



Determination No. 29 of 1989

**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 12 March 1989.

PETER MORRIS

Minister of State for Industrial Relations

Temporary Rental Allowance

Determination 0503, Temporary Rental Allowance, is amended -

- (a) by inserting in paragraph 6(a) and clause 7 "34A," after, in each case, "17H,";
- (b) by omitting from paragraph 17B(a) "rental ceiling applicable to" and substituting "weekly rent payable for that dwelling by";
- (c) by omitting from sub-paragraph 18(b)(ii) "rental for four weeks at the rental ceiling applicable to" and substituting "four times the weekly rent paid by";
- (d) by omitting from clause 33 "clause 34" and substituting "clauses 34 and 34A"; and
- (e) by inserting after clause 34 the following clauses:

"34A. Subject to clause 35, where a member ceases to permanently reside with his or her family due to an irretrievable breakdown in the relationship, payment of

TRA shall, where the approving authority so approves, continue for a period -

(a) of 28 days; or

(b) from the date on which the member or his or her spouse moves from a rented dwelling to the date on which the other spouse moves from the rented dwelling,

whichever is the shorter.

"34B. In giving an approval under clause 34A the approving authority shall have regard to -

(a) the composition of the member's family;

(b) where the member continues to reside in the dwelling in respect of which TRA was payable - the availability of alternative single accommodation for the member;

(c) where the member's spouse continues to reside in the dwelling in respect of which TRA was payable the intended living arrangements for the spouse; and

(d) the period required by the member or his or her spouse to rearrange their affairs and to organize alternative living arrangements."

NOTE

1. Previous amendments to Determination 0504, Temporary Rental Allowance: See Note 1 to No. 1 of 1988 and see also Nos. 1, 17, 36, 54 and 65 of 1988; No. 2 of 1989.

EXPLANATORY STATEMENT

DETERMINATION NO. 29 OF 1989

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 0503, Temporary Rental Allowance, provides for payment of an allowance to assist with rental costs where a member and family are moved at Commonwealth expense from one locality to another locality within Australia and they are obliged to rent accommodation at the new locality. The determination also entitles a member to receive an advance for bond money of four times the weekly rental ceiling applicable to the member.

Paragraphs 1(b) and 1(c) amend Determination 0503 to change, with effect from the date on which this determination is made, the entitlement for an advance of bond money to four times the actual weekly rent payable, and to allow for this change in the calculation of the correct entitlement when a forfeiture of bond occurs for reasons beyond the member's control.

Paragraph 1(e) of this determination amends Determination 0503, with effect from the date on which the determination is signed, to insert new clauses 34A and 34B which allow local approving authorities to approve the payment of Temporary Rental Allowance for a period of up to 28 days to an accompanied member where the member, or the spouse of the member, ceases to permanently reside in the rented accommodation due to an irretrievable breakdown in their relationship.

Paragraphs 1(a) and 1(d) make consequential amendments to other provisions of Determination 0503.