



Defence Determination 2001/19

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

Dated 9 July 2001

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

1 Citation

This Determination is Defence Determination 2001/19, Deployment allowance.

2 Commencement

This Determination is to be taken to have commenced on 8 June 2000.

3 Amendment

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

4 Schedule 13 (Deployment allowance – operational areas)

add at the end

15	Assisted Evacuation Force in the Solomon Islands	Guadalcanal and the territorial sea of the Solomon Islands within 12 nautical miles of Guadalcanal
----	---	---

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 and 18. The Determination has also been amended by Determination No. 3 of 2001 made under section 58H.

EXPLANATORY STATEMENT

Defence Determination 2001/19

This Determination amends Defence Determination 2000/1, Conditions of Service (“the Principal Determination”), made under section 58B of the *Defence Act 1903*, which includes provisions dealing with deployment allowance for members of the Australian Defence Force (ADF) on deployment.

The purpose of this Determination is to provide for entitlements of this kind for members who were deployed to the Solomon Islands to assist with the evacuation of Australian and other nationals from Guadalcanal in the Solomon Islands. The assisted evacuation took place between 8 and 24 June 2000.

Part 2 of Chapter 9 of the Principal Determination authorises payment of deployment allowance to members assigned for duty with a UN mission or similar force. Schedule 13 to the Principal Determination sets out the operational area associated with each deployment for the purposes of entitlement to the allowance. The amendment to Schedule 13 adds Guadalcanal and the territorial sea of the Solomon Islands within 12 nautical miles of Guadalcanal as the relevant operational area for the deployment of members as part of the assisted evacuation.

This Determination is to be taken to have commenced on 8 June 2000, the date on which the operational area took effect.

At the time of the assisted evacuation from Guadalcanal, the nature of service for this operation was considered to be peacetime and as a result it did not attract the special package of deployment conditions (including deployment allowance). An operational review concluded in April 2001 that the nature of the service of members involved in this operation should have been assessed as beyond peacetime service. As a result, on 12 May 2001, the Minister declared that this operation was in a category to which the special package of conditions would apply. This Determination was made as soon as practicable after that date.

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