



OVERSEAS DEFENCE DETERMINATION 1994/46

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 5 October 1994

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

PART A

1. Citation

1.1 This Determination may be cited as Overseas Defence Determination 1994/46.

2. Commencement

2.1 This Determination commences on 5 October 1994.

PART B

3. Amendment

3.1 Defence Determination 1991/45, as amended¹, is amended as set out in this Part.

4. Clause 3 (Meaning of certain words)

4.1 Delete the definition of "long-term posting", substitute:

"'long-term posting' has the same meaning as in Public Service Determination 1994/162 as in force from time to time;".

PART C

5. Amendment

5.1 Determination 2102, Insurance on Removal Overseas, as amended², is amended as set out in this Part.

6. Clause 3 (Reimbursement for insurance costs)

6.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART D

7. Amendment

7.1 Determination 3714, Overseas Living Allowance, as amended³, is amended as set out in this Part.

8. Clause 2 (Definition)

8.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART E

9. Amendment

9.1 Determination 3719, Difficult Post Allowance, as amended⁴, is amended as set out in this Part.

10. Clause 2 (Definition)

10.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART F

11. Amendment

11.1 Determination 3732, Overseas Vehicle Allowance, as amended⁵, is amended as set out in this Part.

12. Clause 2 (Definitions)

12.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART G

13. Amendment

13.1 Determination 3733, Overseas Vehicle Contribution, as amended⁶, is amended as set out in this Part.

14. Clause 2 (Definitions)

14.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART H

15. Amendment

15.1 Determination 4003, Emergency Evacuation Overseas - Allowances and Compensation, as amended⁷, is amended as set out in this Part.

16. Clause 2 (Definitions)

16.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART I

17. Amendment

17.1 Overseas Defence Determination 1992/18, as amended⁸, is amended as set out in this Part.

18. Clause 3 (Definitions)

18.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART J

19. Amendment

19.1 Overseas Defence Determination 1992/32 is amended as set out in this Part.

20. Clause 2 (Definition)

20.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART K

21. Amendment

21.1 Overseas Defence Determination 1992/55 is amended as set out in this Part.

22. Clause 2 (Definition)

22.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART L

23. Amendment

23.1 Overseas Defence Determination 1993/12 is amended as set out in this Part.

24. Clause 2 (Definition)

24.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART M

25. Amendment

25.1 Overseas Defence Determination 1993/14 is amended as set out in this Part.

26. Clause 2 (Definition)

26.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART N

27. Amendment

27.1 Overseas Defence Determination 1993/24, as amended⁹, is amended as set out in this Part.

28. Clause 2 (Definitions)

28.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART O

29. Amendment

29.1 Overseas Defence Determination 1993/26, as amended¹⁰, is amended as set out in this Part.

30. Clause 2 (Definitions)

30.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162 as in force from time to time".

PART P

31. Amendment

31.1 Overseas Defence Determination 1993/27 is amended as set out in this Part.

32. Clause 2 (Definition)

32.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART Q

33. Amendment

33.1 Overseas Defence Determination 1993/29 is amended as set out in this Part.

34. Clause 2 (Definition)

34.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART R

35. Amendment

35.1 Overseas Defence Determination 1993/47 is amended as set out in this Part.

36. Clause 2 (Definition)

36.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART S

37. Amendment

37.1 Overseas Defence Determination 1994/5 is amended as set out in this Part.

38. Clause 2 (Definition)

38.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART T

39. Amendment

39.1 Overseas Defence Determination 1994/9 is amended as set out in this Part.

40. Clause 2 (Definition)

40.1 Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART U

41. Amendment

41.1 Overseas Defence Determination 1994/36 is amended as set out in this Part.

42. Clause 2 (Definitions)

42.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

PART V

43. Amendment

43.1 Overseas Defence Determination 1994/38, as amended¹¹, is amended as set out in this Part.

44. Clause 2 (Definitions)

44.1 Definition of "relevant Public Service determination": Delete "Public Service Board Determination 1983/15", substitute "Public Service Determination 1994/162".

Notes

1. Determination 45 of 1991 has been amended by Determination Nos 87 and 103 of 1991; Nos 5, 19, 21, 60 and 61 of 1992 and Nos 7, 10, 13, 19 and 25 of 1993.
2. Determination 2102 was made by Determination 30 of 1981 and has been amended by Determination No 59 of 1982; No 37 of 1983; No 43 of 1984; Nos 9, 30 and 72 of 1984; No 20 of 1987; Nos 45 and 65 of 1988; No 71 of 1989 and No 114 of 1990.
3. Determination 3714, as amended to date. For previous amendments see Note to Determination 33 of 1994 and see also Determination No 33 of 1994.
4. Determination 3719 was made by Determination 3 of 1981 and has been amended by Determination Nos 27, 32 and 58 of 1981; Nos 18 and 50 of 1982; Nos 6, 19 and 50 of 1983; Nos 8 and 45 of 1985; Nos 47 and 74 of 1986; Nos 6, 32, 48 and 71 of 1987; Nos 18, 28, 31, 78 and 79 of 1988; Nos 24, 53, 60, 70, 74, 103, 112, 117, 118, 130, 131, 156 and 206 of 1989; Nos 24, 36, 47, 53, 85, 93, 116, 121, 130, 144, 187 and 191 of 1990 and Nos 89 and 105 of 1991.
5. Determination 3732 was made by Determination 69 of 1984 and has been amended by Determination Nos 100, 104 and 112 of 1984; Nos 45 and 57 of 1985; Nos 53 and 87 of 1986; Nos 17, 50, 76, 81, 83 and 92 of 1987; Nos 3, 15, 17, 28, 31, 32, 40, 42, 46, 50, 55, 63, 74, 75 and 79 of 1988; Nos 28, 38, 70, 94, 98, 108, 116, 117, 122, 140, 152, 156, 167, 174, 182, 188, 198 and 209 of 1989; Nos 13, 16, 19, 25, 36, 48, 49, 53, 59, 60, 66, 75, 78, 81, 91, 102, 108, 111, 115, 120, 127, 135, 145, 151, 162, 170, 171 and 185 of 1990; Nos 12, 19, 24 and 31 of 1991; Nos 21 and 29 of 1992 and Nos 15 and 25 of 1993.
6. Determination 3733 was made by Determination 85 of 1986 and has been amended by Determination Nos 17, 50, 81, 83 and 92 of 1987; Nos 3, 15, 28, 31, 32, 40, 42, 46, 50, 55, 63, 73, 74, 75 and 79 of 1988; Nos 28, 38, 70, 94 and 103 of 1989; Nos 19, 30, 54, 143, 170 and 171 of 1990; No 31 of 1991 and No 10 of 1993.
7. Determination 4003, as amended to date. For previous amendments see Note to Determination 1 of 1994 and see also Determination No 1 of 1994.
8. Determination 1992/18 was made on 5 May 1992 and has been amended by Determination Nos 21, 29 and 56 of 1992 and No 1 of 1994.
9. Determination 1993/24 was made on 23 July 1993 and has been amended by Determination No 1 of 1994.
10. Determination 1993/26 was made on 23 July 1993 and has been amended by Determination No 1 of 1994.
11. Determination 1994/38 was made on 9 September 1994 and has been amended by Determination No 43 of 1994.

EXPLANATORY MEMORANDUM

OVERSEAS DEFENCE DETERMINATION 1994/46

Defence Act 1903

Overseas Defence Determinations set out conditions of service for members of the Australian Defence Force serving on duty overseas.

With the exception of Determination 3698, Overseas Ration Allowance, and Determination 3699, Overseas Allowance, all the Overseas Defence Determinations adopt by reference the relevant provisions of the Public Service determination authorising identical entitlements for officers of the Australian Public Service (APS) performing duty overseas. Such adoption is authorised by subsection 58B(1A) of the *Defence Act 1903* (the Act).

The APS overseas conditions were formerly set out in Public Service Board (PSB) Determination 1983/15, which was replaced on 5 October 1994 by Public Service (PS) Determination 1994/162 and repealed the same day.

The purpose of this Determination is to make consequential amendments to the Overseas Defence Determinations to reflect that change.

Part A of this Determination provides for the Determination to commence on 5 October 1994, the day on which PS Determination 1994/162 commenced.

Part B amends Defence Determination 1991/45, which sets out common definitions and interpretation for use with all other Defence determinations made under section 58B of the Act. The amendment replaces the former definition of "long-term posting" by adopting the interpretation set out in PS Determination 1994/162.

Parts C to V inclusive amend the Overseas Defence Determinations by replacing references to PSB Determination 1983/15 with PS Determination 1994/162.

Authority: Section 58B of the
Defence Act 1903