



Public Service (Section 24(1)—Australian Criminal Intelligence Commission Non-SES Employees) Determination 2022/1

I, Michael Phelan APM, Chief Executive Officer, Australian Criminal Intelligence Commission, make the following determination.

Dated *7 November* 2022

A handwritten signature in black ink, appearing to be 'M. Phelan', written in a cursive style.

Michael Phelan
Chief Executive Officer, Australian Criminal Intelligence Commission

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1 Name

This determination is the *Public Service (Section 24(1)—Australian Criminal Intelligence Commission Non-SES Employees) Determination 2022/1*

2 Commencement

This determination commences on the date it is signed.

3 Authority

This determination is made under section 24(1) of the *Public Service Act 1999*

4 Application

This determination applies to non-SES employees employed in the Australian Criminal Intelligence Commission (ACIC) under the *Public Service Act 1999* who are covered by the Enterprise Agreement

5 Definitions

In this determination

Employee(s) means the persons employed in the Australian Criminal Intelligence Commission under the *Public Service Act 1999* who are covered by the Enterprise Agreement

Enterprise Agreement means the enterprise agreement approved by the Fair Work Commission on 23 December 2016 and known as the Australian Criminal Intelligence Commission Enterprise Agreement 2016-19.

6 Purpose

The purpose of this determination is to provide employees with adjustments to their existing salary and to allowances for which they are eligible under the terms of the Enterprise Agreement

7 Period of operation

This determination is in force for the period:

- (a) beginning at the start of the day this determination commences; and
- (b) ending at the earlier of the following
 - (i) the start of the day that an enterprise agreement made in accordance with the *Fair Work Act 2009* that covers the employees and replaces the Agreement commences operation, or
 - (ii) the start of the day that another determination under section 24(1) of the *Public Service Act 1999* that applies to the employees and expressly revokes this determination comes into force.

8 Adjustment of salary and allowances

- (1) Employee salaries specified at Schedule 1 are adjusted by 3%, with effect on 30 December 2022
- (2) The adjustment is to be calculated based on the salaries specified at Schedule 1 immediately before the adjustment under subsection (1).
- (3) An employee in receipt of a salary that is higher than the maximum pay point provided for their classification as specified in Table A - Column 3 - Schedule 1 will not be eligible for the salary adjustment specified under section (8), subsection (1)
- (4) For the avoidance of doubt, an employee in receipt of a salary less than 3% higher than the maximum pay point for their classification will receive a partial salary increase, in order that their salary is aligned to the maximum pay point for their classification as listed in Table A – Column 4 – Schedule 1
- (5) Employees in receipt of a salary which is higher than the maximum pay point for their classification following the application of the adjustment under section (8), subsection (1) will receive a one-off supplement equal to 3% of their current base salary, only where the higher salary is as a result of salary matching on commencement with the ACIC
- (6) The allowances listed in Schedule 1 are adjusted by the same percentage as salaries, with effect on 30 December 2022
- (7) Each adjustment of an allowance is to be calculated based on the allowance immediately before the adjustment under subsection (6).
- (8) Schedule 1 has effect

Schedule 1—Salaries and allowances

Note See section 8(5)

1 Salaries

Table A—Salaries payable under this determination

Column 1 Classification or local designation	Column 2 Pay points	Column 3 Pre-determination salary	Column 4 Salary on 30 December 2022
Executive Level 2	EL2 3	\$148,961	\$153,430
	EL2 2	\$140,588	\$144,806
	EL2 1	\$132,211	\$136,177
Executive Level 1	EL1 4	\$127,577	\$131,404
	EL1 3	\$120,045	\$123,646
	EL1 2	\$112,512	\$115,887
	EL1 1	\$105,820	\$108,995
APS6	APS6 4	\$94,983	\$97,832
	APS6 3	\$90,886	\$93,613
	APS6 2	\$86,787	\$89,391
	APS6 1	\$83,934	\$86,452
APS5	APS5 4	\$81,572	\$84,019
	APS5 3	\$80,155	\$82,560
	APS5 2	\$78,473	\$80,827
	APS5 1	\$76,926	\$79,234
APS4 & ICT Graduates	APS4 4	\$75,436	\$77,699
	APS4 3	\$73,450	\$75,654
	APS4 2	\$71,466	\$73,610
	APS4 1	\$69,476	\$71,560
APS3 & APS Graduates	APS3 4	\$68,219	\$70,266
	APS3 3	\$66,548	\$68,544
	APS3 2	\$64,878	\$66,824
	APS3 1	\$63,207	\$65,103
APS2	APS2 4	\$60,582	\$62,399
	APS2 3	\$58,599	\$60,357
	APS2 2	\$56,614	\$58,312
	APS2 1	\$54,634	\$56,273
APS1	APS1 4	\$52,563	\$54,140
	APS1 3	\$50,890	\$52,417
	APS1 2	\$49,224	\$50,701
	APS1 1	\$47,558	\$48,985

2 Allowances

Table B—Allowances payable under this determination

Column 1 Name of allowance	Column 2 Pre-determination rate of allowance	Column 3 Rate of allowance on 30 December 2022
First Aid Allowance	\$580 per annum	\$597 per annum
Community Language Allowance Level 1	\$979 per annum	\$1,009 per annum
Community Language Allowance Level 2	\$1,987 per annum	\$2,047 per annum
