



DEFENCE DETERMINATION 1994/28

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 23 June 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 Defence Determination 1994/28.

2. Commencement

2.1 This Determination commences on the day on which Defence Determination 1994/27 commences.

3. Repeal

3.1 The following Determinations are repealed:

- (a) Defence Determination 1991/61, as amended¹;
- (b) Defence Determination 1991/82, as amended²;
- (c) Defence Determination 1991/84, as amended³;
- (d) Defence Determination 1991/108, as amended⁴;
- (e) Defence Determination 1992/10, as amended⁵;
- (f) Defence Determination 1992/52, as amended⁶;

- (g) Defence Determination 1992/64, as amended⁷;
- (h) Defence Determination 1993/16, as amended⁸; and
- (i) Defence Determination 1994/18.

4. Savings

4.1 Where a member was entitled, on the day immediately before the day on which Defence Determination 1994/27 commences, to be paid an allowance in relation to an overseas deployment under a relevant Determination, the relevant Determination, as in force on that day, is taken to continue to apply to the member.

4.2 This clause ceases to apply to a member if the Minister for Defence Science and Personnel approves threat levels under Defence Determination 1994/27 for the purposes of the deployment on which the member is undertaking duty.

4.3 In this clause "relevant Determination" means a Determination repealed by clause 3.

Notes

- 1. Determination 1991/61 has been amended by Determination Nos. 22, 23 and 25 of 1993.
- 2. Determination 1991/82 has been amended by Determination No. 25 of 1993.
- 3. Determination 1991/84 has been amended by Determination No. 25 of 1993.
- 4. Determination 1991/108 has been amended by Determination Nos. 12, 41, 48 and 49 of 1992 and Nos. 25, 37 and 39 of 1993.
- 5. Determination 1992/10 has been amended by Determination No. 25 of 1993.
- 6. Determination 1992/52 has been amended by Determination No. 65 of 1992 and Nos. 1, 2, 5 and 25 of 1993.
- 7. Determination 1992/64 has been amended by Determination No. 25 of 1993.
- 8. Determination 1993/16 has been amended by Determination Nos. 25, 34 and 37 of 1993.

EXPLANATORY MEMORANDUM

DEFENCE DETERMINATION 1994/28

Defence Act 1903

This Determination repeals nine Defence determinations made under section 58B of the *Defence Act 1903* to authorise conditions of service for Australian Defence Force (ADF) members assigned for duty with the following United Nations (UN) missions or similar multinational forces:

- 1991/61 Middle East Naval Sanctions Allowance
- 1991/82 *Operation Blazer* (disposal of weapons of mass destruction - Iraq)
- 1991/84 Western Sahara deployment
- 1991/108 Cambodia deployment
- 1992/10 Afghanistan deployment
- 1992/52 Somalia deployment (*Operation Restore Hope*)
- 1992/64 Sinai deployment
- 1993/16 Somalia deployment (UNOSOM II)
- 1994/18 Deployment on exchange with foreign defence force in Former Socialist Federal Republic of Yugoslavia.

This Determination also provides where necessary for continuation of members' entitlements under those repealed determinations.

Allowances and conditions for members on future overseas deployments and changes in those for members on existing deployments will be authorised under Defence Determination 1994/27 of 23 June 1994, which grants to the Minister for Defence Science and Personnel, acting on the advice of the Chief of the Defence Force, the discretion to authorise a level of Deployment Allowance applicable to each deployment in accordance with the framework laid down by Determination 1994/27.

Clause 2 of this Determination provides for this Determination to commence on the same day as Defence Determination 1994/27.

Clause 3 repeals all the existing principal Defence Determinations establishing allowances and conditions related to overseas deployment of ADF members assigned for duty with a UN or similar mission.

Clause 4:

- . saves the provisions of the repealed Determinations in relation to members with an entitlement under those Determinations on the day immediately before the commencement of Determination 1994/27; and
- . provides for the savings clause to cease to apply to an existing deployment where action is taken to approve conditions of service for the deployment under the Determination 1994/27 arrangements.

Authority: Section 58B of the
Defence Act 1903