



## **Defence Determination 2001/10**

I, ADRIAN WELLSRING, Acting Director General Personnel Policy and Employment Conditions, Defence Personnel Executive, make this Determination under section 58B of the *Defence Act 1903*.

Dated 23 April 2001

A. WELLSRING  
Acting Director General  
Personnel Policy and Employment Conditions  
Defence Personnel Executive

## 1 Citation

This Determination is Defence Determination 2001/10, Disturbance allowance (Defence Determination 2000/1 – Amendment).

NOTE: This Determination commences on the day on which it is made: see *Defence Act 1903*, subsection 58B(4).]

## 2 Amendment

Defence Determination 2000/1, Conditions of Service, as amended,<sup>1</sup> is amended as set out in this Determination.

## 3 Clause 4.2.1 (Purpose)

*substitute*

The purpose of this Part is to compensate members for certain costs arising from removals.

## 4 Paragraph 4.2.2 (2) (b) (Disturbance allowance – entitlement)

*substitute*

- (b) overseas (other than a removal from overseas to Australia as provided under subclause 4.2.3 (1) and Schedule 4); or

## 5 Subclause 4.2.3 (1) (Amount of disturbance allowance)

*substitute*

- (1) A member to whom clause 4.2.2 applies is entitled to the amount mentioned in column 3 of Schedule 4 that is applicable to the member's circumstances and (if applicable) the number of the current removal.

## 6 Subclauses 4.2.3 (2) and (3) (Amount of disturbance allowance)

*substitute*

- (2) For subclause (1) and Schedule 4, the *number of the current removal*, for a member, is the greater of:
- (a) the number of removals, including the current removal, for which the member; or
- (b) for removals undertaken jointly with a spouse who is also a member — the number of removals, including the current removal, for which the member's spouse,
- has been entitled to disturbance allowance since the member last commenced continuous full-time service.

## 7 Schedule 4 (Amounts of disturbance allowance)

*substitute*

the Schedule set out in the Attachment.

---

### NOTE

1. Defence Determination 2000/1 as amended to date. For previous amendments see Note to Defence Determination 2001/1 and see also Determinations 2001/1, 2, 3, 4, 5, 6, 7, 8 and 9. The Determination has also been amended by Determination No. 3 of 2001 made under section 58H.

**ATTACHMENT**

## Schedule 4      Amounts of disturbance allowance

Column 1	Column 2	Column 3
Circumstances of member	Number of the current removal	Amount \$
<b>Member with dependants</b>		
Removal to a new locality	1st or 2nd removal	793
	3rd or 4th removal	1,057
	5th or 6th removal	1,322
	7th or subsequent removal	1,586
Removal within the same locality	–	396
Removal from overseas	1st or 2nd removal	159
	3rd or 4th removal	317
	5th or subsequent removal	476
<b>Member without dependants</b>		
Removal to a new locality:		
from living out to living out	1st or 2nd removal	396
	3rd or 4th removal	529
	5th or 6th removal	661
	7th or subsequent removal	793
from living out to living in or vice versa	1st or 2nd removal	198
	3rd or 4th removal	264
	5th or 6th removal	331
	7th or subsequent removal	396
from living in to living in	1st or 2nd removal	99
	3rd or 4th removal	132
	5th or 6th removal	165
	7th or subsequent removal	198
Removal within the same locality:		
from living out to living in or vice versa	–	99
from living out to living out	–	198
Removal from overseas	1st or 2nd removal	79
	3rd or 4th removal	159
	5th or subsequent removal	238

# EXPLANATORY STATEMENT

## Defence Determination 2001/10

This Determination amends Defence Determination 2000/1, Conditions of Service ('the Principal Determination'), Chapter 4 of which contains provisions authorising disturbance allowance for members of the Australian Defence Force (ADF) who are entitled to a removal at Commonwealth expense.

This Determination substitutes a revised Schedule setting out all the dollar amounts of the allowance which are payable in various circumstances, taking account of the member's situation and the nature of the removal. The Schedule formerly contained a range of numerical factors between 0.100 and 2.000, which were applied to a base amount specified in Chapter 4 (\$793 with effect from 1 December 2000) to provide the various dollar amounts. The new Schedule makes the provisions simpler and easier to ascertain, without in any way altering members' entitlements. Other consequential amendments are made to the disturbance allowance provisions in Chapter 4.

Clause 1 of this Determination sets out the manner in which this Determination may be cited.

Clause 2 specifies that the amendments are made to the Principal Determination.

Clause 3 amends the purpose clause to clarify the purpose of disturbance allowance.

Clause 4 makes a minor drafting amendment.

Clause 5 revises the provision which authorises the amounts of allowance, by omitting the base amount from the text and deriving all the amounts from the revised Schedule 4.

Clause 6 omits a redundant provision which governed the rounding of amounts calculated using the factors in the former Schedule 4, and revises a provision which redefines a concept used in assessing members' entitlements to the allowance. These entitlements increase on the basis of the number of removals experienced by the member or spouse during the current period of continuous ADF service. Rather than referring to the number of prior removals, the approach now taken is to refer to the number of the current removal. This simpler concept is also incorporated in the revised Schedule 4.

Clause 7 substitutes the revised Schedule 4.

This Determination commences on the day on which it is made, as provided by subsection 58B(4) of the *Defence Act 1903*.

Authority: Section 58B of the  
*Defence Act 1903*