



DETERMINATION NO. 50 OF 1990

DETERMINATION UNDER SECTION 58B OF THE DEFENCE ACT 1903

I, RUTH ALISON CAMPBELL, First Assistant Secretary, Australian Government Employment Remuneration and Conditions Division, Department of Industrial Relations, pursuant to a delegation made by the Minister of State for Industrial Relations under Defence Force Regulation 72A, hereby make the following Determination under section 58B of the Defence Act 1903.

Dated 23 March 1990

R.A. Campbell

First Assistant Secretary
Australian Government Employment
Remuneration and Conditions Division
Department of Industrial Relations

Citation

1. This determination may be cited as Overseas Defence Determination 1990/50.

Principal Determination

2. In this Determination, Determination 3901, as in force¹ is referred to as the Principal Determination.

Other Conditions - United Kingdom

3.1 The Principal Determination is amended by -

- (a) omitting Division 1; and
- (b) inserting after clause 178 the following Division -

[ref722]

"DIVISION 27A - Member serving on duty in the United Kingdom

Definition

"179. In this Division 'member' means a member who is serving on duty in the United Kingdom.

Excess commuting costs allowance

"180. A member shall be entitled to be reimbursed by way of an excess commuting costs allowance so much of whichever is the less of -

- (a) the cost incurred by the member in commuting from home to the place the member ordinarily performs duty; and
- (b) the cost of a monthly ticket for so commuting by public transport,

as exceeds the cost of a monthly travelcard (two zone including zone 1).

Household assistance - Staff

"181. Where the amount of representation funds provided to a member is not less than \$A1200 a year the limit of reimbursement which would, but for this sub-clause, have been applicable to the member shall be increased by the amount specified in column 3 of item 122 of the Schedule.

Household assistance - Gardening maintenance

"181A. Household maintenance and assistance allowance in respect of gardening assistance is not payable to a member under clause 6B of this determination unless the member resides in a free standing residence with a garden area of not less than 450 square metres which includes 100 square metres laid out to flower beds, roses, shrubberies, ornamental trees or fruit trees.

Household maintenance - Household supplies

"181B. Where -

- (a) a member performs the duties of Head, Australian Defence Staff, London;
- (b) the member is in accommodation group ASV or a higher accommodation group;
- (c) the member incurs expenditure on minor household maintenance other than costs incurred in respect of the employment of household assistants; and
- (d) the member expends an amount in a year on such minor household maintenance in excess of the amount specified for the member's allowance group, in the following table in column 2 if the member is unaccompanied or column 3 if the member is accompanied,

the member shall be entitled to be paid a household maintenance and assistance allowance of an amount equal to the excess costs so incurred -

Column 1 Allowance group	Column 2 Unaccompanied member \$	Column 3 Accompanied member \$
14	635	653
15	677	696
16	719	738

Telephone allowance

"181C.1 Where a member resides in an official residence and has more than one telephone handset installed in that residence, the member shall be paid a telephone allowance of an amount equal to the telephone rental and other telephone costs which the member incurs.

"181C.2 An allowance is not payable under sub-clause 181C.1 to a member unless the approving authority is satisfied that the additional handsets are necessary having regard to the size of the member's residence and the extent to which the telephone is used for official purposes."

3.2 Where a member was on long term posting in the United Kingdom during the period commencing on 14 September 1989 and ending on the day on which this determination comes into operation, the member shall be entitled to be paid excess commuting costs as if the amendments made by this determination had come into operation at the commencement of the period.

NOTE

1 Details of the various Determinations as in force are as follows -

Determination 3901 as amended to date. For previous amendments see Note 1 to Determination No. 33 of 1990 and see also Determination Nos 33, 48 and 49 of 1990.

EXPLANATORY MEMORANDUM

DETERMINATION NO. 50 OF 1989

Defence Act 1903

This determination amends Defence Determination 3901 - Complementary Allowances Payable to Members Serving on Duty Overseas by omitting Division I which referred to members in Britain and substitutes a new Division to apply to members in the United Kingdom. This brings Determination 3901 into line with the practice followed in other Defence Determinations.

The provisions which are inserted are the same in substance as those which have been repealed other than clause 180 which is in line with the comparable provision applying to officers of the Australian Public Service (a transitional provision ensures that members receive the benefit of this change from the same date of effect as the officers of the Australian Public Service) and the minimum amount payable by the member under clause 181B has been increased in line with changes in the rates of allowance.

Authority: Section 58B of the
Defence Act 1903