



Defence Determination 1996/29

I, THOMAS FISHER, Assistant Secretary, Government Authorities Branch, 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 10 September 1996

T. FISHER
Assistant Secretary
Government Authorities Branch
Department of Industrial Relations

1. Citation

1.1 This Determination may be cited as Defence Determination 1996/29.

[NOTE: This Determination commences on the day on which it is made: see *Defence Act 1903*, subsection 58B(4).]

2. Amendment

2.1 Determination 404, Isolated Establishment Allowance, as amended¹, is amended as set out in this Determination.

3. Clause 2 (Definitions)

3.1 Definitions of "category O member", "live out", and "member":
Omit the definitions.

- 4. **New clause 3**
- 4.1 After clause 2, insert:

Application

“3. This Determination applies to a member rendering continuous full-time service.”.

- 5. **Clause 4 (Approving authorities)**
- 5.1 Subparagraph 4(a)(ii):
Omit “Administrative Service Officer Class 7”, substitute “Administrative Service Officer Class 6”.

- 6. **Clause 5 (Isolated Establishment Allowance)**
- 6.1 Omit “, 7”.

6.2 Paragraph 5(c):
Add at the end “and the member does not travel at Commonwealth expense on the journey,”.

- 7. **Clause 5A (Isolated Establishment Allowance)**
- 7.1 Omit “, 7”.

- 8. **Clause 7 (Allowance not payable)**
- 8.1 Omit the clause.

NOTES

- 1. Determination 404 was made by Determination 59 of 1988 and has been amended by Determination Nos. 16, 111, 129, 159 and 205 of 1989; Nos. 46, 83 and 183 of 1990; Nos. 38, 103 and 114 of 1991; No. 58 of 1992; No. 16 of 1994 and Nos. 17 and 31 of 1995.

EXPLANATORY STATEMENT

Defence Determination 1996/29

Defence Act 1903

Determination 404, Isolated Establishment Allowance, authorises payment of Isolated Establishment Allowance (IEA) to members of the Australian Defence Force serving in establishments outside urban areas. The allowance assists with the additional cost of travel to such establishments, based on their distance from the nearest urban boundary.

This Determination amends Determination 404 by providing an entitlement to IEA for members without family on the same basis as for members with family.

This Determination commences on the day on which it is made (10 September 1996), as provided by subsection 58B(4) of the *Defence Act 1903*.

Clause 3 omits certain redundant definitions.

Clause 4 inserts a new application clause which maintains the effect of the former definition of "member".

Clause 5 makes a minor consequential amendment arising from changes to the Administrative Service Officer structure in the Australian Public Service.

Clause 6 removes a reference to a deleted clause, and corrects a drafting oversight whereby travel to an establishment at Commonwealth expense was not excluded from eligibility for IEA.

Clause 7 removes a reference to a deleted clause.

Clause 8 omits a provision precluding certain members without family from entitlement to IEA. Under that provision, members without family who lived out were eligible for IEA only if they met the criteria for entitlement to housing assistance. The effect of the amendment is that members with and without family are eligible for IEA on the same basis, if they meet the other conditions specified in Determination 404.

Authority: Section 58B of the
Defence Act 1903