



Determination No. 85 of 1986

---

## Determination under Section 58B of the Defence Act 1903

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 28 October 1986.

JOHN BROWN

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

---

### Citation

1. This Determination may be cited as Determination 3733, Overseas Vehicle Contribution.<sup>1</sup>

### Definitions

2. In this Determination, unless the contrary intention appears—
- “child”, in relation to a member, means a child (whether born in or outside wedlock), a step-child or a legally adopted child of—
- (a) the member;
  - (b) a person who has ceased to be legally married to the member;
  - (c) a person who has lived on a permanent and *bona fide* domestic basis as the member's spouse;
  - (d) the spouse of the member;
  - (e) a person who has ceased to be legally married to the spouse of the member; or
  - (f) a person who has lived with the member's spouse on a permanent and *bona fide* domestic basis as a spouse,

*Determination 3733, Overseas Vehicle  
Contribution 1986 No. 85*

who—

- (g) is less than 21 years of age; or
- (h) is 21 years of age or over and is, through illness or infirmity, wholly or substantially dependent on the member;

“intended”, in relation to a period of duty means intended by the appropriate authority within the arm of the Defence Force to which the member belongs;

“intermediate term duty” means duty at an overseas post or duty with the United Nations for a period which is intended to be more than 6 months but less than 12 months;

“long term duty” means duty at an overseas post or duty with the United Nations for a period which is intended to be 12 months or more;

“member” means a member rendering continuous full-time service but does not include a member who—

- (a) has been awarded a Graduate Scholarship by the Rotary Foundation of Rotary International and is undertaking studies in an overseas country under that scholarship; or
- (b) has been selected by the Australian Rhodes Scholarship Selection Committee of the Rhodes Scholarship Trust as a Rhodes Scholar elect and, as a result, is undertaking studies at Oxford University, England;

“mission” means a diplomatic, consular or trade mission;

“official motor vehicle” means a motor vehicle owned and maintained by the Commonwealth and provided to a member for his or her exclusive use, including the member’s private use, for the duration of the member’s period of duty at an overseas post;

“overseas” means outside Australia;

“overseas post” means any office or other establishment of the Commonwealth, including a mission in a country overseas, or any appointment, station or place in a country overseas, in which, or at which, a member is required by the Commonwealth to serve for any purpose.

### **Interpretation**

3. In this Determination, unless the contrary intention appears—

- (a) a reference to a Determination is a reference to a Determination made under section 58B of the *Defence Act 1903*; and
- (b) the expression “rotary engine” has the same meaning as in Determination 3732, Overseas Vehicle Allowance.

4. For the purposes of this Determination—

- (a) where a member is serving in an overseas locality, other than an overseas locality referred to in paragraph (b), but there are no rates

specified in the Schedule appropriate to that locality the approving authority may, having regard to—

- (i) the overseas country, and the locality within that country, in which the member is serving;
- (ii) the proximity of that locality to adjacent overseas posts; and
- (iii) the costs incurred by the member in the overseas locality and the corresponding costs in the locality of adjacent overseas posts,

deem that overseas locality to be a locality to which the rates appropriate to a specified overseas post shall apply; and

- (b) a member who is serving in a state, district, city or locality which is specified in column 1 of the following table and which is situated in the country specified in column 2 opposite to that state, district, city or locality, shall be deemed to be serving at the overseas post in that country, specified in column 3 of that table opposite to that state, district, city or locality:

Column 1	Column 2	Column 3
Gagetown, Borden, Kingston or Nova Scotia	Canada	Ottawa
Montreal	Canada	Toronto
Juanda, Jogjakarta, Malang or Surabaya	Indonesia	Bali
Bandung or Bogor	Indonesia	Jakarta
Johore Baharu	Malaysia	Butterworth
Seremban or Port Dickson	Malaysia	Kuala Lumpur
Stans	Switzerland	Berne
Virginia, Maryland, District of Columbia, Delaware, West Virginia, Georgia, North Carolina, South Carolina, Florida, Alabama, Mississippi, Louisiana, Arkansas, Kentucky or Tennessee	United States of America	Washington (DC)
Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey or Pennsylvania	United States of America	New York
Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan or Ohio	United States of America	Chicago
California (north of 36th parallel), Washington, Oregon, Montana, Idaho, Wyoming, Nevada, Utah, Colorado, North Dakota, South Dakota, Nebraska or Kansas	United States of America	San Francisco
California (south of 36th parallel)	United States of America	Los Angeles
Arizona, New Mexico, Texas or Oklahoma	United States of America	Houston
Hawaii	United States of America	Honolulu

5. Where there is no date specified in column 5 of Schedule 1 or 2 opposite an item, the date appropriate to that item shall be deemed to be the date on which this Determination is made.

6. Where a date is shown in Schedule 1 or 2 as a combination of 3 numbers, separated by hyphens, the first such number shall be taken to be a day of a month, the second such number shall be taken to be a month in a year, taking the months of the year as being numbered in sequence commencing with January as the first month, and the third such number shall be taken to be the year of the twentieth century which has the third number as its last 2 digits.

7. For the purposes of this Determination, the rates specified in column 3 or 4 of Schedules 1 and 2 shall apply in relation to the use of a motor vehicle or the provision of official transport from and including the date specified in column 5 of whichever Schedule is appropriate opposite to those rates.

#### **Approving Authorities**

8. The approving authority for the purpose of paragraph 4 (a) shall be the person from time to time holding or performing the duties of an office or appointment in the Industrial Division of the Department of Defence titled—

- (a) First Assistant Secretary, Industrial Division;
- (b) Director General Service Conditions Branch; or
- (c) Director Conditions of Service (A).

#### **Overseas Vehicle Contribution**

9. Where a member who is serving on intermediate or long term duty at an overseas post is provided with a motor vehicle by the Commonwealth for his or her private use, other than an official motor vehicle, he or she shall pay to the Commonwealth an amount, called "Overseas Vehicle Contribution", in respect of each kilometre that the member so uses that motor vehicle, calculated at the rate specified in—

- (a) where the motor vehicle has an engine capacity of 1500 cubic centimetres or more—column 3; or
- (b) where the motor vehicle has an engine capacity of less than 1500 cubic centimetres—column 4,

of Schedule 1 opposite to the country in which the member is serving and, if applicable, the locality or description of the member's service in that country.

10. Where a member who is serving on intermediate or long term duty at an overseas post is provided with official transport by the Commonwealth—

- (a) to transport the member to or from work; or
- (b) to transport the member's child or children to or from school,

the member shall pay to the Commonwealth an amount, called "Overseas Vehicle Contribution", calculated at the rate—

- (c) in the case of the transport referred to in paragraph (a)—per month specified in column 3; or
- (d) in the case of the transport referred to in paragraph (b)—per annum specified in column 4,

of Schedule 2 opposite to the country in which the member is serving and, if applicable, the locality or description of the member's service in that country.

11. Where a member to whom clause 9 applies is provided with a motor vehicle which has a rotary engine, a reference in clause 9 and Schedule 1 to

"1500 cubic centimetres" shall, in respect of that member, be read as a reference to "750 cubic centimetres".

12. Nothing in clause 9 or 10 shall prejudice the right of the Commonwealth to recover by other means the amount of Overseas Vehicle Contribution due by the member to the Commonwealth under this Determination.

**Application**

13. This Determination shall apply in relation to service by a member on and after—

(a) the day on which the member becomes entitled to an allowance under Determination 3714, Overseas Living Allowance; or

(b) 3 November 1988,  
whichever is the earlier.

**NOTE**

1. Previous amendments to Determination 3733, Overseas Vehicle Contribution: Nil.

**SCHEDULE 1**

Clause 9

**RATES OF OVERSEAS VEHICLE CONTRIBUTION**

Column 1 Country of posting and, if applicable, locality or description of service	Column 2 Currency	Column 3 Engine capacity of motor vehicle of 1500 cubic centimetres or more—rate per kilometre	Column 4 Engine capacity of motor vehicle of less than 1500 cubic centimetres—rate per kilometre	Column 5 Date of effect
Britain	Pound	0.208	0.156	
Canada— Ottawa	Dollar	0.309	0.239	
Canada— Toronto	Dollar	0.309	0.239	
China— Beijing	Yuan	0.456	0.332	
Egypt	Pound	0.064	0.055	
Fiji	Dollar	0.133	0.108	
France	Franc	2.991	2.216	
Germany— Federal Republic of	Deutschmark	0.911	0.687	
Hong Kong	Dollar	2.786	1.955	
India— New Delhi	Rupee	2.911	2.119	
Indonesia— Bali	Rupiah	136.422	108.792	
Indonesia— Jakarta	Rupiah	141.207	113.888	
Israel	Shekel	0.218	0.176	
Italy— Rome	Lire	421.797	314.402	
Japan— Tokyo	Yen	89.899	65.199	
Korea	Won	192.119	133.190	

## Determination 3733, Overseas Vehicle

Contribution 1986 No. 85

## SCHEDULE 1—continued

Column 1	Column 2	Column 3	Column 4	Column 5
Country of posting and, if applicable, locality or description of service	Currency	Engine capacity of motor vehicle of 1500 cubic centimetres or more—rate per kilometre	Engine capacity of motor vehicle of less than 1500 cubic centimetres—rate per kilometre	Date of effect
Malaysia—				
Butterworth	Dollar	0.507	0.356	
Malaysia—				
Kuala Lumpur	Dollar	0.445	0.319	
Netherlands, The	Guilder	1.004	0.748	
New Zealand	Dollar	0.170	0.131	
Pakistan	Rupee	1.616	1.233	
Papua New Guinea	Kina	0.366	0.254	
Philippines	Peso	2.609	1.836	
Singapore	Dollar	0.498	0.355	
Solomon Islands	Dollar	0.127	0.097	
Sweden	Kroner	1.158	0.947	
Switzerland—				
Berne	Franc	1.175	0.868	
Syria	Pound	0.712	0.495	
Thailand	Baht	4.614	3.273	
Tonga	Pa'ang	0.129	0.096	
United States of America—				
Chicago	Dollar	0.457	0.337	
United States of America—				
Honolulu	Dollar	0.307	0.235	
United States of America—				
Houston	Dollar	0.402	0.305	
United States of America—				
Los Angeles	Dollar	0.452	0.338	
United States of America—				
New York	Dollar	0.415	0.304	
United States of America—				
San Francisco	Dollar	0.412	0.299	
United States of America—				
Serving with the United Nations	Dollar	0.415	0.304	
United States of America—				
Washington	Dollar	0.420	0.318	
Vanuatu	Vatu	16.553	12.281	
Western Samoa	Tala	0.179	0.135	

## SCHEDULE 2

Clause 10

## RATES OF OVERSEAS VEHICLE CONTRIBUTION

Column 1	Column 2	Column 3	Column 4	Column 5
Country of posting and, if applicable, locality or description of service	Currency	Rate per month	Rate per annum	Date of effect
Britain	Pound	46	170	
Canada—				
Ottawa	Dollar	68	251	
Canada—				
Toronto	Dollar	61	225	
China—				
Beijing	Yuan	80	295	
Egypt	Pound	21	77	
Fiji	Dollar	29	107	
France	Franc	404	1,488	
Germany—				
Federal Republic of	Deutschmark	339	1,249	

*Determination 3733, Overseas Vehicle  
Contribution 1986 No. 85*

7

**SCHEDULE 2—continued**

Column 1 Country of posting and, if applicable, locality or description of service	Column 2 Currency	Column 3 Rate per month	Column 4 Rate per annum	Column 5 Date of effect
Hong Kong	Dollar	194	715	
India—				
New Delhi	Rupee	305	1,124	
Indonesia—				
Bali	Rupiah	30,970	114,100	
Indonesia—				
Jakarta	Rupiah	30,970	114,100	
Israel	Shekel	77	284	
Italy—				
Rome	Lire	38,010	140,037	
Japan—				
Tokyo	Yen	22,797	83,989	
Korea	Won	23,712	87,360	
Malaysia—				
Butterworth	Dollar	67	247	
Malaysia—				
Kuala Lumpur	Dollar	67	247	
Netherlands, The	Guilder	411	1,514	
New Zealand	Dollar	71	262	
Pakistan	Rupee	415	1,529	
Papua New Guinea	Kina	26	96	
Philippines	Peso	477	1,757	
Singapore	Dollar	61	225	
Solomon Islands	Dollar	42	155	
Sweden	Kroner	1,317	4,852	
Switzerland—				
Berne	Franc	129	475	
Syria	Pound	99	365	
Thailand	Baht	691	2,546	
Tonga	Pa'ang	38	140	
United States of America—				
Chicago	Dollar	67	247	
United States of America—				
Honolulu	Dollar	44	162	
United States of America—				
Houston	Dollar	41	151	
United States of America—				
Los Angeles	Dollar	70	258	
United States of America—				
New York	Dollar	67	247	
United States of America—				
San Francisco	Dollar	111	409	
United States of America—				
Serving with the United Nations	Dollar	67	247	
United States of America—				
Washington	Dollar	119	438	
Vanuatu	Vatu	2,790	10,279	
Western Samoa	Tala	56	206	

EXPLANATORY STATEMENT

DETERMINATION NO. 85 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.

The Public Service Board has recently introduced a revised and restructured package of overseas allowances and conditions to apply to officers of the Australian Public Service (APS) serving overseas. This package included phase in provisions where a member who left Australia prior to 1 July 1986 on posting would otherwise suffer a decrease below a predetermined amount. This determination is one of 8 determinations which flow on the revised package to members of the Defence Force.

A member of the Defence Force who is serving on duty overseas for more than 6 months and who is provided with a motor vehicle by the Commonwealth for his or her private use, or with official transport to and from work or for the transport of his or her children to and from school, is required to contribute a specified amount or amounts for the use of that motor vehicle or official transport. Determination 3733, Overseas Vehicle Contribution, provides primarily in clauses 9 and 10, and in Schedules 1 and 2, for the appropriate contribution to be paid by the member to the Commonwealth.

The determination applies to a member on and from the day on which the member becomes entitled to the new overseas package, but no later than 3 November 1988.