



## **Defence Determination 2001/24**

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 7 September 2001

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

**1 Citation**

This Determination is Defence Determination 2001/24, Living-in accommodation at HMAS Coonawarra.

**2 Commencement**

This Determination is to be taken to have commenced on 30 August 2001.

**3 Amendment**

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

**4 After clause 7.1.23**

*insert*

**7.1.23A Discretion to reduce or waive contribution for accommodation at HMAS Coonawarra**

The CDF may, for a period, waive a contribution under clause 7.1.23, or approve a lower contribution that would otherwise apply under that clause, for a member occupying living-in accommodation at HMAS Coonawarra if the CDF is satisfied that there is a significant reduction in amenity or function in the living-in accommodation (other than through the member's own fault).

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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 Determinations 2001/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23. The Determination has also been amended by Determination No. 3 of 2001 made under section 58H.

# EXPLANATORY STATEMENT

## Defence Determination 2001/24

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

Clause 7.1.23 of the Principal Determination sets out the accommodation contribution that members of the Australian Defence Force must pay when they occupy living-in accommodation (barracks).

The amendment made by this Determination deals with living-in accommodation at HMAS Coonawarra in the Northern Territory. The living-in accommodation at this base is located very close to a temporary reception and initial unauthorised boat arrivals processing centre. This accommodation is directly affected by the construction and operation of the centre.

This Determination inserts a new clause 7.1.23A into the Principal Determination which provides that the Chief of the Defence Force (CDF) may, for a period, waive an accommodation contribution under clause 7.1.23, or approve a lower accommodation contribution that would otherwise apply under that clause, for a member occupying living-in accommodation at HMAS Coonawarra if the CDF is satisfied that there is a significant reduction in amenity or function in the living-in accommodation. This new clause is based on a clause in the Principal Determination which allows for the waiver or reduction of accommodation contributions for service residences if the CDF is satisfied that there is a significant reduction in amenity or function.

Clause 7.1.23A will be omitted as soon as the centre is no longer in use.

This Determination is taken to have commenced on 30 August 2001, the day construction of the centre commenced at HMAS Coonawarra.

The retrospective application of this Determination does not affect the rights of a person (other than the Commonwealth) in a manner prejudicial to that person, nor does it impose any liability on such person.

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