



Defence Determination 2001/21

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

Dated 10 August 2001

K. D. AUSTIN
Acting Director General
Personnel Policy and Employment Conditions
Defence Personnel Executive

1 Citation

This Determination is Defence Determination 2001/21, Trainees.

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 2.1.9 (1) (Salary of certain members undergoing training)

omit

This clause applies to a member (other than an officer) who is rendering continuous full-time service and who undertakes

insert

This clause applies to a member undergoing training (other than an officer) who is rendering continuous full-time service and who undertakes

4 Paragraph 2.1.9 (1) (a) (Salary of certain members undergoing training)

omit

training as an officer trainee

insert

officer training

5 Paragraph 7.1.42 (7) (b) (Specified contribution)

omit

trainee whose salary is subject to clause 2.1.9

insert

member undergoing training whose salary is subject to clause 2.1.9

6 Subclause 7.1.42 (7) (Specified contribution)

omit

trainee

insert

member subject to clause 2.1.9

7 Paragraph 8.1.2 (a) (Part not to apply in certain circumstances)

omit

is a trainee (other than a trainee who is entitled to salary under clause 2.1.9)

insert

is a trainee

8 Clause 8.1.13 (Recreation leave credit after training)

omit (wherever occurring)

a trainee

insert

a trainee or member undergoing training

9 Subclause 8.5.2 (1) (Trainee leave)

omit

trainee

insert

trainee or member undergoing training

10 Paragraph 8.5.2 (1) (a) (Trainee leave)

omit

trainee

insert

trainee or member undergoing training

11 Paragraph 8.5.2 (1) (b) (Trainee leave)

omit

trainee

insert

member

12 Subclause 8.5.2 (2) (Trainee leave)

substitute

- (2) The CDF may grant leave to the member for a period when the member's attendance is not required at the establishment where the training occurs.

13 Paragraph 12.1.2 (b) (Uniform maintenance allowance)

omit

trainee

insert

member

14 Clause 14.1 (Dictionary)

after definition of member of a cadet force, insert

member undergoing training means a member (other than a trainee) who is undergoing a form of training mentioned in Part A of Schedule 8 to Determination No. 6 of 1992, Salaries.

15 Clause 14.1 (Dictionary), definition of *trainee*

substitute

trainee means a member who is entitled to a rate of salary specified in Part A of Schedule 8 to Determination No. 6 of 1992, Salaries.

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, 13, 14, 15, 16, 17, 18, 19 and 20. The Determination has also been amended by Determination No. 3 of 2001 made under section 58H.

EXPLANATORY STATEMENT

Defence Determination 2001/21

Defence Determination 2000/1, Conditions of Service (“the Principal Determination”), made under section 58B of the *Defence Act 1903*, includes provisions dealing with the entitlements of trainees.

Chapter 14 of the Principal Determination defines various expressions used in the Principal Determination, including the term trainee. Prior to this Determination the term trainee was tied to a member undergoing training as specified in Part A of Schedule 8 to Determination No. 6 of 1992. Clause 15 of this Determination clarifies the definition of trainee to ensure that it is limited to members who are entitled to salary as a trainee under Part A of Schedule 8 to Determination No. 6 of 1992. Clause 14 inserts a definition for the term member undergoing training. This is defined to mean any other member who is undergoing a form of training specified in Part A of Schedule 8 to Determination No. 6 of 1992.

The primary effect of these new definitions is to clarify which groups of members that are being trained are entitled to the minimum level of housing contribution rates for a service residence or rent allowance under Schedule 9 to the Principal Determination. The effect of the new definitions is that these minimum rates will only apply to members who are being trained and who are entitled to trainee salary (which is the base level of ADF salary). That is, the new definitions make it clear that members who are merely undergoing training, and who are in receipt of their normal salary for their rank, are treated in the same way for housing assistance purposes as any other member of that same rank.

Consequential terminology changes are made by clauses 3 to 13 of this Determination. These amendments bring the terminology used in provisions dealing with the specified contribution for a service residence, trainee leave and uniform maintenance allowance into line with the new definitions.

These amendments are policy neutral and do not alter the entitlements of members.

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