



Public Service (Defence) Determination 2003/11

I, SUSAN JANE PARR, Director General Personnel Policy and Employment Conditions, Defence Personnel Executive, make this Determination under subsection 24 (1) of the *Public Service Act 1999*.

Dated 15 December 2003

S J PARR
Director General
Personnel Policy and Employment Conditions
Defence Personnel Executive

1 Name of Determination

This Determination is Public Service (Defence) Determination 2003/11, Allowance for work performed aboard a small vessel in harbour.

2 Date of effect

This Determination commences on the date of signature.

3 Definition

In this Determination:

small vessel in harbour means a small motor driven vessel which does not have toilet or food preparation facilities and which operates in an enclosed body of water in the vicinity of the employee's normal workplace.

4 Employees this Determination applies to

This determination applies to any employee of the Department of Defence who:

- (a) occupies a position or performs duty in the Defence Science and Technology Organisation at Pyrmont, New South Wales; and
- (b) performs duty aboard a small vessel in harbour on or after 5 September 2002.

5 Entitlement to allowance

- (1) An eligible employee is entitled to an allowance for duty performed on board a small vessel in harbour, at the daily rate of:
 - (a) for up to three hours — \$4.00 for each hour or part of an hour; and
 - (b) for additional hours — \$5.00 for each hour or part of an hour.
- (2) If the vessel returns to moor at a wharf for a break of 45 minutes or more, the rate of allowance in paragraph (1) (a) applies to duty performed on board the small vessel after the break.
- (3) The allowance is not payable for duty performed outside the bandwidth specified in paragraph 99 of the *Defence Employees' Certified Agreement 2002-2003*, unless that bandwidth has been varied by up to one hour by agreement between the employee and their supervisor.

6 Sunset date for the allowance

This Determination ceases to operate on:

- (a) the day that the *Defence Employees' Certified Agreement 2004-2006* commences; or
- (b) 31 December 2003,
whichever is later.

EXPLANATORY STATEMENT

Public Service (Defence) Determination 2003/11

This Determination provides for the payment of an allowance to employees of the Defence Science and Technology Organisation (DSTO) who perform duty on a small vessel in harbour.

The purpose of this Determination is to provide a mechanism to pay employees who perform duty for long periods on a boat in Sydney harbour rather than in the open sea.

Clause 1 of this Determination sets out the manner in which this Determination may be cited.

Clause 2 provides for this Determination to commence on the date of signature.

Clause 3 provides a definition for the term “small vessel in harbour”.

Clause 4 describes the class of employees who are eligible for the allowance as those DSTO employees who perform duty at Pyrmont and who also performed duty on board a small vessel in harbour on or after 5 September 2002. This distinguishes these employees from those who performed duty at sea under Schedule 3, clause 3.B4 of the *Defence Employees’ Certified Agreement 2002-2003* during the same period.

Clause 5 provides the rate of allowance as \$4.00 per hour, increasing to \$5.00 per hour after 3 hours’ work. The amount of this allowance compares favourably with the current rate of \$100.00 payable for each 24 hour period that an employee spends on board a seagoing vessel under the *Defence Employees’ Certified Agreement 2002-2003*.

Clause 6 provides that the allowance cease to be payable from the later of 31 December 2003 and the date that the *Defence Employees’ Certified Agreement 2004-2006* commences. This is because the new certified agreement formally implements the allowance and this Determination will therefore become redundant at that time.

Authority: Subsection 24 (1) of the
Public Service Act 1999