



Determination No. 6 of 1985

Determination under Section 58B of the Defence Act 1903¹ (Amendment)

I, KIM CHRISTIAN BEAZLEY, the Minister of State for Defence, hereby make the following Determination under section 58B of the *Defence Act 1903*.

Dated 5 February 1985.

KIM C. BEAZLEY
Minister of State for Defence

Travelling Allowance

1. Determination 0401, Travelling Allowance, is amended—
 - (a) by omitting from the end of paragraph 31 (e) "or"; and
 - (b) by inserting after paragraph 31 (f) the following word and paragraph:
"; or (g) is undergoing a period of recruit training in the Reserve Forces."

Education Allowance

2. Determination 0501, Education Allowance, is amended—
 - (a) by omitting from paragraph 8 (a) "573" and substituting "564";
 - (b) by omitting from paragraph 8 (a) "2277" and substituting "2646";
 - (c) by omitting from paragraph 8 (c) "1090" and substituting "1290";
 - (d) by omitting from clause 9 "190" and substituting "210"; and
 - (e) by omitting from clause 9 "2570" and substituting "3090".

Education Assistance Overseas

3. Determination 3725, Education Assistance Overseas, is amended—
 - (a) by omitting from clause 7 "(k) other education expenses—" and substituting "(m) other education expenses—";

- (b) by omitting from sub-paragraph 11 (a) (i) "429" and substituting "466";
- (c) by omitting from sub-paragraph 11 (a) (ii) "269" and substituting "293";
- (d) by omitting from sub-paragraph 11 (b) (i) "230" and substituting "248"; and
- (e) by omitting from sub-paragraph 11 (b) (ii) "119" and substituting "128".

Child Education Allowance

4. Determination 3726, Child Education Allowance, is amended—
- (a) by omitting from paragraph 6 (a) "573" and substituting "564";
 - (b) by omitting from paragraph 6 (a) "2277" and substituting "2646";
 - (c) by omitting from paragraph 6 (c) "1090" and substituting "1290";
 - (d) by omitting from clause 7 "190" and substituting "210"; and
 - (e) by omitting from clause 7 "2570" and substituting "3090".

Application

5. Paragraphs 2 (a), 2 (d), 3 (b), 3 (c), 3 (d), 3 (e), 4 (a) and 4 (d) of this Determination shall apply in respect of the attendance of a member's child at a school on or after 7 February 1985.

6. Paragraphs 2 (b), 2 (c) and 2 (e) of this Determination shall apply in respect of the attendance of a member's child at a school on or after 23 October 1984.

7. Paragraphs 4 (b), 4 (c) and 4 (e) of this Determination shall apply in relation to the attendance of a member's child at a school on or after 12 October 1984.

Transitional

8. Where a member would have been entitled to the payment of an amount of Education Allowance under Determination 0501, Education Allowance, made under section 58B of the *Defence Act 1903*, in respect of the attendance of the member's child at a school during the period from and including 1 January 1984 to and including 22 October 1984 had that Determination been in force during that period, there shall be payable to the member an amount of Education Allowance in respect of that period calculated in accordance with the formula—

$$A - B$$

where—

- A is the amount of Education Allowance which would be payable under that Determination, as amended by paragraphs 2 (b), 2 (c) and 2 (e) of this Determination, in respect of that period; and

- B** is the amount of Education Allowance, if any, payable in respect of that period under—
- (a) in the case of a member of the Navy—regulation 122 of the Naval Financial Regulations;
 - (b) in the case of a member of the Army—regulation 131 of the Military Financial Regulations; and
 - (c) in the case of a member of the Air Force—regulation 634 of the Air Force Regulations.

9. Where a member would have been entitled to the payment of Child Education Allowance under Determination 3726, Child Education Allowance, made under section 58B of the *Defence Act 1903*, in respect of the attendance of the member's child at a school during the period from and including 1 January 1984 to and including 11 October 1984 had that Determination been in force during that period, there shall be payable to the member an amount of Child Education Allowance in respect of that period calculated in accordance with the formula—

C—D

where—

- C** is the amount of Child Education Allowance which would be payable under that Determination, as amended by paragraphs 4 (b), 4 (c) and 4 (e) of this Determination, in respect of that period; and
- D** is the amount of Child Education Allowance, if any, payable in respect of that period under—
- (a) in the case of a member of the Navy—regulation 105 of the Naval Financial Regulations;
 - (b) in the case of a member of the Army—regulation 159 of the Military Financial Regulations; and
 - (c) in the case of a member of the Air Force—regulation 633 of the Air Force Regulations.

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 Determinations
Determination 0401, Travelling Allowance	Nos. 56 and 63 of 1984
Determination 0501, Education Allowance	No. 60 of 1984
Determination 3725, Education Assistance Overseas	Nos. 86 and 110 of 1984
Determination 3726, Child Education Allowance	Nos. 57, 66 and 93 of 1984

EXPLANATORY STATEMENT
DETERMINATION NO. 6 OF 1985
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.

Determinations 0501, 3725 and 3726 provide, respectively, for the payment of:

- a. an education allowance to a member of the Defence Force who is posted from one locality to another in Australia and maintains a child at a secondary school in a locality other than the locality of posting to prevent disruption to the child's education;
- b. financial assistance to a member of the Defence Force who is posted overseas on long term duty and incurs certain costs in educating a child overseas; and
- c. a child education allowance to a member of the Defence Force who is posted overseas and maintains a child over the age of 9 at a school in Australia.

The Determinations each provide for assessment of the allowance or assistance based on the number of weeks per term spent at school, the payment by the member of an initial amount of the cost of the education and a maximum prescribed rate of the allowance.

This Determination amends Determinations 0501, 3725 and 3726 by increasing the amount paid by the member and the prescribed maximum rates of allowances to accord with amended rates for the Australian Public Service.

The date of effect is 1 January 1984, except for the increase in the amount to be paid by the member which takes effect on 7 February 1985.

This Determination also amends Determination 0401, Travelling Allowance to cease payment of the incidental rate of the allowance to a member of the Reserve who is undergoing recruit training. The Determination also makes a minor textual amendment to Determination 3725. The date of effect of these changes is the date on which this Determination is signed.