



OVERSEAS DEFENCE DETERMINATION 1994/11

DETERMINATION UNDER THE DEFENCE ACT 1903

I, MERYL ANNETTE STANTON, First Assistant Secretary, Government Authorities and Defence Division, Department of Industrial Relations, acting under a delegation made by the Minister for Industrial Relations under Defence Force Regulation 72A, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 14 March 1994

M. STANTON
First Assistant Secretary
Government Authorities and Defence Division
Department of Industrial Relations

1. Citation

1.1 This Determination may be cited as Overseas Defence Determination 1994/11.

2. Amendment

2.1 Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas, as amended¹, is amended as set out in this Determination.

3. New Division 1A

3.1 After Division 1, insert:

"DIVISION 1A - Member serving on duty in Cambodia

Definition

"17. In this Division 'member' means a member who is serving on duty in Cambodia.

Insurance of private motor vehicle

"18. A member is entitled to be indemnified for loss, damage or liability arising from the member's ownership or use of a private motor vehicle in Cambodia in accordance with the relevant Public Service determination as if the member were an officer of the Australian Public Service in the same circumstances as the member."

Note

1. Determination 3901, as amended to date. For previous amendments see Note to Determination 1 of 1994 and see also Determination No 1 of 1994.

EXPLANATORY MEMORANDUM

OVERSEAS DEFENCE DETERMINATION 1994/11

Defence Act 1903

Determination 3901, Complementary Allowances Payable to Member Serving on Duty Overseas, sets out miscellaneous conditions of service applying to members of the Australian Defence Force (ADF) on long-term posting overseas.

This Determination amends Determination 3901 by inserting a new Division 1A dealing with members on posting in Cambodia. The Division includes a clause setting out provisions relating to indemnity for loss, damage or liability arising from ownership or use of private motor vehicles by members on long-term posting in Cambodia.

The clause adopts by reference the indemnity entitlements provided for officers of the Australian Public Service (APS) in Public Service Board Determination 1983/15 (made under section 82D of the *Public Service Act 1922*), following an amendment made by Public Service Determination 1994/122. Such adoption is authorised by subsection 58B(1A) of the *Defence Act 1903*.

The effect of the amendment to Determination 3901 is that indemnity is provided to ADF members as if they were APS officers in the same circumstances.

Authority: Section 58B of the
Defence Act 1903