



**DETERMINATION NO. 119 OF 1990**

**DETERMINATION UNDER SECTION 58B OF THE DEFENCE ACT 1903**

I, RUTH ALISON CAMPBELL, First Assistant Secretary, Remuneration 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 21 September 1990

**R.A. Campbell**

First Assistant Secretary  
Remuneration and Conditions Division  
Department of Industrial Relations

**Citation**

1. This determination may be cited as Overseas Defence Determination 1990/119.

**Commencement**

2. This determination is to be taken to have commenced immediately before Overseas Defence Determination 1990/111 came into operation.

**Revised rates of allowances**

3. Overseas Defence Determination 1990/111 is amended by omitting clause 3 and substituting the following clause -

"3.1 Determination 3714, Overseas Living Allowance, as in force is amended by omitting Schedule 2 and substituting the Schedule set out in Part 1 of Attachment 1.

"3.2 Determination 3723, Reunion Supplement, as in force is amended by omitting the Schedule and substituting the Schedule set out in Part 1 of Attachment 2.

"3.3 Determination 3724, Child Supplement, as in force is amended by omitting the Schedule and substituting the Schedule set out in Part 1 of Attachment 3."

EXPLANATORY MEMORANDUM

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Defence Act 1903

Overseas Defence Determination 1990/91 which was made on 7 June 1990 replaced the schedules of rates of allowance in the following Principal Determinations -

- 3714 - Overseas Living Allowance
- 3723 - Reunion Supplement
- 3724 - Child Supplement

Several items were included in the Schedules out of sequence and one item number was duplicated as the result of change in computer processing arrangements. Determination 1990/91 was effective as the item numbers are included only as a reference and are not relied upon to specify the entitlement of members.

Overseas Defence Determination 1990/111 made on 24 July 1990 made further amendments to the schedules in the Principal Determinations by -

- . omitting and substituting items without correcting the order of items;
- . omitting and substituting the item with the duplicated reference number without express provision to deal with the duplication; and
- . inserting new items without express reference to it doing so.

The schedules of Overseas Defence Determination 1990/111 were, in fact, prepared on the basis that they would be complete replacements for the schedules of the Principal Determinations. Clause 3 of this determination, however, did not make the amendment in this manner and the effect of the amendment is accordingly uncertain in some respects.

Overseas Defence Determination 1990/119 amends clause 3 of Overseas Defence Determination 1990/111 to give effect to the intention that the schedules of rates of allowance in the Principal Determinations be replaced by the schedules set out in the attachments to the Overseas Defence Determination 1990/111. The schedules attached to this latter determination set out the entries (including the new entries) in the correct order without duplication of item number.

The amendments made by Overseas Defence Determination 1990/119 come into operation immediately before Overseas Defence Determination 1990/111 commences so that the amendments made by the latter determination have their intended effect.

Authority: Section 58B of the  
Defence Act 1903