



Determination No. 11 of 1984

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

I, KIM CHRISTIAN BEAZLEY, the Minister of State for Aviation 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 26 March 1984.

KIM C. BEAZLEY
Minister of State for Aviation
for and on behalf of the
Minister of State for Defence

Interpretation

1. In this Determination a reference to a Determination is a reference to a Determination made under section 58B of the *Defence Act 1903*.

Airconditioning Allowance

2. Determination 0304, Airconditioning Allowance, is amended—
- by omitting from the definition of "specified month" in clause 2 "or column 3" and substituting ", column 3 or column 4";
 - by inserting after "specified month" and "clause 6" in the definition of "specified number" in clause 2 "or specified period" and "or clause 6A", respectively;
 - by inserting after the definition of "specified number" in clause 2 the following definition:
" 'specified period', in respect of a specified locality, means a continuous period encompassing the months specified in column 2, column 3 and column 4 of the table in clause 9;";
 - by inserting at the end of clause 4 "or specified period, whichever is appropriate";

- (e) by inserting after "specified month" (wherever occurring) in clause 5 "or specified period";
- (f) by omitting paragraphs 6 (d) and 6 (e);
- (g) by inserting after clause 6 the following clause:

"6A. Subject to clause 7A, where—

- (a) the married quarter referred to in clause 4 incorporates a zone ducted air-conditioning system instead of individual window-type air-conditioning units; and
- (b) a member or a dependant of a member occupies that quarter during a specified period during which an allowance may be paid under this Determination,

the specified number in relation to the specified period is—

- (c) the number of units of electricity used during the specified period; or
- (d) the sum of—
 - (i) in the case of the specified months referred to in column 4 of the table in clause 9—1900 in respect of each specified month in the specified period; and
 - (ii) in the case of the specified months referred to in column 2 or column 3 of the table in clause 9—950 in respect of each specified month in the specified period,

whichever is the lesser.”;

- (h) by omitting from clause 7 “, (c), (d) or (e)” and substituting “or (c)”;
- (i) by inserting after clause 7 the following clause:

“7A. Where the married quarter referred to in clause 4 is occupied by a member or by a dependant of a member for part only of a specified period, the specified number in relation to that specified period is the lesser of—

- (a) the number of units of electricity used during the specified period; and
- (b) the number calculated in accordance with the formula—

$$E - \frac{(F \times G)}{30}$$

where—

E is the specified number in accordance with paragraph 6A (d);

F in relation to a specified month during which the married quarter was not occupied by the member, is—

- (i) in the case of a month referred to in column 4 of the table in clause 9—1900; or
- (ii) in the case of a month referred to in column 2 or column 3 of the table in clause 9—950; and

G is the number of days during that specified period on which the married quarter was not occupied by the member or by a dependant of the member.”;

- (j) by omitting from clause 9 "column 2 or column 3" and substituting "column 2, column 3 or column 4"; and
- (k) by omitting the table in clause 9 and substituting the following table:

Column 1	Column 2	Column 3	Column 4
Locality	Specified months for day-time cooling only	Specified months for night-time cooling only	Specified months for day-time and night-time cooling
Western Australia			
Exmouth			December, January, February, March.
Karratha	October		November, December, January, February, March, April.
Mount Newman		October	November, December, January, February, March, April.
Port Hedland	October		November, December, January, February, March, April.
Tom Price			October, November, December, January, February, March, April.

3. Where the day on which this Determination is made is a day during a specified period in clause 9 of Determination 0304, Airconditioning Allowance, the specified number for that specified period under clause 6A of that Determination, as amended by clause 2 of this Determination, shall be calculated as if a member or a dependant of a member had occupied the married quarter for that part of the period which occurs on or after the day on which this Determination is made.

Transitional

4. Where a married quarter in a specified locality—

- (a) incorporates a zone ducted air-conditioning system; and
- (b) was occupied by a member or a dependant of a member for part or all of the period from and including 1 February 1983 to and including the day prior to the day on which this Determination is made;

the member shall be paid in respect of that period the amount, if any, by which an amount calculated in accordance with the formula—

$$A - B$$

where—

- A is the amount of Airconditioning Allowance which would have been payable to the member in respect of that period if Determination 0304, Airconditioning Allowance, as amended by clause 2 of this Determination, had applied to the member in respect of that period; and
- B is the amount of Airconditioning Allowance which was paid or is payable to the member in respect of that period under Determination 0304, Airconditioning Allowance,

exceeds an amount calculated in accordance with the formula—

$$C - D$$

where—

- C is the amount of High Electricity Charges Allowance which was paid or is payable to the member in respect of that period under Determination 0303, High Electricity Charges Allowance; and
- D is the amount of High Electricity Charges Allowance which would have been payable to the member in respect of that period under Determination 0303, High Electricity Charges Allowance, if Determination 0304, Airconditioning Allowance, as amended by this Determination, had applied to the member in respect of that period.

NOTE

1. Previous amendments to Determination 0304, Airconditioning Allowance: Nos. 8 and 27 of 1981; No. 48 of 1982; No. 37 of 1983.

EXPLANATORY STATEMENT

DETERMINATION NO. 11 OF 1984

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 0304 provides for payment of Airconditioning Allowance to members of the Defence Force serving in specified localities to reimburse the cost of operating airconditioning facilities fitted to their married quarters.

This Determination amends Determination 0304 by linking the amount of the allowance paid in respect of zone-ducted airconditioning to the quantity of electricity used, and by imposing an upper limit on that quantity over the period of a wet season.

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