

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 4 OF 2012

PARATROOPER ALLOWANCE – AMENDMENT OF UNIT TITLES FROM FORCES COMMAND TO SPECIAL OPERATIONS COMMAND

The Defence Force Remuneration Tribunal makes the following Determination under section 58H of the *Defence Act 1903*.

Commencement

1. This Determination commences on the date of signature.

Amendment

2. Determination No. 2 of 2001, Paratrooper Allowance, as amended, is amended as set out in this Determination.

Clause 3 (Paratrooper Allowance – member on continuous full-time service), table

3. Delete the clause in its entirety and insert:

“3. A member who is a paratrooper rendering continuous full-time service is entitled to Paratrooper Allowance at the rate that applies to them in the table.

Column 1	Column 2	Column 3
Item	A member who is...	is paid this rate of allowance...
1.	a Free Fall Instructor at the Parachute Training School and performs the duties of a Free Fall Instructor	10,519 a year
2.	a Parachute Jump Instructor at the Parachute Training School and performs the duties of a Parachute Jump Instructor	8,508 a year
3.	a Parachute Jump Instructor and performs the duties of a Parachute Jump Instructor at a unit conducting parachute operations	5,879 a year
4.	a Parachute Jump Master performing the duties of a Parachute Jump Master at any unit conducting parachute operations	5,182 a year
5.	a Free Fall paratrooper performing the duties of a Free Fall paratrooper at any unit conducting parachute operations	4,488 a year

6.	posted to any of these: (a) Parachute Training School (b) 1 Commando Regiment (c) 2 Commando Regiment (d) Third Combat Engineer Regiment (e) 4 Squadron RAAF (f) the Special Air Service Regiment (g) Special Operations Engineer Regiment (h) Special Operations Logistics Squadron (i) A comparable overseas parachute unit specified by the CDF.	3,713 a year
7.	posted to any other parachute unit, including a comparable overseas parachute unit not conducting tactical parachute operations	1,856 a year
8.	any other member who is required to perform a parachute descent	38.70 for each descent (up to a limit of 30 descents a year)

”

Clause 5 (Paratrooper Allowance – member of the Reserve Forces), table

4. Delete the clause in its entirety and insert:

“5. A member of the Reserve Forces who is a paratrooper is entitled to Paratrooper Allowance, for each day or part of a day the member renders Reserve service, at the rate that applies to them in the table.

Column 1 Item	Column 2 A member of the Reserve Forces who is...	Column 3 is paid to this rate of allowance...
1.	a Free Fall Instructor at the Parachute Training School and performs the duties of a Free Fall Instructor	28.82 a day
2.	a Parachute Jump Instructor at the Parachute Training School and performs the duties of a Parachute Jump Instructor	23.31 a day
3.	a Parachute Jump Instructor and performs the duties of a Parachute Jump Instructor at a unit conducting parachute operations	16.11 a day
4.	a Parachute Jump Master performing the duties of a Parachute Jump Master at any unit conducting parachute operations	14.20 a day

5.	a Free Fall paratrooper performing the duties of a Free Fall paratrooper at any unit conducting parachute operations	12.30 a day
6.	posted to any of these: (a) Parachute Training School (b) 1 Commando Regiment (c) 2 Commando Regiment (d) the Special Air Service Regiment (e) Special Operations Engineer Regiment (f) Special Operations Logistics Squadron (g) A comparable overseas parachute unit specified by the CDF	10.17 a day
7.	posted to any other parachute unit, including a comparable overseas parachute unit not conducting tactical parachute operations	5.08 a day
8.	any other member who is required to perform a parachute descent	38.70 for each descent (up to a limit of 30 descents a year)

”

Clause 6 (Allowance not payable)

5. Delete the whole of Clauses 6.1, 6.2, 6.3 and 6.4 and insert:

“6.1 A member is not entitled to more than one rate of Paratrooper Allowance at any time.

Exception: A member paid an amount under clause 5A is not subject to this limit.

6.2 A member is not entitled to an annual rate of Paratrooper Allowance during a period beginning more than six months after the day on which the member last made a parachute descent, unless the CDF approves payment during the period.

6.3 For subclause 6.2, the CDF must have regard to:

- (a) the degree of illness or infirmity, if any, of the member which prevented the member from making a parachute descent;
- (b) whether the illness or infirmity was caused by the member’s own fault;
- (c) the opportunity the member had to make a parachute descent during the period following the day on which the member last made a parachute descent; and

(d) any other reason preventing the member from making a parachute descent.

Note: If a member has a permanent medical restriction preventing them from conducting a parachute descent, refer to clause 6.5.

6.4 Determination No. 4 of 2008, Allowance for Specialist Operations (Column 5 of Schedules 1 and 2) and Determination No. 5 of 2008, Special Forces Disability Allowance (Column 6 of Schedule 1), prescribe whether a member receiving either of those allowances may also be paid Paratrooper Allowance.

6.5 Eligibility and payment of Paratrooper Allowance ceases from the date that a member is notified of a permanent medical restriction on their conducting a parachute descent.”

Deeming and transitional

6. Insert after clause 7.2:

“Deeming and transitional

8.1 A member is taken to have met the posting-related eligibility conditions for this allowance between 1 March 2012 and the date this Determination commences if:

- (a) the member’s unit name changed on or after 1 March 2012 and the day this Determination commences; and
- (b) the member’s new unit name is included in a posting-related eligibility condition amended by this Determination.

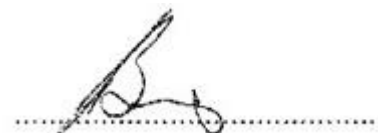
8.2 To avoid doubt, a decision made in relation to the eligibility of a member before this Determination commenced is taken to continue to be effective in relation to that member as if the member met the eligibility condition as amended by this Determination.”

Dated this eighth day of May two thousand and twelve.

The Honourable A Harrison
President



The Honourable Arch Bevis
Member



Brigadier William Rolfe, AO (Ret’d)
Member

