



Determination No. 89 of 1987

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

I, RALPH WILLIS, the Minister of State for Industrial Relations, hereby make the following Determination under section 58B of the *Defence Act 1903*.

Dated 20 December 1987.

RALPH WILLIS
Minister of State for Industrial Relations

Citation

1. This Determination may be cited as Determination 0309, Tindal Allowance¹.

Definitions

2. In this Determination—

“Determination 0301” means Determination 0301, District Allowance, made under section 58B of the *Defence Act 1903*;

“member” means a member rendering continuous full-time service.

Tindal Allowance

3. A member who—

(a) is posted for service at the Royal Australian Air Force Base construction project, Tindal; and

(b) would, but for this determination, be entitled to an allowance under Determination 0301 in respect of his or her service at Tindal,

shall be paid a Tindal Allowance at an annual rate specified in clause 4 in respect of each day that an allowance under Determination 0301 would, but for this determination, have been payable to the member.

Rate of Allowance

4. The rate at which Tindal Allowance is payable to a member to whom—

- (a) clause 6 of Determination 0301 would otherwise apply—is \$4,900 per annum; or
- (b) clause 7 or 8 of Determination 0301 would otherwise apply—is \$3,000 per annum.

Allowance to be Payable Fortnightly

5. Tindal Allowance payable to a member under this Determination accrues due from day to day and is payable fortnightly.

6. Subject to clause 8, the amount of Tindal 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 of Tindal Allowance payable to the member.

7. Subject to clause 8, the amount of Tindal 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 Tindal Allowance payable to the member in respect of a fortnight ascertained in accordance with the formula specified in clause 6; and

X is the number of days in the period.

8. Where an amount calculated in accordance with clause 6 or 7 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.

Application

9. This Determination shall apply in respect of service by a member on a day, or days, during the period from and including the day on which this Determination is made to and including 1 October 1988.

Transitional

10. Where a member would have been entitled to the payment of an amount of Tindal Allowance on a day or days during the period from and including 22 November 1985 to and including the day prior to the day on which this Determination is made had this Determination been in force on

that day or those days, the member shall be paid an amount of Tindal Allowance in respect of that day or those days equal to the amount calculated in accordance with the formula—

$$A - B$$

where—

A is the amount of Tindal Allowance that would have been payable to the member in respect of that day or those days; and

B is the amount of District Allowance payable to the member under Determination 0301 in respect of that day or those days.

NOTE

1. Previous amendments to Determination 0309, Tindal Allowance: Nil.

EXPLANATORY STATEMENT

DETERMINATION NO. 89 OF 1987

ISSUED BY THE AUTHORITY OF THE MINISTER FOR INDUSTRIAL RELATIONS
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 0309, Tindal Allowance, provides for payment of an allowance to members of the Defence Force serving on the Royal Australian Air Force Base, Tindal to compensate for the disabilities associated with working on the base during its construction. This allowance is payable in lieu of the allowance that would otherwise be payable under Determination 0301, District Allowance.

Clause 3 of this determination specifies the conditions for payment of the allowance; clause 4 specifies the rate of allowance payable; and clauses 5 to 8 specify the method of calculating fortnightly and daily payments of the allowance.

Clause 9 provides that the allowance be payable from the date of signature of the determination to and including 1 October 1988.

Clause 10, however, provides for payment of the difference between the rate of Tindal Allowance that would have been payable to a member and the rate of District Allowance that was payable to the member for a transitional period from and including 22 November 1985 (the date the first Defence Force member took up residence at Tindal) to and including the day prior to the making of this determination.