

**MATTERS 14 AND 15 OF 2001**

**SPECIALIST OPERATIONS INTERIM TRAINING ALLOWANCE**

**AND**

**SPECIAL AIR SERVICE TRADE RESTRUCTURE**

**STATEMENT**

THE AUSTRALIAN DEFENCE FORCE HAS SOUGHT CHANGES TO THE SALARY STRUCTURE FOR MEMBERS OF THE SPECIAL AIR SERVICE (SAS) TRADE AND EXTENSION OF AN ELEMENT OF SPECIAL ACTION FORCES ALLOWANCE (SAFA) TO CERTAIN NON SAS MEMBERS.

THE TRIBUNAL UNDERTOOK INSPECTIONS BETWEEN 12 AND 13 NOVEMBER 2001 AT THE SPECIAL AIR SERVICE REGIMENT, SWANBOURNE BARRACKS IN WESTERN AUSTRALIA. IN THE COURSE OF THOSE INSPECTIONS THE TRIBUNAL WAS PROVIDED WITH COMPREHENSIVE BRIEFINGS AND DEMONSTRATIONS OF THE WORK OF MEMBERS OF THE SPECIAL AIR SERVICE REGIMENT. THE TRIBUNAL WAS IMPRESSED BY THE PROFESSIONALISM AND DEDICATION OF THE MANY MEMBERS INVOLVED IN THE INSPECTIONS AND EXPRESSES APPRECIATION TO THOSE MEMBERS, ESPECIALLY CONSIDERING THAT THE VISIT WAS CONDUCTED DURING SUCH A BUSY PERIOD FOR THE REGIMENT.

IN REGARD TO THE SALARY STRUCTURE FOR SAS MEMBERS THE TRIBUNAL HAS, ON A NUMBER OF OCCASIONS, ENCOURAGED THE ADF TO UNDERTAKE A REVIEW OF THIS STRUCTURE. THE TRIBUNAL NOTES THAT THE INCREASE IN THE OPERATIONAL TEMPO OF THE REGIMENT HAS NECESSITATED CHANGES IN THE EMPLOYMENT CYCLE. THE ADF SUBMITTED THAT FOR THE PURPOSES OF IDENTIFYING A STRUCTURAL ANOMALY, AS WELL AS MAINTAINING THE INTERNAL INTEGRITY OF THE OTHER RANKS EMPLOYMENT STRUCTURE , IT WAS APPROPRIATE TO DEVELOP THE PROPOSED STRUCTURE BY REFERRING TO BOTH THE COMMANDO AND INFANTRY AS BENCHMARK CATEGORIES.

THE MATTER IS AGREED BY THE COMMONWEALTH AND SUPPORTED BY THE RSL AND ARFFA.

ON THE BASIS OF THE EVIDENCE BEFORE US WE HAVE DECIDED TO APPROVE THE NEW STRUCTURE AND PAY GROUPS SOUGHT BY THE ADF. THE TRIBUNAL CONSIDERS THAT THE NEW STRUCTURE MORE ADEQUATELY REFLECTS THE WORK VALUE OF MEMBERS OF THE SAS AND RESOLVES AN INEQUITY IN COMPARISON WITH THE SALARY STRUCTURE FOR COMMANDOS. WE AGREE WITH THE IMPLEMENTATION ARRANGEMENTS AND WOULD WELCOME A REPORT ON THIS PROCESS IN THE FORTHCOMING REVIEW. IN VIEW OF THE AGREEMENT OF THE PARTIES AND IN PARTICULAR THE COMMONWEALTH SUBMISSIONS THAT THERE IS AMPLE SUPPORT AND SPECIAL CIRCUMSTANCES WHY RETROSPECTIVITY SHOULD BE GRANTED ON THIS PARTICULAR OCCASION, THE TRIBUNAL ACCEDES TO THE REQUEST OF THE PARTIES. THE DATE OF EFFECT FOR THE NEW STRUCTURE WILL THEREFORE BE 11 OCTOBER 2001.

THE ADF IS ALSO SEEKING AN INTERIM ALLOWANCE PAYABLE TO CERTAIN MEMBERS OF 4RAR COMMANDO AND CLEARANCE DIVERS. THE TRIBUNAL WAS BRIEFED ON THIS MATTER BY LIEUTENANT COLONEL TURNER, HEADQUARTERS SPECIAL OPERATIONS, DURING THE VISIT TO SWANBOURNE ON 13 NOVEMBER 2001. WE ALSO NOTE THE EVIDENCE OF BRIGADIER LEWIS, COMMANDER SPECIAL FORCES AND MAJOR WALSH, SASR.

THE MATTER IS AGREED BY THE COMMONWEALTH AND SUPPORTED BY THE RSL AND ARFFA.

ON THE BASIS OF THE EVIDENCE BEFORE US WE HAVE DECIDED TO APPROVE THE PAYMENT OF AN INTERIM DISABILITY ALLOWANCE TO CERTAIN MEMBERS OF 4RAR COMMANDO AND TO CLEARANCE DIVERS DURING THE PERIOD OF TRAINING IN RELATION TO THE EXPANSION OF CAPABILITY. THAT ALLOWANCE IS TO BE AT THE RATE OF \$9760 PER ANNUM AND WILL APPLY ON AND FROM THE FIRST PAY PERIOD COMMENCING AFTER TODAY.

THE ADF IS TO CONDUCT A COMPREHENSIVE REVIEW OF THE SPECIAL FORCES CATEGORIES AND SPECIAL ACTION FORCES ALLOWANCE AND THIS IS SCHEDULED TO COME BEFORE THE TRIBUNAL IN APRIL 2002. THE INTERIM ALLOWANCE THAT WE ARE NOW INTRODUCING IS TO APPLY UNTIL A FURTHER DETERMINATION IS MADE BY THE TRIBUNAL FOLLOWING THE APRIL 2002 PROCEEDINGS OR 30 JUNE 2002 WHICHEVER OCCURS FIRST.

DETERMINATIONS WILL BE ISSUED IN DUE COURSE.