Defence Determination 1998/25

I, NICHOLAS JEFFERSON FORD, Director General Financial Conditions, Defence Personnel Executive, Department of Defence, acting under a delegation made by the Minister for Workplace Relations and Small Business under regulation 72A of the Defence Force Regulations, make the following Determination under section 58B of the Defence Act 1903.

Dated 3 July 1998

N.J. FORD
Air Commodore
Director General Financial Conditions
Defence Personnel Executive
Department of Defence
PART A - Preliminary

1. Citation
1.1 This Determination may be cited as Defence Determination 1998/25, Miscellaneous Amendments.

[NOTE: This Determination commences on the day on which it is made: see Defence Act 1903, subsection 58B(4).]

PART B - Amendment of Determination 0305

2. Amendment
2.1 Determination 0305, Antarctic Allowance, as amended\(^1\), is amended as set out in this Part.

3. Clause 6 (Allowance not payable with other allowances)
3.1 Paragraph 6(b):

3.2 Paragraph 6(b):
Omit “clause 4”, substitute “paragraph 3(b)”.

3.3 Paragraph 6(c):
Omit “Determination 0204, Submarine Service Allowance”, substitute “Determination No. 9 of 1995, Submarine Service Allowance”.

3.4 Paragraph 6(c):
Omit “the Minister under section 58B of the Defence Act 1903, as varied from time to time by determinations made by”.

4. Clause 7 (Allowance not payable with other allowances)
4.1 Paragraph 7(b):
Omit “Paragraph 7(f) of Determination No. 2 of 1988, Hard Lying Allowance”, substitute “paragraph 5(e) of Determination No. 10 of 1996, Hard Lying Allowance”.

4.2 Paragraph 7(c):
Omit “Clause 8 of Determination 0204, Submarine Service Allowance”, substitute “subclause 9.4 of Determination No. 9 of 1995, Submarine Service Allowance”.

4.3 Paragraph 7(c):
Omit “the Minister under section 58B of the Defence Act 1903, as varied from time to time by determinations made by”.
PART C – Amendment of Determination 0401

5. **Amendment**
5.1 Determination 0401, Travelling Allowance, as amended\(^2\), is amended as set out in this Part.

6. **Clause 2 (Definitions)**
6.1 Definition of “country centre”:
Omit the definition.

6.2 Definition of “relevant Defence determination”:

PART D – Amendment of Determination 0402

7. **Amendment**
7.1 Determination 0402, Vehicle Allowance, as amended\(^3\), is amended as set out in this Part.

8. **Clause 7A (Travel on removal)**
8.1 Omit all the words after paragraph 7A(b), substitute “the member is entitled to Vehicle Allowance for the journey referred to in subparagraph 7A(a)(ii) or paragraph 7A(b) of an amount equal to the lesser of:

   (c) an amount calculated under subclause 7.1; and

   (d) an amount calculated under paragraph 7.2(b), excluding an amount that the Commonwealth would have paid for the transport of the vehicle.”.

9. **Clause 7B (Travel on removal)**
9.1 Omit the clause.

PART E - Miscellaneous amendments

10. **Miscellaneous amendments**
10.1 Each of the provisions referred to in column 1 of the Schedule is amended in the manner specified in column 2 opposite the reference to the provision.
## SCHEDULE

### MISCELLANEOUS AMENDMENTS

<table>
<thead>
<tr>
<th>Provision</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Determination 101, Increments and related matters, as amended</strong>⁴</td>
<td></td>
</tr>
<tr>
<td>Heading</td>
<td>Omit “Determination 101”, substitute “Determination 0101”.</td>
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<tr>
<td>Clause 1</td>
<td>Omit “Determination 101”, substitute “Determination 0101”.</td>
</tr>
<tr>
<td>Subclause 2.1</td>
<td>Omit “honorary rank;”, substitute “honorary rank.”.</td>
</tr>
<tr>
<td><strong>Determination 0301, District Allowance, as amended</strong>⁵</td>
<td></td>
</tr>
<tr>
<td>Paragraph 12(b)</td>
<td>Omit “or”, substitute “and”.</td>
</tr>
<tr>
<td><strong>Determination 0302, Woomera Allowance, as amended</strong>⁶</td>
<td></td>
</tr>
<tr>
<td>Clause 5</td>
<td>Renumber as subclause 5.1.</td>
</tr>
<tr>
<td>Subclause 5.1 (second occurring)</td>
<td>Renumber as subclause 5.2.</td>
</tr>
<tr>
<td>Subclause 5.2</td>
<td>Omit “paragraph 5(c)”, substitute “paragraph 5.1(c)”.</td>
</tr>
<tr>
<td>Paragraph 14(a)</td>
<td>Omit “or”, substitute “and”.</td>
</tr>
<tr>
<td><strong>Determination 0307, Bindoon Allowance, as amended</strong>⁷</td>
<td></td>
</tr>
<tr>
<td>Paragraph 11(a)</td>
<td>Omit “or”, substitute “and”.</td>
</tr>
<tr>
<td><strong>Determination 0510, Child Care Reimbursement Allowance, as amended</strong>⁸</td>
<td></td>
</tr>
<tr>
<td>Clause 5</td>
<td>Renumber as subclause 5.1.</td>
</tr>
<tr>
<td>Subclause 5.2</td>
<td>Omit “5(b)(ii)(C)”, substitute “5.1(b)(ii)C)”.</td>
</tr>
</tbody>
</table>
## SCHEDULE - continued

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
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<tbody>
<tr>
<td>Provision</td>
<td>Amendment</td>
</tr>
</tbody>
</table>

### Determination 1503, Cancelled Posting Expenses, as amended

Clause 2, definition of “relevant determination”
Before “the provisions of”, insert “and”.

### Determination 1904, Allowance for Loss on Sale of Furniture and Effects, as amended

Clause 2, definition of “incidental expenses”
Omit “sale;”, substitute “sale.”.

### Determination 2501, Charge for Rations and Quarters, as amended

Clause 2, definition of “serve in the field”, paragraph (b)
Omit “under clause 4;”, substitute “under clause 4.”.

### Determination 2601, Recreation Leave, as amended

Clause 2, definition of “trainee”
Omit “Determination 101”, substitute “Determination 0101”.

Schedule, Part 2, column 1 - item relating to the Arabian Gulf
Omit “East” (second occurring).

### Determination 2607, Recreation Leave Bonus, as amended

Clause 2, definition of “trainee”
Omit “Determination 101”, substitute “Determination 0101”.

### Determination 2608, Leave Without Pay, as amended

Clause 2
Omit “service;”, substitute “service.”.

Clause 13
Omit “Determination 101”, substitute “Determination 0101”.

### Defence Determination 1996/16, as amended

Clause 19
Omit “233”, substitute “$233”.

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NOTES

1. Determination 0305 was made by Determination No. 30 of 1980 and has been amended by Determination Nos. 34 of 1981; 4, 30 and 50 of 1982; 6 and 35 of 1986; 72 and 77 of 1988; 141 and 184 of 1989; 110 of 1991; 46 of 1992; 46 of 1993 and 10 and 20 of 1996. The Determination has also been amended by Determination Nos. 1 of 1988 and 10 of 1989 made under section 58H.


4. Determination 0101 was made by Determination 0111 of 1984 and has been amended by Determination Nos. 25, 31, 47, 49 and 55 of 1985; 5, 38 and 79 of 1986; 4 and 87 of 1987; 1, 17, 24, 54 and 61 of 1988; 21, 55, 173, 190 and 204 of 1989; 123 and 178 of 1990; 100 of 1991; and 21, 24, 29 and 46 of 1992; 8 and 42 of 1993 and 13 of 1996. The Determination has also been amended by Determination Nos. 1, 4, 7 and 9 of 1985; 2 of 1986; 1, 3 and 5 of 1987; 3, 7, 11 and 16 of 1988; 7, 9, 12 and 14 of 1989; 1, 2, 4, 6, 8, 13 and 15 of 1990; 4 of 1991; and 3 of 1992 made under section 58H.

5. Determination 0301, as amended to date. For previous amendments see Note to Determination No. 10 of 1998 and see also Determination No. 10 of 1998.


7. Determination 0307 was made by Determination No. 39 of 1984 and has been amended by Determination Nos. 25 and 97 of 1986; 54 and 72 of 1988; 96 and 184 of 1989; 18 of 1995; 20 of 1996 and 15 and 45 of 1997.


9. Determination 1904, as amended to date. For previous amendments see Note to Determination No. 12 of 1998 and see also Determination No. 12 of 1998.

10. Determination 2501, as amended to date. For previous amendments see Note to Determination No. 23 of 1998 and see also Determination No. 23 of 1998.

11. Determination 2501, as amended to date. For previous amendments see Note to Determination No. 23 of 1998 and see also Determination No. 23 of 1998.
12. Determination 2601, as amended to date. For previous amendments see Note to Determination No. 6 of 1998 and see also Determination Nos. 6, 10 and 16 of 1998.

13. Determination 2607 was made by Determination No. 40 of 1981 and has been amended by Determination Nos. 60 of 1981; 3, 4, 11, 24, 32 and 43 of 1982; 1, 35 and 37 of 1983; 1, 8, 50 and 112 of 1984; 11 of 1985; 17 and 45 of 1988; 6, 18 and 110 of 1989; 166 of 1990; 100 and 105 of 1991; 14, 21 and 29 of 1992; 20, 40 and 46 of 1993; 30 of 1994; and 14 of 1995. This Determination has also been amended by Determination Nos. 1 and 6 of 1988 made under section 58H.

14. Determination 2608, as amended to date. For previous amendments see Note to Determination No. 22 of 1998 and see also Determination No. 22 of 1998.

15. Defence Determination 1996/16, as amended to date. For previous amendments see Note to Defence Determination No. 1 of 1998 and see also Nos. 1, 13, 17, 19, 20 and 23 of 1998.
EXPLANATORY STATEMENT

Defence Determination 1998/25

Defence Act 1903

This Determination makes minor textual amendments of a technical nature to the following determinations:

. Determination 0101, Increments and related matters;
. Determination 0301, District Allowance;
. Determination 0302, Woomera Allowance;
. Determination 0305, Antarctic Allowance;
. Determination 0307, Bindoon Allowance;
. Determination 0401, Travelling Allowance;
. Determination 0402, Vehicle Allowance;
. Determination 0510, Child Care Reimbursement Allowance;
. Determination 1503, Cancelled Posting Expenses;
. Determination 1904, Allowance for Loss on Sale of Furniture and Effects;
. Determination 2501, Charge for Rations and Quarters;
. Determination 2601, Recreation Leave;
. Determination 2607, Recreation Leave Bonus;
. Determination 2608, Leave Without Pay; and
. Defence Determination 1996/16 (rates of various allowances and contributions).

Part A of this Determination sets out preliminary matters.

Part B amends Determination 0305 by making minor technical amendments to out-of-date references to certain provisions of determinations made by the Defence Force Remuneration Tribunal.

Part C amends Determination 0401 by omitting an out-of-date definition that is no longer required for the proper interpretation of the Determination, and making a minor typographic amendment.

Part D amends a provision of Determination 0402 dealing with travel by vehicle on removal from one locality to another, by updating internal cross-references and minor drafting aspects without altering the effect of the provision. A redundant provision referring to an obsolete method of assessing accommodation and meal expenses is omitted.

Part E makes minor textual amendments to various Determinations as set out in the Schedule.

This Determination commences on the day on which it is made, as provided by
subsection 58B(4) of the *Defence Act 1903*.

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