



## Defence Determination 2001/2

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

Dated 1 February 2001

M. PEARCE  
Director General  
Personnel Policy and Employment Conditions  
Defence Personnel Executive

**1 Citation**

This Determination is Defence Determination 2001/2, Rent and utilities contribution overseas (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 Subclause 1.3 (2) (Application)**

*omit*

Chapter 2,

*insert*

Chapter 2, Part 8 of Chapter 4,

**4 New clause 9.1.14A**

*after clause 9.1.14, insert*

**9.1.14A Rent and utilities contribution – member living in overseas**

A member who lives in during a long-term posting:

- (a) is entitled to be reimbursed for the costs (if any) that the member incurs for living-in accommodation; and
- (b) must pay a contribution to the Commonwealth for rent and utilities at the applicable weekly rate mentioned in the following table:

**TABLE**

<b>Column 1</b> <b>Description of member</b>	<b>Column 2</b> <b>Contribution</b> <b>(\$ a week)</b>
Corporal or lower, trainee	10.00
Sergeant or higher non-commissioned rank, Warrant Officer	20.00
Officer	30.00

**5 Clause 9.1.18 (Member living in overseas)**

*omit*

**6 Subclause 9.1.24 (2) (Additional recreation leave for overseas duty)**

*omit*

Part 1

*insert*

Part 1 or 2

**7 Subclause 14.4 (1) (Long-term posting)**

*omit*

officer

*substitute*

member

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**NOTE**

1. Defence Determination 2000/1 as amended to date. For previous amendments see Note to Defence Determination 2001/1 and see also Determination 2001/1.

# EXPLANATORY STATEMENT

## Defence Determination 2001/2

This Determination amends Defence Determination 2000/1, Conditions of Service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Act), which includes provisions in Chapter 9 dealing with overseas conditions of service for members of the Australian Defence Force (ADF).

For consistency, the Principal Determination operates in this area by applying most of the provisions of Public Service (Defence) Determination 1999/11, Overseas Conditions of Service, as if ADF members were Australian Public Service (APS) employees of the Department of Defence in the same circumstances. Some exceptions are made in Chapter 9 to recognise overseas situations which are specific to ADF service. This adoption of provisions is authorised by paragraph 58B (1A) (a) of the Act.

The main purpose of this Determination is to revise the contributions payable by members who live in barracks or similar residential accommodation while on long-term posting overseas. Those contributions were formerly based on the equivalent rates payable for medium-standard living-in accommodation in Australia, and ranged between \$43.90 and \$59.65 (depending on rank).

However, Public Service (Defence) Determination 2000/33 of 10 November 2000 implemented standard reductions of \$50 a week in the contributions payable by APS employees of the Department of Defence occupying Commonwealth-provided housing overseas, with a further remission of \$10 a week for those at difficult posts. These reductions equated to those applicable to staff of the Department of Foreign Affairs and Trade. Through the adoption of the APS provisions described above, they also applied to ADF members living out — but not to those living in, since the latter are covered as an ADF-specific case by the Principal Determination.

This Determination restores the relative equity between these two groups by implementing a new simplified table of rent and utilities contributions for members living in overseas. The new contribution provision, which is transferred from the Division dealing with overseas living allowance to the Division dealing with residential accommodation, is based on three rank groups. It involves reductions in the living-in contribution ranging from \$29.65 a week (50%) for officers with the rank of Major or higher, to \$33.90 a week (77%) for trainees and member with the rank of Corporal or lower. Other aspects of the provision are unchanged.

The opportunity is also taken to make other minor amendments and drafting improvements to the Principal Determination.

Clause 1 of this Determination sets out the manner in which this Determination may be cited. This Determination commences on 1 February 2001, the beginning of the next pay period on or after its signature.

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

Clause 3 amends a subclause listing the provisions of the Principal Determination which also apply to members performing duty overseas. The amendment includes in that list a provision authorising reimbursement of members for expenses arising from a posting which is cancelled for reasons beyond their control. The provision is to apply to short-term missions and long-term postings overseas on the same basis as for postings within Australia.

Clauses 4 and 5 effect the transfer of the revised provision dealing with rent and utilities contributions for members living in overseas.

Clause 6 makes a minor amendment to a cross-reference.

Clause 7 makes a minor drafting correction.

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