

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO 10 OF 1996

HARD LYING ALLOWANCE

Pursuant to section 58H of the *Defence Act 1903*, the Defence Force Remuneration Tribunal having inquired into Hard Lying Allowance, hereby determines as follows:

Citation

1. This Determination may be cited as Determination No 10 of 1996, Hard Lying Allowance.

Definitions

2. In this Determination:

“cumulative sea service” has the same meaning as in Determination No. 1 of 1996, Seagoing Allowance;

“seagoing ship” means:

- (a) a ship in commission in the service of the Royal Australian Navy; or
- (b) a ship or other vessel approved by the Chief of the Defence Force for the purposes of this Determination, being a ship under the direction of the Commonwealth or a foreign government;

“seagoing submarine” means:

“seagoing submarine” has the same meaning as in Determination No. 14 of 2008, Submarine Service Allowance.

Hard Lying Allowance

3. A member who is required, in the course of service, to stay on board a seagoing ship or seagoing submarine for a continuous period of 48 hours or more is entitled to Hard Lying Allowance for each completed 24 hour period at the rate:

- (a) specified in column 2 of Table 1 opposite the member’s period of cumulative sea service in column 1 for members on a seagoing ship; and

- (b) specified in column 2 of Table 2 opposite the member's period of cumulative sea service in column 1 for members on a seagoing submarine.

TABLE 1 – Member on a seagoing ship

Column 1 Cumulative Sea Service	Column 2 \$ a day
Completed less than 3 years	32.21
Completed 3 but less than 6 years	49.93
Completed 6 but less than 11 years	67.40
Completed 11 or more years	77.50

TABLE 2 – Member on a seagoing submarine

Column 1 Cumulative sea service	Column 2 \$ a day
Completed less than 3 years	48.32
Completed 3 but less than 6 years	67.40
Completed 6 but less than 11 years	80.87
Completed 11 or more years	89.13

4.1 A member who has stayed on board a seagoing ship or seagoing submarine for a continuous period of 48 hours or more and who, during the course of a voyage, is accommodated ashore at an intermediate port of call, is taken not to have ceased to stay on board that ship or submarine while the member is so accommodated.

4.2 A member to whom this clause applies, is not entitled to Hard Lying Allowance while accommodated ashore.

Allowance not payable

5.1 A member is not entitled to hard lying allowance while the member is entitled to:

- (a) Antarctic allowance, if the rate that is or would be payable exceeds the rate of hard lying allowance that would be payable to the member;
- (b) seagoing allowance;
- (c) submarine service allowance; or
- (d) travelling allowance.

5.2 Determination No. 4 of 2008, Allowance for Specialist Operations (Column 5 of Schedules 1 and 2) and Determination No. 5 of 2008, Special Forces Disability Allowance (Column 6 of Schedule 1), prescribe whether a member receiving either of those allowances may also be paid Hard Lying Allowance.

5.3 ...

6. This Determination shall take effect on and from 1 April 1996.

Dated this first day of April one thousand nine hundred and ninety six.

The Hon. Justice A.J. Boulton
President

Commissioner P.L. Leary
Member

