



Determination No. 38 of 1986

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 6 June 1986.

KIM C. BEAZLEY
Minister of State for Defence

Salary of Permanent Force Members

1. Determination 0101, Salary of Permanent Force Members, is amended by inserting after Division 1 of PART II, the following Division:

“Division 1A—Annual Rate of Salary Payable to Vice Chief of the Defence Force

“35A. In this Division ‘member’ means a member of the Permanent Naval Forces, of the Australian Regular Army, of the Regular Army Supplement or of the Permanent Air Force who holds the rank of Vice Admiral, Lieutenant General or Air Marshal.

“35B. Where a member holds the appointment of Vice Chief of the Defence Force, that member shall be paid the salary that would be payable to that member in accordance with Determination Number 12 of 1985 of the Remuneration Tribunal made pursuant to sub-sections 7 (3) and 7 (4) of the *Remuneration Tribunal Act 1973*, if that member were a member of the Defence Force holding the appointment of the Chief of Naval Staff, the Chief of the General Staff or the Chief of the Air Staff.”.

Salary and Allowances of the Vice Chief of the Defence Force

2. Determination 0103, Salary and Allowances of the Vice Chief of the Defence Force, is amended—

- (a) by omitting "Salary and" (wherever occurring); and
- (b) by omitting all words after "Defence Force," and substituting—
 - (a) the Expenses of Office Allowance; and
 - (b) the Travelling Allowance,

that would be payable to that member in accordance with Determination Number 12 of 1985 of the Remuneration Tribunal made pursuant to sub-sections 7 (3) and 7 (4) of the *Remuneration Tribunal Act 1973* if that member were a member of the Defence Force holding or performing the duties of the appointment of the Chief of Naval Staff, the Chief of the General Staff or the Chief of the Air Staff."

Travelling Allowance

3. Determination 0401, Travelling Allowance, is amended by inserting in the definition of "member" in clause 2 "or a member holding or performing the duties of the appointment of Vice Chief of the Defence Force" after "Chief of Staff".

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 0101, Salary of Permanent Force Members	No. 111 of 1984; Nos. 25, 31, 47, 49 and 55 of 1985; No. 5 of 1986
Determination 0103, Salary and Allowances of the Vice Chief of the Defence Force	No. 36 of 1986
Determination 0401, Travelling Allowance	Nos. 56 and 63 of 1984; Nos. 6, 9, 17, 43, 61 and 71 of 1985

EXPLANATORY STATEMENT

DETERMINATION NO. 38 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 0101, Salary of Permanent Force Members, prescribes the rates of salary payable to the majority of members of the Defence Force who are rendering continuous full-time service.

Determination 0103, Salary and Allowances of the Vice Chief of the Defence Force, prescribes the salary and certain allowances payable to members holding or performing the duties of the appointment of Vice Chief of the Defence Force.

Determination 0401, Travelling Allowance, provides for payment of an allowance to members of the Defence Force who are authorized to travel on duty or posting within Australia.

Determination 0103 was made on 30 May 1986 to provide the salary and allowances payable in respect of the newly created position of Vice Chief of the Defence Force. Clause 2 of this determination amends Determination 0103 to omit the provisions with regard to salary and clause 1 of this determination inserts those salary provisions into Determination 0101. These amendments were necessary to ensure that the provisions of the Defence Force Retirement and Death Benefits Act 1973 would flow to the Vice Chief of the Defence Force.

Clause 3 of this determination amends Determination 0401 to preclude payment of Travelling Allowance under Determination 0401 to a member holding or performing the duties of the appointment of Vice Chief of the Defence Force. Such a member is entitled to Travelling Allowance under Determination 0103.

The date of effect is the date of signature of this determination.