



DETERMINATION NO 6 OF 1992

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 17 February 1992

**R.J. Hoy
First Assistant Secretary
Remuneration and Conditions Division
Department of Industrial Relations**

Citation

- 1.** This determination may be cited as Overseas Defence Determination 1992/6.

Principal Determination

- 2.** In this determination, Determination 3601, Travelling Allowance, as in force¹ is referred to as the Principal Determination.

Approving authorities

3. Paragraph 5(a) of the Principal Determination is amended by omitting "14, 15,".

Adventurous training, sporting activities and work experience

4.1 The Principal Determination is amended by omitting clauses 14 and 15.

4.2 The Principal Determination is amended by inserting at the end thereof the following Part -

"PART 5 - TRAVEL COSTS OF PARTICIPATION IN APPROVED ACTIVITIES

Application

"64.1 This Part applies to a member whose participation in adventurous training, sporting activities, work experience or similar activities has been approved as an official activity.

"64.2 A member to whom this Part applies is not eligible to be paid travelling allowance.

Assistance with travel costs

"65.1 A member is entitled to be paid an amount to assist the member with travelling expenses associated with participation in an official activity, being an amount that the Chief of the Defence Force considers reasonable having regard to -

- (a) the nature, duration and location of the activity;
- (b) the itinerary and transport arrangements approved for the member's participation in the activity;
- (c) the nature and extent of travel costs incurred by the member in relation to the activity;
- (d) the benefit to the Australian Defence Force of the member's participation in the activity;
- (e) the nature and extent of interest in the activity among members of the Australian Defence Force; and
- (f) the extent of any other subsidy of the member's participation in the activity.

"65.2 A member is not entitled to be paid an amount in accordance with sub-clause 65.1 which is greater than -

- (a) the total amount of travelling allowance to which the member would have been entitled under this determination if the travel associated with participation in an official activity had been travel on duty; or
- (b) the costs incurred by the member in participating in the activity.

"65.3 A member is not entitled to be reimbursed in accordance with this clause for the cost of transportation."

Note

1. Determination 3601 was made by Determination 99 of 1984 and has been amended by Determination Nos 13, 21, 22 43, 44, 45, 56, 59, 63, 65, 68 and 73 of 1985; Nos 5, 11,13, 22, 44, 52, 56, 59, 65, 78, 87 and 91 of 1986; Nos 1, 17, 18, 20, 42, 48, 50, 51, 56, 76, 77, 79 and 82 of 1987; Nos 3, 5, 6, 25, 28, 29, 31, 38, 43, 44, 51, 55, 63, 65, 74, 77 and 79 of 1988; Nos 11, 22, 23, 28, 30, 31, 33, 34, 38, 40, 41, 42, 43, 44, 47, 48, 49, 52, 57, 60, 62, 66, 70, 80, 90, 91, 92, 93, 100, 106, 117, 120, 121, 126, 136, 137, 138, 144, 145, 146, 147, 149, 150, 154, 155, 160, 161, 163, 164, 165, 166, 170, 172, 175, 178, 181, 186, 192, 193, 194, 196, 201 and 208 of 1989; Nos 1, 4, 5, 6, 8, 14, 15, 16, 19, 21, 22, 23, 26, 29, 37, 38, 42, 43, 44, 56, 57, 61, 62, 68, 69, 76, 74, 80, 86, 90, 94, 95, 96, 97, 98, 100, 105, 106, 110, 113, 124, 125, 132, 133, 137, 140, 142, 146, 148, 149, 150, 151, 153, 156, 158, 159, 160, 161, 163, 167, 168, 172, 173, 179, 180, 181 and 189 of 1990; Nos 2, 3, 4, 5, 8, 11, 16, 18, 20, 21, 25, 26, 27, 28, 32, 33, 34, 36, 39, 40, 41, 43, 51, 52, 53, 57, 58, 59, 62, 63, 66, 68, 69, 73, 79, 80, 81 and 93 of 1991.

EXPLANATORY MEMORANDUM

DETERMINATION NO 6 OF 1992

Defence Act 1903

This determination amends Determination 3601, Travelling Allowance, by inserting new provisions authorising assistance with travel costs for members participating in official overseas activities which are not regarded as official duty for payment of Travelling Allowance.

Clause 3 omits references to deleted clauses from a provision dealing with approving authorities.

Clause 4 omits two superseded clauses concerning assistance with travel for adventurous training and sporting activities, both of which are subsumed in the new Part 5 introduced by sub-clause 4.2. The new Part extends the provision to cover members undertaking approved overseas work experience.

The Chief of the Defence Force has a discretion to assess a reasonable amount of assistance with travel costs having regard to criteria relating to the activity in question. Members are not otherwise entitled to Travelling Allowance or assistance with transport costs, and the Part 5 assistance is limited to actual costs or the Travelling Allowance that would have been payable if the activity had been official duty.

Authority: Section 58B of the
Defence Act 1903