



Defence Determination 2001/14

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 1 June 2001

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

1 Citation

This Determination is Defence Determination 2001/14, Miscellaneous amendments (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 Clause 2.2.4 (Definitions), definition of *military remuneration*, paragraph (c)

omit

district allowance, Woomera allowance or Broken Hill allowance

insert

district allowance or Woomera allowance

4 Paragraph 3.2.7 (1) (d) (Entitlement – travel on removal)

omit

clause 3.2.10A

insert

clause 3.1.10A

5 Heading of Part 7 of Chapter 4 (Mobility)

omit

Part 7 Assistance or reimbursement for home purchase or sale

substitute

Part 7 Assistance or reimbursement for home sale or purchase

6 Subclause 4.7.5 (1) (Assistance for initial purchase of home)

omit

on a posting

insert

on a posting in a locality

7 Subclause 7.1.32 (2) (Continued entitlement to rent allowance if suitable accommodation available)

omit

If, a member

insert

If a member

8 Paragraph 8.2.9 (5) (c) (Payment instead of long service leave)

omit

Bindoon allowance, Broken Hill allowance,

9 Subclause 8.2.9 (7) (Payment instead of long service leave)

omit

subclause (5) and (6)

insert

subclauses (5) and (6)

10 Clause 8.4.1 (Definition), definition of *operational area*

omit

Veterans' Entitlement Act 1986

insert

Veterans' Entitlements Act 1986

11 Clause 8.4.4 (Debit of war service leave credit)

omit

the number days

insert

the number of days

12 Heading of Chapter 10

omit

Chapter 10 Compensation and benefits on termination or death

insert

Chapter 10 Compensation and benefits on termination, illness or death

13 **Clause 10.1.1 (Interpretation), definition of *eligible service***

omit

is a contributor under the Act

insert

is a contributor under the DFRDB Act

14 **Clause 14.1 (Dictionary), definition of *equivalent rank***

omit

in relation to a rank

insert

for a rank

15 **Part 5 of Schedule 2 (Rates of travelling allowance), Meals**

under **Boarding (boarding house/hotel/motel), *omit***

If tariff not all-inclusive and cooking facilities not provided — meals under clause 7.3.9

insert

If tariff not all-inclusive and cooking facilities not provided — the applicable amount for meals under Division 2 of Part 2 of this Schedule, regardless of the member's rank

16 **Part 2 of Schedule 11 (Allowances and reimbursement during leave without pay)**

omit

Bindoon allowance

Broken Hill allowance

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, 11, 12 and 13. The Determination has also been amended by Determination No. 3 of 2001 made under section 58H.

EXPLANATORY STATEMENT

Defence Determination 2001/14

This Determination makes miscellaneous minor amendments to Defence Determination 2000/1, Conditions of Service ('the Principal Determination').

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

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

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

Clause 3 omits a reference to a repealed allowance.

Clause 4 corrects a cross-reference.

Clause 5 changes the word order of the heading of a Part dealing with assistance for initial purchase of homes, and reimbursement of certain legal and other costs when a member sells a home on posting and subsequently purchases a home at the new locality. The change better reflects the sequence in which the home sale and purchase entitlements are provided.

Clauses 6 and 7 make minor drafting corrections.

Clauses 8 and 9 amend a provision dealing with payment instead of long service leave, by omitting references to two repealed allowances and making a minor drafting correction.

Clauses 10 and 11 make minor drafting corrections.

Clause 12 amends a Chapter heading to better reflect the range of entitlements authorised in that Chapter.

Clause 13 makes a minor drafting correction to a provision in Part 1 of Chapter 10 of the Principal Determination. That Part deals with gratuities on retirement and invalidity under the *Defence Force Retirement and Death Benefits Act 1973*, which is defined as the *DFRDB Act* in the Principal Determination. The amendment applies the defined term in order to clarify which Act is being referred to.

Clause 14 makes a minor drafting correction.

Clause 15 amends a schedule which includes the amount payable for meals after a member has temporarily performed duty at a locality for longer than 21 days, if the accommodation tariff is not all-inclusive and cooking facilities are not provided. A reference to the standard Australia-wide rates of meal allowance payable under clause 7.3.9 of the Principal Determination is replaced with a reference to the higher rates payable under the table of meal rates for members with the rank of Colonel or below who temporarily perform duty at a locality for less than 21 days. This aligns the provision with the intended policy outcome.

Clause 16 omits references to two repealed allowances.

Authority: Section 58B of the
Defence Act 1903