



**DETERMINATION NO. 9 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 8 May 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 1991/9.

**Principal Determination**

2. In this determination Determination 3737, Medical and Hospital Expenses of a Member's Family Overseas, as in force<sup>1</sup> is referred to as the Principal Determination.

### **Reimbursement of excess medical costs**

3. The principal determination is amended by inserting after sub-clause 7.2 the following sub-clause;

"7.3 Where a member is not entitled to be reimbursed for expenses for an eligible person by reason only that the service was rendered in Australia, the amount applicable in accordance with sub-clause 7.1 for the eligible person during the financial year in which the member incurred the expense is reduced by the difference between the expenses incurred for the service rendered in Australia and the Medicare rebate for the service."

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#### **NOTE**

1 Determination 3737 was made by Determination No 101 of 1984 and has been amended by Determination Nos 43 and 45 of 1985, Nos 5 and 87 of 1986, Nos 17, 20, 44 and 77 of 1987, Nos 6, 63, 65, 74 and 77 of 1988 and Nos 113 and 156 of 1989.

**EXPLANATORY MEMORANDUM**

**DETERMINATION NO. 9 OF 1991**

**Defence Act 1903**

This determination amends Determination 3737, Medical and Hospital Expenses of a Member's Family Overseas.

Clause 7 provides for the reimbursement of costs for medical services in excess of specified amounts.

This determination reduces these amounts in cases where during the posting the member incurs medical costs while in Australia. The reduction is equal to the costs while in Australia for medical services met by the member in excess of the Medicare rebate.

**Authority: Section 58B of the  
Defence Act 1903**