



Defence Determination 2008/70

I, INGRID CECILIE SINGH, Acting Director General Personnel Policy and Employment Conditions, make this Determination under section 58B of the *Defence Act 1903*.

Dated 22 December 2008

I C SINGH
Acting Director General
Personnel Policy and Employment Conditions

1 Citation

This Determination is Defence Determination 2008/70, Field service – 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 Clause 5.2.14 (Field service)

substitute

This table sets out how the member accrues additional recreation leave credit at the end of each period of field service.

Item	If the member gets...	then each time they get the allowance for...	they accrue a credit of...
1.	field allowance See: Chapter 4 Part 3 Division 4	1 day	0.1 of a day of additional recreation leave.
2.	a daily rate of special forces disability allowance under item 18 [member on designated special duty] of the Schedule to DFRT Determination No. 5 of 2008, Special Forces Disability Allowance See: Chapter 4 Part 3 Division 12		
3.	a daily rate of allowance for specialist operations under item 6 [member on designated special duty] of Schedule 2 to DFRT Determination No. 4 of 2008, Allowance for Specialist Operations See: Chapter 4 Part 3 Division 13		
4.	special forces disability allowance for: a. a trainee or qualified special forces member, at an annual rate mentioned in item 1, 2, 3 or 4, or b. a qualified TAG clearance diver or trainee TAG clearance diver at an annual rate mentioned in item 5 or 12 of the Schedule to DFRT Determination No. 5 of 2008, Special Forces Disability Allowance See: Chapter 4 Part 3 Division 12	a fortnight	pro rata credit for the fortnight worked out using the 10-day annual maximum

Note: Clause 5.2.12 limits the amount of additional recreation leave that can be accrued under this clause.

Example 1: A member receives the daily rate of special forces disability allowance for 10 days. They then receive field allowance for 10 days. They will have accrued the allowances over 20 days. They will be entitled to two days of additional recreation leave.

Example 2: A member is entitled to field allowance for 100 days between 1 July and 30 March. They accrue 10 days of additional leave for it. They get field allowance for a further 20 days from 30 March to 30 June. They do not accrue any more leave for those 20 days.

NOTE

1. Defence Determination 2005/15 commenced on 31 May 2005. For previous amendments see Note to Defence Determination 2008/1 and see also Defence Determinations 2008/2, 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 and 69.

EXPLANATORY STATEMENT

Defence Determination 2008/70

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 5 of the Principal Determination sets out provisions dealing with leave for members of the Australian Defence Force (ADF) and Chapter 9 of the Principal Determination sets out provisions dealing with ADF travel in Australia.

The purpose of this Determination is to amend the field service additional leave provisions and typographical errors.

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 made, as provided by subsection 58B(4) of the Act.

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

Clause 4 amends clause 5.2.14 of the Principal Determination. This amendment updates cross references to Defence Force Remuneration Tribunal (DFRT) Determinations. The amendment reflects changes made by DFRT Determination No. 4 of 2008, Allowance for Specialist Operations and DFRT Determination No. 5 of 2008, Special Forces Disability Allowance, allowances that are preconditions to accrual of additional recreation leave.

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