



Determination No. 69 of 1988

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

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

Dated 15 November 1988.

PETER MORRIS

Minister of State for Industrial Relations

Disturbance Allowance

1. Determination 0505, Disturbance Allowance, is amended -
 - (a) by inserting after the definition of "full-time student child" in clause 2 the following definition:

"living in", in relation to a member, means that the member is provided with Service accommodation by the Commonwealth, or is living out in a locality where Service accommodation is available and is not entitled to the payment of Living Out Allowance under Determination 0507, Living Out Allowance, and "live in" has a corresponding meaning;"
 - (b) by inserting after "in relation to a member" in the definition of "living out" in clause 2 "other than a member referred to in the definition of "living in";
 - (c) by omitting paragraph 7(b) and substituting the following paragraph:

"(b) a member without a family in respect of -

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- (i) a removal as a consequence of a posting to a new locality or upon the termination of the member's service; or
- (ii) a removal within a locality.";
- (d) by omitting "and" from the end of paragraph 8(d);
- (e) by omitting paragraph 8(e) and substituting the following paragraphs:
- "(e) a removal referred to in sub-paragraph 7(b)(i) - is the appropriate amount specified in Part II of the following table according to the type of accommodation being vacated and taken up; and
- (f) a removal referred to in sub-paragraph 7(b)(ii) - is the appropriate amount specified in Part III of the following table according to the type of accommodation being vacated and taken up.";
- (f) by omitting the table from clause 8 and substituting the following table:

PART I

	Amount payable
	\$
Member with family -	
Removal to new locality -	
First and second removal	510
Third and fourth removal	680
Fifth and sixth removal	850
Seventh and any subsequent removal	1,020
Removal within same locality	255
Relocation of full-time student child	95

PART II

	Amount payable
	\$
Member without family -	
Removal to new locality -	
From living out in a residence	
to living out in a residence	255
From living out in a residence	
to living in	130
From living in	
to living out in a residence	130

PART III

	Amount payable
	\$
Member without family -	
Removal within same locality -	
From living out in a residence	
to living out in a residence	130
From living out in a residence	
to living in	65
From living in	
to living out in a residence	65

(g) by omitting paragraph 24(a).

Application

2. Determination 0505, Disturbance Allowance, as amended by clause 1 of this Determination shall apply in relation to a removal undertaken by a member on or after 21 September 1988.

NOTE

1. Previous amendments to Determination 0505, Disturbance Allowance: No. 54 of 1984; Nos. 30 and 43 of 1985; Nos. 5, 19, 20 and 63 of 1987; Nos. 7, 11, 54 and 65 of 1988.

EXPLANATORY STATEMENT

DETERMINATION NO. 69 OF 1988

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 0505, Disturbance Allowance, provides for the payment of an allowance to assist a member of the Defence Force with unreimbursed costs associated with a removal at the time of a posting and the accelerated depreciation of furniture and effects caused by constant removals at Commonwealth expense.

This determination amends Determination 0505:

- a. by introducing a 4 tier allowance structure payable to a member with a family to provide increased rates for the removal of that member and his or her family depending on the number of prior removals; and
- b. by introducing provisions which provide for a broader allowance structure for single members when moving from accommodation in one locality to another locality or to other accommodation within the same locality.

Paragraphs 1(c), (e) and (f) provide for the new rates of the allowance and for the extended entitlement to the allowance for members without families by revising clauses 7 and 8 of Determination 0505. Paragraph 1(d) makes a consequential amendment.

Paragraphs 1(a) and (b) revise the definitions of "living in" and "living out" to describe the circumstances under which

members without families become entitled to various rates of the allowance, and to provide that a member who is living out without an entitlement to Living Out Allowance be treated for the purposes of this allowance as if he or she were living in.

Paragraph 1(g) omits the provisions of paragraph 24(a) of Determination 0505 which used to deny the allowance to a member who lived in Service accommodation or lived out but was not entitled to Living Out Allowance.

Clause 2 provides for these amendments to take effect from 21 September 1988.