

Defence Determination, Conditions of service Amendment Determination (No. 1) 2025

I, SARAH KATE MCGREGOR, Acting Director General, People Policy and Employment Conditions, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 10 February 2025

Sarah McGregor

Acting 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 Determination (No. 1) 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. |  |
| 3. Schedule 1 to 5 | 13 February 2025 |  |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Miscellaneous amendments

Defence Determination 2016/19, Conditions of service

|  |  |
| --- | --- |
| 1 | **Section 1.1.1 (heading**) |
|  | After “Simplified outline” insert “of this Determination”. |
| 2 | Section 1.5.1 (heading) |
|  | After “Simplified outline” insert “of this Part”. |
| 3 | Section 1.6.2 |
|  | Omit “1.”. |
| 4 | Section 2.4.1 (heading) |
|  | After “Simplified outline” insert “of this Part”. |
| 5 | Paragraph 3.2.47G.4.b and 3.2.47G.5.b |
|  | Repeal the paragraphs. |
| 6 | Subsection 3.2.47G.7 |
|  | Omit “after completing 12 months experience after operational flying training,”. |
| 7 | Subsection 3.2.47L.2 |
|  | Repeal the subsection, substitute: |
| 2. | An officer in the Navy is placed in the Command Pathway, Rotary Wing Pilot competency stream at Officer Aviation increment OA9 on the day they completed operational flying training as a pilot on a military aircraft. |
| 8 | Subsection 3.2.47L.3 |
|  | Repeal the subsection, substitute: |
| 3. | An officer in the Navy is placed in the Command Pathway, Aviation Warfare Officer competency stream at Officer Aviation increment OA8 on the day they completed operational flying training as an aviation warfare officer on a military aircraft. |
| 9 | Subsection 3.2.47N |
|  | Repeal the section, substitute: |

###### 3.2.47N Increment post training – Navy Sub Lieutenant and Lieutenant

|  |  |
| --- | --- |
| 1. | This section applies to a member in the Navy h the rank of Sub Lieutenant or Lieutenant. |
| 2. | A member in the Rotary Wing Pilot competency stream has Officer Aviation increment OA9 on the day they meet all of the following. |
|  | a. | They have completed operational flying training as a pilot on a military aircraft. |
|  | b. | They have completed 4.5 years of service since one of the following. |
|  |  | i. | Graduating from the Australian Defence Force Academy. |
|  |  | ii. | If the member was a direct entry officer — completing officer training. |
| 3. | A member in the Aviation Warfare Officer competency stream has Officer Aviation increment OA8 on the day they meet all of the following. |
|  | a. | They have completed operational flying training as an aviation warfare officer on a military aircraft. |
|  | b. | They have completed 4.5 years of service since one of the following. |
|  |  | i. | Graduating from the Australian Defence Force Academy. |
|  |  | ii. | If the member was a direct entry officer — completing officer training. |
| 4. | A member in the Remote Pilot Warfare Officer competency stream has an Officer Aviation increment of OA6 on the day they meet all of the following. |
|  | a. | They have completed remote pilot warfare officer training. |
|  | b. | They have completed 4.5 years of service since one of the following. |
|  |  | i. | Graduating from the Australian Defence Force Academy. |
|  |  | ii. | If the member was a direct entry officer — completing officer training. |
| 10 | Paragraph 3.2.47S.3.b |
|  | Repeal the paragraph, substitute: |
|  | b. | The member is in the Navy at the rank of Sub Lieutenant or Lieutenant and all of the following have been met. |
|  |  | i. | They completed operational flying training on a military aircraft on or after 1 July 2019. |
|  |  | ii. | Commencing on the day they completed operational flying training on a military aircraft, they have performed their duties for 12 months at the standard of competence for their rank, pathway and competency stream. |
| 11 | Paragraph 3.4.5.1.a |
|  | Omit “consecutive”. |
| 12 | Section 3.4.10 |
|  | Omit “continuous effective” (wherever occurring), substitute “effective”. |
| 13 | Section 5.4.21 (heading) |
|  | After “Simplified outline” insert “of this Division”. |
| 14 | Paragraph 6.5.66.1.b  |
|  | Repeal the paragraph, substitute: |
|  | b. | They have planned to apply to have their relationship recognised but are posted before the application is granted. |
| 15 | Section 6.5.70 |
|  | Omit “of marriage or ADF recognition of the partnership”, substitute “the relationship between the member and their partner was recognised”. |
| 16 | Section 7.7.8 |
|  | Omit “the recognition of a partnership”, substitute “having their relationship recognised”. |
| 17 | Division 1 of Part 3 of Chapter 9 (heading) |
|  | Omit “marriage or ADF recognition of partnership”, substitute “recognition of a relationship”. |
| 18 | Section 9.3.3 |
|  | Omit “1.3.38” substitute “1.3.36”. |
| 19 | Subsection 9.3.4.1 |
|  | Omit “A member's marriage or partnership”, substitute “Having a relationship recognised”. |
| 20 | Paragraph 9.3.4.2.a |
|  | Omit “marriage or ADF recognition of a partnership”, substitute “recognition of a relationship”. |
| 21 | Paragraph 9.3.4.2.b |
|  | Omit “of the marriage or ADF recognition of a partnership”, substitute “the relationship is recognised,”. |
| 22 | Subsection 9.3.5.1 |
|  | Repeal the subsection, substitute:  |
| 1. | Members and their resident family travelling under this Division are eligible for the basic travel benefits set out in Part 1 of this Chapter other than the baggage benefits provided under section 9.1.10 and 9.1.11.**Note:** Baggage over the transport operator’s free limit must be included in personal effects as part of the removal benefit provided under. |
| 23 | Subsection 9.3.6.1 |
| 1. | This section applies to a member who is eligible to travel on recognition of a relationship and they choose to pay for the travel themselves. |
| 24 | Paragraph 9.3.8.1.b |
|  | b. | They have planned to apply to have their relationship with a person recognised but are posted before the application is granted. |
| 25 | Section 9.3.13 |
|  | Repeal the section. |
| 26 | Section 9.4.25 (definition of close family member) |
|  | After “grandparent,” (wherever occurring), insert “grandchild,”. |
| 27 | Subsection 9.4.26.2B |
|  | Repeal the subsection, substitute: |
| 2B. | If paragraph 2.b applies and more than 1 person who is eligible for remote location leave travel travels in the same vehicle, all of the following apply. |
|  | a. | Vehicle allowance is payable to 1 person. |
|  | b. | The travel benefit is reduced by 1 benefit. |
| 28 | Subsection 9.4.27.2B |
|  | Repeal the subsection, substitute: |
| 2B. | If paragraph 2.b applies and more than 1 person who is eligible for remote location leave travel travels in the same vehicle, all of the following apply. |
|  | a. | Vehicle allowance is payable to 1 person. |
|  | b. | The travel benefit is reduced by 1 benefit. |
| 29 | Subsection 9.4.28.2B |
|  | Repeal the subsection, substitute: |
| 2B. | If paragraph 2.b applies and more than 1 person who is eligible for remote location leave travel travels in the same vehicle, all of the following apply. |
|  | a. | Vehicle allowance is payable to 1 person. |
|  | b. | The travel benefit is reduced by 1 benefit. |
| 30 | Subsection 9.4.30.2B |
|  | Repeal the subsection, substitute: |
| 2B. | If paragraph 2.b applies and more than 1 person who is eligible for remote location leave travel travels in the same vehicle, all of the following apply. |
|  | a. | Vehicle allowance is payable to 1 person. |
|  | b. | The travel benefit is reduced by 1 benefit. |
| 31 | Section 9.5.8 (definition of high cost country centre) |
|  | Omit “High cost” substitute “High-cost”. |
| 32 | Section 9.5.8 (definition of medium cost country centre) |
|  | Omit “Medium cost” substitute “Medium-cost”. |
| 33 | Section 9.5.8 (definition of other country centre) |
|  | Omit “high cost” substitute “high-cost”. |
| 34 | Section 9.5.8 (definition of other country centre) |
|  | Omit “medium cost” substitute “medium-cost”. |
| 35 | Section 9.6.5 |
|  | Repeal the section, substitute: |

###### 9.6.5 Member this Part applies to

|  |  |
| --- | --- |
|  | This Part applies to a member, including a member on Reserve service. |
| 36 | Paragraph 9.6.18.d |
|  | Omit “their marriage or ADF recognition of their partnership”, substitute “recognition of their relationship”. |
| 37 | Section 9.6.22 |
|  | Repeal the section, substitute: |

###### 9.6.22 Recognition of a relationship

|  |  |
| --- | --- |
| 1. | A member is eligible vehicle allowance if their partner has been approved to travel by private vehicle on recognition of the couple’s relationship under Part 3 Division 1. |
| 2. | All of the following apply to the payment of vehicle allowance under this section. |
|  | a. | The amount of vehicle allowance paid must not be more than the cost of the partner’s travel by the most economical means. |
|  | b. | There is no eligibility for additional costs. |
|  | **Note 1:** There is no eligibility for an additional amount of allowance for transporting the member as a passenger.**Note 2:** Other passengers may attract the passenger component of vehicle allowance under section 9.6.26 if they are eligible for travel. |
| 38 | Paragraph 11.2.22.4.b and section 11.2.24 |
|  | Omit “Appeals”, substitute “Review”. |
| 39 | Section 12.8.1 (heading) |
|  | After “Simplified outline” insert “of this Part”. |
| 40 | Subsection 13.2.11.8 (note) |
|  | Omit “approved recreation leave under Chapter 5, Part 4”, substitute “who is approved recreation leave”. |
| 41 | Subsection 13.2.13.1 |
|  | Omit "short term-term", substitute "short-term". |
| 42 | Subsection 14.6.22.1 |
|  | Omit "a event", substitute "an event". |
| 43 | Subsection 14.4.15.8 (note) |
|  | Omit “approved recreation leave under Chapter 5, Part 4:”, substitute “who is approved recreation leave”. |
| 44 | Subsection 15.4.6.2 |
|  | Omit "of a privately", substitute "of privately". |
| 45 | Amendments of listed provisions—satisfied of all |
|  | After “satisfied”, insert “of all”. |
|  | a. | Paragraph 1.3.15.c. |
|  | b. | Subsection 5.4.32.1. |
|  | c. | Paragraph 11.4.10A.2.c. |
| 46 | Amendments of listed provisions—out of pocket |
|  | Omit “out of pocket”, substitute “out-of-pocket”. |
|  | a. | Section 8.9.2. |
|  | b. | Subsection 8.9.6.1. |
|  | c. | Subsection 8.9.7.1. |
|  | d. | Section 8.9.7A. |
|  | e. | Subsection 8.9.7C.2. |
|  | f. | Section 8.9.7D. |
|  | g. | Section 8.9.7E. |

Schedule 2—Tables amendments

Defence Determination 2016/19, Conditions of service

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| --- | --- |
| 1 | Section 1.3.5  |
|  | Repeal the section, substitute: |

###### 1.3.5 Serious illness

|  |  |
| --- | --- |
|  | **Serious illness** means one of the following. |
|  | a. | For a member under the Australians dangerously ill scheme — any of the following. |
|  |  | i. | Life endangerment. |
|  |  | ii. | Significant disablement. |
|  |  | iii. | Material impact on future life. |
|  |  | iv. | Mental health condition. |
|  |  | **Note:** The Australians dangerously ill scheme is provided under the following.a. Within Australia – Chapter 9 Part 3 Division 9.b. Overseas – Chapter 12 Part 8. |
|  | b. | For any of the following — life endangerment of a member’s close relative. |
|  |  | i. | Personal leave for compassionate reasons under Chapter 5 Part 9 Division 2. |
|  |  | ii. | Travel for compassionate reasons under Chapter 15 Part 3 Division 6. |
| 2 | Subsection 2.1.4.2  |
|  | Repeal the subsection, substitute: |
| 2. | A person who travels to attend a Defence Force Recruiting Centre is eligible for one of the following. |
|  | a. | If they use a private vehicle — an amount calculated under section 9.6.25. |
|  | b. | If they use public transport by a regional transport provider, including air travel — the lesser of the following. |
|  |  | i. | The fares that the member would be eligible for if they held a rank of Colonel or lower. |
|  |  | ii. | The fares that they paid. |
| 3 | Subsection 2.3.23 |
|  | Repeal the section, substitute: |

###### 2.3.23 Amount of special benefit

|  |  |
| --- | --- |
|  | The amount of a special benefit is the lesser of the following.  |
|  | a. | The amount calculated using the following formula.start formula amount equals A times open bracket B plus C close bracket plus start fraction A times open bracket D plus E close bracket over 365 end fraction minus F end formula |
|  |  | Where: |
|  |  | **A** | is the member’s fortnightly salary.**Note:** The fortnightly salary amount does not include allowances.  |
|  |  | **B** | is the number of completed years of continuous full-time service in the ADF. |
|  |  | **C** | is the number of completed years of prior service that is recognised for long service leave. |
|  |  | **D** | is the number of completed days in any part year of continuous full-time service in the ADF. |
|  |  | **E** | is the number of completed days in any part year of prior service that is recognised for long service leave. |
|  |  | **F** | is the sum of any payment of a special benefit, redundancy payment, or management initiated early retirement benefit, however described made by the Commonwealth or any employer. |
|  | b. | 48 weeks salary. |
| 4 | Section 4.5.9 |
|  | Repeal the section, substitute: |

###### 4.5.9 Rates of allowance

|  |  |
| --- | --- |
|  | The rate of meal allowance for a meal period is one of the following.  |
|  | a. | If the meal period is breakfast — $30.35.  |
|  | b. | If the meal period is lunch and paragraph 4.5.6.1.d applies — $13.90. |
|  | c. | If the meal period is lunch and paragraph 4.5.6.1.d does not apply — $34.65. |
|  | d. | If the meal period is dinner — $59.75. |
| 5 | Subsection 5.5.14.1 |
|  | Repeal the subsection, substitute: |
| 1. | Subject to subsection 5.5.15.2, a member’s long service leave accrues on a day they perform 6 or more hours of Reserve service. |
| 6 | Subsection 5.8.9.2 |
|  | Repeal the subsection, substitute: |
| 2. | If payment instead of war service leave is approved under subsection 1, the member is eligible for the sum of the following. |
|  | a. | For every 5 days of war service leave credit — 7 days of salary and allowances that are payable under sections 5.4.36 and 5.4.37. |
|  | b. | For every remaining whole day of war service leave credit — 1 day of salary and allowances that are payable under sections 5.4.36 and 5.4.37. |
| 7 | Subsection 5.8.10.2 |
|  | Repeal the subsection, substitute. |
| 2. | For the purpose of subsection 1, the member is paid the sum of the following. |
|  | a. | For every 5 days of war service leave credit — 7 days of salary. |
|  | b. | For every remaining whole day of war service leave credit — 1 day of salary. |
|  | c. | For the remaining part day of war service leave credit — salary for the part of the day. |
| 8 | Subsection 5.9.14.3 |
|  | Repeal the subsection, substitute. |
| 3. | In this section, **approving authority** means any of the following.  |
|  | a. | For the CDF — the Minister. |
|  | b. | For the VCDF or a Service Chief — the CDF. |
| 9 | Subsection 5.11.10.2 |
|  | Repeal the subsection, substitute. |
| 2. | The maximum amount of short absence leave for each removal is one of the following. |
|  | a. | If the removal is between one housing benefit location and another location — 2 consecutive days at each location. |
|  | b. | If the removal is within the same housing benefit location — 3 days in total. |
| 10 | Section 6.1.7 |
|  | Repeal the section, substitute: |

###### 6.1.7 Number of current removal

|  |  |
| --- | --- |
| 1. | The **number of a member’s current removal** means one of the following. |
|  | a. | If the member is not part of a dual service couple — the number of removals, including the current removal, for which the member has been eligible for disturbance allowance since they last began continuous full-time service. |
|  | b. | If the member is part of a dual serving couple and they move together — the number of removals, including the current removal, of the member who has the greater number of removals since they began continuous full-time service. |
|  | **Note:**  If a member re-enters the ADF after a break in service, the number of removals restarts. Their first removal is not added to the number of removals in their previous period of service. |
| 2. | For the purpose of subsection 1, if a member, their resident family and recognised other persons are removed separately to the same location, the removal is treated as 1 removal. |

Schedule 3—RAAF flight engineer non-reduction period amendments

Defence Determination 2016/19, Conditions of service

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| --- | --- |
| 1 | Annex 3.2.B |
|  | In the following, omit “5 years”, substitute “8 years”. |
|  | a. | Part 1, table item 16, Column D. |
|  | b. | Part 1, table item 18, Column D. |
|  | c. | Part 1, table item 23, Column D. |
|  | d. | Part 1, table item 25, Column D. |
|  | e. | Part 2, table item 39, Column D. |
|  | f. | Part 2, table item 42, Column D. |
|  | g. | Part 2, table item 47, Column D. |
|  | h. | Part 2, table item 49, Column D. |

Schedule 4—Higher duties allowance amendments

Defence Determination 2016/19, Conditions of service

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| --- | --- |
| 1 | Paragraph 4.1.5.2.a |
|  | Omit “10”, substitute “5”. |

Schedule 5—Transitional provisions

###### 1 Definitions

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| --- | --- |
|  | In this Schedule, the following apply.  |
|  | **Defence Determination** means *Defence Determination 2016/19,* *Conditions of service*, as in force immediately before the commencement of this Determination. |

###### 2  Continuation bonus – Effective Service

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| --- | --- |
|  | The changes made by items 11 and 12 of Schedule 1 of this Determination apply to a member as though they had been in effect from 1 July 2023. |

###### 3  Non-reduction period for RAAF Flight Engineer

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| --- | --- |
| 1. | This clause applies to a member who was eligible for salary non-reduction under one of the following and the salary non-reduction period has ended. |
|  | a. | One of the following items in the table in Part 1 of Annex 3.2.B to the Defence Determination. |
|  |  | i. | Item 16. |
|  |  | ii. | Item 18. |
|  |  | iii. | Item 23. |
|  |  | iv. | Item 25. |
|  | b. | One of the following items in the table in Part 2 of Annex 3.2.B to the Defence Determination. |
|  |  | i. | Item 39. |
|  |  | ii. | Item 42. |
|  |  | iii. | Item 47. |
|  |  | iv. | Item 49. |
| 2. | The end date of the member’s salary non-reduction period is the day set out in column D of the table in Annex 3.2.B of the Defence Determination, as amended by item 1 of Schedule 3 of this Determination as though it had applied at the time they became eligible for the salary non-reduction period. |