



Public Service (Section 24(1)—IP Australia Non-SES Employees) Determination 2023/1

I, Michael Schwager, Director General, IP Australia, make the following determination.

Dated 30 March 2023

A handwritten signature in blue ink, appearing to read 'Michael Schwager', is positioned above the printed name.

Michael Schwager
Director General of IP Australia

Contents

1 Name	1
2 Commencement	1
3 Authority	1
4 Application	1
5 Definitions	1
6 Purpose.....	1
7 Period of operation	1
8 Adjustment of salary and allowances.....	2
Schedule 1—Salaries and allowances	3
1 Salaries.....	3
2 Allowances	3

1 Name

This determination is the *Public Service (Section 24(1)—IP Australia Non-SES Employees) Determination 2023/1*.

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 IP Australia 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 IP Australia 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 5 May 2017 and known as the *IP Australia Enterprise Agreement 2017*.

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 Enterprise 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) Employees' salaries are adjusted by 3%, with effect on 12 May 2023.
- (2) The adjustment is to be calculated based on the salary immediately before the adjustment under subsection (1).
- (3) The following allowances are adjusted by the same percentage as salaries, with effect on 12 May 2023:
 - a. On-call
 - b. First Aid, Emergency Control, Equity and Diversity Contact Officer, and Health and Safety Officer
 - c. Patent Document Translation
 - d. Vacation Care Subsidy
- (4) Each adjustment of an allowance is to be calculated based on the allowance immediately before the adjustment under subsection (3).
- (5) 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 12 May 2023
APS 1	APS 1.1	\$49,041	\$50,512
	APS 1.2	\$50,828	\$52,353
	APS 1.3	\$52,614	\$54,192
	APS 1.4	\$54,404	\$56,036
APS 2	APS 2.1	\$56,402	\$58,094
	APS 2.2	\$58,188	\$59,934
	APS 2.3	\$59,971	\$61,770
	APS 2.4	\$61,756	\$63,609
APS 3	APS 3.1	\$63,406	\$65,308
	APS 3.2	\$65,207	\$67,163
	APS 3.3	\$67,006	\$69,016
	APS 3.4	\$68,809	\$70,873
APS 4	APS 4.1	\$70,552	\$72,669
	APS 4.2	\$72,524	\$74,700
	APS 4.3	\$74,496	\$76,731
	APS 4.4	\$76,471	\$78,765
APS 5	APS 5.1	\$78,559	\$80,916
	APS 5.2	\$80,435	\$82,848
	APS 5.3	\$82,309	\$84,778
	APS 5.4	\$84,187	\$86,713
APS 6	APS 6.1	\$85,794	\$88,368
	APS 6.2	\$89,684	\$92,375
	APS 6.3	\$93,570	\$96,377
	APS 6.4	\$97,459	\$100,383
EL 1	EL 1.1	\$107,686	\$110,917
	EL 1.2	\$112,192	\$115,558
	EL 1.3	\$116,694	\$120,195
	EL 1.4	\$121,201	\$124,837
EL 2	EL 2.1	\$131,917	\$135,875
	EL 2.2	\$139,202	\$143,378
	EL 2.3	\$146,489	\$150,884
	EL 2.4	\$153,782	\$158,395

Table B—Salaries payable under this determination for Examiners of Patents

Column 1 Classification or local designation	Column 2 Pay points	Column 3 Pre-determination salary	Column 4 Salary on 12 May 2023
Examiner of Patents	Pay Level 1	\$81,270	\$83,708
Examiner of Patents	Pay Level 2 (Progression Point 1)	\$83,338	\$85,838
Examiner of Patents	Pay Level 3 (Progression Point 2)	\$87,191	\$89,807
Examiner of Patents	Pay Level 4 (Progression Point 3)	\$89,536	\$92,222
Examiner of Patents	Pay Level 5	\$94,357	\$97,188
Examiner of Patents	Pay Level 6	\$99,179	\$102,154
Examiner of Patents	Pay Level 7	\$103,722	\$106,834
Examiner of Patents	Pay Level 8	\$108,270	\$111,518
Examiner of Patents	Pay Level 9	\$113,780	\$117,193

Table C—Salaries payable under this determination for Examiners of Trade Marks and Designs Broadband

Column 1 Classification or local designation	Column 2 Pay points	Column 3 Pre-determination salary	Column 4 Salary on 12 May 2023
APS 4	APS 4.1 (TMD 1)	\$70,552	\$72,669
	APS 4.2 (TMD 2)	\$72,524	\$74,700
	APS 4.3 (TMD 3) (Progression Point 1)	\$74,496	\$76,731
APS 5	APS 5.1 (TMD 4) (Progression Point 2)	\$78,559	\$80,916
	APS 5.2 (TMD 5) (Progression Point 3)	\$80,435	\$82,848
	APS 5.3 (TMD 6)	\$82,309	\$84,778
APS 6	APS 6.1 (TMD 7)	\$85,794	\$88,368
	APS 6.2 (TMD 8)	\$89,684	\$92,375
	APS 6.3 (TMD 9)	\$93,570	\$96,377
	APS 6.4 (TMD 10)	\$97,459	\$100,383
	APS 6.6 (TMD 11)	\$101,657	\$104,707

Table D—Salaries payable under this determination for Examiners of Plant Breeder’s Rights Broadband

Column 1 Classification or local designation	Column 2 Pay points	Column 3 Pre-determination salary	Column 4 Salary on 12 May 2023
APS 5	APS 5.1 (PBR 1)	\$78,559	\$80,916
	APS 5.2 (PBR 2) (Progression Point 1)	\$80,435	\$82,848
	APS 5.3 (PBR 3) (Progression Point 2)	\$82,309	\$84,778
APS 6	APS 6.1 (PBR 4) (Progression Point 3)	\$85,794	\$88,368
	APS 6.2 (PBR 5)	\$89,684	\$92,375
	APS 6.3 (PBR 6)	\$93,570	\$96,377
	APS 6.4 (PBR 7)	\$97,459	\$100,383
	APS 6.6 (PBR 8)	\$101,657	\$104,707

Table E—Salaries payable under this determination for Training Classifications

Column 1 Classification or local designation	Column 2 Pay points	Column 3 Pre-determination salary	Column 4 Salary on 12 May 2023
Trainee and Trainee APS (Technical)	1.1	\$49,041	\$50,512
Trainee and Trainee APS (Technical)	1.2	\$50,828	\$52,353
Trainee and Trainee APS (Technical)	1.3	\$52,615	\$54,193
Trainee and Trainee APS (Technical)	1.4	\$54,404	\$56,036
Cadet – Full time study	APS 1.1	\$28,203	\$29,049
Cadet – Full time study	APS 1.2	\$29,097	\$29,970
Cadet – Work placement	APS 2.1	\$56,402	\$58,094
Cadet – Work placement	APS 2.2	\$58,188	\$59,934
Cadet – Work placement	APS 2.3	\$59,971	\$61,770
Cadet – Work placement	APS 2.4	\$61,756	\$63,609
Graduate APS	APS 3.1	\$63,406	\$65,308
Graduate APS	APS 3.2	\$65,207	\$67,163
Graduate APS	APS 3.3	\$67,006	\$69,016
Graduate APS	APS 3.4	\$68,809	\$70,873

2 Allowances

Table F—Allowances payable under this determination

Column 1 Name of allowance	Column 2 Pre-determination rate of allowance	Column 3 Rate of allowance on 12 May 2023
On-call Allowance (Clause 50) Per Day	\$61.82	\$63.67
First Aid Allowance (Clause 67) Per Fortnight	\$27.06	\$27.87
Emergency Control Officer Allowance (Clause 67) Per Fortnight	\$27.06	\$27.87
Equity and Diversity Contact Officer Allowance (Clause 67) Per Fortnight	\$27.06	\$27.87
Health and Safety Officer Allowance (Clause 67) Per Fortnight	\$27.06	\$27.87
Patent and Document Translation Allowance (Clause 70) Per Fortnight	\$39.68	\$40.87
Vacation Care Subsidy (Clause 231) Per Day	\$31.05	\$31.98
