



Defence Determination 2001/12

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

Dated 16 May 2001

B. J. SARGEANT
Director General
Personnel Policy and Employment Conditions
Defence Personnel Executive

1 Citation

This Determination is Defence Determination 2001/12, Education costs allowance – boarding and tuition (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,¹ is amended as set out in this Determination.

3 Subclause 5.1.16 (3) (Rate)

omit

\$402

insert

\$432

4 Schedule 5, Part 2 (Education assistance)

substitute

the Part of the Schedule set out in the Attachment to this Determination.

5 Transitional

- (1) A member is entitled to receive additional assistance with education expenses incurred by the member equal to the amount by which the assistance to which the member was entitled for the relevant period is exceeded by the assistance to which the member would have been entitled for the relevant period if this Determination had commenced on 29 January 2001.
- (2) In subclause (1), the *relevant period* means the period beginning on 29 January 2001 and ending on the day immediately before the day on which this Determination commences.

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, 9,10 and 11.

ATTACHMENT

Schedule 5 Education assistance

Column 1	Column 2	Column 3	Column 4
Item	Cost reimbursed	Maximum reimbursement	Member contribution
PART 2 – Education assistance at locality other than locality of posting			
		\$ a year	\$ a year
Cost of tuition			
2	Compulsory tuition fees	10,531	170
Cost of board			
3	Child who boards at a boarding school or commercially	10,562	2,013
4	Child who boards or is accommodated privately	6,719	2,013

EXPLANATORY STATEMENT

Defence Determination 2001/12

This Determination amends Defence Determination 2000/1, Conditions of Service ('the Principal Determination'), made under section 58B of the *Defence Act 1903*, by implementing an annual review of the rates of education assistance and contributions applicable to members of the Australian Defence Force ("ADF") where education assistance for the member's child is provided at a locality other than the member's locality of posting.

The Determination amends Part 2 of Schedule 5 to the Principal Determination by increasing the maximum reimbursement for compulsory tuition fees by 5.8% from \$9,951 to \$10,531 a year. The member contribution for tuition assistance has been increased by 3% from \$165 to \$170 a year. The amendments to Part 2 of Schedule 5 also increase the maximum reimbursement for boarding fees incurred where a child boards, at boarding school or commercially, by 4.6% from \$10,098 to \$10,562 a year. The maximum reimbursement of boarding fees incurred where a child boards privately has been increased by 5.4% from \$6,375 to \$6,719 a year.

At the same time, the amendments to Part 2 of Schedule 5 increase the member contribution for boarding assistance by 5.8% from \$1,903 to \$2,013 a year. The amendment to subclause 5.1.16 (3) of the Principal Determination increases the amount by which the member's contribution for boarding fees is to be reduced in the child's first year of boarding (where the boarding began as a direct result of a member being notified of a posting) by 7.5%, from \$402 to \$432.

The adjustments made by this Determination result from an annual survey of boarding and tuition fees set by schools for the 2001 school year, carried out by the Department of Employment, Workplace Relations and Small Business. The adjustments are in accordance with the *ADF Enterprise Productivity Arrangement: 1999-2002*, which requires the rates to be reviewed in the March quarter 2001. The Determination was made as soon as practicable after the March quarter, as the survey material did not become available until April.

The Determination also sets out a transitional provision which authorises reimbursement to an eligible member of additional education assistance equal to the amount (if any) by which the education assistance received during the period between 29 January 2001 (the earliest starting date of the school year in Australia) and the commencement of this Determination falls short of the education assistance to which the member would have been entitled if this Determination had applied during the period.

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