



## Determination No. 4 of 1981

### Determination under the Defence Act 1903

I, KEVIN EUGENE NEWMAN, the Minister of State for Administrative Services, acting for and on behalf of the Minister of State for Defence, hereby make the following Determination under section 58B of the *Defence Act 1903*.

Dated 24 February 1981.

KEVIN NEWMAN  
Minister of State for Administrative Services  
for and on behalf of the  
Minister of State for Defence

#### Citation

1. This Determination may be cited as Determination 0203, Sea-going Allowance.<sup>1</sup>

#### Definitions

2. In this Determination—

“category M member” means a member who maintains a home for his dependants in which he normally resides with one or more of his dependants;

“category MS member” means a member who maintains a home for his dependants and—

- (a) who is prevented from residing in that home by the exigencies of the Service; or
- (b) whose family is to be removed at the expense of the Commonwealth to the place at which he is required to live, but whose family is not removed to that place by reason that—
  - (i) he is unable to obtain suitable accommodation for his family at the place at which he is required to live;

- (ii) he is unable to remove his family to that place by reason of illness or infirmity of a dependant of the member;
- (iii) a removal of his family to that place would result in interference to the continuity of the secondary or tertiary education of his child; or
- (iv) it is necessary for the member to continue to maintain his home at his former place of residence in the interests of his child who is serving an apprenticeship or is a handicapped child attending a school for handicapped children or a rehabilitation centre;

“category O member” means a member other than a category M member or a category MS member;

“Chief of Staff” means—

- (a) in relation to a member of the Navy—the Chief of Naval Staff;
- (b) in relation to a member of the Army—the Chief of the General Staff; and
- (c) in relation to a member of the Air Force—the Chief of the Air Staff;

“child” in relation to a member means a child (whether born in or outside wedlock), a step-child or a legally adopted child of—

- (a) that member;
- (b) a person who has ceased to be legally married to that member;
- (c) a person who has lived on a permanent and *bona fide* domestic basis as that member’s spouse;
- (d) the spouse or *de facto* spouse of that member;
- (e) a person who has ceased to be legally married to the spouse or *de facto* spouse of that member; or
- (f) a person who has lived with that member’s spouse or *de facto* spouse on a permanent and *bona fide* domestic basis as a spouse,

who—

- (g) is less than 21 years of age and is wholly or substantially dependent on that member; or
- (h) is 21 years of age or over and is, through illness or infirmity, wholly or substantially dependent on that member;

“dependant”, in relation to a member, means the spouse, the *de facto* spouse or a child of the member;

“member” means a member rendering continuous full-time service but does not include an officer who holds a rank higher than a rank specified in Schedule 1 of the Defence Force (Salaries) Regulations;

“recreation leave” means leave granted under Determination 2601, Recreation Leave, made under section 58B of the *Defence Act* 1903;

“sea-going ship” means a ship in commission in the service of the Navy, or a ship of another part of the Defence Force declared by the Chief of Staff to be a sea-going ship for the purposes of this Determination;

“travelling leave” means leave granted under clauses 6, 7, 8 and 9 of Determination 2603, Leave for Special Purposes, made under section 58B of the *Defence Act* 1903.

3. In this Determination, the expression “*de facto* spouse” has the same meaning as in Determination 0114, Married Trainee’s Allowance, made under section 58B of the *Defence Act* 1903.

#### Sea-going Allowance

4. Subject to clauses 5, 8 and 10, an allowance called “Sea-going Allowance” is payable to a member who is —

- (a) posted to a sea-going ship for service at sea on that ship; or
- (b) a member of a Fleet Air Arm Squadron which is embarked on a sea-going ship for air operations.

#### Payment of Allowance

5. Subject to clause 10, Sea-going Allowance is payable to a member on and from the day he commences duty on the sea-going ship referred to in clause 4.

6. Subject to clauses 7 and 8, Sea-going Allowance ceases to be payable to a member to whom—

- (a) paragraph 4 (a) applies, on and from the day he arrives on a posting to a shore establishment; and
- (b) paragraph 4 (b) applies, on and from the day after the day he disembarks from that sea-going ship or, where he is granted a period of recreation leave immediately on disembarking from that ship, on and from the day after the last day of that period.

7. Where a member to whom clause 4 applies—

- (a) is granted a period of recreation leave and does not, immediately on completion of that period of recreation leave, resume his service on that ship; and
- (b) that period of recreation leave granted includes a period of recreation leave (hereinafter called the second-mentioned period) to which the member is not entitled in respect of his service on that ship,

the member shall not be entitled to Sea-going Allowance in respect of that second-mentioned period.

**8. Where a member—**

- (a) is granted recreation leave immediately on the expiration of a period of travelling leave which is continuous with the period of his service in that ship;
- (b) is granted recreation leave immediately on the expiration of a period of hospitalization or absence from duty granted in respect of illness which commenced on or before the date on which he completed his service on that ship; or
- (c) owing to the exigencies of the Service, renders a period of service which is continuous with the period of his service in that ship before he can be granted recreation leave and the member is granted recreation leave immediately upon completion of that period of service,

the period of recreation leave granted shall be deemed to be a period of recreation leave for the purposes of clause 7.

**Rate of Allowance**

**9. Sea-going Allowance is payable—**

- (a) to a category M or category MS member—at the rate of \$1,023 per annum; and
- (b) to a category O member—at the rate of \$809 per annum.

**Allowance Not Payable**

**10. Sea-going Allowance is not payable to a member who—**

- (a) holds the position of the Fleet Commander or the Commodore Flotillas;
- (b) is posted to the staff of the Fleet Commander or the Commodore Flotillas;
- (c) is entitled to Submarine Service Allowance under Determination 0204, Submarine Service Allowance, made under section 58B of the *Defence Act 1903*; or
- (d) is entitled to Antarctic Allowance under Determination 0305, Antarctic Allowance, made under section 58B of the *Defence Act 1903*.

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**NOTE**

1. Previous amendments to Determination 0203, Sea-going Allowance: NIL.

EXPLANATORY STATEMENT  
DETERMINATION NO. 4 OF 1981  
ISSUED BY THE AUTHORITY OF THE MINISTER FOR DEFENCE  
UNDER SECTION 58B OF THE DEFENCE ACT 1903

Section 58B of the Defence Act 1903 provides that the Minister may make determinations on conditions of service which are beneficial to members of the Defence Force.

This Determination provides for payment of Sea-going Allowance to members who are posted to a sea-going ship, or who serve on a sea-going ship while on posting to a Fleet Air Arm Squadron which is embarked on a sea-going ship for air operations.

Sea-going Allowance was previously provided for in Regulation 13 of the Defence Force (Salaries) Regulations.

This Determination forms part of the consolidation of legislation covering tri-Service conditions of service.

The date of effect is the date of signature of the Determination.