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Determination 1 of 2023

Determination of Australian Federal Police (Non-SES Employment) Increases to Salary and Specified Allowances

REVOCATION OF DETERMINATION 2 OF 2020


I, REECE P KERSHAW, Commissioner of the Australian Federal Police, pursuant to subsection 27(1) of the *Australian Federal Police Act 1979* (Cth) and with reference to subsection 33(3) of the *Acts Interpretation Act 1901* (Cth), hereby revoke *Determination 2 of 2020: Determination of Australian Federal Police (Non-SES employment) Increases to Salary and Specified Allowances*.

DETERMINATION 1 of 2023

I, REECE P KERSHAW, Commissioner of the Australian Federal Police, make the following Determination under subsection 27(1) of the *Australian Federal Police Act 1979* (Cth).

This Determination applies on and from the day it is signed.

Date: 27 April 2023


Reece P Kershaw APM
Commissioner
Australian Federal Police

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1. NAME

This Determination may be cited as *Determination 1 of 2023: Determination of Australian Federal Police (Non-SES Employment) Increases to Salary and Specified Allowances*.

2. COMMENCEMENT

This Determination commences on the day that it is signed by the Commissioner of the Australian Federal Police (AFP).

3. AUTHORITY

This Determination is made under subsection 27(1) of the *Australian Federal Police Act 1979 (AFP Act)*.

4. DEFINITIONS

In this Determination;

AFP EA Employee means a person who is employed under the AFP Act and whose employment is covered by the AFP Enterprise Agreement

AFP ELEA Employee means a person who is employed under the AFP Act and whose employment is covered by the EL Enterprise Agreement

AFP Enterprise Agreement means the *Australian Federal Police Enterprise Agreement 2017 – 2020*

Determination 2 of 2020 means *Determination 2 of 2020: Determination of Australian Federal Police (Non-SES employment) Increases to Salary and Specified Allowances*

EL Enterprise Agreement means the *Australian Federal Police Executive Level Enterprise Agreement 2019 – 2021*

5. PURPOSE

This Determination will provide non-SES employees of the AFP with increases to their existing salary (and relevant allowances) for which they are eligible under:

- the applicable enterprise agreement; and
- Determination 2 of 2020, where those increases were applied prior to the revocation of Determination 2 of 2020.

These increases do not qualify or otherwise limit the continuing operation of the enterprise agreements.

6. APPLICATION

This Determination applies to AFP EA Employees and AFP ELEA Employees (**Employees**).

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7. PERIOD OF OPERATION

This Determination will apply to the Employees from the day of commencement. This Determination will cease to apply to an AFP EA Employee or AFP ELEA Employee if:

- (a) a new enterprise agreement made in accordance with the *Fair Work Act 2009* (Cth) that covers the Employee commences operation; or
- (b) this Determination is revoked by another determination made under subsection 27(1) of the AFP Act.

8. SALARY INCREASES

- (a) In addition to the salary increases provided by subsection 7(1) of the AFP Enterprise Agreement and Determination 2 of 2020 on dates prior to revocation, AFP EA Employees will receive a Base Salary increase of 3% with effect on 25 May 2023.
- (b) In addition to the salary increases provided by subsection 10(6) of the EL Enterprise Agreement and Determination 2 of 2020 on dates prior to revocation, AFP ELEA Employees will receive a Base Salary increase of 3% with effect on 25 May 2023.
- (c) The salary increase provided by subclauses 8(a) and 8(b) is to be calculated based upon the salary received immediately before the salary increase.
- (d) The salary increase provided by subclauses 8(a) and 8(b) supersedes and replaces any salary increase that would have applied under Determination 2 of 2020 which had not been applied as at the date of revocation.

9. LIMITS ON SALARY INCREASES

- (a) The pay scales attached to this Determination at **Attachment A** have effect for AFP EA Employees and incorporates salary increases to the salary received immediately before the salary increase provided by the AFP Enterprise Agreement and Determination 2 of 2020 on dates prior to revocation, as well as by this Determination.
- (b) The pay scales attached to this Determination at **Attachment B** have effect for AFP ELEA Employees and incorporates salary increases to the salary received immediately before the salary increase provided by the AFP Enterprise Agreement and Determination 2 of 2020 on dates prior to revocation, as well as by this Determination.
- (c) To the extent that a salary increase provided under subclause 8(a) or 8(b) would result in an AFP EA Employee or AFP ELEA Employee receiving salary greater than that provided by the applicable entry at Attachment A or Attachment B, the salary increase provided by subclause 8(a) or 8(b) will not have effect, and instead that employee's salary will be the higher of either their salary immediately before the increase, or the maximum salary provided for by the applicable entry at Attachment A or Attachment B.

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10. ALLOWANCES

(a) In addition to the rates of payment provided for in the AFP Enterprise Agreement and Determination 2 of 2020 on dates prior to revocation, the following allowances payable under that enterprise agreement will receive the increase set out in the table annexed to this Determination at **Attachment C** on 25 May 2023:

(i) Night Shift Allowance;

(ii) On-Call Allowance;

(iii) Close Duty Allowance.

11. ENTITLEMENTS UNDER COMMONWEALTH LAWS NOT AFFECTED BY THIS DETERMINATION

This Determination operates in conjunction with all relevant Commonwealth Acts (including regulations and instruments made under those Acts).

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ATTACHMENT A – AFP EA Employees Base Salary Increase Payable under this Determination

Base Salary Rates (Bands 1 – 8)			
Classification	Increment Point	Existing Salary as at 25 May 2022	Salary from 25 May 2023 (3%)
Band 1	1.1	\$ 52,080	\$ 53,643
	1.2	\$ 53,917	\$ 55,534
	1.3	\$ 55,880	\$ 57,556
	1.4	\$ 57,846	\$ 59,582
Band 2	2.1	\$ 57,846	\$ 59,582
	2.2	\$ 60,085	\$ 61,888
	2.3	\$ 62,263	\$ 64,131
	2.4	\$ 64,604	\$ 66,542
	2.5	\$ 67,208	\$ 69,224
Band 3	3.1	\$ 67,208	\$ 69,224
	3.2	\$ 69,940	\$ 72,038
	3.3	\$ 72,673	\$ 74,853
	3.4	\$ 75,573	\$ 77,840
	3.5	\$ 78,467	\$ 80,821
Band 4	4.1	\$ 78,467	\$ 80,821
	4.2	\$ 81,669	\$ 84,119
	4.3	\$ 84,866	\$ 87,412
	4.4	\$ 88,407	\$ 91,059
	4.5	\$ 92,243	\$ 95,010
Band 5	5.1	\$ 92,243	\$ 95,010
	5.2	\$ 96,092	\$ 98,975
	5.3	\$ 99,929	\$ 102,927
Band 6	6.1	\$ 99,929	\$ 102,927
	6.2	\$ 105,093	\$ 108,246
	6.3	\$ 110,255	\$ 113,563
Band 7	7.1	\$ 110,255	\$ 113,563
	7.2	\$ 114,172	\$ 117,598
	7.3	\$ 118,085	\$ 121,628
Band 8	8.1	\$ 118,085	\$ 121,628
	8.2	\$ 123,308	\$ 127,007
	8.3	\$ 128,535	\$ 132,391

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Base Salary Rates (Technical Specialist Levels 1 – 4)			
Classification	Increment Point	Existing Salary as at 25 May 2022	Salary from 25 May 2023 (3%)
Specialist Level 1	TS01.1	\$ 118,516	\$ 122,072
	TS01.2	\$ 122,166	\$ 125,831
	TS01.3	\$ 125,393	\$ 129,155
	TS01.4	\$ 128,623	\$ 132,481
	TS01.5	\$ 131,849	\$ 135,804
	TS01.6	\$ 135,076	\$ 139,128
Specialist Level 2	TS02.1	\$ 136,916	\$ 141,023
	TS02.2	\$ 140,141	\$ 144,345
	TS02.3	\$ 143,367	\$ 147,668
	TS02.4	\$ 146,592	\$ 150,990
	TS02.5	\$ 149,818	\$ 154,312
	TS02.6	\$ 153,043	\$ 157,634
Specialist Level 3	TS03.1	\$ 160,727	\$ 165,549
	TS03.2	\$ 164,080	\$ 169,003
	TS03.3	\$ 167,434	\$ 172,457
	TS03.4	\$ 170,786	\$ 175,909
	TS03.5	\$ 174,140	\$ 179,364
	TS03.6	\$ 177,492	\$ 182,817
Specialist Level 4	TS04.1	\$ 182,374	\$ 187,845
	TS04.2	\$ 185,729	\$ 191,301
	TS04.3	\$ 189,084	\$ 194,757
	TS04.4	\$ 192,440	\$ 198,213
	TS04.5	\$ 195,795	\$ 201,669
	TS04.6	\$ 199,150	\$ 205,125

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ATTACHMENT B – AFP ELEA Employees Base Salary Increase Payable under this Determination

Base Salary Rates (Executive Level)			
Classification	Increment Point	Existing Salary as at 25 May 2022	Salary from 25 May 2023 (3%)
ELEA	ELMN	\$ 156,413	\$ 161,105
	EL1	\$ 161,410	\$ 166,252
	EL2	\$ 166,409	\$ 171,401
	EL3	\$ 171,406	\$ 176,549
	EL4	\$ 176,404	\$ 181,696
	EL5	\$ 181,403	\$ 186,845
	EL6	\$ 186,400	\$ 191,992
	EL7	\$ 191,398	\$ 197,140
	EL8	\$ 196,396	\$ 202,288
	EL9	\$ 201,394	\$ 207,436
	ELMX	\$ 206,392	\$ 212,583

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ATTACHMENT C – Allowances

Allowance Rates			
Allowance	Subcategory	Existing Allowance as at 25 May 2022	Allowance from 25 May 2023 (3%)
Night Shift		\$ 8.82	\$ 9.09
Close Duty		\$ 55.20	\$ 56.86
On-Call	Monday – Thursday	\$ 38.64	\$ 39.80
	Friday	\$ 49.68	\$ 51.17
	Weekend & PH	\$ 55.20	\$ 56.86
	Weekly	\$ 386.39	\$ 397.99