



Defence Determination 2006/9

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 3 March 2006

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

1 Citation

This Determination is Defence Determination 2006/9, Travel – amendment.

2 Commencement

1. Clauses 4, 8 and 11 of this Determination are taken to have commenced on 23 January 2006.
2. Clause 5 of this Determination commences on 1 April 2006.
3. The remainder of this Determination commences on 8 March 2006.

3 Amendment

Defence Determination 2005/15, Conditions of Service, as amended,¹ is amended as set out in this Determination.

4 Paragraph 9.5.4.a (Member this Part applies to)

substitute

- a. On Defence business for an overnight travel period.
Exceptions: A member entitled to part-day travelling allowance, or incidental costs for duty at the Melbourne Commonwealth Games.
See:
Clause 9.5.10, Part-day travel period
Clause 9.5.28A, Incidentals during Melbourne Commonwealth Games
Clause 9.5.46A, Incidentals during Melbourne Commonwealth Games

5 Paragraph 9.5.4.a (Member this Part applies to)

substitute

- a. On Defence business for an overnight travel period.
Exceptions: Where a member is entitled to part-day travelling allowance.
See: Clause 9.5.10, Part-day travel period

6 Paragraph 9.5.16.1.c (Limits on payment for accommodation and meals)

insert at the end

- d. The member is ranked Major or lower, and living-in accommodation is available to them.

7 Subclause 9.5.16.6 (Limits on payment for accommodation and meals)

substitute

6. This table sets out what meal amounts apply if a member visits more than one location in a day.

See: Clause 9.5.15, Travel costs while living out on a journey

Item	If the meal is on...	then the location for working out the amount for meals is...
1.	the last day of the journey	where the member is at the beginning of the day.
2.	any other time	where the member is at the end of the day.

8 **Clause 9.5.28 (Confirming actual travel costs)**

insert at the end

9.5.28A **Incidentals during Melbourne Commonwealth Games**

1. This clause applies to a member who meets all these conditions.
 - a. The member is assigned for duty with the joint task force in support of the Commonwealth Games in Melbourne.
 - b. The member's normal place of duty is in the Melbourne area.

See: For incidental costs for a member whose normal place of duty is elsewhere:
Clause 9.5.15, Travel costs while living out on a journey
Clause 9.5.18, Member living in

- c. The member must be on duty.
2. A member is entitled to use the travel card for incidentals costs, in accordance with the following table.

Item	For duty with the joint task force...	a member is entitled to...
1.	in the first 21 days	\$14.55 a day.
2.	after the first 21 days	\$50.90 a week. Parts of a week are worked out on a pro rata basis.

9 **Subclause 9.5.29.1 (Member entitled to allowance instead of using travel card)**

substitute

1. A member may be entitled to an allowance to pay their travel costs if they have not been given a travel card. The amount of the allowance is up to what they would normally pay for accommodation, meals and incidentals with the travel card.

Example: A member may not yet have been issued with a card, or their card may have been lost or stolen.

10 Subclause 9.5.34.5 (Limits on travelling allowance for accommodation and meals)

substitute

5. This table sets out what meal amounts apply if a member visits more than one location in a day.

See: Clause 9.5.33, Travel costs while living out on a journey

Item	If the meal is on...	then the location for working out the amount is...
1.	the last day of the journey	where the member is at the beginning of the day.
2.	any other time	where the member is at the end of the day.

11 Clause 9.5.46 (Confirming actual travel costs)

insert at the end

9.5.46A Incidentals during Melbourne Commonwealth Games

1. This clause applies to a member who meets all these conditions.
- a. The member is assigned for duty with the joint task force in support of the Commonwealth Games in Melbourne.
 - b. The member's normal place of duty is in the Melbourne area.

See: For incidental costs for a member whose normal place of duty is elsewhere see: Clause 9.5.33, Travel costs while living out on a journey
Clause 9.5.37, Member living in

- c. The member must be on duty.
2. A member is entitled to an incidental allowance, in accordance with the following table.

Item	For duty with the joint task force...	a member is entitled to...
1.	in the first 21 days	\$14.55 a day.
2.	after the first 21 days	\$50.90 a week. Parts of a week are worked out on a pro rata basis.

12 Repeal

The following sections of Defence Determination 2005/15, Conditions of Service, as amended,¹ are omitted on 31 March 2006.

- a. Paragraph 9.5.4.a (Member this Part applies to)
- b. Clause 9.5.28A (Incidentals during Melbourne Commonwealth Games)

- c. Clause 9.5.46A (Incidentals during Melbourne Commonwealth Games)

NOTE

1. Defence Determination 2005/15, as amended to date. For previous amendments see Defence Determinations 2006/1, 2, 3, 4, 5, 6, 7 and 8. Certain provisions of the Determination have been modified by Determination No. 5 of 2005 and No. 1 of 2006, made under section 58H of the *Defence Act 1903*.

EXPLANATORY STATEMENT

Defence Determination 2006/9

This Determination amends Defence Determination 2005/15, Conditions of Service (the Principal Determination), made under section 58B of the *Defence Act 1903* (the Act). Chapter 9 of the Principal Determination sets out provisions dealing with travel entitlements for members of the Australian Defence Force (ADF).

The purpose of this Determination is to make miscellaneous adjustments to travel entitlements.

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

Clause 2 of this Determination provides that clauses 4, 8 and 11 of the Determination is taken to have commenced on 23 January 2006, the day the joint task force for the Melbourne Commonwealth Games commenced operations. Clause 5 of the Determination commences 1 April 2006, the day after the Melbourne Commonwealth Games travel conditions are omitted. The remainder of the Determination commences on 8 March 2006.

Clause 3 specifies that the amendment is made to the Principal Determination, as amended.

Clause 4 of this Determination varies paragraph 9.5.4.a of the Principal Determination. The amendment provides that Chapter 9 Part 5 of the Principal Determination may apply to a member who is not absent on an overnight travel period, if that member is entitled to part-day travelling allowance or is entitled to Melbourne Commonwealth Games incidentals costs.

Clause 5 of this Determination remakes paragraph 9.5.4.a of the Principal Determination in a form that does not refer to the Melbourne Commonwealth Games. Clause 12 of this Determination omits all special Melbourne Commonwealth Games provisions on 31 March 2006, including the pre-existing paragraph 9.5.4.a.

Clause 6 inserts a new paragraph 9.5.16.1.d into the Principal Determination. The new paragraph limits use of the Defence travel card to members to whom living-in accommodation is not available. The limitation only applies to members ranked Major or lower.

Clause 7 varies subclause 9.5.16.6 of the Principal Determination. This subclause deals with the calculation of meal entitlements using the Defence travel card, where a member is moving between locations. It has been rewritten to remove the potential for misunderstanding due to ambiguity, without changing the policy.

Clause 8 inserts a new clause 9.5.28A into the Principal Determination. The new clause allows members who live in the Melbourne area, and who are working with the joint task force in support of the Commonwealth Games, to use the Defence Travel card to claim incidental costs. This condition will only be available until 31 March 2006.

Clause 9 corrects a typographical error in subclause 9.5.29.1 of the Principal Determination. The change does not affect the policy.

Clause 10 varies subclause 9.5.36.6 of the Principal Determination. This subclause provides the equivalent policy to that in subclause 9.5.16.6 of the Principal Determination, for members whose meal costs are paid through travelling allowance. This subclause has also been rewritten to remove the potential for misunderstanding, without changing the policy.

Clause 11 inserts a new clause 9.5.46A into the Principal Determination. The new clause allows members who live in the Melbourne area, and who are working with the joint task force in support of the Commonwealth Games, to be paid an allowance to cover incidental costs. This condition will only be available until 31 March 2006.

Clause 12 omits paragraph 9.5.4.a, clause 9.5.28A, and clause 9.5.46A of the Principal Determination as of 31 March 2006. These were inserted by clauses 4, 8 and 11 of this Determination. Special employment conditions for the Melbourne Commonwealth Games are not needed beyond 31 March 2006. Clause 5 of this Determination remakes paragraph 9.5.4.a of the Principal Determination in a form that does not refer to the Melbourne Commonwealth Games. It commences on 1 April 2006.

The retrospective application of several clauses of this Determination does not affect the rights of a person (other than the Commonwealth) in a manner prejudicial to that person, nor does it impose any liability on such a person.

Authority: Section 58B of the
Defence Act 1903