

REVOKED



Determination No. 49 of 1981

**Determination under Section 58B of
the Defence Act 1903' (Amendment)**

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 21 October 1981.

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

Education Allowance

by No. 60 of 1984

1. Determination 0501, Education Allowance, is amended—

- (a) by omitting from paragraph 9 (a) "schools" and substituting "school";
- and
- (b) by inserting after clause 10 the following clauses:

Additional Education Allowance

"11. Where a member has an entitlement to Education Allowance under paragraph 122 (3A) (b) of the Naval Financial Regulations, paragraph 131 (2A) (b) of the Military Financial Regulations or paragraph 634 (3A) (b) of the Air Force Regulations, and the cost of board and residence of a child at a guest house, hostel or other commercial boarding establishment exceeds the amount in dollars calculated in accordance with the formula—

2715B

where—

- B is the number of weeks (not including any period in respect of which Education Allowance is not payable to the member or during which the secondary school at which the child is enrolled is in vacation) in the year during which the child boards and resides at the guest house, hostel or other establishment; and

C is the number of weeks in the year during which tuition is given to secondary students at the school at which the child is enrolled, that member shall be entitled to the payment of additional Education Allowance.

"12. The amount of additional Education Allowance payable under clause 11 is an amount approved by the person from time to time holding or performing the duties of the office or appointment of First Assistant Secretary, Industrial Division in the Department of Defence having regard to—

- (a) the cost of the child's accommodation;
- (b) the cost of comparable accommodation; and
- (c) the availability of suitable alternative accommodation."

Child Education Allowance

2. Determination 3726, Child Education Allowance is amended by omitting clause 6 and substituting the following clauses:

Additional Child Education Allowance

"6. Where a member has an entitlement to Child Education Allowance under paragraph 159 (2A) (b) of the Military Financial Regulations or a determination under regulation 105 of the Naval Financial Regulations or regulation 633 of the Air Force Regulations in respect of the board and residence of a child at a guest house, hostel or other commercial boarding establishment and the cost of such board and residence exceeds the amount in dollars calculated in accordance with the formula—

2715B

C

where—

B is the number of weeks (not including any period in respect of which Child Education Allowance is not payable to the member or during which the school at which the child is enrolled is in vacation) in the year during which the child boards and resides at the guest house, hostel or other establishment; and

C is the number of weeks in the year during which tuition is given to students at the school at which the child is enrolled, that member shall be entitled to the payment of additional Child Education Allowance.

"7. The amount of additional Child Education Allowance payable under clause 6 is an amount approved by the person from time to time holding or performing the duties of the office or appointment of First Assistant Secretary, Industrial Division in the Department of Defence having regard to—

- (a) the cost of the child's accommodation;
- (b) the cost of comparable accommodation; and
- (c) the availability of suitable alternative accommodation."

Application

3. This Determination shall apply in relation to the attendance of a child at a school during the year that commenced on 1 January 1981 and during any subsequent year.

NOTE

1. For previous Determinations made in respect of a Determination specified in Column 1 of the following table, see Determination Nos. specified in Column 2 opposite that Determination:

Column 1	Column 2
Determination	Previous Determination
Determination 0501, Education Allowance	Nos. 11 and 28 of 1981 <i>Revised 6/81</i>
Determination 3726, Child-Education-Allowance	No. 44 of 1981 <i>REVOKED BY NO 57 OF 1984</i>

EXPLANATORY STATEMENT

DETERMINATION NO. 49 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.

Determinations 0501, Child Allowance and 3726, Child Education Allowance, cover certain provisions for the payment of allowances in respect of education costs to members of the Defence Force who are posted within Australia or overseas, where they maintain a child at a school in a locality other than the locality of posting.

This Determination amends Determinations 0501 and 3726 to provide, in certain circumstances, for an additional allowance to be paid to cover the cost of board and residence of a child at a guest house, hostel or other commercial boarding establishment where that cost exceeds \$2715 in a full year.

The date of effect is 1 January 1981.