



DETERMINATION NO 85 OF 1991

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 8 August 1991

R.A. Campbell

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

Citation

1. This determination may be cited as Defence Determination 1991/85.

Living Out Allowance

2. Determination 507, Living Out Allowance, as in force¹ is amended by inserting after paragraph 3(d) the following paragraph -

"(e) a reference to a member, in relation to ownership or purchase of a residence, is to be read as including a reference to -

- (i) a spouse;
- (ii) a child of the member or of the member's spouse; or
- (iii) a parent of the member or of the member's spouse,

who ordinarily resides with the member."

Living Out Away From Home Allowance

3. Determination 508, Living Out Away From Home Allowance, as in force² is amended by inserting after paragraph 3(d) the following paragraph -

- "(c) a reference to a member, in relation to ownership or purchase of a residence, is to be read as including a reference to -
- (i) a spouse;
 - (ii) a child of the member or of the member's spouse; or
 - (iii) a parent of the member or of the member's spouse,
who ordinarily resides with the member."

Note

1. Determination 507 was made by Determination 98 of 1984 and has been amended by Determination Nos 112 of 1984; 20 and 45 of 1987; 17 and 65 of 1988; 183 of 1989; 34 and 103 of 1990.
2. Determination 508 was made by Determination 112 of 1984 and has been amended by Determination Nos 69 of 1985; 20 and 45 of 1987; 17 and 65 of 1988; 183 of 1989; 34, 103 and 123 of 1990.

EXPLANATORY MEMORANDUM

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Defence Act 1903

Determinations 507, Living Out Allowance, and 508, Living Out Away From Home Allowance, exclude a member from the full entitlement to these allowances where the member resides in a home which the member owns or is purchasing.

This determination amends both determinations by extending that exclusion to a member residing in a home which is owned or is being purchased by a co-resident spouse, child or parent of the member.

Authority: Section 58B of the
Defence Act 1903