



DETERMINATION NO 86 OF 1991

DETERMINATION UNDER SECTION 58B OF THE DEFENCE ACT 1903

I, REX JEFFERY HOY, 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 13 August 1991

R. J. Hoy

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

Citation

1. This determination may be cited as Defence Determination 1991/86.

Commencement

2. This determination is to be taken to have commenced on 17 July 1990.

Principal Determination

3. In this determination, Determination 704, Language Proficiency Allowance, as in force¹ is referred to as the Principal Determination.

Specified Languages

4.1 The Principal Determination is amended by omitting "Subject to clause 5 the following languages are specified languages for the purposes of this Determination" from clause 4 and substituting "The following languages are specified languages for the purposes of this Determination"

4.2 The Principal Determination is amended by omitting clause 5.

Note

1. Determination 704 was made by Determination 54 of 1982 and has been amended by Determinations 21 of 1983; 2,4 and 29 of 1984; 24 and 66 of 1985 and 204 of 1989.

EXPLANATORY MEMORANDUM

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Defence Act 1903

This determination amends Determination 704, Language Proficiency Allowance, which authorises payment of the allowance to members of the Australian Defence Force who attain a Grade A or B standard of proficiency in an approved foreign language.

Clause 5 of Determination 704 excludes members of the Navy and Air Force from payment of the allowance for the German language.

Clause 4 of this determination repeals clause 5 and consequentially amends clause 4 so that the payment of the allowance for the German language is extended to Navy and Air Force personnel who are qualified and proficient in that language.

The determination commences operation on 17 July 1990 in order to confer eligibility on two Australian Defence Force members who would otherwise have been subject to the restriction of the former clause 5.

The retrospective application of this determination does not affect the rights of a person (other than the Commonwealth) in a manner prejudicial to that person, nor does it impose any liability on such person.

Authority: Section 58B of the
Defence Act 1903