



**Determination No. 31 of 1986**

## **Determination under Section 58B of the Defence Act 1903<sup>1</sup> (Amendment)**

I, JOHN JOSEPH BROWN, the Minister of State for Sport, Recreation and Tourism 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 May 1986.

**JOHN BROWN**

Minister of State for Sport, Recreation and Tourism  
for and on behalf of the  
Minister of State for Defence

### **District Allowance**

1. Determination 0301, District Allowance, is amended by omitting from clause 16 all words after "the office or appointment of" and substituting—

"(c) First Assistant Secretary, Industrial Division, in the Department of Defence, having regard to—

- (i) the accommodation situation at the member's locality of posting; or
- (ii) the member's family circumstances; or

(d) Director General, Industrial Division, Service Conditions Branch or Director Conditions of Service (A) Industrial Division, Service Conditions Branch, in the Department of Defence, having regard solely to the medical, educational or employment circumstances of the member's family,

approves an extension of that period."

### **Transport Allowance**

2. Determination 0404, Transport Allowance, is amended by inserting after "Vehicle Allowance is payable under" in clause 7 "paragraph 5 (a) or 5 (b), or clause 15 or 16 of".

### **Outfit Allowance For Special Appointments**

3. Determination 0606, Outfit Allowance For Special Appointments, is amended by omitting "may" from clause 3 and substituting "shall".

### **Medical and Dental Officers—Refresher Training Bounty**

4. The definition of "eligible person" in clause 2 of Determination 0712, Medical and Dental Officers—Refresher Training Bounty, is amended—

- (a) by inserting after "Permanent Defence Force" in paragraph (a) "on a short service commission";
- (b) by inserting "a" before "short service commission" in paragraph (b);
- (c) by omitting "and" from the end of paragraph (b);
- (d) by omitting from paragraph (c) "duty" and substituting "that service"; and
- (e) by inserting after paragraph (c) the following word and paragraph:  
"and (d) has not at the time he or she commences that refresher training course been appointed to an arm of the Defence Force for an unspecified period;".

5. Determination 0712, Medical and Dental Officers—Refresher Training Bounty, is amended—

- (a) by omitting from the definition of "refresher training course" in clause 2 "he" and substituting "the eligible person";
- (b) by inserting after "himself" and "him" in the definition of "refresher training course" in clause 2 "or herself" and "or her" respectively;
- (c) by omitting from paragraph 4 (a) "his" (twice occurring) and substituting "that person's"; and
- (d) by omitting from paragraph 4 (b) "him" and substituting "that person".

### **Cadet Forces Allowances**

6. Determination 3498, Cadet Forces Allowances, is amended by omitting clause 6 and substituting the following clause:

"6. An amount payable to a member under clauses 4 and 5 in respect of a day shall be reduced by any amounts payable to that member in respect of that day—

- (a) under clauses 9, 10, 11 and 12 of Determination 0199, Pay of Reserve Force Members, made under section 58B of the *Defence Act 1903*; or
- (b) by way of remuneration under a determination made under section 58H 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 to that Determination:

Column 1 Determination	Column 2 Previous Determinations
Determination 0301, District Allowance	No. 29 of 1980; Nos. 2, 26, 32, 52, 55 and 58 of 1981; Nos. 5, 50 and 57 of 1982; Nos. 30, 35 and 37 of 1983; Nos. 3, 33 and 34 of 1984; No. 15 of 1986
Determination 0404, Transport Allowance	No. 31 of 1980; Nos. 2, 12 and 58 of 1981; No. 36 of 1982; No. 37 of 1983; Nos. 9 and 63 of 1984
Determination 0606, Outfit Allowance For Special Appointments	Nos. 6 and 38 of 1981; No. 36 of 1982; No. 5 of 1984; Nos. 4 and 69 of 1985; No. 7 of 1986
Determination 0712, Medical and Dental Officers-- Refresher Training Bounty	Nos. 16 and 52 of 1981; No. 3 of 1982; Nos. 3 and 112 of 1984
Determination 3498, Cadet Forces Allowances	No. 28 of 1980; Nos. 46 and 51 of 1981; No. 49 of 1982; Nos. 15, 21, 23, 52, 63, 104 and 114 of 1984; No. 12 of 1986

EXPLANATORY STATEMENT

DETERMINATION NO. 31 OF 1986

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 0301, District Allowance, provides for payment of an allowance to members of the Defence Force serving in localities classified by the Australian Public Service as being isolated districts due to the severity of climatic conditions, their isolation or exceptionally high cost of living. The rate of allowance depends on a particular grade to which a locality has been classified.

Clause 1 of this determination amends Determination 0301 by including additional approving authorities with more restricted guidelines who can approve under clause 16 of Determination 0301 the continued payment of the allowance after a member has been posted from the locality.

Determination 0404, Transport Allowance, provides for payment of an allowance to members of the Defence Force to compensate them for using their private motor vehicles to travel to and from their place of duty in specified isolated localities.

Clause 2 of this determination amends Determination 0404 to ensure that only travel in respect of which the full rate of Vehicle Allowance under Determination 0402 has been paid is to be taken into account when ascertaining the correct rate of Transport Allowance to be paid.

Determination 0606, Outfit Allowance For Special Appointments, provides for payment of an allowance to members of the Defence Force appointed as Aides-de-Camp to the Governor-General. The allowance is payable to reimburse members for the costs incurred in purchasing necessary civilian clothing and luggage.

Clause 3 of this determination amends Determination 0606 to remove the implied discretion that this allowance "may" be paid to an aide de camp to the Governor-General and thus more clearly states the intended policy that once a member is appointed an aide and purchases approved clothing he or she "shall" be entitled to the allowance.

Determination 0712, Medical and Dental Officers - Refresher Training Bounty, provides for payment of a bounty to short service commission medical and dental officers of the Defence Force to enable them to undertake a refresher training course at the completion of at least four years' full-time service as a medical or dental officer.

Clause 4 of this determination amends Determination 0712 to clarify policy intent as to when and to whom this bounty is payable, particularly when an ex-officer is appointed to a permanent commission quite soon after completion of a short service commission. Clause 5 removes discriminatory language from the determination.

Determination 3498, Cadet Forces Allowances, provides for payment of training, travelling and other like allowances to officers and instructors of the Cadet Forces.

Clause 6 of this determination amends Determination 3498 to ensure that any remuneration determined by the Defence Force Remuneration Tribunal under section 58H of the Defence Act 1903 is taken into account in calculating the amount of allowance payable.

The date of effect of all these changes is the date on which this determination is signed.