



## Defence Determination 2009/49

I, BRIAN GARY PAULE, Director General Personnel Policy and Employment Conditions, make this Determination under section 58B of the *Defence Act 1903*.

Dated 28 July 2009

B G PAULE  
Director General  
Personnel Policy and Employment Conditions  
People Strategies and Policy Group



**1 Citation**

This Determination is Defence Determination 2009/49, Web-based tutoring – amendment.

**2 Commencement**

This Determination commences on the day it is signed.

**3 Amendment**

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

**4 Subclause 8.4.10A.2 (Web-based tutoring)**

*substitute*

2. If a teacher or principal recommends that a child begin tutoring, a member may be paid for the cost of a subscription to a web-based tutoring service that the member chooses.

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**NOTE**

1. Defence Determination 2005/15 commenced on 31 May 2005. For previous amendments see Note to Defence Determination 2009/1 and see also Defence Determinations 2009/2, 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 and 48.

# EXPLANATORY STATEMENT

## Defence Determination 2009/49

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 8 of the Principal Determination sets out provisions dealing with members of the Australian Defence Force (ADF) and their dependants.

The purpose of this Determination is to amend the provision for web-based tutoring.

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 subclause 8.4.10A.2 of the Principal Determination to clarify that web-based tutoring must be recommended by a child's teacher or principal to enable the member to be reimbursed costs for the tutoring.

Criteria are provided for the exercise of discretions under the Principal Determination, as amended by this Determination. Adverse decisions are subject to merits review by means of appeal to the Defence Force Ombudsman.

**Authority:** Section 58B of the  
*Defence Act 1903*