



**Australian Government**  
**Defence Force Remuneration Tribunal**

## **PRACTICE STATEMENT**

### **PROCESSES FOR A PERSON OR BODY TO INTERVENE IN DEFENCE FORCE REMUNERATION TRIBUNAL PROCEEDINGS**

**THE HON. A. HARRISON, PRESIDENT**

**THE HON. A. BEVIS, MEMBER**

**BRIGADIER W. ROLFE, AO (Ret'd), MEMBER**

**CANBERRA 07 AUGUST 2014**

#### **Introduction**

This practice statement applies to applications by a person or body to intervene in matters before the Defence Force Remuneration Tribunal (the Tribunal).

#### **Commencement Date**

This practice statement commences with immediate effect.

#### **Legislation**

Subsection 58K(9) of the *Defence Act 1903* (the Act) provides that the Defence Force Advocate and a person representing the Commonwealth are entitled to be present, and to make submissions to the Tribunal, during any proceedings before the Tribunal.

In addition subsection 58K(10) of the Act provides that the Tribunal may permit other persons or bodies to be heard in proceedings.

*“Where the Tribunal thinks that a person or body should be heard in relation to a matter that is being, or is to be, considered by the Tribunal, the Tribunal may permit the person or body to be present, and to make submissions to the Tribunal, during proceedings before the Tribunal in relation to that matter.”*

## **Background**

It is normal practice for the Australian Defence Force (ADF), through the Directorate of Military Remuneration, to apply to have matters listed. The Commonwealth (through the Australian Public Service Commission) has the ability to bring matters forward on behalf of the Minister assisting the Prime Minister for the Public Service.

In order to have a matter listed for the Tribunal's consideration the ADF or the Commonwealth must formally apply in writing to the Tribunal. Following receipt of such an application, a matter number is assigned and a hearing is formally scheduled if required. The application assists in developing a program for the Tribunal that may include conferences, hearings and inspections. The application is provided to the other party.

## **Leave to Intervene**

The Tribunal requires that interveners seeking to be heard in proceedings should apply by way of a written request addressed to the Tribunal Secretariat. Any such application should be made as soon as practicable after a matter is notified on the website. The Tribunal will formally respond to applications in writing. In circumstances where the Tribunal permits an intervener to be heard, the intervener may make their submissions in relation to that matter either in writing or in hearings.

## **Approval to participate in inspections**

For any persons or bodies seeking permission to participate in inspections the Tribunal will make a determination informed by, among other things, cost; security; logistics; safety and operational disruption.

## **Further information**

The Tribunal Secretariat can be contacted on (02) 6257 3855 or via [dfrt@dfrt.gov.au](mailto:dfrt@dfrt.gov.au) for further information.