



Defence Determination 2007/39

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

Dated 4 July 2007

S R GRZESKOWIAK
Director General
Personnel Policy and Employment Conditions
Personnel Executive

1 Citation

This Determination is Defence Determination 2007/39, Assisted leave travel – amendment.

2 Commencement

This Determination commences on the day it is signed.

3 Amendment

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

4 Subclause 16.4.5.2 (Assisted leave travel)

insert at the end

3. Any difference between the actual cost of travel and the allowable travel cost is not 'credit' and cannot be carried over.

Example: A member has a travel entitlement from East Timor to Darwin. The CDF approves travel to Brisbane. The member travels to Brisbane on a discount fare of less than half the cost of the member's entitlement to Darwin. The member cannot bank the unused credit to put towards subsequent trips. The relief has taken place and the intent of the policy is met.

5 Subclause 16.4.7.1 (Number of trips)

insert at the end

Note: Each trip is to be treated as a separate entitlement.

6 Subclause 16.4.7.3 (Number of trips)

insert at the end

4. A member is not entitled to combine trips under this Part.

Example: A member in Fiji has assisted leave travel entitlement to 1 regional trip to Australia and 2 relief trips to Sydney. The member cannot combine the two relief trips to Sydney to take one relief trip to Perth.

7 Subclause 16.4.11.3 (Offsetting assisted leave travel)

substitute

3. The Commonwealth will provide assisted leave travel up to the allowable travel cost of the trip the member would otherwise be entitled to under this Part. This is to help the member buy air fares and package deals from any source.

NOTE

1. Defence Determination 2005/15 commenced on 31 May 2005. For previous amendments see Note to Defence Determination 2007/1 and see also Defence Determinations 2007/2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.

EXPLANATORY STATEMENT

Defence Determination 2007/39

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 16 of the Principal Determination sets out provisions dealing with overseas hardship locations for members of the Australian Defence Force (ADF).

This Determination seeks to explain precisely what conditions apply to assisted leave travel. The current wording in the Principal Determination is being interpreted to provide unintended benefits.

Assisted leave travel is provided to members and their dependants on long-term overseas postings to provide relief from the environment and access to services not available at certain overseas hardship locations. The amendments in this Determination make express the requirement for members not to combine relief trips and bank unused 'credit' from previous trips, for the following policy reasons.

- Combining trips – By combining trips the member is not getting the relief from the hardship location at the intervals deemed necessary to obtain relief.
- Banking of 'credits' – The intent of assisted leave travel is to provide relief from a hardship location. Regardless of whether the member goes to the relief centre or an alternative destination under the provision, the relief has been taken and the intent of the policy is met.

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

Clause 2 of this Determination provides that the Determination commences on the day on which it is signed.

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

Clause 4 inserts a new subclause into clause 16.4.5 of the Principal Determination. The new subclause 16.4.5.3 provides that any difference between the actual cost of travel and the allowable travel cost is not 'credit' and cannot be carried over.

Clause 5 inserts a note into subclause 16.4.7.1 of the Principal Determination. The amendment provides that each assisted leave travel trip is a separate entitlement.

Clause 6 inserts a new subclause into clause 16.4.7 of the Principal Determination. Clause 16.4.7 sets out the number of assisted leave travel trips a member is entitled to for each hardship location. The new subclause 16.4.7.4 provides that a member is not entitled to combine trips.

Clause 7 substitutes subclause 16.4.11.3 of the Principal Determination. The subclause has been amended to remove the wording 'maximum number of trips the member is entitled to' which is replaced with 'allowable travel cost of the trip the member would otherwise be entitled under this part'. 'Allowable travel cost' is a defined term in the Principal Determination.

Authority: Section 58B of the
Defence Act 1903