



Defence Determination 2007/79

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 17 December 2007

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

1 Citation

This Determination is Defence Determination 2007/79, Miscellaneous housing and removals amendments.

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 6.6.31.1 (Posting to a seagoing ship or Navy aircraft squadron)

substitute

omit

posted to either

insert

posted for six months or more to either

5 Subclause 7.3.16.2 (Contribution for living-in accommodation), table item 3

omit

25.05

insert

23.05

6 Subclause 7.4.22.3 (Rate of allowance – other temporary accommodation), example only

omit

in Annex 7.A Part 1

insert

in Annex 7.A1 Part 1

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, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77 and 78.

EXPLANATORY STATEMENT

Defence Determination 2007/79

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 7 of the Principal Determination sets out provisions dealing with housing and meals for members of the Australian Defence Force (ADF).

The purpose of this Determination is to amend a range of housing-related conditions.

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 of signature, as provided under subsection 58B(4) of the Act.

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

Clause 4 amends subclause 6.6.31.1 of the Principal Determination to provide clarification of the policy intent that entitlement to a removal requires a posting of six months or more. Clause 6.6.31 defines alternative locations to which a member may be removed if posted to a seagoing ship. This amendment will remove a potential ambiguity in relation to an entitlement to a removal when a member is posted to a seagoing ship for less than six months.

Clause 5 amends table item 3 of subclause 7.3.16.2 of the Principal Determination. Subclause 7.3.16.2 sets out the rate of contribution a member must make for their living-in accommodation. This amends a figure which was incorrectly adjusted in Defence Determination 2007/65, Annual review of housing-related allowances and contributions.

Clause 6 amends the example in subclause 7.4.22.3 of the Principal Determination. The amendment substitutes a cross reference to Annex 7.A1, Contributions for Service residence or rent band choice accommodation.

Criteria are provided for the exercise of discretions under the Principal Determination, as amended by this Determination. 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