



DETERMINATION NO 125 OF 1991

DETERMINATION UNDER SECTION 58B OF THE DEFENCE ACT 1903

I, PATRICK DENNIS GOURLEY, Acting 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 24 December 1991

P.D. Gourley

**Acting First Assistant Secretary
Remuneration and Conditions Division
Department of Industrial Relations**

Citation

1. This determination may be cited as Overseas Defence Determination 1991/125.

PART A

Principal Determination

2. In this Part, Determination 3714, Overseas Living Allowance, as in force¹ is referred to as the Principal Determination.

Disposable salary

3. Clause 6 of the Principal Determination is amended by inserting in the definition of "Part A disposable salary" the following paragraph -

"(ea) allowance payable in accordance with clause 13 of Determination 4003, Emergency Evacuation Overseas - Allowances and Compensation;"

PART B

Principal Determination

4. In this Part, Determination 4003, Emergency Evacuation Overseas - Allowances and Compensation, as in force¹ is referred to as the Principal Determination.

Definitions

5. Clause 2 of the Principal Determination is amended by inserting at the end thereof the following definition -

"; and 'relevant Public Service determination' means Public Service Board Determination 1983/15 as in force from time to time."

Continuation of representation in adverse circumstances

6. The Principal Determination is amended by inserting at the end thereof the following clause -

"13. Where the Secretary of the Department of Industrial Relations is satisfied in accordance with clause 3/S/24 of the relevant Public Service determination that it is essential for Australia's foreign relations to maintain a high standard of representation at a locality in the face of direct and immediate risk of harm to Australian officials and their dependants, a member on long-term posting to the locality is entitled to be paid an allowance in accordance with that clause for the same period and at the same rate as an officer of the Australian Public Service in the same circumstances as the member."

NOTE

1. Determination 3714 as amended to date. For previous amendments see Note 1 to Determination Nos 6 and 105 of 1991.

Determination 4003 was made by Determination 47 of 1981 and has been amended by Determination No. 37 of 1983; No. 110 of 1984; No. 15 of 1985; No. 87 of 1986; No. 77 of 1987; No. 78 of 1989 and No. 187 of 1990.

SCHEDULE

RANKS FOR CALCULATION OF PRESCRIBED AMOUNTS

Column 1	Column 2	Column 3
Item	Rank	Prescribed Amount
1.	Commander Lieutenant Colonel Wing Commander	the product, to the nearest whole dollar, of 21 and the daily rate of salary payable to a member of the Reserve Force with the rank specified in column 2 of this item.
2.	Lieutenant Commander Major Squadron Leader	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 76 percent of the difference between the prescribed amounts under items 1 and 10.
3.	Lieutenant (in the Naval Reserve Cadets) Captain Flight Lieutenant	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 56 percent of the difference between the prescribed amounts under items 1 and 10.
4.	Sub Lieutenant Lieutenant (in the Australian Army Cadet Corps) Flying Officer	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 40 percent of the difference between the prescribed amounts under items 1 and 10.
5.	Pilot Officer Warrant Officer	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 28 percent of the difference between the prescribed amounts under items 1 and 10.
6.	Chief Petty Officer Flight Sergeant	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 20 percent of the difference between the prescribed amounts under items 1 and 10.

SCHEDULE - (continued)

Column 1	Column 2	Column 3
Item	Rank	Prescribed Amount
7.	Petty Officer Sergeant	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 12 percent of the difference between the prescribed amounts under items 1 and 10.
8.	Corporal Leading Scaman	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 8 percent of the difference between the prescribed amounts under items 1 and 10.
9.	Leading Aircraftman Able Seaman	the sum, to the nearest whole dollar, of the prescribed amount under item 10 and 4 percent of the difference between the prescribed amounts under items 1 and 10.
10.	Aircraftman Seaman	the product, to the nearest whole dollar, of 21 and the daily rate of salary payable to a member of the Reserve Force with the rank specified in column 2 of this item.

EXPLANATORY MEMORANDUM

DETERMINATION NO 125 OF 1991

Defence Act 1903

This determination amends Determinations 3714, Overseas Living Allowance, and 4003, Emergency Evacuation Overseas - Allowances and Compensation, by inserting special conditions of service at overseas posts where it is essential to maintain a high standard of Australian representation in the face of direct and immediate risk of harm to Australian officials and their dependants.

Clause 3 amends clause 6 of Determination 3714 by including the allowance established by clause 6 of this determination in a member's disposable salary for calculating Part A of Overseas Living Allowance.

Clause 5 inserts a definition of "relevant Public Service determination" into Determination 4003.

Clause 6 inserts into Determination 4003 a provision authorising a special disability allowance for service at a designated locality. Details of this provision are given in the Explanatory Memorandum to Public Service Determination 1991/331.

The conditions of service authorised by this determination for members of the Australian Defence Force are the same as those determined for officers of the Australian Public Service, and apply from the same date of effect.

Authority: Section 58B of the
Defence Act 1903