



DEFENCE DETERMINATION 1995/29

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 20 September 1995

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

PART A - Preliminary

1. Citation
- 1.1 This Determination may be cited as Defence Determination 1995/29.

PART B - Amendment to Determination 202

2. Amendment
- 2.1 Determination 202, Separation Allowance, as amended¹, is amended as set out in this Part.
3. Clause 2 (Definitions)
- 3.1 Definitions of "child" and "dependant":
Delete the definitions.

4. Clause 3 (Interpretation)

4.1 Subparagraph 3(b) (i):
Delete "or de facto spouse".

5. Clause 4 (Separation Allowance)

5.1 Paragraph 4.1(a):
Delete "paragraph 4(b)", substitute "paragraph 4.1(b)".

PART C - Amendment to Determination 1906

6. Amendment

6.1 Determination 1906, Insurance on Removal of Urgently Required Household Items, as amended², is amended as set out in this Part.

7. Clause 2 (Definitions)

7.1 Definition of "child":
Delete the definition.

7.2 Definition of "family":
Delete "or de facto spouse" (twice occurring).

8. Clause 3 (Interpretation)

8.1 Paragraph 3(a):
Delete "family; and", substitute "family".

8.2 Paragraph 3(b):
Delete the paragraph.

9. Clause 9 (Reimbursement not payable)

9.1 Delete "where a member is married to another member or where a member is the de facto spouse of another member", substitute "where a member is the spouse of another member".

PART D - Amendment to Determination 2603

10. Amendment

10.1 Determination 2603, Leave for Special Purposes, as amended³, is amended as set out in this Part.

11. Clause 2 (Definitions)

11.1 Definition of "child":
Delete the definition.

12. Clause 2A (Interpretation)

12.1 Delete the clause.

13. Clause 4 (Special leave)

13.1 Delete "de facto spouse,".

PART E - Amendment to Determination 2701

14. Amendment

14.1 Determination 2701, Long Service Leave, as amended¹, is amended as set out in this Part.

15. Clause 2 (Definitions)

15.1 Definitions of "child" and "dependant":
Delete the definitions.

16. Clause 3 (Interpretation)

16.1 Subparagraph 3(d)(ii):
Delete "be disregarded;", substitute "be disregarded."

16.2 Paragraph 3(e):
Delete the paragraph.

Notes

1. Determination 202, as amended to date. For previous amendments see Note to Determination 11 of 1995 and see also Determination Nos. 11, 21 and 27 of 1995.
2. Determination 1906 was made by Determination 29 of 1981 and has been amended by Determination Nos. 7 and 59 of 1982; 37 of 1983; 5 of 1984; 5 and 20 of 1987; and 65 of 1988.
3. Determination 2603 was made by Determination 21 of 1980 and has been amended by Determination Nos. 25 of 1980; 2 and 36 of 1981; 4 of 1982; 37 of 1983; 20 of 1984; 45 and 65 of 1988; 75 of 1989; 40 of 1992 and 32, 40 and 46 of 1993.
4. Determination 2701, as amended to date. For previous amendments see Note to Determination 21 of 1995 and see also Determination No. 21 of 1995.

EXPLANATORY MEMORANDUM

DEFENCE DETERMINATION 1995/29

Defence Act 1903

This Determination amends the following determinations made under section 58B of the *Defence Act 1903*:

- . Determination 202, Separation Allowance;
- . Determination 1906, Insurance on Removal of Urgently Required Household Items;
- . Determination 2603, Leave for Special Purposes; and
- . Determination 2701, Long Service Leave.

Part B amends Determination 202 by deleting the definitions of "child" and "dependant". It also deletes a reference to "de facto spouse" and makes a minor amendment.

Part C amends Determination 1906 by deleting the definition of "child" and an interpretation and references relating to "de facto spouse", and also makes a minor consequential amendment.

Part D amends Determination 2603 by deleting the definition of "child" and an interpretation and references to "de facto spouse".

Part E amends Determination 2701 by deleting the definitions of "child" and "dependant". It also deletes an interpretation relating to "de facto spouse" and makes a minor consequential amendment.

These definitions and interpretations were not needed to permit the proper operation of the Determinations. Their deletion will allow the general definitions of "child", "dependant" and "spouse" provided in Defence Determination 1991/45 to take effect. Defence Determination 1991/45 sets out definitions and interpretations for use with other Defence determinations.

Authority: Section 58B of the
Defence Act 1903