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DEFENCE FORCE REMUNERATION TRIBUNAL

Defence Act 1903

MATTER NO 10 OF 1997

ADF PART-TIME LEAVE WITHOUT PAY

DETERMINATION NO 2 OF 1998

Canberra
21 January 1998

THE HON. JUSTICE A J BOULTON
COMMISSIONER P L LEARY
REAR ADMIRAL K A DOOLAN AO RAN (Retd)

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO 2 OF 1998

ADF PART-TIME LEAVE WITHOUT PAY

Pursuant to section 58H of the Defence Act 1903, the Defence Force Remuneration Tribunal hereby determines as follows:

1. Determination No 6 of 1992, Salaries, being a determination made by the Defence Force Remuneration Tribunal pursuant to Section 58H of the Defence Act 1903 is amended by:

a. In PART 1 - PRELIMINARY, existing Clause 2:

Definition of "rank":

omit at the end "and".

Definition of "rate":

omit "rates.", and substitute "rates;".

Add the following definition:

"the DFRT" means the Defence Force Remuneration Tribunal".

b. In PART 1 - PRELIMINARY, existing clause 8:

Omit the existing clause, substitute:

"8. A member is not entitled to salary or any allowance determined by the DFRT for any period for which the member:

(a) is granted leave without pay (except to the extent provided by clause 20);
or

(b) is liable to forfeiture of salary under the Defence Force Regulations as in force from time to time."

c. In PART 2 - SALARIES, insert new clause 20 and 20A:

After clause 19, insert:

Rate of salary and allowances - member on part-time leave without pay

"20.1 This clause applies to a member to whom the Chief of the Defence Force grants a period of leave without pay comprising not less than one day and not more than nine days of such leave in each of a consecutive series of pay periods during the period of leave ('part-time leave without pay').

"20.2 A member to whom this clause applies is not entitled to salary for any period for which the member is granted part-time leave without pay.

Calculation of fortnightly and daily rates

"20A.1 The rate of salary or an allowance payable to a member on a fortnightly basis under a determination made by the DFRT is to be calculated as follows:

Annual rate x 14

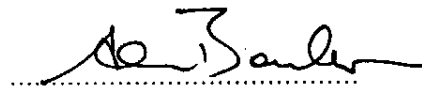
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"20A.2 The rate of salary payable in any one fortnightly period of 14 days will be in accordance with the formula at 20A.1, less the number of days that the member is on part-time leave without pay.

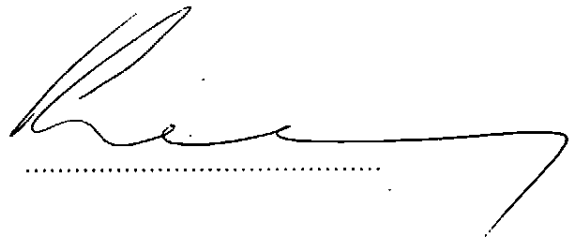
2. This Determination will take effect from 22 January 1998.

Dated this twenty first day of January nineteen hundred and ninety eight.

The Hon Justice A J Boulton
President



Commissioner P L Leary
Member



Rear Admiral K A Doolan AO RAN (Retd)
Member

