



## **Defence Determination 2001/35**

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

Dated 21 December 2001

S.J. PARR  
Acting Director General  
Personnel Policy and Employment Conditions  
Defence Personnel Executive

## **1 Citation**

This Determination is Defence Determination 2001/35, Pet relocation expenses.

[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 4.3.2 (4) (Emergency childcare assistance)**

*omit*

by an additional 48 hours

*insert*

for up to an additional 48 hours

## **4 Part 4 of Chapter 4 (Reimbursement of expenses for pet relocation)**

*substitute*

### **4.4.1 Definition**

In this Part:

*transportation* includes any veterinary fees for the sedation of a pet during transport.

### **4.4.2 Application**

- (1) This Part applies if, because of a removal within Australia, a member incurs expenses for the commercial transportation and boarding of one or more household pets owned by the member or by a dependant of the member.
- (2) This Part does not apply to:
  - (a) any expenses incurred by the member for the purchase of equipment or other items used in the transportation or boarding of pets; or
  - (b) the transportation and boarding of any animal that the member or dependant owns primarily for economic or business purposes.

### **4.4.3 Reimbursement of expenses**

- (1) The member is entitled to be reimbursed for the expenses that the CDF considers reasonable for the commercial transportation and boarding of the household pets.
- (2) For subclause (1), the CDF must have regard to:
  - (a) the circumstances of the posting, removal and accommodation of the member and any dependants; and
  - (b) the nature and number of the pets to be relocated; and
  - (c) the arrangements to transport and board the pets; and
  - (d) the availability of discounted transportation rates to the 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 Determinations 2001/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34. The Determination has also been amended by Determination Nos. 3 and 16 of 2001 made under section 58H.

# EXPLANATORY STATEMENT

## Defence Determination 2001/35

This Determination amends Defence Determination 2000/1, Conditions of Service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Act). Chapter 4 of the Principal Determination includes provisions dealing with reimbursement of expenses for childcare and pet relocation for members of the Australian Defence Force.

The main purpose of this Determination is to provide a more flexible entitlement for members who incur expenses in transporting their pets during a removal on posting within Australia.

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 Act.

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

Clause 3 makes a minor drafting correction to a provision authorising reimbursement for emergency childcare. The amendment makes it clear that the period of assistance may be extended by the Chief of the Defence Force (CDF) in special circumstances for a maximum of an additional 48 hours.

Clause 4 replaces Part 4 of Chapter 4 of the Principal Determination, which deals with reimbursement of expenses for pet relocation. The revised Part removes the existing financial limit placed on such expenses, and instead allows members to claim all reasonable expenses incurred for commercial transportation and boarding of household pets. Expenses for the purchase of related equipment, and expenses relating to animals owned primarily for economic or business purposes, are specifically excluded. A discretion on the part of the CDF is provided for deciding whether the expenses are reasonable.

Criteria are provided for the exercise of the discretion, and adverse decisions are subject to merits review under the ADF redress of grievance system, including an appeal to the Defence Force Ombudsman.

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