



Determination No. 129 of 1990

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**Determination under Section 58B of the Defence Act 1903**

I, PETER FRANCIS SALMON COOK, the Minister of State for Industrial Relations, hereby make the following Determination under section 58B of the Defence Act 1903.

Dated 28 August 1990

PETER COOK

Minister of State for Industrial Relations

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**Citation**

1. This determination may be cited as Determination 3989, Gulf Allowance.

**Definitions**

2. In this determination -

"operational area" means the area which has been declared to be the operational area by the Chief of the Defence Force; and

"sea-going ship" has the same meaning as in Determination No. 1 of 1988 made by the Defence Force Remuneration Tribunal under section 58H of the Defence Act 1903.

**Gulf Allowance**

3. A member who is on duty in the operational area shall be entitled to be paid Gulf Allowance at the rate of \$45 for each day, or part of a day, the member is on duty in the operational area.

#### **Member absent from operational area**

4(1) Where a member is on duty on a sea-going ship which temporarily leaves the operational area the member shall be entitled to be paid Gulf Allowance at the rate of \$30 for each day the member is absent from the operational area for a maximum period of 10 days.

(2) An allowance under sub-clause (1) shall not be payable for any day for which the member is entitled to be paid Gulf Allowance in accordance with clause 3.

#### **Allowance not payable**

5. For the purposes of other determinations, a member entitled to be paid Gulf Allowance in accordance with clause 3 shall not be taken, by reason only of being in the operational area, to be overseas for the period the member is so entitled.

#### **Transitional**

6. A member who was on duty in the operational area during the period commencing on 2 August 1990 and ending on the date of signature of this determination shall be entitled to be paid an allowance equal to the amount by which the amount of Gulf Allowance the member would have been entitled to be paid if this determination had been in force during the period exceeds the amount of Travelling Allowance in accordance with Determination 3601, Difficult Post Allowance, In Port Allowance, Settling In and Settling Out Allowance and Overseas Living Allowance payable to the member for duty in the operational area during the period.

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EXPLANATORY STATEMENT

DETERMINATION NO. 129 OF 1990

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 Australian Defence Force.

Determination 3989, Gulf Allowance, provides for payment of an allowance to members of the Australian Defence Force who are serving with the multi-national naval force in the Middle East.

The determination also includes a transitional provision which provides for a top up allowance from 2 August 1990 to and including the day on which the determination is signed.