



Defence Determination 2000/4

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 March 2000

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

Part 1 Preliminary

1 Citation

This Determination is Defence Determination 2000/4, Education and other amendments (Defence Determinations 2000/1, 2000/2 and 2000/3 – Amendment).

2 Commencement

Clause 6 is to be taken to have commenced on 25 January 2000.

[NOTE: The remaining provisions of this Determination commence on the day on which it is made: see *Defence Act 1903*, subsection 58B(4).]

Part 2 Amendment of Defence Determination 2000/1

3 Amendment

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

4 Subclause 5.1.19 (1)

omit

\$110

insert

\$112

5 Subclause 5.3.2 (2)

omit

\$277

insert

\$281

6 Schedule 5, Part 1

omit

39.70

insert

41

Part 3 Amendment of Defence Determination 2000/2

7 After clause 4

insert

5 Transitional

For this Determination, so much of Defence Determination 2000/1, Conditions of Service, as relates to payment of vehicle allowance under Part 2 of Chapter 3 and Schedule 3 of that Determination (as varied by this Determination) is to be treated as having come into operation on 23 December 1999.

Part 4 Amendment of Defence Determination 2000/3

8 After clause 5

insert

6 Transitional

For this Determination, so much of Defence Determination 2000/1, Conditions of Service, as relates to payment of disturbance allowance under Part 2 of Chapter 4 and Schedule 4 of that Determination (as varied by this Determination) is to be treated as having come into operation on 23 December 1999.

NOTE

1. Defence Determinations 2000/1 was made on 6 January 2000 and has been amended by Defence Determinations 2000/2 and 3.

EXPLANATORY STATEMENT

Defence Determination 2000/4

The main purpose of this Determination is to amend Defence Determination 2000/1, Conditions of Service ('the Principal Determination'), made under section 58B of the *Defence Act 1903*, by implementing periodic reviews of the upper limits provided for certain forms of reimbursement to members of the Australian Defence Force.

Part 1 of this Determination sets out preliminary matters.

Part 2 amends:

- subclause 5.1.19 (1) of the Principal Determination by increasing the reimbursement for accommodation costs incurred by a member of the Australian Defence Force for a child who is a tertiary student by 1.82% from a maximum of \$110 a week to a maximum of \$112 a week;
- subclause 5.3.2 (2) of the Principal Determination by increasing the reimbursement of textbook costs for certain members who are undergraduates posted to the Australian Defence Force Academy by 1.44% from a maximum of \$277 a year to a maximum of \$281 a year; and
- Part 1 of Schedule 5 of the Principal Determination by increasing the reimbursement of the hourly cost of tuition or therapy service (for a primary or secondary school child whose school has changed as a result of a member's change of posting) by 3.27% from a maximum of \$39.70 to \$41.

The adjustment to the accommodation component of education assistance is calculated as 83% of the living away from home rate under the Commonwealth Government Youth Allowance (which was adjusted on 1 January 2000) and is rounded to the nearest dollar in accordance with the *Australian Defence Force Enterprise Productivity Arrangement 1999 – 2002*. The increased rate of reimbursement for Australian Defence Force Academy textbooks results from movement in the relevant component of the Consumer Price Index for the 12-month period ended December 1999. The variation in the hourly cost of tuition or therapy services results from movement in the relevant component of the Consumer Price Index for the 12-month period ended December 1999.

The adjustments made by Part 2 are in accordance with the *Australian Defence Force Enterprise Productivity Arrangement 1999-2002*, which requires the rates to be reviewed during the March quarter 2000.

Parts 3 and 4 amend Defence Determinations 2000/2 and 2000/3, which were made on 24 and 27 January 2000 to amend the rates of vehicle allowance and disturbance allowance (respectively) in the Principal Determination. These Determinations purported to amend the rates of the respective allowances with effect from 23 December 1999, a date before the commencement of the Principal Determination on 6 January 2000. Parts 3 and 4 of this Determination correct this error by inserting a provision into each of these amending

Determinations to allow the amendments of the respective rates to operate from 23 December 1999, the day on which Defence Determinations 2000/2 and 2000/3 commenced.

The increase to the reimbursement of the hourly cost of tuition or therapy service is to be taken to have commenced on 25 January 2000, the earliest starting date of the school year in Australia. The remaining provisions of this Determination commence on the day on which it is made, as provided by subsection 58B(4) of the *Defence Act 1903*.

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