

## **Defence Determination 2012/33, Salary, bonuses, allowances, relocation, housing and meals – amendment**

*Tabled in the House of Representatives and the Senate on 14 August 2012*

*Portfolio: Defence*

*PJCHR comments: [Report 2/12](#), tabled on 12 September 2012*

*Ministerial response dated: 27 November 2012*

### **Committee view**

3.1 The committee thanks the Minister for clarifying that this determination does not engage article 13 of the International Covenant on Civil and Political Rights (ICCPR) and for explaining why he considers that it impacts upon article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and article 12 of ICCPR. The committee notes that the instrument's engagement with article 11(1) of ICESCR and article 12 of ICCPR is, at best, tangential.

3.2 The committee makes no further comment on this instrument.

### **Background**

3.3 This determination makes various adjustments to the bonus and allowance framework for Australian Defence Force (ADF) members and introduces new residence requirements for senior ADF officers.

3.4 The committee considered that the determination was compatible with human rights but sought clarification from the Minister as to the claim in the statement of compatibility that the determination engages and limits the right to an adequate standard of living in article 11(1) of ICESCR, the right to freedom of movement in article 12 of the ICCPR, and the prohibition against expelling aliens in article 13 of the ICCPR.

3.5 The Minister's response is attached.