



Determination No. 5 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 24 February 1981.

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

Flight Duties Allowance

1. Determination 0107, Flight Duties Allowance, is amended—
(a) by omitting clause 2 and substituting the following clause:

Definitions

"2. In this Determination—

'dental officer' means an officer who is a qualified dental practitioner and is serving in—

- (a) the Dental Branch of the Navy;
- (b) the Royal Australian Army Dental Corps; or
- (c) the Medical Branch of the Air Force;

'flight duties' means duties performed aboard a Service aircraft for the purposes of the operation on which the aircraft is engaged, for the period from the time the engines of the aircraft are started until the time the engines are stopped, other than aircrew or parachute duties;

'medical officer' means an officer who is a qualified medical practitioner and is serving in—

- (a) the Medical Branch of the Navy;
- (b) the Royal Australian Army Medical Corps; or
- (c) the Medical Branch of the Air Force;

'member' means a member rendering service;

'Service aircraft' includes a commercial aircraft chartered or leased by the Commonwealth."; and

- (b) by omitting from sub-paragraph 6 (a) (v) "regulation 13 of the Defence Force (Salaries) Regulations" and substituting "Determination 0203, Sea-going Allowance, made under section 58B of the Defence Act 1903".

Field Allowance

2. Determination 0209, Field Allowance, is amended by omitting from clause 9 "regulation 13 of the Defence Force (Salaries) Regulations" and substituting "Determination 0203, Sea-going Allowance, made under section 58B of the Defence Act 1903".

Application

3. Determinations 0107 and 0209 as amended, respectively, by paragraph 1 (b) and clause 2, apply with effect from the day on which Determination 0203, Sea-going Allowance is made under section 58B of the Defence Act 1903.

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 Determination	Column 2 Previous Determination
Determination 0107, Flight Duties Allowance	Nos. 4, 17 and 27 of 1980
Determination 0209, Field Allowance	Nos. 6, 17 and 27 of 1980

EXPLANATORY STATEMENT

DETERMINATION NO. 5 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 amends existing Determinations 0107, Flight Duties Allowance and 0209, Field Allowance, both of which are not payable when an entitlement exists to sea-going allowance under regulation 13 of the Defence Force (Salaries) Regulations. Regulation 13 has been replaced by Determination 0203, Sea-going Allowance, as part of the programme of consolidating tri-Service legislation.

The amendment omits from Determinations 0107 and 0209 reference to regulation 13 of the Defence Force (Salaries) Regulations and substitutes reference to Determination 0203, Sea-going Allowance.

The opportunity has also been taken to include new definitions and make minor amendments to existing definitions in Determination 0107 to clarify policy intent.

The date of effect is the date on which Determination 0203, Sea-going Allowance is made.