



Determination No. 92 of 1986

Determination under Section 58B of the Defence Act 1903

I, KIM CHRISTIAN BEAZLEY, the Minister of State for Defence, hereby make the following Determination under section 58B of the *Defence Act 1903*.

Dated 28 November 1986.

KIM C. BEAZLEY
Minister of State for Defence

Citation

1. This Determination may be cited as Determination 0214, Expense of Office Allowance.¹

Definitions

2. In this Determination, unless the contrary intention appears—
“member” means a member who holds the rank of Commodore, Rear Admiral, Brigadier, Major General, Air Commodore or Air Vice Marshal and who is rendering continuous full-time service;
“overseas” means outside Australia.

Interpretation

3. In this Determination, unless the contrary intention appears—
(a) a reference to a Determination shall be read as a reference to a Determination made under section 58B of the *Defence Act 1903*; and
(b) the corresponding ranks of members shall be ascertained by reference to Defence Force Regulation 8.
4. For the purposes of this Determination a member who is entitled to Higher Duties Allowance under Determination 0104, Higher Duties Allowance, in respect of a period during which the member performs the duties of a higher rank or higher corresponding rank, shall be deemed to hold the higher rank or higher corresponding rank for that period.

Expense of Office Allowance

5. Subject to clause 10, an allowance called "Expense of Office Allowance" is payable to a member who holds the rank of—

- (a) Commodore, Brigadier or Air Commodore—at the rate of \$929 per year; and
- (b) Rear Admiral, Major General or Air Vice Marshal—at the rate of \$1545 per year.

Allowance to be Payable Fortnightly

6. Expense of Office Allowance payable to a member under this Determination accrues due from day to day and is payable fortnightly.

Calculation of Fortnightly and Daily Amounts

7. Subject to clause 9, the amount of Expense of Office Allowance payable to a member in respect of a fortnight shall be calculated in accordance with the formula—

$$\frac{14 \times A}{365}$$

where A is the rate per year of Expense of Office Allowance payable to the member.

8. Subject to clause 9, the amount of Expense of Office Allowance payable to a member in respect of a period of less than a fortnight shall be calculated in accordance with the formula—

$$\frac{F \times X}{14}$$

where—

F is the amount of Expense of Office Allowance payable to a member in respect of a fortnight ascertained in accordance with the formula specified in clause 7; and

X is the number of days in the period.

9. Where an amount calculated in accordance with clause 7 or 8 includes a fraction of a cent, that fraction of a cent shall—

- (a) if the fraction is one-half or greater—be deemed to be a whole cent; or
- (b) if the fraction is less than one-half—be disregarded.

Allowance not Payable

10. Expense of Office Allowance is not payable to a member—

- (a) in respect of any period during which the member is not entitled to be paid salary under Determination 0101, Salary of Permanent Force Members;

- (b) where—
- (i) the member is absent on leave for a period, other than recreation leave granted to the member under Determination 2601, Recreation Leave;
 - (ii) the member is entitled to salary under Determination 0101, Salary of Permanent Force Members, in respect of that period of absence; and
 - (iii) that period of absence exceeds 4 weeks, in respect of any part of that period of absence which exceeds 4 weeks; or
- (c) in respect of any period during which the member is serving on duty overseas for a period which is intended by the appropriate authority within the arm of the Defence Force to which the member belongs to be more than 6 months.

Application

11. This Determination shall apply in relation to service by a member from and including 27 November 1986.

NOTE

1. Previous amendments to Determination 0214, Expense of Office Allowance: NIL.

EXPLANATORY STATEMENT

DETERMINATION NO. 92 OF 1986

ISSUED BY THE AUTHORITY OF THE MINISTER FOR DEFENCE

UNDER SECTION 58B OF THE DEFENCE ACT 1903

Determination 0214, Expense of Office Allowance, provides for the payment of an allowance to senior officers of the Defence Force to compensate them for incidental expenses which they incur as a consequence of their duties.

Clause 5 of this determination specifies the annual rates of allowance payable to members according to their ranks. Clauses 6 to 9 provide for payment of the allowance to be made fortnightly, and specify the amount to be paid for a fortnight or part of a fortnight. Clause 10 of this determination specifies certain periods during which the allowance is not payable to a member.

Clause 11 provides for this determination to take effect from 27 November 1986.