



**Determination No. 68 of 1986**

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**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 20 October 1986.

**JOHN BROWN**

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

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**Higher Duties Allowance**

Determination 0104, Higher Duties Allowance, is amended—

- (a) by omitting the definition of “equivalent rank” from clause 2 and substituting the following definition:

“‘equivalent rank’ in relation to a position on the establishment of the—

- (a) PNGDF, means the rank in the Navy, Army or Air Force, as the case may be, shown in column 2, column 3 or column 4 opposite to the PNGDF rank in column 1 of the table in clause 6; and
- (b) Naval Communication Station, means the rank in the Navy shown in column 2 opposite to the United States Navy rank in column 1 of the table in clause 11A;”
- (b) by inserting after the definition of “member” in clause 2 the following definition:

“‘Naval Communication Station’ means the Naval Communication Station ‘Harold E Holt’, located at Exmouth, Western Australia;”

- (c) by omitting from the definitions of "permanent occupant", "relevant rank" and "temporary occupant" in clause 2, and from clauses 12 and 13 and paragraph 27 (a) "or a part of the Reserve Forces" and substituting in each case "the Reserve Forces or the Naval Communication Station";
- (d) by omitting "or" from the end of paragraph (j) of the definition of "public holiday" in clause 2;
- (e) by inserting after paragraph (k) of the definition of "public holiday" in clause 2 the following word and paragraph:
  - "; or (m) in relation to a member temporarily performing the duties of a position on the establishment of the Naval Communication Station—a day observed as a holiday by the Naval Communication Station,";
- (f) by omitting "and" from the end of paragraph (a) of the definition of "unit rest day" in clause 2;
- (g) by inserting after paragraph (b) of the definition of "unit rest day" in clause 2 the following word and paragraph:
  - "; and (c) a temporary occupant of a position on the establishment of the Naval Communication Station—a day observed as a unit rest day by the Naval Communication Station,";
- (h) by omitting "and" from the end of paragraph (c) of the definition of "working day" in clause 2;
- (i) by inserting after paragraph (d) of the definition of "working day" in clause 2 the following word and paragraph:
  - "; or (e) a temporary occupant of a position on the establishment of the Naval Communication Station—a day observed as a working day by the Naval Communication Station,";
- (j) by omitting from column 2 of the table in clause 3A "Artificer, 1st Class";
- (k) by omitting the heading to PART II and substituting the following heading:

**"PART II—HIGHER DUTIES ALLOWANCE—PERMANENT  
FORCE MEMBER PERFORMING THE DUTIES OF A  
POSITION ON THE ESTABLISHMENT OF A PART OF THE  
PERMANENT DEFENCE FORCE OR THE RESERVE FORCES";**

- (1) by omitting paragraph 4 (a) and substituting the following paragraph:
  - "(a) a member holding a rank lower than the rank for a Permanent Force position on the establishment of a part of the Permanent Defence Force or the Reserve Forces performs temporarily the full duties of that position; and";

- (m) by omitting paragraph 5 (a) and substituting the following paragraph:
  - “(a) a member holding a rank, being the rank of Warrant Officer, Warrant Officer Class 1 or a lower rank, for a Permanent Force position on the establishment of a part of the Permanent Defence Force or the Reserve Forces performs temporarily the full duties of that position; and”;
- (n) by omitting from paragraph 8 (c) “prescribed by the Defence Force (Salaries) Regulations” and substituting “approved under Determination 0101, Salary of Permanent Force Members”;
- (o) by omitting from paragraph 9 (b) “Controller of Establishments” and substituting “Controller of Organisation and Manpower Resources”;
- (p) by inserting after PART V the following PART:

**“PART VA—HIGHER DUTIES ALLOWANCE—MEMBER  
PERFORMING THE DUTIES OF A UNITED STATES NAVY  
POSITION ON THE ESTABLISHMENT OF THE NAVAL  
COMMUNICATION STATION**

**Higher Duties Allowance—Ranks**

“11A. Subject to this Determination, where—

- (a) a member performs temporarily the full duties of a United States Navy position on the establishment of the Naval Communication Station;
- (b) the rank for that position (hereinafter called the first mentioned rank) is referred to in column 1 of the following table; and
- (c) the equivalent rank in the Navy in column 2 opposite to that first mentioned rank is higher than the rank held by the member,

an allowance called ‘Higher Duties Allowance’ is payable to the member:

Column 1 United States Navy Rank	Column 2 Navy Equivalent Rank
Captain	Captain
Commander	Commander
Lieutenant Commander	Lieutenant Commander
Lieutenant	Lieutenant
Lieutenant Junior Grade	Sub Lieutenant
Ensign	Acting Sub Lieutenant
Master Chief Petty Officer	Warrant Officer
Senior Chief Petty Officer	Chief Petty Officer
Petty Officer First Class	Petty Officer
Petty Officer Second Class	Leading Seaman
Petty Officer Third Class	Able Seaman
Seaman	Seaman

- (q) by omitting from the end of paragraph 13 (c) “or”;

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- (r) by inserting after paragraph 13 (d) the following word and paragraph:  
“; or (dd) in the case of a position on the establishment of the Naval Communication Station—is a member of the United States Navy, or is a member, holding a higher rank than the temporary occupant,”;
- (s) by inserting at the end of paragraph 14 (a) “or”;
- (t) by omitting from paragraph 14 (b) “position; or” and substituting “position,”;
- (u) by omitting from clauses 15 and 16 “or the Reserve Forces” and substituting in each case “, the Reserve Forces or the Naval Communication Station”;
- (v) by omitting from clause 22 “23 to 30” and substituting “23 to 29”;
- (w) by omitting from clause 22 “9 or 10” and substituting “9, 10 or 11A.”;
- (x) by omitting “or” from the end of paragraph 29 (c); and
- (y) by inserting after paragraph 29 (d) the following word and paragraph:  
“; or (e) in the case of a position on the establishment of the Naval Communication Station, other members of the United States Navy.”.

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**NOTE**

1. Previous amendments to Determination 0104, Higher Duties Allowance: Nos. 2, 11, 13, 24, 32, 35, 43 and 58 of 1982; Nos. 20 and 30 of 1983; Nos. 8, 21, 78 and 112 of 1984; No. 28 of 1986.

EXPLANATORY STATEMENT

DETERMINATION NO. 68 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 0104 provides for payment of Higher Duties Allowance. In respect of Permanent Force members, the determination provides for payment of the allowance to members who perform higher duties in positions on the establishment of the Permanent Defence Force, the Australian Public Service and the Papua New Guinea Defence Force.

This determination amends Determination 0104 to extend payment of the allowance to members of the Navy who perform higher duties in United States Navy positions on the establishment of the Australian/United States Joint Facility at the Naval Communication Station situated at Exmouth, Western Australia; and to Permanent Force members who perform higher duties in Permanent Force positions on the establishment of the Reserve Forces.

The determination also makes minor amendments to Determination 0104 to remove an obsolete rank, to change a reference to other legislation, to change the name of an appointment and to adjust certain clause numbers referred to in the text.

The date of effect is the date that the determination is signed.