



Defence Determination 2004/5

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 10 February 2004

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

1 Name of Determination

This Determination is Defence Determination 2004/5, Vehicle 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,¹ is amended as set out in this Determination.

3 Clause 3.6.12 (Rate of allowance and calculation of distance)

substitute

- (1) For working out the rate of vehicle allowance that a member is entitled to, the **road distance** for the authorised travel is the number of whole kilometres in the most direct route that it is reasonable for the member's vehicle to travel on.
- (2) The CDF may determine that vehicle allowance can be paid for a longer **road distance** than the one worked out under subclause 3.6.12 (1), if the CDF is satisfied that the most direct route was not reasonable for the travel.

Example:

The most direct route is closed due to a flood, forcing the member to take a longer route.

- (3) The way to work out the rate of vehicle allowance is to multiply the **road distance** in kilometres that the member travels by the number of cents allowed for the member's car engine capacity as shown in the table. Divide the answer by 100 to work out the amount in dollars.

Column 1 Engine capacity (non-rotary engine)	Column 2 Engine capacity (rotary engine)	Column 3 Rate (cents a kilometre)
More than 2,600cc	More than 1,300cc	61
1,601cc to 2,600cc	801cc to 1,300cc	60
1,600cc or less	800cc or less	50

- (4) The amount of vehicle allowance can also be shown by the formula:

$$\frac{\text{Column 3 rate (in cents)} \times \text{road distance (in kilometres)}}{100}$$

NOTE

1. Defence Determination 2003/21 as amended to date. For previous amendments see Note to Defence Determination 2004/1 and see also Defence Determinations 2004/1, 2, 3, and 4.

EXPLANATORY STATEMENT

Defence Determination 2004/5

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 3 of the Principal Determination sets out provisions dealing with travel for members of the Australian Defence Force (ADF).

The purpose of this Determination is to provide a clearer mechanism for calculating the vehicle allowance for members on authorised to travel for Defence purposes by private motor vehicle. The rate of allowance is worked out by multiplying the total kilometres travelled by the number of cents allowed for the member's car engine capacity. The table shows the rate per kilometre to use in working out how much can be claimed.

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 substitutes a new clause 3.6.12 to the Principle Determination.

- New subclause 3.6.12 (1) inserts a description of the road distance that can be used as the basis for a vehicle allowance calculation.
- New subclause 3.6.12 (2) inserts a discretion for a decision-maker to determine that a longer distance can be substituted if necessary. This allows a more flexible approach to payment of vehicle allowance, which can adapt for changed road conditions.
- Subclause 3.6.12 (3) describes clearly how to calculate the amount of vehicle allowance to which a member is entitled. It includes a table of rates, which will be increased on 26 February 2004 by Defence Determination 2004/4, Travelling, vehicle and disturbance allowance – amendment.
- New subclause 3.6.12 (4) provides an alternative presentation of the formula for calculating vehicle allowance. This will assist those administrators who prefer to use this format.

The new version also removes an existing reference to an Internet site used as a tool for calculating road distances. Instead, an extensive collection of distances between localities in Australia will be made available to members and administrators in the Australian Defence Force Pay and Conditions Manual (PACMAN). This information will provide a guide only and will promote greater flexibility for administrators to use a range of sources to find the road distance.

Criteria are provided for the exercise of the discretion under the Principal Determination, as amended by this Determination. An example is provided to guide the decision-maker. Adverse decisions are subject to merits review under the ADF redress of grievance system, including an appeal to the Defence Force Ombudsman.

Authority: Section 58B of the
Defence Act 1903