



Defence Determination 2003/19

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

Dated 22 July 2003

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

1 Citation

This Determination is Defence Determination 2003/19, International campaign allowance – amendment.

2 Commencement

This Determination is to be taken to have commenced on 16 July 2003.

3 Amendment

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

4 Clause 9.5.1 (Definitions), paragraph (c) of the definition of *specified area*

substitute

- (c) for the Defence Force support to the UN Assistance Mission in Afghanistan — Afghanistan; and
- (d) for the Defence Force participation in United States-led coalition operations in Iraq to support the Australian effort to assist with the rehabilitation of Iraq and to remove the threat posed to world security by Iraq's weapons of mass destruction capability —
 - (i) Bahrain, Iraq, Kuwait, Qatar and the United Arab Emirates; and
 - (ii) Saudi Arabia north of 23 degrees north latitude; and
 - (iii) the Arabian Gulf and the Strait of Hormuz north of a line drawn between the following two points:
 - 25 degrees 2 minutes north, 56 degrees 36 minutes east
 - and
 - 25 degrees 32 minutes north, 57 degrees 35 minutes east.

5 Clause 9.5.1 (Definitions), paragraph (c) of the definition of *the deployment*

substitute

- (c) the Defence Force support to the UN Assistance Mission in Afghanistan; or
- (d) the Defence Force participation in United States-led coalition operations in Iraq to support the Australian effort to assist with the rehabilitation of Iraq and to remove the threat posed to world security by Iraq's weapons of mass destruction capability.

6 Clause 9.5.3 (Rate of allowance)

- (1) The rate of international campaign allowance payable to a member is:
 - (a) for a member in Iraq or the territorial sea of Iraq — \$150 for each day or part of a day; and
 - (b) for a member in any other part of the specified area — \$125 for each day or part of a day.
- (2) If on a day a member is entitled to international campaign allowance for more than one deployment then, for that day, the member is only entitled to the amount for the deployment to which the member has most recently been assigned.

7 Transitional – non-reduction during period before Determination made

- (1) This clause applies to a member whose entitlement to international campaign allowance would, but for this clause, be reduced or cancelled as a result of the amendments made by this Determination.
 - (2) This Determination is taken not to apply to the member during the period between the commencement of the amendments and the day on which this Determination was made.
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NOTE

1. Defence Determination 2000/1 as amended to date. For previous amendments see Note to Defence Determination 2003/1 and see also Defence Determinations 2003/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

EXPLANATORY STATEMENT

Defence Determination 2003/19

This Determination amends Defence Determination 2000/1, Conditions of Service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Act). Part 5 of Chapter 9 of the Principal Determination sets out provisions dealing with international campaign allowance for members of the Australian Defence Force.

The purpose of this Determination is to update the specified areas and deployments for which international campaign allowance is payable. This is due to changes in the nature and location of operations currently taking place. A new deployment to the Defence Force participation in United States-led coalition operations in Iraq to support the Australian effort to assist with the rehabilitation of Iraq and to remove the threat posed to world security by Iraq's weapons of mass destruction capability (“the new deployment”) is inserted by this Determination.

Clause 1 of this Determination sets out the manner in which this Determination may be cited.

Clause 2 of this Determination provides that this Determination is to be taken to have commenced on 16 July 2003. This retrospective commencement date reflects the date of Ministerial approval for the deployment.

Clause 3 specifies that the amendment is made to the Principal Determination, as amended.

Clauses 4 and 5 add a new paragraph (d) to the definitions of *specified area* and *the deployment* in clause 9.5.1 of the Principal Determination. The new definitions trigger the payment of international campaign allowance for members deployed in the specified area as defined. Under the new definition, members deployed inside Iraq will continue to receive international campaign allowance at a rate of \$150 per day, or \$125 per day for deployment in locations outside Iraq that are listed in paragraph (d) of the definition of *specified area*.

Clause 6 inserts a new subclause into a provision authorising the rates of the allowance. The amendment prevents the possibility that a member could become eligible for concurrent payments of international campaign allowance during the transition to a new deployment.

Clause 7 is a transitional provision which ensures that, during the specified period, no member can have their entitlement to the allowance reduced or cancelled as a result of the insertion of a smaller operational area than is currently prescribed for Iraq-related deployment under the Principal Determination. Members may be reassigned from the existing deployment with the larger specified area, to the new deployment. The specified period is the retrospective period between the day on which the amendments are to be taken to have commenced under clause 2, and the day on which this Determination was made.

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