



Determination No. 7 of 1987

Determination under Section 58B of the Defence Act 1903¹ (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 2 February 1987.

JOHN BROWN

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

Temporary Rental Allowance

1. Determination 0503, Temporary Rental Allowance, is amended—
 - (a) by omitting from paragraph 6 (a) “sub-paragraph” and substituting “sub-paragraphs 12 (e) (i) and”;
 - (b) by inserting at the end of paragraph 6 (a) “or 7A, whichever is appropriate”;
 - (c) by omitting from paragraph 6 (c) “paragraph 12 (e)” and substituting “sub-paragraph 12 (e) (ii)”;
 - (d) by omitting from clause 7 “paragraphs 12 (d) and” and substituting “paragraph”;
 - (e) by omitting from clause 7 “sub-paragraph” and substituting “sub-paragraphs 12 (e) (i) and”;
 - (f) by inserting after clause 7 the following clause:

“7A. Each Chief of Staff may, either generally or otherwise as provided in the instrument of appointment, in writing and signed by the Chief of Staff, appoint—

- (a) an officer from time to time holding or performing the duties of an office or appointment in the Department of Defence at the level of Director General to be an approving authority for the purposes of sub-paragraph 12 (d) (i); and

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- (b) one officer only who holds the rank of—
 - (i) in the case of an appointment by the Chief of Naval Staff—Commodore in the Navy;
 - (ii) in the case of an appointment by the Chief of the General Staff—Brigadier in the Army; and
 - (iii) in the case of an appointment by the Chief of the Air Staff—Air Commodore in the Air Force,
 to be an approving authority for the purposes of sub-paragraph 12 (d) (ii).”;
- (g) by omitting from clause 12 all words after “the approving authority may increase the rental ceiling” and substituting “referred to in paragraph (b) of A in the formula in clause 9—
 - (d) in respect of a member who is renting a dwelling in Sydney—
 - (i) by an amount not exceeding 20% of the rental ceiling specified in Schedule 2 of this Determination; or
 - (ii) by an amount not exceeding 15% of the rental ceiling specified in Schedule 2 of this Determination; and
 - (e) in respect of any other member—
 - (i) by an amount not exceeding \$10 per week; or
 - (ii) where \$10 is insufficient—by an amount that does not exceed the actual rental paid by the member.”; and
- (h) by omitting from paragraph 14 (e) “paragraph 12 (e)” and substituting “paragraph 12 (d) or sub-paragraph 12 (e) (ii)”.

Application

2. This Determination shall apply in relation to an application to increase a rental ceiling which is—

- (a) made to the approving authority appointed in accordance with paragraph 1 (f) of this Determination;
- (b) received by that approving authority on or after 23 December 1986; and
- (c) in respect of a period that begins on or after 1 July 1986.

NOTE

1. Previous amendments to Determination 0503, Temporary Rental Allowance: Nos. 91 and 112 of 1984; Nos. 19, 20, 40, 43, 56 and 78 of 1985; Nos. 10, 23, 61, 70, 89 and 95 of 1986.

EXPLANATORY STATEMENT

DETERMINATION NO. 7 OF 1987

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 0503, Temporary Rental Allowance, provides for payment of an allowance to a member of the Defence Force who needs to rent accommodation for his or her family because a married quarter is not available. The rate of allowance is based on the difference between the weekly rental paid by the member (up to a specified rental ceiling applicable to the member) and a contribution by the member according to his or her rank group. In certain circumstances the determination permits an approving authority to increase the rental ceiling applicable to a member.

Clause 1 of this determination amends Determination 0503 by providing an approving authority the power to increase the prescribed rental ceiling for houses in the Sydney area by:

- a. 20% in respect of an approval by a Director General in the Department of Defence; or
- b. 15% in respect of an approval by an officer of the rank of Brigadier or an equivalent rank in the Sydney area.

This determination applies in relation to an application to increase a rental ceiling in the Sydney area which is:

- a. received by the approving authority on or after 23 December 1986; and
- b. in respect of a period that begins on or after 1 July 1986.