



Determination No. 2 of 1982

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## Determination under Section 58B of 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 15 January 1982.

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

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### PART I—PRELIMINARY

#### Citation

1. This Determination may be cited as Determination 0104, Higher Duties Allowance.<sup>1</sup>

#### Definitions

2. In this Determination unless the contrary intention appears—

“approved leave of absence” in relation to the absence from duty by a member means—

- (a) recreation leave granted under Determination 2601, Recreation Leave, made under section 58B of the *Defence Act* 1903;
- (b) long service leave granted under Determination 2701, Long Service Leave, made under section 58B of the *Defence Act* 1903;

- (c) maternity leave granted under Determination 2604, Maternity Leave, made under section 58B of the *Defence Act 1903*;
- (d) special leave granted under Determination 2603, Leave for Special Purposes, made under section 58B of the *Defence Act 1903*;
- (e) leave without pay granted under regulation 473 of the Australian Military Regulations, regulation 147 of the Naval Forces Regulations or regulation 134 of the Air Force Regulations; and
- (f) absence from duty in respect of illness;

“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;

“dental officer” means an officer who is, or is eligible to be, registered as a dental practitioner under the laws of a State or Territory and who is serving in—

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

“equivalent rank” in relation to a position on the establishment of the PNGDF, means the rank in the Navy, Army or Air Force, as the case may be, shown in column 2, column 3 or column 4 opposite to the PNGDF rank in column 1 of the table in clause 6;

“legal officer” means an officer who is a barrister or solicitor or barrister and solicitor of the High Court or of the Supreme Court of a State or Territory but does not include an officer who is a Judge of a Federal court or a Judge of a court of a State or Territory;

“medical officer” means an officer who is, or is eligible to be, registered as a medical practitioner under the laws of a State or Territory and who is serving in—

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

“member” means a member rendering service;

“Permanent Defence Force” means the Permanent Naval Forces, the Permanent Military Forces and the Permanent Air Force;

“permanent occupant” in relation to a position on the establishment of a part of the Defence Force, the PNGDF, the Australian Public Service or a part of the Reserve Forces, means the person who normally occupies that position on a permanent basis;

“PNGDF” means the Papua New Guinea Defence Force;

“public holiday” means—

- (a) the first day of January;
- (b) the twenty-sixth day of January;
- (c) Good Friday and the following Monday;
- (d) the twenty-fifth day of April;
- (e) the Anniversary of the Birthday of the Sovereign;
- (f) the twenty-fifth day of December;
- (g) the twenty-sixth day of December;
- (h) any day or part of a day prescribed under the law of any State or Territory to be observed as a holiday in that State or Territory, in lieu of, or in addition to, any one of the preceding days;
- (i) any day or part of a day proclaimed by the Governor-General or required by any Act to be observed as a holiday in lieu of, or in addition to, any of the preceding days;
- (j) in relation to a member temporarily performing the duties of a position on the establishment of the PNGDF—a day observed as a holiday by the PNGDF; or
- (k) in relation to a member temporarily performing the duties of a position on the establishment of the Australian Public Service—a day observed as a holiday by the Australian Public Service,

which is approved by the approving authority to be observed as a holiday in a member's place of duty;

“relevant rank”, in relation to the temporary performance by a member of the duties of a position on the establishment of a part of the Permanent Defence Force, the PNGDF, the Australian Public Service or a part of the Reserve Forces, means—

- (a) where the rank, the equivalent rank or the work-related rank, whichever is appropriate, for that position is two or more ranks higher than the rank held by the temporary occupant of that position and—
  - (i) where Higher Duties Allowance is payable under clause 13—that rank, equivalent rank or work-related rank, as the case may be;
  - (ii) subject to sub-paragraph (iii), where partial Higher Duties Allowance is payable under clause 14—the rank immediately higher than the rank held by the temporary occupant; or
  - (iii) where the temporary occupant can not be promoted to that rank, equivalent rank or work-related rank, as the case may be, due to a restriction imposed on the rank to which he can be promoted—the highest rank to which the temporary occupant can be promoted; and

- (b) where the rank, the equivalent rank or the work-related rank, whichever is appropriate, for that position, is one rank higher than the rank held by the temporary occupant—that rank, equivalent rank or work-related rank, as the case may be;

“Reserve Forces” means the Naval Emergency Reserve Forces, the Citizen Naval Forces, the Regular Army Reserve, the Citizen Military Forces, the Air Force Emergency Force and the Citizen Air Force;

“reserve service” means service rendered by a member of the Reserve Forces other than service—

- (a) in respect of which he is entitled to be paid salary under the Defence Force (Salaries) Regulations; or
- (b) rendered by a legal officer during a period not forming part of a period of service which he is obliged to render in order to fulfil his training commitment and being a period during which he—
- (i) would otherwise be engaged in his private professional capacity, other than as an employee between the hours of 9 o'clock in the morning and 5 o'clock in the evening on a Monday, Tuesday, Wednesday, Thursday or Friday; or
- (ii) while being a member to whom sub-paragraph (i) applies, is performing duties associated with a court martial, court of inquiry, appeal or other tribunal and continues to perform such duties on a Saturday or Sunday or between the hours of 5 o'clock in the evening and 9 o'clock in the morning on a Monday, Tuesday, Wednesday, Thursday or Friday;

“salary”, in relation to a member means the salary payable to that member under the Defence Force (Salaries) Regulations, under a Determination made by the Remuneration Tribunal in pursuance of sub-section 7(3) of the *Remuneration Tribunals Act* 1973 or under the Defence Force (Reserves) (Financial) Regulations, as the case may be, and includes where applicable an allowance payable under—

- (a) regulation 10 or 10A of the Defence Force (Salaries) Regulations; or
- (b) Determination 0106, Flying Allowance, made under section 58B of the *Defence Act* 1903;

“temporary occupant” means a member temporarily performing the duties of a position on the establishment of a part of the Permanent Defence Force, the PNGDF, the Australian Public Service or a part of the Reserve Forces;

“training commitment”, in relation to a member of the Reserve Forces, means an obligation in accordance with the *Defence Act* 1903, the *Naval Defence Act* 1910, the *Air Force Act* 1923 or regulations made under one or more of those Acts to render specified reserve service during a specified period whether at specified times or not;

“unit rest day” means in relation to—

- (a) a temporary occupant of a position on the establishment of a part of the Defence Force—a day observed as a unit rest day by that part of the Defence Force; and
- (b) a temporary occupant of a position on the establishment of the PNGDF—a day observed as a unit rest day by the PNGDF;

“working day” means in relation to—

- (a) a temporary occupant of a position on the establishment of a part of the Permanent Defence Force—a day observed as a working day by that part of the Permanent Defence Force;
- (b) a temporary occupant of a position on the PNGDF—a day observed as a working day by the PNGDF;
- (c) a temporary occupant of a position on the establishment of the Australian Public Service—a day observed as a working day by the Australian Public Service; and
- (d) a temporary occupant of a position on the establishment of a part of the Reserve Forces—a day on which that temporary occupant is rendering reserve service;

“work-related rank”, in relation to a position on the establishment of the Australian Public Service, means the rank in the Navy, Army or Air Force, as the case may be, applied to that position under clause 9.

#### **Appointment of Approving Authorities**

3. A Chief of Staff may, either generally or otherwise as provided in the instrument of appointment, by writing signed by him, appoint—

- (a) in the case of the Chief of Naval Staff—an officer who holds a rank in the Navy not below the rank of Lieutenant Commander;
- (b) in the case of the Chief of the General Staff—an officer who holds a rank in the Army not below the rank of Captain; or
- (c) in the case of the Chief of the Air Staff—an officer who holds a rank in the Air Force not below the rank of Flight Lieutenant,

to be an approving authority for the purposes of this Determination.

### **PART II—HIGHER DUTIES ALLOWANCE—MEMBER PERFORMING THE DUTIES OF A POSITION ON THE ESTABLISHMENT OF A PART OF THE DEFENCE FORCE**

#### **Higher Duties Allowance—Ranks**

4. Subject to this Determination, where—

- (a) a member holding a rank lower than the rank for a position on the establishment of a part of the Permanent Defence Force performs temporarily the full duties of that position; and
- (b) that member is in receipt of salary at a rate lower than the rate that would be payable to the member on promotion to the relevant rank for that position,

an allowance called “Higher Duties Allowance” is payable to the member.

**Higher Duties Allowance—Pay Levels****5. Subject to this Determination, where—**

- (a) a member holding a rank, being the rank of Leading Seaman, Corporal or a lower rank for a position on the establishment of a part of the Permanent Defence Force performs temporarily the full duties of that position; and
- (b) the duties of that position are ordinarily required to be performed by a member included in a class of members to which a pay level (prescribed by the Defence Force (Salaries) Regulations) is appropriate which is higher than the pay level appropriate to the class in which the first mentioned member is included,

an allowance called “Higher Duties Allowance” is payable to the first mentioned member.

**PART III—HIGHER DUTIES ALLOWANCE—MEMBER  
PERFORMING THE DUTIES OF A POSITION ON THE  
ESTABLISHMENT OF THE PNGDF**

**Higher Duties Allowance—Ranks****6. Subject to this Determination, where—**

- (a) a member performs temporarily the full duties of a position on the establishment of the PNGDF;
- (b) the rank for that position (hereinafter called the first mentioned rank) is referred to in column 1 of the following table; and
- (c) the equivalent rank in the Navy in column 2, the Army in column 3 or the Air Force in column 4, as the case may be, opposite to that first mentioned rank is higher than the rank held by that member,

an allowance called “Higher Duties Allowance” is payable to that member:

Column 1 PNGDF Rank	Column 2 Navy Equivalent Rank	Column 3 Army Equivalent Rank	Column 4 Air Force Equivalent Rank
Major General	Rear Admiral	Major General	Air Vice Marshal
Brigadier	Commodore	Brigadier	Air Commodore
Colonel	Captain	Colonel	Group Captain
Lieutenant Colonel	Commander	Lieutenant Colonel	Wing Commander
Major	Lieutenant Commander	Major	Squadron Leader
Captain	Lieutenant	Captain	Flight Lieutenant
Lieutenant	Sub Lieutenant	Lieutenant	Flying Officer
Second Lieutenant	Acting Sub Lieutenant	Second Lieutenant	Pilot Officer
Chief Warrant Officer	Warrant Officer	Warrant Officer Class 1	Warrant Officer
Warrant Officer	Chief Petty Officer	Warrant Officer Class 2	Flight Sergeant
Sergeant	Petty Officer	Sergeant	Sergeant
Corporal	Leading Seaman	Corporal	Corporal
Lance Corporal	Able Seaman	Lance Corporal	Leading Aircraftman

7. For the purposes of clause 6, where the establishment of the PNGDF makes provision for a position on that establishment to be filled by a member of the PNGDF holding either of 2 ranks referred to in column 1 of the table in clause 6, a reference in this Determination to the equivalent rank shall be read as a reference to the lower of those 2 ranks.

#### **Higher Duties Allowance—Pay Levels**

8. Subject to this Determination, where—

- (a) a member holding a rank, being the rank of Leading Seaman, Corporal or a lower rank performs temporarily the full duties of a position on the establishment of the PNGDF;
- (b) the duties of that position are ordinarily required to be performed by a member of the PNGDF to whom a pay level referred to in column 1 of the table in clause 24 applies, being a pay level promulgated in the PNGDF Manual of Personnel Administration; and
- (c) a pay level prescribed by the Defence Force (Salaries) Regulations, referred to in column 3 of the table in clause 24 applies to that member,

an allowance called "Higher Duties Allowance" is payable to that member.

### **PART IV—HIGHER DUTIES ALLOWANCE—MEMBER PERFORMING THE DUTIES OF A POSITION IN THE AUSTRALIAN PUBLIC SERVICE**

#### **Higher Duties Allowance**

9. Subject to this Determination, where—

- (a) a member performs temporarily the duties of a position on the establishment of the Australian Public Service;
- (b) a Navy, Army or Air Force work-related rank, whichever is appropriate, is applied to that position by the person from time to time holding or performing the duties of the position of Controller of Establishments in the Department of Defence having regard to—
  - (i) the nature and level of complexity of the duties of the position;
  - (ii) the responsibilities involved in carrying out the duties of the position;
  - (iii) the level of supervision exercised by the occupant of the position; and
  - (iv) the extent to which accountability for personnel, finance, machinery or other equipment is involved; and

(c) that work-related rank is higher than the rank held by that member, an allowance called "Higher Duties Allowance" is payable to that member.

**PART V—HIGHER DUTIES ALLOWANCE—MEMBER ON  
RESERVE SERVICE PERFORMING THE DUTIES OF A  
POSITION ON THE ESTABLISHMENT OF THE RESERVE  
FORCES**

**Higher Duties Allowance—Rank**

10. Subject to this Determination, where a member rendering reserve service holds a rank lower than the rank for a position on the establishment of a part of the Reserve Forces and he—

- (a) performs temporarily the full duties of that position; and
- (b) is in receipt of salary at a rate lower than the rate that would be payable to the member on promotion to the relevant rank for that position,

an allowance called "Higher Duties Allowance" is payable to that member.

**Higher Duties Allowance—Pay Levels**

11. Subject to this Determination, where a member rendering reserve service holds a rank, being the rank of Leading Seaman, Corporal or a lower rank, for a position on the establishment of a part of the Reserve Forces and he—

- (a) performs temporarily the full duties of that position; and
- (b) the duties of that position are ordinarily required to be performed by a member included in a class of members to which a pay level (prescribed by the Defence Force (Reserves) (Financial) Regulations) is appropriate, which is higher than the pay level appropriate to the class in which the first mentioned member is included,

an allowance called "Higher Duties Allowance" is payable to the first mentioned member.

**PART VI—HIGHER DUTIES ALLOWANCE—CONDITIONS OF  
PAYMENT AND RATES**

**Conditions of Payment**

12. Subject to clauses 13 to 17 inclusive, Higher Duties Allowance is payable to a member in respect of the temporary performance of the duties of a position on the establishment of a part of the Permanent Defence Force, the PNGDF, the Australian Public Service or a part of the Reserve Forces, as the case may be, where—

- (a) that member is performing competently the full duties of that position;
- (b) real and definite responsibilities are involved in that performance; and
- (c) that position is vacant due to—
  - (i) the temporary absence from duty of the permanent occupant of that position;
  - (ii) the position not being permanently occupied;

- (iii) the temporary absence of the permanent occupant on duty; or
- (iv) the permanent occupant of that position temporarily performing the duties of another position.

13. Subject to clause 14, where the rank, the equivalent rank or the work-related rank, as the case may be, for a position on the establishment of a part of the Permanent Defence Force, the PNGDF, the Australian Public Service or a part of the Reserve Forces is two or more ranks higher than the rank held by the temporary occupant of that position, Higher Duties Allowance is payable to that member where that position cannot be filled by a person who—

- (a) in the case of a position on the establishment of a part of the Permanent Defence Force—is a member holding a higher rank than the temporary occupant;
- (b) in the case of a position on the establishment of the PNGDF—is a member of the PNGDF or is a member holding a higher rank than the temporary occupant;
- (c) in the case of a position on the establishment of the Australian Public Service—is an officer of the Australian Public Service or is a member holding a higher rank than the temporary occupant; or
- (d) in the case of a position on the establishment of a part of the Reserve Forces—is a member rendering reserve service holding a higher rank than the temporary occupant,

due to—

- (e) the unavailability of such a person;
- (f) the short time span of the temporary vacancy; or
- (g) the requirement for the duties of that position to be performed immediately by a person having the requisite expertise for performing the duties of that position.

#### **Partial Payment of Higher Duties Allowance**

14. Where a member is performing temporarily the duties of a position the rank for which is two or more ranks higher than his rank and for which he would otherwise be entitled to Higher Duties Allowance under this Determination but that member—

- (a) is not required to perform the full duties of that position;
  - (b) is not competent in performing the full duties of that position; or
  - (c) has a restriction imposed on the rank to which he can be promoted,
- a partial Higher Duties Allowance calculated in accordance with clause 28 is payable to that member.

#### **Qualifying Period**

15. Subject to clauses 16 and 17 where a member performs the duties of a position on the establishment of the Permanent Defence Force, the PNGDF,

the Australian Public Service or the Reserve Forces, as the case may be, for a period which—

- (a) is less than 5 consecutive working days; or
- (b) does not comprise, or include a period of 5 consecutive working days on each of which he performs the duties of that position,

Higher Duties Allowance is not payable to that member in respect of any day in the period under any provisions of this Determination whether or not it is a day on which he performs the full duties of that position.

**16.** For the purposes of ascertaining whether a member, who has performed the duties of a position on the establishment of the Permanent Defence Force, the PNGDF, the Australian Public Service or the Reserve Forces, as the case may be, during a period, has performed such duties on each of 5 consecutive working days—

- (a) a day, being a unit rest day shall be deemed not to be a working day; and
- (b) the working day immediately preceding, and the working day immediately following, a day referred to in paragraph (a) shall be taken to be consecutive working days.

**17.** Where a member who is entitled to Higher Duties Allowance under this Determination proceeds on approved leave of absence and immediately after such absence resumes duty in the position for which he is so entitled continuity for the purposes of clause 15 shall be deemed not to have been broken.

#### **Period of Payment**

**18.** Subject to clause 19, where a member is entitled to payment of Higher Duties Allowance the allowance is payable from and including the first working day on which that member performs the duties of the position in respect of which he is so entitled and ceases to be payable on and from the day following the day on which that member ceases to perform those duties.

**19.** Where the last day of a period during which Higher Duties Allowance is payable is a Friday, the allowance is payable in respect of the Saturday and Sunday immediately following.

**20.** Where Higher Duties Allowance is payable to a member under this Determination for the last day on which he performs duty immediately before, and the first day immediately after, a period for which he is absent from duty on a public holiday or on unit stand-down, the allowance is payable in respect of that period.

**21.** Where—

- (a) a member is entitled to payment of Higher Duties Allowance in respect of a position under this Determination for a period;
- (b) that period includes a public holiday; and

- (c) that member is absent from duty on approved leave of absence for which Higher Duties Allowance is payable immediately prior to or immediately following that public holiday,

Higher Duties Allowance is payable to that member in respect of that public holiday.

**Rates of Higher Duties Allowance**

22. Subject to clauses 23 to 30 inclusive, where a member is entitled to Higher Duties Allowance under clause 4, 6, 9 or 10 for a period, the amount of allowance payable to that member in respect of each day on which he is so entitled is an amount equal to the amount by which the salary payable to that member in respect of that day is less than the amount of salary that would be payable to him in respect of that day if he were to be promoted to the relevant rank.

**Rate of Allowance—Pay Levels**

23. Where a member is entitled to Higher Duties Allowance under clause 5 or 11, the allowance is payable at the rate by which A exceeds B, where—

- A is the salary which would be payable to that member in respect of each day for which he is so entitled if he were of a rank and included in a class of members to which the rank and the pay level of the position is appropriate; and
- B is the sum of the salary payable to that member in respect of that day and the amount of Higher Duties Allowance, if any, payable to him in respect of that day under clause 22.

24. Where a member is entitled to Higher Duties Allowance under clause 8 the allowance is payable at the rate by which A exceeds B, where—

- A is the salary which would be payable to that member in respect of each day for which he is entitled to Higher Duties Allowance if the rank and the pay level applicable to him were, respectively, the equivalent rank applicable to that position under clause 6 and the pay level (hereinafter called the “Australian Notional Pay Level”) in column 2 of the following table opposite—

- (a) the Australian Pay Level in column 3 of that table; and
- (b) the PNGDF Pay Level in column 1 of that table:

Column 1	Column 2 Australian Notional Pay Level	Column 3 Australian Pay Level
PNGDF Pay Level		
3 . . . . .	4	1, 2 or 3
4 . . . . .	5	1, 2, 3 or 4

- B is the sum of the salary payable to that member in respect of that day and the amount of Higher Duties Allowance, if any, payable to him in respect of that day under clause 22.

**25.** Where Higher Duties Allowance is payable under clause 6 to a member of the Air Force holding the rank of Sergeant in respect of the performance of duties in a position the rank in the PNGDF for which is Warrant Officer, the rate at which the Higher Duties Allowance is payable to that member is the rate by which A exceeds B, where—

A is the salary payable to a member holding the rank of Flight Sergeant who has completed or is deemed to have completed 3 years but less than 4 years of service in that rank; and

B is the salary payable to that first-mentioned member.

**26.** Where Higher Duties Allowance is payable under clause 6 to—

(a) a member of the Air Force holding the rank of Flight Sergeant who has completed or is deemed to have completed less than 3 years of service in that rank, performs temporarily the full duties of a position on the establishment of the PNGDF; and

(b) the rank in the PNGDF for that position is Warrant Officer, the rate at which Higher Duties Allowance is payable to that member is the rate by which A exceeds B, where—

A is the salary payable to a member holding the rank of Flight Sergeant who has completed or is deemed to have completed 3 years but less than 4 years service in the rank of Flight Sergeant; and

B is the salary payable to that first-mentioned member.

#### **Rate of Allowance—Higher Ranks**

**27.** Where—

(a) a member is entitled to payment of Higher Duties Allowance for the performance of the duties of a position on the establishment of a part of the Permanent Defence Force, the PNGDF, the Australian Public Service or a part of the Reserve Forces;

(b) that member is not in receipt of salary at a rate payable to—

(i) an officer, other than a medical or dental officer, of the rank of Commodore or Rear Admiral in the Navy, Brigadier or Major General in the Army or Air Commodore or Air Vice Marshal in the Air Force; or

(ii) an officer who is a medical or dental officer of the rank of Commander, Captain, Commodore or Rear Admiral in the Navy, Lieutenant Colonel, Colonel, Brigadier or Major General in the Army, or Wing Commander, Group Captain, Air Commodore or Air Vice Marshal in the Air Force; and

(c) salary would be payable to the member at a rate described in paragraph (b) if he were promoted to the relevant rank,

the amount of Higher Duties Allowance payable to that member in respect of a day for which he is so entitled is the amount by which the salary that would be payable to the member in respect of that day if he were promoted to the relevant rank, exceeds an amount equal to the sum of the salary of the member and the amount of each allowance, being an allowance that would not be

payable to the member if he were promoted to the relevant rank payable to that member under Part II of the Naval Financial Regulations, Part II of the Military Financial Regulations, Parts X and XI of the Air Force Regulations, the Defence Force (Salaries) Regulations, the Defence Force (Reserves) (Financial) Regulations or under any determination made under section 58B of the *Defence Act* 1903 in respect of that day.

#### **Rate of Allowance—Partial Performance of Higher Duties**

28. Where a member is entitled to payment of a partial Higher Duties Allowance for a period under clause 14 the amount of allowance payable in respect of each day of that period shall be assessed—

- (a) in accordance with the formula—

$$A - B$$

where A is the lower of—

- (i) the salary that would be payable to the temporary occupant in respect of that day if he were promoted to the relevant rank; and
- (ii) the salary that would be payable to the temporary occupant in respect of that day if he were promoted to the rank, the equivalent rank or the work-related rank, whichever is appropriate to the position,

and B is the salary payable to the temporary occupant in respect of that day; or

- (b) on such other basis as the approving authority considers reasonable having regard to—
- (i) the duties that the temporary occupant is required to perform;
  - (ii) the level of competence displayed by the temporary occupant in performing the duties of the position; and
  - (iii) in a case where a restriction has been placed on the rank to which the temporary occupant could be promoted the rank level to which he could be promoted.

#### **Allowance not Payable**

29. Higher Duties Allowance is not payable under this Determination where the duties of a position can conveniently be distributed among—

- (a) in the case of a position on the establishment of a part of the Defence Force—other members of the Defence Force;
- (b) in the case of a position on the establishment of the PNGDF—members of the PNGDF;
- (c) in the case of a position on the establishment of the Australian Public Service—officers of the Australian Public Service; or
- (d) in the case of a position on the establishment of a part of the Reserve Forces—other members rendering reserve service.

**PART VII—REVOCATION*****Revocation of Determination 0104—Higher Duties Allowance—Service with the PNGDF***

**30.** Determination 0104—Higher Duties Allowance—Service with the Papua New Guinea Defence Force, issued as Determination No. 24 of 1980 and amended by Determination No. 27 of 1980 is revoked.

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**NOTE**

1. Previous amendments to Determination 0104 Higher Duties Allowance: Nos 24 and 27 of 1980.

EXPLANATORY STATEMENT

DETERMINATION NO. 2 OF 1982

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.

Determination 0104, Higher Duties Allowance, made under section 58B of the Defence Act 1903 provides for payment of higher duties allowance to members of the Defence Force who perform temporarily the duties of a higher position on the establishment of a part of the Defence Force.

The determination consolidates the legislative cover for higher duties allowance for the three services and replaces Naval Financial Regulation 113, Military Financial Regulations 28 and 29 and Air Force Regulations 556J and 556K.

The determination also provides for payment of the allowance in cases where members, while serving with the Papua New Guinea Defence Force, perform temporarily the duties of a higher position on the establishment of that Force and replaces Determination 0104, Higher Duties Allowance - Service with the Papua New Guinea Defence Force.

Provision for payment of Higher Duties Allowance to a member temporarily performing the duties of a position in the Australian Public Service, the equivalent rank for which is higher than the member's rank and payment of the allowance to members of the Reserve Forces performing higher duties have also been introduced by this Determination as a consequence of a Defence Review of the allowances.

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