



Determination No. 49 of 1987

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 11 June 1987.

KIM C. BEAZLEY
Minister of State for Defence

Reserve Allowance

Determination 0194, Reserve Allowance, is amended—

- (a) by omitting from clause 3 “and 4B” and substituting “, 4B and 4C”;
- (b) by omitting from clause 4B “Where” and substituting “Subject to clause 4C, where”;
- (c) by inserting after clause 4B the following clauses:

“4C. Where—

- (a) a member who was a member on 1 January 1987; or
- (b) a former member,

has undertaken a period of reserve service during the period from 1 July 1986 to 31 December 1986 inclusive (hereinafter referred to as the second-mentioned period) and the member or former member was entitled to an amount of pay under Determination 0199, Pay of Reserve Force Members, in respect of that reserve service, Reserve Allowance is payable to the member or former member but, where Reserve Allowance would otherwise be payable under

both this clause and clause 4B to a member or former member, Reserve Allowance shall not be payable to the member or former member under clause 4B.

"4D. For the purposes of clause 4C 'former member' means a former member—

- (a) who was a member on 1 January 1987;
- (b) whose reserve service was terminated during the period referred to in clause 4C as the second-mentioned period because of—
 - (i) medical unfitness;
 - (ii) forced retirement; or
 - (iii) death; or
- (c) who was discharged during the period referred to in clause 4C as the second-mentioned period upon the expiration of the period for which, on the member's original enlistment or subsequent re-engagement, he or she was engaged to serve";
- (d) by inserting in paragraphs 5 (a) and 5 (b) " , or, in the case of a member or former member to whom Reserve Allowance is payable under clause 4C, 31 December 1986" after, in each case, "paragraph 4B (a)"; and
- (e) by omitting from paragraphs 5 (a) and 5 (b) "or 4B" and substituting, in each case, " , 4B or 4C".

NOTE

1. Previous amendments to Determination 0194, Reserve Allowance: Nos. 47 and 112 of 1984; Nos. 11 and 18 of 1985; Nos. 73 and 100 of 1986.

EXPLANATORY STATEMENT

DETERMINATION NO. 49 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 0194, Reserve Allowance, provides for the payment of an annual allowance on the first day of each training year, in effect 1 July, to a member of the Reserve Forces in respect of reserve service performed during the preceding training year, subject to the completion of the minimum training obligation. The allowance is also payable to a former member who ceased to be a member for a specified reason during the preceding training year. The amount of Reserve Allowance is a percentage, 17% or 22% depending on years of service, of pay earned in the training year.

Members of the Reserve Forces ceased to be entitled to Reserve Allowance after 31 December 1986.

Determination No. 100 of 1986, made on 24 December 1986, amended Determination 0194 to permit payment of the allowance to a Reserve Force member who is still a member on 1 July 1987 and who has completed the minimum training obligation during the period 1 July 1986 to 30 June 1987 or to a former member who ceased to be a member during this period for a specified reason. The allowance is payable to such a member or former member on or after 1 July 1987 at a rate based on the established percentages of pay earned during the period 1 July 1986 to 31 December 1986 inclusive.

This determination further amends Determination 0194 to permit payment of the allowance in respect of the period 1 July 1986 to 31 December 1986 during the 1986/87 financial year and also provides more beneficial conditions for payment in that it removes the requirement to complete the minimum training obligation and brings forward the date on which a member is required to still be a member.

The date of effect is the date on which the determination is signed.