

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 23 OF 1999

DIVE RELATED ALLOWANCES – REPEAL AND CONSEQUENTIAL AMENDMENT

The Defence Force Remuneration Tribunal makes the following Determination under section 58H of the Defence Act 1903:

Commencement

- 1.1 Parts B and C commence on 16 December 1999.
- 1.2 The remaining provisions of the Determination are to be taken to have commenced on 9 December 1999.

PART B – Repeal of Determination No.4 of 1996

Repeal

2. Determination No.4 of 1996, Submarine Escape Training Facility Allowance, as amended, is repealed.

PART C – Amendment of Determination No. 6 of 1998

Amendment

3. Determination No. 6 of 1998, Diving Allowance, as amended, is amended as set out in this Part.

Clause 5 (Allowance not payable)

4. Paragraph 5(c):

Omit “Submarine escape Training Facility Allowance”, substitute “Submarine Escape Allowance”.

PART D – Transitional Provisions

Transitional provision for period between 11 November 1999 and commencement of this Part

- 5.1 Subject to clause 7, a member to whom Determination No. 20 of 1999, Experimental Diving Allowance, applies is entitled to a payment equal to the amount of Experimental Diving Allowance to which the member would have been entitled in the relevant period if that Determination had commenced on 11 November 1999.
- 5.2 For subclause 5.1, “relevant period” means the period beginning on 11 November 1999 and ending on the day immediately before the day on which this Part commences.

Transitional provision for period between 7 September 1999 and 10 November 1999

6.1 Subject to clause 7, a member to whom Determination No. 20 of 1999, Experimental Diving Allowance, applies is entitled to a payment equal to the amount set out in the table at the end of this clause for any deep dive in the relevant period.

6.2 For subclause 6.1, “relevant period” means the period beginning on 7 September 1999 and ending on 10 November 1999.

Grade of dive	Rate for each dive	Additional rate for each hour or part hour for the duration of the dive
	\$	\$
1	120.00	12.00
2	200.00	22.00
3	325.00	35.00
4	650.00	110.00

Transitional provision on treatment of Deep and Experimental Diving Allowance

7. The amount, if any, of Deep and Experimental Diving Allowance to which a member is entitled for a dive under Defence Determination 1993/35, during the period commencing on 7 September 1999 and ending on the day on which Defence Determination 1993/35, Deep and Experimental Diving Allowance, is repealed is to be deducted from the combined amount to which the member is entitled for that dive by way of:

- (a) Clearance Diving Allowance payable under clause 6A of Determination No.5 of 1998, Clearance Diving Allowance;
- (b) Experimental Diving Allowance; and
- (c) Submarine Escape Allowance payable under subclause 3.2 of Determination No. 21 of 1999, Submarine Escape Allowance.

Dated this sixteenth day of December nineteen hundred and ninety nine.

The Hon. Justice A J Boulton
President

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Air Vice Marshal F D Cox, AO (Retd)
Member

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