eligible for maritime deployable support element allowance if they meet all of the following.

- a. They are posted to a maritime deployable position.
- b. They are required to undertake sea service of more than 50 days and less than 100.

B.18.3 Rate of allowance

An eligible member is to be paid the annual rate of Maritime deployable support element allowance at the rate listed for item 83, table 1 in Part F of this Determination.

76 Subsection C.1.3.1 (table)

Repeal the table, substitute:

Item	For any period when this rate of maritime disability allowance is payable...	for this period...	it counts as this much sea service...
1.	an annual rate of maritime disability allowance or clearance diver allowance under B.14.7.1 table item 1a	each 12 months completed in the posting	one year.
		any day in a period of less than 12 months in the posting	one day.

2.	a daily rate of maritime disability allowance under subsection B.9.6.2 or clearance diver allowance under B.14.8.1 table item 1.a	100 days or more in a calendar year	one year.
		any one day, up to 99 days in a calendar year	one day.
3.	a daily rate of maritime disability allowance under subsection B.9.6.1 or clearance diver allowance under B.14.8.1 table item 1.a	any day in a calendar year	one day.

77 Section C.1.4

Omit “three”, substitute “two”.

78 Section C.1.5 (table)

Repeal the table, substitute:

Item	A member who has accrued this total period of sea service...	is to be paid...
1.	2 years but less than 4 years	the annual rate listed for item 32, table 1 in Part F of this Determination.
2.	4 years but less than 6 years	the annual rate listed for item 33, table 1 in Part F of this Determination.
3.	6 years but less than 8 years	the annual rate listed for item 35, table 1 in Part F of this Determination.
4.	8 years but less than 10 years	the annual rate listed for item 78, table 1 in Part F of this Determination.
5.	10 or more	the annual rate listed for item 79, table 1 in Part F of this Determination.

79 Section C.1.6 (table)

Repeal the table, substitute:

Item	A member who has accrued this total period of sea service...	is to be paid...
1.	2 years but less than 4 years	the daily rate listed for item 36, table 1 in Part F of this Determination.
2.	4 years but less than 6 years	the daily rate listed for item 37, table 1 in Part F of this Determination.
3.	6 years but less than 8 years	the daily rate listed for item 38, table 1 in Part F of this Determination.
4.	8 years but less than 10 years	the daily rate listed for item 80, table 1 in Part F of this Determination.
5.	10 or more	the daily rate listed for item 81, table 1 in Part F of this Determination.

80 After paragraph C.2.3.1.c

Add:

- iv. Combat Controller.
- v. Combat Control Officer.

81 Section C.2.4

Repeal the section, substitute:

C.2.4 Conditions for eligibility

A member of the Permanent Forces who meets all of the following conditions is eligible for Special Forces sustainability allowance.

- a. The member holds a substantive rank from Corporal up to and including Lieutenant Colonel.
- b. The member holds a current qualification for any of the following.
 - i. Commando.
 - ii. Special Air Service.
 - iii. Disablement technician.
 - iv. Combat Controller.
 - v. Combat Control Officer.
- c. CDF decides that the member is liable to return to a Special Forces Regiment or 4 Squadron for a period.

Note: If the member ceases to be liable to return, CDF may revoke or vary the decision.

- d. The member is posted to any of the following.
 - i. A Special Forces instructor position.
 - ii. Any position that is outside their Special Forces Regiment.
 - iii. If the member is a disablement technician — a position outside Special Operations Command.
 - iv. Any position outside of 4 Squadron.

82 Section C.2.5 (table)

Repeal the table, substitute:

Item	A member who holds a current qualification of...	and is posted...	is to be paid...
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1.	Commando (C.2.4.b.i)	a. to a Special Forces instructor position (C.2.4.d.i)	the annual rate listed for item 46, table 1 in Part F of this Determination.
		b. outside of their Special Forces Regiment (C.2.4.d.ii)	the annual rate listed for item 43, table 1 in Part F of this Determination.
2.	Special Air Service (C.2.4.b.ii)	a. to a Special Forces instructor position (C.2.4.d.i)	the annual rate listed for item 46, table 1 in Part F of this Determination.
		b. outside of their Special Forces Regiment (C.2.4.d.ii)	the annual rate listed for item 43, table 1 in Part F of this Determination.
3.	Disablement Technician (C.2.4.b.iii)	outside of Special Operations Command (C.2.4.d.iii)	the annual rate listed for item 7, table 1 in Part F of this Determination.
4.	Combat Controller and Combat Control Officer (C.2.4.b.iv & C.2.4.b.v)	a. to a Special Forces instructor position (C.2.4.d.i)	the annual rate listed for item 46, table 1 in Part F of this Determination.
		b. outside of Special Forces Regiment or 4 Squadron (C.2.4.d.ii or C.2.4.d.iv)	the annual rate listed for item 43, table 1 in Part F of this Determination.

83 Section C.2.6

Repeal the section, substitute:

C.2.6 Events that end eligibility

A member ceases to be eligible for Special Forces sustainability allowance from the earliest date on which any of the following events occur.

- a. An ongoing condition on which the member became eligible for the allowance is no longer met.
- b. The member is notified by CDF that their liability to return to a Special Forces Regiment or 4 Squadron ceases or is revoked from a specified date.
- c. The member notifies Special Operations Command that, from a specified date, they no longer agree to hold a liability to return to a Special Forces Regiment or 4 Squadron.
- d. Three years has passed since the member last became eligible.

84 Section C.3.4

Omit "item 5", substitute "item 3".

85 At the end of Division C.3

Insert:

Division C.4 – Training sustainment allowance

C.4.1 Purpose

Training Sustainment allowance is provided to certain instructors posted to training establishments. The allowance recognises the disabilities associated with long hours, adverse working conditions and loss of regular contact with family for extended periods of time. It also recognises an element of sustainability to attract suitable members to post and serve the full period of an initial employment training instructor posting.

C.4.2 Eligibility

A member is eligible for training sustainment allowance if they meet all of the following.

- a. They are a member of the Australian Army.
- b. They hold one of the following ranks.
 - i. Lance Corporal.
 - ii. Corporal.
 - iii. Sergeant.
- c. The member is posted to, or performing, CDF approved temporary duty in an instructor position at one of the following units.
 - i. Forces Command training school which conducts initial employment training.
 - ii. Royal Military College – Duntroon.
 - iii. A training establishment which the CDF approved for conducting initial employment training.
- c. The member is qualified and reasonably expected to perform duty in that position.

C.4.3 Rate of allowance

An eligible member is to be paid the annual rate of training sustainment allowance at the rate listed for item 75, table 1 in Part F of this Determination.

86 Section E.1.4

Repeal the section.

87 Paragraph E.1.5.2.b

Omit "item 11", substitute "item 22".

88 Paragraph E.1.6.2.b
Omit “item 13”, substitute “item 24”.

89 Paragraph E.1.7.2.b
Omit “item 13 or 16”, substitute “item 27 or 31”.

90 After section E.1.10
add:

E.1.11 Transitional – Separation allowance

1. A member who met paragraph B.3.5.1.b of this Determination immediately before the commencement of DFRT Determination No. 5 of 2023 is eligible for the annual rate of separation allowance under Part F Table 1 item 2.
2. A member who meets all of the following is eligible for the annual rate of separation allowance under Part F Table 1 item 2 of this Determination from the first day of the qualifying period.
 - a. The member’s qualifying period meets all of the following.
 - i. It commenced prior to the commencement of DFRT Determination No. 5 of 2023.
 - ii. It is completed after the commencement of DFRT Determination No. 5 of 2023
 - b. On each day of their qualifying period, the member met, or continues to meet, the requirements of paragraph B.3.5.1.b of this Determination, as in force immediately before the commencement of DFRT Determination No. 5 of 2023
3. This section ceases to apply on the earlier of the following days.
 - a. The member’s qualifying period meets all of the following.
 - i. The duty the member is required to perform to become eligible for the allowance under Division B3 of this Determination, as in force immediately before the commencement of DFRT Determination No. 5 of 2023, ends.
 - ii. The member is absent from their place of duty, or on paid leave for a period, for more than 45 days.
 - iii. The member becomes eligible for post adjustment under Chapter 15 Part 2 Division 3, or cost of posting allowance under Chapter 15 Part 2A Division 3 of the Defence Determination.
 - b. 30 June 2024.

91 PART F – ALLOWANCE RATES (table 1)
Repeal the table, substitute:

Column 1 Item	Column 2 Allowance Reference	Column 3 Rate (\$)
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1.	Paratrooper allowance under paragraph B.16.7.2.a	\$3,105
2.	Separation allowance under paragraph B.3.6	\$3,105
3.	Recruit instructor sustainability allowance under section C.3.4	\$8,137
4.	Paratrooper allowance under any of the following. a. subsection B.16.7.1, table item 3.a b. subsection B.16.7.1, table item 3.b	\$7,596
5.	Clearance diver allowance under section B.14.7, table item 2	\$9,822
6.	Special Forces disability allowance under any of the following. a. section B.12.7, table item 10 b. section B.12.7, table item 11	\$9,822
7.	Special Forces sustainability allowance under section C.2.5, table item 3	\$9,822
8.	Diving allowance under section B.6.5	\$17,962
9.	Diving allowance under any of the following a. section B.6.6, item 1 b. section B.6.6, item 2	\$38.06
10.	Adventurous training leader allowance under section B.4.6.	\$60.36
11.	Boarding party allowance under section B.10.5	\$74.71
12.	Diving allowance under section B.6.6, table item 3	\$74.71
13.	Field allowance (Tier 1 hardship) under subsection B.13.8.1	\$104.96
14.	Flying disability allowance under section B.7.7	\$9,822
15.	Unpredictable explosives allowance under section B.15.5.1, table item 3.b	\$9,822
16.	Flying disability allowance under paragraph B.7.8.a to d	\$26.91
17.	Recruit instructor disability allowance under section B.17.4	\$9,825
18.	Paratrooper allowance under any of the following. a. subsection B.16.8, table item 12 b. subsection B.16.8, table item 13	\$45.31
19.	Submarine escape disability allowance under section B.8.6, table item 1 and 3	\$49.21
20.	Paratrooper allowance under subsection B.16.7.1, table item 1	\$13,607
21.	Clearance diver allowance under section B.14.7, table item 3	\$13,892
22.	Maritime disability allowance under any of the following. a. subsection B.9.5, table item 1 b. subsection B.9.5, table item 4 c. subsection B.9.5, table item 7	\$13,892
23.	Maritime disability allowance under any of the following. a. subsection B.9.5, table item 2 b. subsection B.9.5, table item 5 c. subsection B.9.5, table items 8	\$17,962

24.	Maritime disability allowance under any of the following. a. subsection B.9.5, table item 3 b. subsection B.9.5, table item 6 c. subsection B.9.5, table item 9	\$26,101
25.	Paratrooper allowance under section B.16.8, table item 1	\$37.28
26.	Clearance diver allowance under section B.14.8, table item 3	\$38.06
27.	Maritime disability allowance under any of the following. a. subsection B.9.6.1, table item 1 b. subsection B.9.6.2, table item 1	\$38.06
28.	Unpredictable explosives allowance under section B.15.6.1, table item 1.a	\$38.06
29.	Maritime disability allowance under any of the following. a. subsection B.9.6.1, table item 2 b. subsection B.9.6.2, table item 2	\$49.21
30.	Field allowance (Tier 2 hardship) under subsection B.13.8.2	\$60.36
31.	Maritime disability allowance under any of the following. a. subsection B.9.6.1, table item 3 b. subsection B.9.6.2, table item 3	\$71.51
32.	Maritime sustainability allowance under section C.1.5, table item 1	\$12,210
33.	Maritime sustainability allowance under section C.1.5, table item 2	\$20,350
34.	Special Forces sustainability allowance under section C.2.5, table item 2.b	\$22,031
35.	Maritime sustainability allowance under section C.1.5, table item 3	\$24,450
36.	Maritime sustainability allowance under section C.1.6, table item 1	\$ 33.45
37.	Maritime sustainability allowance under section C.1.6, table item 2	\$55.75
38.	Maritime sustainability allowance under section C.1.6, table item 3	\$66.99
39.	Special Forces disability allowance under any of the following. a. section B.12.7, table item 1 b. section B.12.7, table item 2 c. section B.12.7, table item 3 d. section B.12.7, table item 14	\$46,450
40.	Special Forces disability allowance under any of the following. a. section B.12.7, table item 4 b. section B.12.7, table item 5 c. section B.12.7, table item 6 d. section B.12.7, table item 7 e. section B.12.7, table item 8 f. section B.12.7, table item 9	\$30,171

	g. section B.12.7, table item 15	
41.	Clearance diver allowance under any of the following. a. section B.14.7, table item 1.b b. section B.14.7, table item 1.c c. section B.14.7, table item 1.d d. section B.14.7, table item 1.e e. section B.14.7, table item 1.f	\$17,962
42.	Special Forces disability allowance under any of the following. a. section B.12.7, table item 12 b. section B.12.7, table item 13	\$17,962
43.	Special Forces sustainability allowance under section C.2.5, table item 1.b, 2.b and 4.b	\$22,031
44.	Unpredictable explosives allowance under section B.15.5.1, table item 3.a	\$17,962
45.	Paratrooper allowance under subsection B.16.7.1, table item 2	\$10,863
46.	Special Forces sustainability allowance any of the following. a. section C.2.5, table item 1a b. section C.2.5, table item 2.a c. section C.2.5, table item 4.a	\$8,139
47.	Special Forces disability allowance under any of the following. a. subsection B.12.8.1, table item 9 b. subsection B.12.8.1, table item 10	\$26.91
48.	Special Forces disability allowance under any of the following. a. subsection B.12.8.1, table item 4 b. subsection B.12.8.1, table item 5 c. subsection B.12.8.1, table item 6 d. subsection B.12.8.1, table item 7 e. subsection B.12.8.1, table item 8 f. subsection B.12.8.1, table item 13 g. subsection B.12.8.1, table item 15	\$82.66
49.	Special Forces disability allowance under any of the following. a. subsection B.12.8.1, table item 1 b. subsection B.12.8.1, table item 2 c. subsection B.12.8.1, table item 3 d. subsection B.12.8.1, table item 14	\$127.26
50.	Clearance diver allowance under any of the following. a. section B.14.8, table item 1.b b. section B.14.8, table item 1.c c. section B.14.8, table item 1.d d. section B.14.8, table item 1.e	\$49.21
51.	Paratrooper allowance under section B.16.8, table item 2	\$29.76
52.	Paratrooper allowance under section B.16.8, table item 3	\$20.82
53.	Clearance diver allowance under section B.14.8, table item 2	\$26.91
54.		Tier A \$284.27

	Special Forces disability allowance under subsection B.12.8.2	Tier B	\$194.50
		Tier C	\$104.96
55.	Clearance diver allowance under section B.14.7, table item 1.a		\$26,101
56.	Paratrooper allowance under subsection B.16.7.1, table item 9		\$4,709
57.	Unpredictable explosives allowance under section B.15.5.1, table items 1 or 2		\$9,822
58.	Clearance diver allowance under section B.14.8, table item 1.a		\$71.51
59.	Unpredictable explosives allowance under section B.15.6.1, table item 1.b		\$93.81
60.	Unpredictable explosives allowance under section B.15.6.1, table item 2		\$148.53
61.	Clearance diver allowance – deep dive supplement (per dive) under subsection B.14.9.1		\$493.73
62.	Clearance diver allowance – experimental dive supplement (per dive) under section B.14.10, table item 1		\$314.20
63.	Clearance diver allowance – experimental dive supplement (per dive) under section B.14.10, table item 2		\$508.70
64.	Clearance diver allowance – experimental dive supplement (per dive) under section B.14.10, table item 3		\$852.82
65.	Clearance diver allowance – experimental dive supplement (per dive) under - section B.14.10, table item 4		\$1,900.15
66.	Paratrooper allowance under subsection B.16.7.1, table item 5		\$6,572
67.	Paratrooper allowance under subsection B.16.7.1, table item 7		\$5,690
68.	Paratrooper allowance under any of the following. a. subsection B.16.7.1, table item 11 b. paragraph B.16.7.2.b		\$2,354
69.	Paratrooper allowance under section B.16.8, table item 5		\$18.00
70.	Paratrooper allowance under section B.16.8, table item 7		\$15.58
71.	Paratrooper allowance under section B.16.8, table item 9		\$12.91
72.	Paratrooper allowance under section B.16.8, table item 11		\$6.45
73.	Paratrooper allowance under paragraph B.16.9.1.a		\$508.70
74.	Paratrooper allowance under paragraph B.16.9.1.b		\$299.24
75.	Training Sustainment allowance under section C.4.3		\$9,822
76.	Clearance Diver Allowance under section 14.7, table item 4		\$13,892
77.	Clearance Diver Allowance under section 14.8,1 table item 4		\$38.06
78.	Maritime sustainability allowance under section C.1.5, table item 4		\$28,520

79.	Maritime sustainability allowance under section C.1.5, table item 5	\$32,590
80.	Maritime sustainability allowance under section C.1.6, table item 4	\$78.14
81.	Maritime sustainability allowance under section C.1.6, table item 5	\$89.29
82.	Maritime Deployable Support Element under division B.18	\$13,892
83.	Paratrooper Allowance (not eligible for Special Forces Support 1B/1C) under section B16.7.1 table items 4, 6, 8 or 10	\$9,822
84.	Paratrooper Allowance (not eligible for Special Forces Support 1B/1C) under section B16.8.1 table items 4, 6, 8 or 10	\$26.91
85.	Special Forces disability allowance under any of the following. a. subsection B.12.8.1 table 11 b. subsection B.12.8.1 table 12	\$49.21

92 PART F – ALLOWANCE RATES (table 2)

Repeal the table, substitute:

Column 1 Item	Column 2 Allowance Reference	Column 3 Rate
1.	Submarine Escape Allowance – for ascents made from a depth of 90 metres or less section B.8.6, item 2 and item 4	\$224.43
2.	Submarine Escape Allowance – for ascents made for a depth greater than 90 metres section B.8.6, item 2 and item 4	\$418.93

EXPLANATORY STATEMENT

Defence Force Remuneration Tribunal Determination No. 5 of 2023, ADF Allowances – Military Factor (Phase 1)

This Determination amends the Defence Force Remuneration Tribunal (DFRT) Determination No. 11 of 2013, ADF allowances (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* (AI Act). The Principal Determination sets out provisions dealing with allowances for members of the Australian Defence Force (ADF).

The purpose of this Determination is to amend DFRT Determination No. 11 of 2013, ADF Allowances to implement Phase One of the Military Factor, Tranche 2 of the ADF Salaries and Allowances modernisation program, by increasing existing allowance rates to meet the intended Military Factor Framework Tier rates.

The modernisation program has been established to modernise the ADF remuneration package to better support attraction and retention of the current and future ADF workforce for sustained capability.

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 25 May 2023.

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 – Military Factor (Phase 1) amendments

Item 1 and 2 amend section A.1.4 of the Principal Determination which provides content information. The sections update the content list as a consequence of the following:

- Adventurous training instructor allowance being renamed Adventurous training leader allowance.
- The removal of Division B.5 – Arduous conditions instructor allowance, which will be removed due to the relatively small value of this allowance which cannot be accommodated in the Future Military Factor framework.
- The addition of Division C.4 which creates Training sustainment allowance. Training sustainment allowance is provided to certain instructors posted to training establishments and recognises the disabilities associated with long hours, adverse working conditions and loss of regular contact with family for extended periods of time. It also recognises a high element of sustainability to attract suitable members to post and serve the full period of an initial employment training instructor posting.
- The addition of Division B.18, which creates maritime deployable support element allowance which compensates a member who is identified as having a high separation and sea going requirement, with a short notice to deploy liability and has consistent liabilities for short notice recall outside of core working hours.

Item 3 insets the definition of calendar day into section A.1.6 of the Principal Determination which provides definitions which apply to this Determination. Calendar day means a 24 hour period which starts at 0000 on a day and ends at 2359 on the same day.

Item 4 repeals the definition of senior officer from section A.1.6 of the Principal Determination which provides definitions which apply to this Principal Determination. The definition is not used and is therefore removed.

Items 5 to 12 amend Part B.3 of the Principal Determination which provides provisions relating to separation allowance. From the commencement of this Determination only members who are categorised

as a member with dependants (unaccompanied) will be eligible to receive separation allowance. The amendments made by these items reflect this change in policy.. Separation allowance is amended to simplify the administration of the allowance by removing eligibility for members with dependants (including the discounted rate) and removal of the 60 day qualifying period.

Items 10, 19, 23 to 26, 29, 38, 40 to 42, 45 to 47, 52, 56 to 59, 63 to 66, 68 to 74, 76, 78, 79, 82, 84, and 87 to 89 amend various provisions within the Principal Determination to update cross references to the relevant table items in Part F of the Principal Determination. These amendments are required as a consequence of the changes made by item 72 of this Determination.

Items 13 to 18, 20 and 21 amend Division B.4 of the Principal Determination which provides provisions relating to adventurous training instructor allowance. The provisions have been amended to reflect the change in name of the allowance from "Adventurous training instructor allowance" to "Adventurous training leader allowance". The eligibility for the annual rate of the adventurous training instructor allowance was predicated on the member being posted to the Army School of Adventurous Training. This unit has been disbanded, therefore there is no longer a requirement. The change of name has been amended to reflect the daily rate still applicable to an adventurous training leader.

Item 22 repeals Part B.5 of the Principal Determination which provides arduous conditions instructor allowance. The Part has been removed due to the relatively small value of this allowance which cannot be accommodated in the future Military Factor framework.

Item 27 repeals and substitutes subsection B.8.4.1 of the Principal Determination which provides how a member becomes eligible to receive submarine escape disability allowance. The subsection has been amended to remove eligibility for a member who is posted to a training facility and undertaking training to become a submarine escape training instructor. This change is as a consequence of the changes made to current training requirements within the training facility and will not affect a member's eligibility to the daily rate of submarine escape disability allowance.

Item 28 repeals section B.8.5 of the Principal Determination which provides the annual rate of submarine escape disability allowance a member is eligible to receive. The section has been repealed as a consequence of the changes made to current training requirements within the training facility, and will not affect a member's eligibility to the daily rate of submarine escape disability allowance.

Items 30 to 37 and 39 amend Division B.9 of the Principal Determination, which provides provisions relating to maritime disability allowance. The following amendments have been made:

- The division has been amended to remove reference to "Sea Training Group".
- Subsection B.9.5.1 has been amended to clarify that a member may be eligible for maritime disability allowance if, for a full calendar day, they undertake a combination of field service and maritime service. This rule was previously provided by way of an exception.
- Sections B.9.4A and B.9.4B which provided provisions relating to qualifying periods have been removed as they are no longer needed as consequence of the definition of calendar day which has been added by item 3 of this Determination.
- The exceptions from section B.9.6 have been removed as they are no longer needed as a consequence of the definition of calendar day which has been added by item 3 of this Determination.

Items 43 and 44 amend subsections B.12.5.5 and B.12.6.5 of the Principal Determination which specify when a member who is a combat controller or a combat control officer is eligible for Special Forces disability allowance. The subsections have also been amended to remove reference to Australian Defence Force Parachuting School and Australian Defence Force School of Special Operations and to include Australian Defence Force School of Special Operations.

Item 48 and 48A amends section B.12.10 of the Principal Determination which provides allowances that may be affected by payment of Special Forces disability allowance. Subsection B.12.10.4 has been amended to update the name of "adventurous training instructor allowance" to "adventurous training leader allowance" and remove arduous conditions instructor allowance which was repealed by item 21 of this Determination. Subsection B.12.10.5 which provides allowance a member may also receive when

they are eligible for Special Forces disability allowance. The table has been amended to include combat controllers posted outside Special Forces units.

Item 49 to 51 amends division B.13 of the Principal Determination which provides field allowance. The following amendments have been made:

- The definition of calendar day which has been inserted by item 3 of this Determination has been incorporated throughout the division.
- Subsection B.13.5.1 which provides the conditions a member must meet on a day to be eligible for field allowance been redrafted to incorporate rules which were previously provided by way of an exception. The amended subsection makes it clear that a member may be eligible for field allowance if, for a full calendar day, they undertake a combination of maritime service and field service.

Items 53 to 55 amend division B.14.4 of the Principal Determination which provides clearance diver allowance. Items 53 and 54 add that a member posted to a Defence Explosive Ordnance Training School Instructor position as eligible for clearance diver allowance. Item 55 adds subsection B.14.4.6 which provides that a member who holds the Service recognised qualifications required to be a medical officer or medic in the ADF is eligible for clearance diver allowance when they are posted to a position, or directed on a day to perform the duties of a position that provides on-line support for a clearance diver.

Item 60 repeals and substitutes subsection B.14.11.4 of the Principal Determination which specifies that allowances that may be affected by payment of clearance diver allowance. The subsection has been amended to update the name of “adventurous training instructor allowance” to “adventurous training leader allowance” and remove arduous conditions instructor allowance which was repealed by item 21 of this Determination.

Item 62 amends subsection B.15.4.1 of the Principal Determination which provides when a member is eligible for unpredictable explosives allowance. Paragraph B.15.4.1.c has been omitted and substituted to remove the requirement for a member to be in a position with a continuous liability to conduct high risk searches for unpredictable explosives. The requirement for a member to hold a continuous liability to conduct high risk searches for unpredictable explosives is extremely limited and is no longer necessary. This allowances was introduced during periods of significant Defence deployment activities, and is no longer required.

Item 57 repeals and substitutes subsection B.15.7.3 of the Principal Determination which provides allowances that may be affected by the payment of unpredictable explosives allowance. The subsection has been amended to update the name of “adventurous training instructor allowance” to “adventurous training leader allowance” and remove arduous conditions instructor allowance which was repealed by item 22 of this Determination.

Item 70 adds division B.18 into the Principal Determination which provides maritime deployable support element allowance. Maritime deployable support element allowance compensates a member who is identified as having a high frequency sea going requirement with a short notice to deploy liability and has consistent liabilities for short notice recall outside of core working hours. A member is eligible to receive maritime deployable support element allowance when they are in a maritime deployable position and required to undertake sea service of more than 50 days and less than 100.

Item 77 amends section C.1.4 of the Principal Determination which provides that a member who has three years or more of sea service is eligible for maritime sustainability allowance for the same period in which the member is entitled to a rate of maritime disability allowance under section B.9.5 or B.9.6. The section has been amended to reduce the number of years of sea service a member must have from three years to two years.

Items 79, 80 and 83 amend division C.2 of the Principal Determination which provides Special Forces sustainability allowance. The division has been amended to include a member who holds the qualifications of a combat controller, or a combat control officer as eligible to receive Special Forces sustainability allowance. Paragraph C.2.4.b and section C.4.6, which provide the postings a member must be in to be eligible and when a member ceases to be eligible for Special Forces sustainability allowance, have also been amended to add reference to positions outside of 4 Squadron.

Item 85 adds Division C.4 – Training sustainment allowance to the Principal Determination which provides training sustainment allowance to certain instructors posted to training establishments. The allowance recognises the disabilities associated with long hours, adverse working conditions and loss of regular contact with family for extended periods of time. It also recognises an element of sustainability to attract suitable members to post and serve the full period of an initial employment training instructor posting. This is a new allowance which has been introduced and aims to attract suitable members to post and serve the full period of an initial employment training instructor posting.

Item 86 repeals section E.1.4 of the Principal Determination which provides a transitional provisions for Adventurous training instructor allowance. The section has been removed as there are no longer any members that this applies to.

Item 90 adds E.1.10 into the Principal Determination which provides a transitional provision for separation allowance. The section provides who is eligible to continue to receive separation allowance despite the changes made by this Determination, and it also provides when eligibility to separation allowance for those members ends.

Items 91 and 92 repeals and substitutes tables 1 and 2 in Part F of the Principal Determination which provides the rates for the allowances which are payable under the Principal Determination. The following changes have been made:

- Rates for the following allowance have been increased:
 - Submarine escape disability allowance.
 - Maritime disability allowance.
 - Maritime sustainability allowance.
 - Unpredictable explosives allowance.
 - High altitude parachuting allowance.
 - Clearance diver allowance.
 - Special Forces disability allowance.
 - Special Forces sustainability allowance.
 - Field allowance.
 - Recruit instructor sustainability allowance.
 - Diving allowances.
- Cross references have been updated as a consequence of the changes made by this Determination.
- The table has been amended to promote the use of contemporary drafting styles and to promote simplification which aids a reader's ability to find information.

Authority: Section 58H of the
Defence Act 1903