



## Defence Determination 2004/2

I, SUSAN JANE PARR, Director General Personnel Policy and Employment Conditions, Defence Personnel Executive, make this Determination under section 58B of the *Defence Act 1903*.

Dated 15 January 2004

S J PARR  
Director General  
Personnel Policy and Employment Conditions  
Defence Personnel Executive

## **1 Name of Determination**

This Determination is Defence Determination 2004/2, Deployment allowance – amendment.

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

## **2 Amendment**

Defence Determination 2003/21, Conditions of Service, as amended,<sup>1</sup> is amended as set out in this Determination.

## **3 After subclause 16.2.2 (2) (Allowance payable during period of duty and in other circumstances)**

*insert*

- (2A) For the purposes of subclause (2), a period during which the member was entitled to deployment allowance or international campaign allowance can be counted toward the 28 day qualifying period for hardship allowance, but the hardship allowance is not payable for any day on which the member is entitled to deployment allowance.

## **4 Clause 17.4.10 (Overseas allowances not payable)**

*substitute*

- (1) Members who are entitled to deployment allowance under this Division are not entitled to allowances for service overseas, under Chapters 13 to 16, except as provided in subclause (2).
- (2) While a member is assigned for duty as part of a deployment the member:
  - (a) may be entitled to hardship allowance under Part 2 of Chapter 16 and extra recreation leave under Part 4 of Chapter 16, if they are not entitled to deployment allowance for the same period; and
  - (b) may be entitled to travelling allowance under Part 3 of Chapter 14, when the member is required to pay for their own meals while on deployment.

NOTE: Members on non-warlike deployments accrue extra recreation leave credits under Division 3 of Part 4 of Chapter 17.

## **5 Clause 17.4.24 (Overseas allowances not payable)**

*substitute*

- (1) Members who are entitled to international campaign allowance under this Division are not entitled to allowances for service overseas, under Chapters 13 to 16, except as provided in subclause (2).
- (2) While a member is assigned for duty as part of a deployment the member:
  - (a) may be entitled to hardship allowance under Part 2 of Chapter 16 and extra recreation leave under Part 4 of Chapter 16, if they are not entitled to international campaign allowance for the same period; and

- (b) may be entitled to travelling allowance under Part 3 of Chapter 14, when the member is required to pay for their own meals while on deployment.
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**NOTE**

1. Defence Determination 2003/21 as amended to date. For previous amendments see Note to Defence Determination 2004/1.

# EXPLANATORY STATEMENT

## Defence Determination 2004/2

This Determination amends Defence Determination 2003/21, Conditions of Service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Act). Chapter 17 of the Principal Determination sets out provisions dealing with overseas deployments for members of the Australian Defence Force.

The purpose of this Determination is to allow members who are assigned for duty as part of a deployment to receive hardship allowance or travelling allowance.

Clause 1 of this Determination sets out the manner in which this Determination may be cited.

This Determination commences on the day on which it is made, as provided by subsection 58B (4) of the Act.

Clause 2 specifies that the amendment is made to the Principal Determination, as amended.

Clause 3 inserts a new subclause into clause 16.2.2 of the Principal Determination. The new subclause makes clear that a period of deployment may be counted toward the qualifying period for hardship allowance. This will allow members who journey from a deployment in an operational area to another locality to immediately access any relevant hardship allowances applicable in the locality, given that they have already suffered hardship prior to their arrival in the new locality.

Clauses 4 and 5 substitute new clauses 17.4.10 and 17.4.24 to allow members who are assigned for duty as part of a deployment or entitled to international campaign allowance to obtain:

- hardship allowance (subject to the qualifying conditions) when they are not entitled to deployment allowance; and
- extra leave for the same period, where they are in a locality that attracts hardship allowance;
- travelling allowance on a day when they are required to pay for meals during the deployment.

Authority: Section 58B of the  
*Defence Act 1903*