



**Determination No. 71 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 20 October 1986.

**JOHN BROWN**

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

**Overseas Rental and Utilities Allowance**

1. Determination 3718, Overseas Rental and Utilities Allowance, is amended—

(a) by omitting the table from clause 42 and substituting the following table:

Type of accommodation	Accommodation group					
	A	B	C	D	E	F
	French Franc	French Franc	French Franc	French Franc	French Franc	French Franc
Furnished . . . . .	7,500	9,500	11,500	13,000	15,000	20,000
Unfurnished . . . . .	6,000	7,600	9,200	10,400	12,000	16,000

(b) by omitting clause 43;

(c) by omitting from clause 44 "587" and substituting "C";

(d) by omitting "and" from the explanation of A in clause 44; and

(e) by inserting at the end of clause 44 the following:

"; and C is the Institut National de la Statistique et de Etudes Economiques Cost of Construction Index applicable to the quarter ending on 31 December 1985."

### **Education Assistance Overseas**

2. Determination 3725, Education Assistance Overseas, is amended—
- (a) by omitting from paragraph 5 (a) “and 40” and substituting “, 40 and 41”;
  - (b) by omitting sub-paragraph (a) (i) from the definition of “approved school” in clause 38 and substituting the following sub-paragraph:
    - “(i) a free and suitable public school which offers instruction—
      - (A) in the case of a child who, on 31 December in a school year, will be less than 5 years of age—on a part-time basis for 15 hours or more per week; or
      - (B) in the case of a child who will be 5 or more years of age on 31 December in a school year but who is less than 7 years of age—on a full-time basis; or”;
  - (c) by omitting paragraphs 41 (a) and 41 (b) and substituting the following paragraphs:
    - “(a) the approving authority is satisfied that the school provides instruction in preparation for primary school education; and
    - (b) a free and suitable public school, as defined in sub-paragraph (a) (i) of the definition of ‘approved school’ in clause 38, is not available.”.

### **Complementary Allowances Payable to Member Serving on Duty Overseas**

3. Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas, is amended by omitting from clause 51 “370” and substituting “700”.

### **Application**

4. Determination 3718, Overseas Rental and Utilities Allowance, as amended by—
- (a) paragraph 1 (a) of this Determination—shall apply in relation to service by a member from and including 1 April 1986; and
  - (b) paragraphs 1 (c), 1 (d) and 1 (e) of this Determination—shall apply in relation to a lease either renewed or established on or after 1 July 1986.
5. Determination 3725, Education Assistance Overseas, as amended by clause 2 of this Determination shall apply in relation to service by a member from and including 1 March 1986.
6. Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas, as amended by clause 3 of this Determination shall apply in relation to service by a member from and including 1 April 1986.

**Transitional**

7. Notwithstanding the provisions of this Determination, where—

- (a) a member was entitled to receive Education Assistance Overseas under Determination 3725, Education Assistance Overseas, made under section 58B of the *Defence Act 1903*, by reason of the attendance of his or her child or children at a pre-school that was, prior to the making of this Determination, an approved pre-school within the meaning of clauses 38 and 41 of Determination 3725, Education Assistance Overseas;
- (b) that child or those children continued to attend that pre-school on and after the date on which this Determination is made; and
- (c) that pre-school would, but for this clause, cease to be an approved pre-school from and including 1 March 1986 under the provisions of this Determination,

the member shall be entitled to receive Education Assistance Overseas to and including—

- (d) the day that child or those children cease to attend that pre-school; or
- (e) the day immediately following the day on which the current scholastic year ends,

whichever is the earlier, as if clause 2 of this Determination had not been made.

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**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	Column 2
Determination	Previous Determinations
Determination 3718, Overseas Rental and Utilities Allowance	<i>See</i> Note 1 to No. 5 of 1986 and <i>see also</i> Nos. 5, 17, 18, 20, 30, 46, 53, 54, 55, 57, 62, 63 and 67 of 1986
Determination 3725, Education Assistance Overseas	<i>See</i> Note 1 to No. 62 of 1986 and <i>see also</i> Nos. 62 and 64 of 1986
Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas	Nos. 109 of 1984; Nos. 28, 36, 38, 43, 44 and 45 of 1985; Nos. 5, 11, 19, 46, 48, 53, 62 and 63 of 1986

EXPLANATORY STATEMENT

DETERMINATION NO. 71 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 3718, Overseas Rental and Utilities Allowance, provides for payment of an allowance to members of the Defence Force serving overseas for longer than 6 months to meet the additional cost of living at an appropriate standard in residential accommodation.

Clauses 1 and 4 of this determination amend Determination 3718 in respect of members serving in France:

- a. to increase from 1 April 1986 the rent ceilings upon which the rates of allowance are based; and
- b. to bring up to date from 1 July 1986 the cost of living index provisions which provide for a regular revision of the prescribed rent ceilings for new or renewed leases.

Other amendments have been made as a consequence of these changes.

Determination 3725, Education Assistance Overseas, provides for financial assistance to a member of the Defence Force who is posted overseas for more than 6 months and who incurs certain costs in the education of a child overseas.

Clauses 2 and 5 of this determination amend Determination 3725 to introduce from 1 March 1986 a more specific definition of an approved pre-school in the United States of America. Clause 7

has been included to preserve the position of any member who is adversely affected by the changes to the definition of an approved pre-school. The clause allows for the continued recognition of a school as an approved school for the remainder of the current school year if it does not meet the new requirements for approval.

Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas, provides for the reimbursement of a range of living costs incurred by a member of the Defence Force while serving in an overseas country.

Clauses 3 and 6 of this determination amend Determination 3901 to increase, with effect from 1 April 1986, the amount that a member who is serving on duty in France may be reimbursed for the cost incurred in renting a garage for his or her private motor vehicle.