



Determination No. 5 of 1989

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

I, MICHAEL GRAHAM COGHLAN, Acting First Assistant Secretary, Co-ordination and Conditions Division, Department of Industrial Relations, pursuant to a delegation made by the Minister of State for Industrial Relations under Defence Force Regulation 72A, hereby make the following Determination under section 58B of the *Defence Act 1903*.

Dated 3 February 1989.

M. COGHLAN

Acting First Assistant Secretary
Co-ordination and Conditions Division
Department of Industrial Relations

Overseas Living Allowance

1. Schedule 2 to Determination 3714, Overseas Living Allowance, is amended as set out in the following table:

*Determination under Section 58B of the
Defence Act 1903 1989 No. 5*

Item Amendment

1. Omit the entry opposite to item 16 and substitute -

"France	71	1	2917	8288	11342	5-1-89".
		2	3152	8704	11841	
		3	3435	9204	12445	
		4	3726	9719	13065	
		5	4047	10288	13750	
		6	4390	10894	14483	
		7	4692	11429	15129	
		8	5048	12060	15890	
		9	5325	12549	16482	
		11	5903	13573	17725	
		12	6321	14313	18621	
		14	7226	15914	20563	
		15	7712	16775	21608	
		16	8200	17638	22651	

2. Omit the entry opposite to item 17 and substitute -

"France	72	1	4101	10173	13374	5-1-89".
		2	4413	10676	13966	
		3	4789	11282	14681	
		4	5175	11904	15415	
		5	5602	12593	16228	
		6	6057	13327	17096	
		7	6459	13975	17860	
		8	6932	14738	18762	
		9	7299	15329	19463	
		11	8068	16570	20934	
		12	8623	17464	21994	
		14	9824	19401	24292	
		15	10471	20445	25529	
		16	11118	21488	26766	

3. Omit the entry opposite to item 18 and substitute -

"France "	73	1	3735	9215	12373	5-1-89".
		2	4025	9693	12938	
		3	4375	10270	13621	
		4	4734	10861	14323	
		5	5131	11516	15100	
		6	5554	12214	15929	
		7	5928	12830	16660	
		8	6368	13555	17522	
		9	6709	14118	18192	
		11	7424	15297	19599	
		12	7939	16146	20612	
		14	9057	17989	22810	
		15	9658	18980	23991	
		16	10260	19973	25173	

Item Amendment

4. Omit the entry opposite to item 19 and substitute -

"France	82	1	4101	9598	12459	5-1-89".
		2	4413	10054	12979	
		3	4789	10602	13608	
		4	5175	11166	14253	
		5	5602	11789	14967	
		6	6057	12453	15731	
		7	6459	13040	16403	
		8	6932	13730	17196	
		9	7299	14266	17813	
		11	8068	15388	19107	
		12	8623	16198	20040	
		14	9824	17951	22062	
		15	10471	18896	23150	
		16	11118	19840	24238	

5. Omit the entry opposite to item 20 and substitute -

"France	83	1	3735	8653	11476	5-1-89".
		2	4025	9084	11971	
		3	4375	9604	12569	
		4	4734	10137	13184	
		5	5131	10728	13864	
		6	5554	11357	14590	
		7	5928	11913	15230	
		8	6368	12567	15985	
		9	6709	13074	16572	
		11	7424	14137	17805	
		12	7939	14903	18693	
		14	9057	16564	20618	
		15	9658	17458	21654	
		16	10260	18353	22689	

Reunion Supplement

2. The Schedule to Determination 3723, Reunion Supplement, is amended by omitting the entry opposite to item 7 and substituting -

"France	694	739	2-3-89".
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Child Supplement

3. The Schedule to Determination 3724, Child Supplement, is amended by omitting the entry opposite to item 7 and substituting -

"France	1259	330	1218	1231	2-3-89".
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Application

4. Notwithstanding the provisions of clause 1 where, in respect of a day during the period from and including the date of effect which is opposite to the member's country of posting shown in the table in clause 1 of this Determination to and including 1 March 1989 or the day before the pay period commencing on or after the date on which this Determination is made, whichever is the later, the amount of Overseas Living Allowance payable in accordance with Determination 3714, Overseas Living Allowance, made under section 58B of the *Defence Act 1903*, to which the member would be entitled if this Determination were to apply to the member is less than the amount to which the member would otherwise be entitled, Determination 3714, Overseas Living Allowance, as amended by this Determination, shall not apply to the member in respect of that day.

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	Column 2
Determination	Previous Determinations
Determination 3714, Overseas Living Allowance	See Note 1 to No. 1 of 1989 and see also Nos. 1, 3 and 4 of 1989
Determination 3723, Reunion Supplement	See Note 1 to No. 1 of 1989 and see also Nos. 1, 3 and 4 of 1989
Determination 3724, Child Supplement	See Note 1 to No. 1 of 1989 and see also Nos. 1, 3 and 4 of 1989

EXPLANATORY STATEMENT

DETERMINATION NO. 5 OF 1989

ISSUED BY THE AUTHORITY OF THE MINISTER FOR INDUSTRIAL RELATIONS

UNDER SECTION 58B OF THE DEFENCE ACT 1903

Sections 58B and 58E of the Defence Act 1903 allow the Minister or his delegate 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 to enable them to maintain a standard of living in an overseas country comparable to their standard in Australia by reimbursing the additional costs incurred because of that overseas service:

- a. Determination 3714, Overseas Living Allowance;
- b. Determination 3723, Reunion Supplement; and
- c. Determination 3724, Child Supplement.

Clause 1 of this determination amends Determination 3714 by changing, with effect from 5 January 1989, the rates payable to members serving in France.

Where the above changes result in a decrease to the rates of Overseas Living Allowance that would otherwise be payable to members prior to 2 March 1989 or the date of the first pay day after the day on which the determination is signed, whichever is the later, clause 4 of this determination provides that the decreased rates shall not apply to such members until that date.

Clauses 2 and 3 of this determination amend Determination 3723 and 3724 respectively, by decreasing, with effect from 2 March 1989, the rates payable to members serving in France.