



Determination No. 6 of 1988

**Determination under Section 58B of the
Defence Act 1903¹ (Amendment)**

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

Dated 17 February 1988.

RALPH WILLIS

Minister of State for Industrial Relations

Travelling Allowance

1. Schedule 1 to Determination 3601, Travelling Allowance, is amended by inserting the following entry after the entry relating to Turkey:

"Union of Soviet Socialist Republics	Rouble B	22.40	24.35
	Rouble C	9.00	9.90"

Overseas Living Allowance

2. Determination 3714, Overseas Living Allowance, is amended—

(a) by omitting clause 25 and substituting the following clause:

"25. A member to whom this Determination applies who is absent overnight from—

(a) his or her normal place of duty on temporary duty; or

(b) duty due to illness, injury or hospitalization,

shall continue to be paid Overseas Living Allowance—

(c) where the member remains in the locality of the overseas post in which he or she normally serves on duty—for the period of that absence;

(d) where—

(i) the member is accompanied by his or her family in the locality of the overseas post in which he or she normally serves on duty;

- (ii) the member leaves the locality of the overseas post but does not travel to Australia; and
- (iii) a member of the member's family remains in the locality of the overseas post,
 for the period of that absence;
- (e) where—
 - (i) the member is accompanied by his or her family in the locality of the overseas post in which he or she normally serves on duty;
 - (ii) the member leaves the locality of the overseas post but does not travel to Australia; and
 - (iii) all members of the member's family leave the locality of the overseas post,
 and the period of that absence is—
 - (iv) 28 days or less—for the period of that absence; or
 - (v) more than 28 days—for any period that a member of the member's family is in the locality of the overseas post plus the first 28 consecutive days of the period during which the member and all members of his or her family are absent from the overseas post;
- (f) where the member—
 - (i) is not accompanied by his or her family in the locality of the overseas post in which he or she normally serves on duty; and
 - (ii) leaves the locality of the overseas post but does not travel to Australia,
 and the period of that absence is—
 - (iii) 28 days or less—for the period of that absence; or
 - (iv) more than 28 days—for the first 28 consecutive days of that period of absence; or
- (g) where—
 - (i) the member is accompanied by his or her family in the locality of the overseas post in which he or she normally serves on duty; and
 - (ii) the member leaves the locality of the overseas post and travels to Australia,
 for the period that a member of the member's family is in the locality of the overseas post.”;
- (b) by omitting clause 28 and substituting the following clause:
 - “28. Subject to clause 29, a member to whom this Determination applies who—
 - (a) is absent from his or her normal place of duty on temporary duty, or is absent from duty due to illness, injury or hospitalization; and
 - (b) leaves the locality of the overseas post in which he or she is serving on duty,

shall, where the approving authority so approves in respect of so much of the period of that absence, if any, that Overseas Living Allowance is not payable under the provisions of clause 25, be paid Overseas Living Allowance of an amount equal to the sum of—

- (c) the lesser of the costs, if any, which the member incurs for domestic assistance and gardening assistance or the sum of—
 - (i) the amount provided for such assistance in the calculation of the rate of Overseas Living Allowance that was payable to the member under this Determination;
 - (ii) if applicable, the amount provided for such assistance in the calculation of the rate of Child Supplement that was payable to the member under Determination 3724, Child Supplement; and
 - (iii) the amount, if any, that was payable to the member in respect of such assistance under Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas; and
 - (d) the costs, if any, which the member incurs for telephone rental and security guards.”;
- (c) by omitting from paragraph 29 (a) “28 (h) or 28 (j)” and substituting “28 (c) or 28 (d)”;
 - (d) by omitting from paragraph 29 (b) “28 (h)” and substituting “28 (c)”;
 - (e) by omitting clause 31;
 - (f) by omitting clause 36 and substituting the following clause:

“36. Subject to clauses 25, 32, 34, 44 and 45, where a member is entitled to payment of Overseas Living Allowance under this Determination the allowance—

 - (a) is payable in the case of arrival in the locality of his or her overseas post at the commencement of the member’s service at that overseas post—on and from the day on which the member arrives in the locality of the overseas post; and
 - (b) ceases to be payable in the case of departure by the member from the locality of the overseas post at the conclusion of his or her service at that overseas post—on and from the day immediately following the day on which the member departs the locality of the overseas post.”;
 - (g) by omitting clauses 37 and 38;
 - (h) by omitting “or” from the end of paragraph 45 (c);
 - (i) by omitting from sub-paragraph 45 (d) (iii) “purposes,” and substituting “purposes; or”;

- (j) by inserting after paragraph 45 (d) the following paragraph:
“(e) is not entitled to be paid salary under Determination 0101, Salary of Permanent Force Members, for a period.”

Reunion Supplement

3. Determination 3723, Reunion Supplement, is amended—

- (a) by omitting clause 18 and substituting the following clause:

“18. Subject to clauses 11 and 15 where a member is entitled to payment of Reunion Supplement under this Determination in respect of a child, the allowance—

- (a) is payable in the case of arrival in the locality of his or her overseas post at the commencement of the member's service at that overseas post—on and from the day on which the member arrives in the locality of the overseas post; and
(b) ceases to be payable in the case of departure by the member from the locality of the overseas post at the conclusion of his or her service at that overseas post—on and from the day immediately following the day on which the member departs the locality of the overseas post.”;

- (b) by omitting clause 19;

- (c) by omitting “or” from the end of paragraph 26 (c);

- (d) by omitting from sub-paragraph 26 (d) (iii) “purposes,” and substituting “purposes; or”; and

- (e) by inserting after paragraph 26 (d) the following paragraph:

“(e) is not entitled to be paid salary under Determination 0101, Salary of Permanent Force Members, for a period.”

Child Supplement

4. Determination 3724, Child Supplement, is amended—

- (a) by omitting from paragraph 12 (a) all words and sub-paragraphs after “ending on” and substituting “the day on which the child arrives in Australia; or”;

- (b) by omitting clause 25 and substituting the following clause:

“25. Subject to the clauses 12, 15, 16, 32 and 33, where a member is entitled to payment of Child Supplement under this Determination in respect of a child, the allowance—

- (a) is payable on and from the day on which the child arrives in the locality of the member's overseas post; and
(b) ceases to be payable on and from the day immediately following the day on which the child departs the locality of the member's overseas post.”;

- (c) by omitting clause 26;
- (d) by omitting from clause 28 "repect" and substituting "respect";
- (e) by omitting "or" from the end of paragraph 33 (c);
- (f) by omitting from sub-paragraph 33 (d) (iii) "purposes," and substituting "purposes; or"; and
- (g) by inserting after paragraph 33 (d) the following paragraph:
 - "(e) is not entitled to be paid salary under Determination 0101, Salary of Permanent Force Members, for a period,".

Medical and Hospital Expenses of a Member's Family Overseas

5. Determination 3737, Medical and Hospital Expenses of a Member's Family Overseas, is amended—

- (a) by omitting from paragraph 7 (a) " , 3 (d) (x) and 9 (c) (iii)" and substituting "and 3 (d) (x)";
- (b) by omitting from paragraph 7 (b) " , 3 (d) (xiii) and 9 (c) (i)" and substituting "and 3 (d) (xiii)";
- (c) by omitting from paragraph 9 (b) "8 (f) (iii)" and substituting "8 (e) (iii)";
- (d) by inserting after clause 9 the following clauses:

"9A. Subject to clause 20, where a member who is serving overseas on long term duty in Honolulu with extensive responsibilities in Micronesia or in a country specified in the following table incurs expenses in the locality of the member's overseas posting in respect of—

- (a) annual medical examinations;
- (b) annual X-rays; or
- (c) any necessary preventative inoculations and vaccinations at the prescribed intervals authorized by a qualified medical practitioner,

for a family member or a household servant, the member shall be entitled to payment of an amount in respect of those expenses in accordance with clause 15A.

Listed Countries

Algeria	Malta
Austria	Mauritius
Bahrain	Mexico
Bangladesh	Nauru
Brunei	Nepal
Burma	New Caledonia
Chile	Nigeria
China	Pakistan
Egypt	Papua New Guinea
Fiji	Peru
France	Philippines
Germany, Federal Republic of	Poland
Ghana	Portugal
Greece	Saudi Arabia
Hong Kong	Singapore
India	Solomon Islands
Indonesia	South Africa

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Listed Countries	
Iran	Spain
Iraq	Syria
Israel	Tanzania
Italy	Thailand
Jamaica	Tonga
Japan	Turkey
Jordan	United Arab Emirates
Kenya	Vanuatu
Kiribati	Venezuela
Korea	Vietnam
Kuwait	Western Samoa
Laos	Yugoslavia
Lebanon	Zambia
Malaysia	Zimbabwe

“9B. Where a member who is serving overseas on long term duty in Argentina incurs expenses in respect of—

(a) annual chest X-rays for a family member or a household servant; or

(b) medical examinations for a household servant when that servant is first employed by the member,

that member shall be entitled to payment of an amount in respect of those expenses in accordance with clause 15A.”; and

(e) by inserting after clause 15 the following clause:

“15A. A member to whom clause 9A or 9B, applies shall be paid an amount equal to the amount of expenses referred to in clause 9A or 9B, as the case may be, which he or she incurs.”.

Application

6. Determination 3601, Travelling Allowance, as amended by clause 1 of this Determination shall apply in relation to service by a member on or after 26 November 1987.

NOTE

1. For previous Determinations made in respect of a Determination specified in column 1 of the following table, *see* Determination Nos. specified in column 2 opposite to that Determination:

Column 1 Determination	Column 2 Previous Determinations
Determination 3601, Travelling Allowance	<i>See</i> Note 1 to No. 1 of 1987 and <i>see also</i> Nos. 1, 17, 18, 20, 42, 48, 50, 51, 56, 76, 77, 79, 82 and 92 of 1987; Nos. 3 and 5 of 1988
Determination 3714, Overseas Living Allowance	<i>See</i> Note 1 to No. 78 of 1987 and <i>see also</i> Nos. 78, 81, 82, 83 and 92 of 1987; Nos. 3 and 4 of 1988
Determination 3723, Reunion Supplement	<i>See</i> Note 1 to No. 78 of 1987 and <i>see also</i> Nos. 78, 81, 82 and 92 of 1987; Nos. 3 and 4 of 1988
Determination 3724, Child Supplement	<i>See</i> Note 1 to No. 78 of 1987 and <i>see also</i> Nos. 78, 81, 82, 83 and 92 of 1987; Nos. 3 and 4 of 1988
Determination 3737, Medical and Hospital Expenses of a Member's Family Overseas	No. 101 of 1984; Nos. 43 and 45 of 1985; Nos. 5 and 87 of 1986; Nos. 17, 20, 44 and 77 of 1987

EXPLANATORY STATEMENT

DETERMINATION NO. 6 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.

The following determinations provide for the payment of allowances to members of the Defence Force who are serving on duty overseas for a period of 6 months or more to reimburse costs incurred during periods of travel or to enable them to maintain a standard of living and medical treatment comparable with their standard in Australia by reimbursing the additional costs incurred because of that overseas service:

- a. Determination 3601, Travelling Allowance;
- b. Determination 3714, Overseas Living Allowance;
- c. Determination 3723, Reunion Supplement;
- d. Determination 3724, Child Supplement; and
- e. Determination 3737, Medical and Hospital Expenses of a Member's Family Overseas.

Clauses 1 and 6 of this determination amend Determination 3601, with effect from 26 November 1987, by introducing new rates of the allowance payable to members serving on short term duty in the USSR.

Paragraphs 2(a), 2(b) and 2(f) of this determination amend Determination 3714 by introducing revised provisions which specify when Overseas Living Allowance commences and ceases to be payable to a member -

- a. on arrival in the locality of the overseas post;

b. during temporary periods of absence from the overseas post; or

c. on departure from the locality of the overseas post.

Paragraphs 2(c), 2(d), 2(e) and 2(g) of this determination amend Determination 3714 as a consequence of the above changes, by making minor textual amendments and by omitting certain clauses which no longer apply in the Determination.

Paragraphs 2(h), 2(i) and 2(j) of this determination amend Determination 3714 by introducing a new provision which specifies that a member is not entitled to the payment of Overseas Living Allowance when he or she is not entitled to salary.

Paragraph 3(a) of this determination amends Determination 3723 by introducing revised provisions which specify when Reunion Supplement commences and ceases to be payable to a member on arrival at, and departure from, his or her overseas post.

Paragraph 3(b) of this determination amends Determination 3723 by omitting a certain clause which no longer applies as a consequence of the above changes.

Paragraphs 3(c), 3(d) and 3(e) of this determination amend Determination 3723 by introducing a new provision which specifies that a member is not entitled to the payment of Reunion Supplement when he or she is not entitled to salary.

Paragraphs 4(a) and 4(b) of this determination amend Determination 3724 by introducing revised provisions which specify when Child Supplement commences and ceases to be payable to a member in respect of his or her child's -

- a. arrival in the locality of the overseas post;
- b. temporary absence from the overseas post; or
- c. departure from the locality of the overseas post.

Paragraph 4(c) of this determination amends Determination 3724 by omitting a certain clause which no longer applies as a consequence of the above changes.

Paragraph 4(d) of this determination amends Determination 3724 by making a minor textual amendment to the Determination.

Paragraphs 4(e), 4(f) and 4(g) of this determination amend Determination 3724 by introducing a new provision which specifies that a member is not entitled to the payment of Child Supplement when he or she is not entitled to salary.

Paragraphs 5(a), 5(b) and 5(c) of this determination amend Determination 3737 by making minor textual amendments to the Determination.

Paragraphs 5(d) and 5(e) of this determination amend Determination 3737 by introducing new provisions which permit members to be reimbursed certain medical costs incurred because of their service in specified overseas countries.

The date of effect of the changes to Determinations 3714, 3723, 3724 and 3737 is the date of signature of this determination.