



Determination No. 69 of 1984

Determination under Section 58B of the Defence Act 1903

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 23 November 1984.

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

Citation

1. This Determination may be cited as Determination 3732, Overseas Vehicle Allowance.¹

Definitions

2. In this Determination, unless the contrary intention appears—
- “authorized” means authorized by an appropriate authority within the arm of the Defence Force to which the member belongs, or by some other authority who, in accordance with the administrative arrangements at the overseas post, normally undertakes this function;
 - “entitled means of travel”, in relation to a member, means the method of travel which the member would be required to use had he not been authorized to travel in a privately owned vehicle;
 - “family”, in relation to a member, has the same meaning as in Determination 1906, Insurance on Removal of Urgently Required Household Items;

“intended”, in relation to a period of duty, means intended by the appropriate authority within the arm of the Defence Force to which the member belongs;

“intermediate term duty” means duty overseas for a period which is intended to be more than 6 months but less than 12 months;

“long term duty” means duty overseas for a period which is intended to be 12 months or more;

“Meal Allowance” means a meal allowance payable—

- (a) in respect of a member of the Navy—under regulation 105 of the Naval Financial Regulations;
- (b) in respect of a member of the Army—under regulation 167 of the Military Financial Regulations; and
- (c) in respect of a member of the Air Force—under regulation 633 of the Air Force Regulations;

“member” means a member rendering continuous full-time service;

“overseas” means outside Australia;

“privately owned vehicle” means, in relation to authorized travel by a member on temporary duty, on posting or on recreation leave, a motor vehicle owned, hired or borrowed by that member;

“recreation leave” means leave of absence granted under Determination 2601, Recreation Leave;

“salary”, in relation to a member, means the salary payable under the Defence Force (Salaries) Regulations;

“Travelling Allowance” means—

- (a) in respect of a member of the Navy—
 - (i) travelling allowance payable under regulation 105;
 - (ii) short-term duty travelling allowance payable under regulation 209; and
 - (iii) shipboard allowance payable under regulation 210, of the Naval Financial Regulations, whichever is applicable;
- (b) in respect of a member of the Army—
 - (i) shipboard allowance payable under regulation 151;
 - (ii) short term duty allowance payable under regulation 152;
 - (iii) oversea transit allowance payable under regulation 153; and
 - (iv) travelling allowance payable under regulation 167, of the Military Financial Regulations, whichever is applicable; and
- (c) in respect of a member of the Air Force—short term duty travelling allowance and travelling allowance payable under regulation 633 of the Air Force Regulations.

Interpretation

3. For the purpose of this Determination, a reference to a Determination is a reference to a Determination made under section 58B of the *Defence Act 1903*.

4. For the purpose of clause 6, greater efficiency results when—

- (a) the use of a privately owned vehicle for travel on duty—
 - (i) will permit the member to perform his duties in a more efficient manner than if he travelled by the entitled means of travel; or
 - (ii) will enable the most effective utilization of Commonwealth manpower and vehicle resources; or
- (b) the personal interests of the member would be so detrimentally affected by the use of the entitled means of travel that the use of a privately owned vehicle would be justified.

5. For the purpose of clause 6, a saving to the Commonwealth occurs when the sum of—

- (a) an allowance payable under this Determination;
- (b) Travelling Allowance payable to the member;
- (c) Meal Allowance payable to the member; and
- (d) the salary calculated in respect of the member's normal working hours,

that would be payable in respect of a period of travel on duty in a privately owned vehicle, is less than the sum of—

- (e) the cost of travel by the entitled means of travel for the member and any passenger who would otherwise travel at Commonwealth expense;
- (f) Travelling Allowance payable to the member;
- (g) Meal Allowance payable to the member; and
- (h) the salary calculated in respect of the member's normal working hours,

that would be payable by the Commonwealth in respect of that period of travel on duty by the entitled means of travel.

Overseas Vehicle Allowance

6. Overseas Vehicle Allowance is payable to a member who, while serving on intermediate term duty or long term duty, is authorized to drive a privately owned vehicle when travelling on—

- (a) posting within the country of posting or between adjoining countries and any normal working time taken during the journey which exceeds that which would have been taken had the member travelled by the entitled means of travel is deducted from the member's recreation leave entitlement;
- (b) recreation leave; or

- (c) temporary duty where—
- (i) the use of the privately owned vehicle would result in greater efficiency;
 - (ii) the use of the privately owned vehicle would result in a saving to the Commonwealth in relation to the cost that would have been incurred had the entitled means of travel been used; or
 - (iii) the use of the privately owned vehicle, in circumstances other than those described in sub-paragraphs (i) and (ii), would not be contrary to the interests of the Commonwealth and any normal working time taken during the journey which exceeds that which would have been taken had the member travelled by the entitled means of travel is deducted from the member's recreation leave entitlement.

Rate of allowance

7. Subject to clauses 10, 12 and 13, an allowance under this Determination is payable to a member to whom clause 6 applies, who is serving in—

- (a) Britain—at the rate specified in column 2 of Part I of the Schedule for each mile travelled opposite the engine capacity in column 1 applicable to the member's privately owned vehicle;
- (b) the People's Republic of China—at the rate specified in column 2 of Part II of the Schedule for each kilometre travelled opposite the engine capacity in column 1 applicable to the member's privately owned vehicle;
- (c) France—at the rate specified in—
 - (i) column 2 where the member has access to privileged prices for petrol; or
 - (ii) column 3 where the member does not have access to privileged prices for petrol,of Part III of the Schedule for each kilometre travelled opposite the engine capacity in column 1 applicable to the member's privately owned vehicle;
- (d) the Federal Republic of Germany, other than a member serving in the British Army on the Rhine—at the rate specified in—
 - (i) column 2 where the member has access to privileged prices for petrol; or
 - (ii) column 3 where the member does not have access to privileged prices for petrol,of Part IV of the Schedule for each kilometre travelled opposite the engine capacity in column 1 applicable to the member's privately owned vehicle;
- (e) Japan—at the rate specified in—
 - (i) column 2 where the member has access to privileged prices for petrol; and

- (ii) column 3 where the member does not have access to privileged prices for petrol,
of Part V of the Schedule for each kilometre travelled opposite the engine capacity in column 1 applicable to the member's privately owned vehicle;
- (f) Papua New Guinea—at the rate specified in column 3 of Part VI of the Schedule for each kilometre travelled opposite the type of engine and engine capacity applicable to the member's privately owned vehicle specified in column 1 or column 2; and
- (g) a country, other than a country referred to in paragraph (a), (b), (c), (e) or (f), or in the British Army on the Rhine in the Federal Republic of Germany—at a rate specified in column 3 of Part VII of the Schedule for each kilometre travelled opposite the type of engine and engine capacity applicable to the member's privately owned vehicle in column 1 or column 2.

Calculation of Distance

8. For the purpose of clause 7, the distance of a journey travelled by a privately owned vehicle authorized in accordance with clause 6 shall be the distance by the shortest direct route over suitable roads for the journey and shall not, in respect of a journey undertaken in accordance with paragraph 6(c), include the portion of the journey between the member's residence and his normal place of duty.

Additional Allowance

9. Where a member to whom clause 6 applies, while undertaking a journey in his privately owned vehicle, incurs—

- (a) charges for transporting his privately owned vehicle by punt or ferry;
- (b) toll charges; or
- (c) charges approved by an appropriate administrative authority for garage accommodation,

the member shall, in addition to the amount of Overseas Vehicle Allowance payable under clause 7, be reimbursed the amount of those charges.

Limit of Allowance

10. The amount of Overseas Vehicle Allowance payable to a member to whom paragraph 6 (a) applies in respect of a journey is the lesser of—

- (a) the sum of—
 - (i) the amount of Overseas Vehicle Allowance payable for the journey calculated in accordance with clauses 7 and 9;
 - (ii) the amount of Travelling Allowance payable to the member in respect of the journey;
 - (iii) where the member is accompanied by his family, the amount of demonstrated meal and accommodation expenses which would be incurred in respect of his family during the period of the journey; and

- (iv) the amount of air fares, if any, payable in respect of the member and, if applicable, his family, where the journey includes a combination of travel by the member's privately owned vehicle and civil airlines; and
- (b) the sum of—
 - (i) the amount payable by the Commonwealth for fares in respect of the member and, where applicable, his family and any other authorized passenger; and
 - (ii) the amount of Travelling Allowance, and where applicable, meal and accommodation costs for his family, which would have been payable by the Commonwealth,
 had travel been by the entitled means of travel.

11. For the purpose of sub-paragraph 10 (a) (ii), where the amount of Travelling Allowance payable to a member is calculated at the category A rate and he is accompanied by his family, the category B rate of Travelling Allowance is deemed to be the rate at which the amount payable to the member is calculated.

12. The amount of Overseas Vehicle Allowance payable to a member to whom paragraph 6 (b) applies in respect of a journey is the lesser of—

- (a) the amount calculated in accordance with clause 7; and
- (b) the cost of travel by the entitled means of travel for the member and any passenger who would otherwise travel at Commonwealth expense.

13. The amount of Overseas Vehicle Allowance payable to a member to whom sub-paragraph 6 (c) (iii) applies is the lesser of—

- (a) the sum of—
 - (i) the amount calculated in accordance with clauses 7 and 9; and
 - (ii) the amount of Travelling Allowance payable to the member; and
- (b) the sum of—
 - (i) the cost of travel for the member and any passenger who would otherwise travel at Commonwealth expense;
 - (ii) the amount of Travelling Allowance payable to the member; and
 - (iii) the amount of any other charges in relation to the journey, had the entitled means of travel been used.

Rotary Engines

14. For the purposes of the Schedule—

- (a) a reference to a rotary engine shall be read as a reference to an internal combustion engine in which fuel is ignited by means of a spark in the combustion chamber, or each combustion chamber, of which a single central rotating arm performs the function performed by a piston in a

combustion chamber of a reciprocating internal combustion engine in which fuel is ignited; and

- (b) subject to clause 15, the displacement of the rotary engine that drives a motor vehicle shall be taken to be the displacement of the engine according to the specifications of the engine issued by the manufacturer of the motor vehicle.

Displacement of the Engine

15. Where the specifications issued by the manufacturer of a vehicle that is driven by a rotary engine do not state the displacement of the engine but state the displacement of the rotor or rotors comprising the engine, the displacement of the engine shall be taken to be equal to the displacement, according to those specifications, of the rotor that comprises the engine or the sum of the displacements of the rotors that comprise the engine.

THE SCHEDULE TO DETERMINATION 3732, OVERSEAS VEHICLE ALLOWANCE

Clause 7

PART I—BRITAIN

Column 1	Column 2
Engine capacity	Rate of allowance per mile
Under 1500 cc	7.5 pence
1500 cc and above	9.5 pence

PART II—PEOPLE'S REPUBLIC OF CHINA

Column 1	Column 2
Engine capacity	Rate of allowance per kilometre
Up to and including 2000 cc	0.29 yuan
Over 2000 cc	0.38 yuan

PART III—FRANCE

Column 1	Rate of allowance per kilometre	
	Column 2	Column 3
Engine capacity	With access to privileged petrol prices	Without access to privileged petrol prices
Under 1500 cc	0.40 franc	0.74 franc
1500 cc and above	0.56 franc	0.98 franc

PART IV—FEDERAL REPUBLIC OF GERMANY

Column 1	Rate of allowance per kilometre	
	Column 2	Column 3
Engine capacity	With access to privileged petrol prices	Without access to privileged petrol prices
Up to and including 1500 cc	0.10 deutschmark	0.18 deutschmark
Over 1500 cc	0.16 deutschmark	0.30 deutschmark

PART V—JAPAN

Column 1 Engine capacity	Rate of allowance per kilometre	
	Column 2 With access to privileged petrol prices	Column 3 Without access to privileged petrol prices
Under 2000 cc	20 yen	29 yen
2000 cc and above	27 yen	40 yen

PART VI—PAPUA NEW GUINEA

Column 1 Engine capacity of motor vehicle not being a motor vehicle powered by a rotary engine	Column 2 Engine capacity of motor vehicle powered by a rotary engine	Column 3 Rate of allowance per kilometre
Up to and including 1500 cc	Up to and including 750 cc	5.5 toea
More than 1500 cc but not more than 2000 cc	More than 750 cc but not more than 1000 cc	8.0 toea
More than 2000 cc but not more than 4000 cc	More than 1000 cc but not more than 2000 cc	10.00 toea
More than 4000 cc	More than 2000 cc	13.00 toea

PART VII—OTHER COUNTRIES

Column 1 Engine capacity of motor vehicle powered by a rotary engine	Column 2 Engine capacity of motor vehicle not being a motor vehicle powered by a rotary engine	Column 3 Rate of allowance per kilometre
Up to and including 750 cc	Up to and including 1500 cc	A7.5 cents
Over 750 cc	Over 1500 cc	A10 cents

NOTE

1. Previous amendments to Determination 3732, Overseas Vehicle Allowance: NIL

EXPLANATORY STATEMENT

DETERMINATION NO. 69 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 allows the Minister to make determinations on conditions of service for members of the Defence Force.

Determination 3732, Overseas Vehicle Allowance, provides for payment of Overseas Vehicle Allowance to members of the Defence Force serving overseas on intermediate or long term duty, who are authorized to use their privately owned vehicles on travel which would otherwise be at Commonwealth expense.

The allowance is currently provided for in Military Financial Regulation 167A and a determination made under that regulation, and in determinations under Naval Financial Regulation 105 and Air Force Regulation 633. Regulation 167A is being repealed and the Army and Air Force determinations revoked, as they are being replaced by Determination 3732.

The date of effect is the date of signature of Determination 3732.