Defence Determination 1998/40

I, MAL PEARCE, Director General Personnel Policy and Employment Conditions, Defence Personnel Executive, acting under a delegation made by the Minister for Defence under regulation 72A of the Defence Force Regulations, make the following Determination under section 58B of the Defence Act 1903.

Dated 4 December 1998

M. PEARCE
Director General
Personnel Policy and Employment Conditions
Defence Personnel Executive
PART A - Preliminary

1. Citation
1.1 This Determination may be cited as Defence Determination 1998/40, Various Determinations (Amendment).

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

PART B – Amendment of Determination 1503

2. Amendment
2.1 Determination 1503, Cancelled Posting Expenses, as amended¹, is amended as set out in this Part.

3. Clause 2 (Definitions)
3.1 Definition of “relevant determination”, paragraph (f):
Omit “Housing Assistance.”, substitute “Housing Assistance;”.

PART C – Amendment of Determination 1906

4. Amendment
4.1 Determination 1906, Insurance on Removal of Urgently Required Household Items, as amended², is amended as set out in this Part.

5. Clause 6 (Insurance on removal of urgently required household items)
5.1 Paragraph 6(b):
Omit “the dependants’”, substitute “dependant’s”.

PART D – Amendment of Determination 2904

6. Amendment
6.1 Determination 2904, Financial Benefits for Members of the Australian Defence Force Declared Redundant, as amended³, is amended as set out in this Part.

7. Clause 5 (Entitlement)
7.1 Paragraph 5(b):
Omit “the Minister for Defence”, substitute “the Minister”.

8. Clause 11 (Amount repayable where member commences a subsequent period of continuous service)
8.1 Paragraph 11(c):
Omit “the Minister for Defence”, substitute “the Minister”.

¹ Amendment
² Amendment
³ Amendment
PART E – Amendment of Defence Determination 1991/45

9. Amendment
9.1 Defence Determination 1991/45, as amended\(^4\), is amended as set out in this Part.

10. Clause 3 (Meaning of certain words)
10.1 Definition of “living-in accommodation”:
Omit “, means”, substitute “means”.

PART F – Amendment of Defence Determination 1994/27

11. Amendment
11.1 Defence Determination 1994/27, as amended\(^5\), is amended as set out in this Part.

12. Clause 2 (Definitions)
12.1 Definition of “the Minister”:
Omit the definition.

PART G – Amendment of Defence Determination 1997/10

13. Amendment
13.1 Defence Determination 1997/10, as amended\(^6\), is amended as set out in this Part.

14. Clause 3 (Approving authority)
14.1 Paragraph 3.1(a):
Omit “in the case of the Chief of the Defence Force – the relevant Minister”, substitute “in the case of the CDF – the Minister”.

14.2 Paragraph 3.1(b):
Omit “the Chief of the Defence Force”, substitute “the CDF”.

15. Clause 4 (Special leave for private purposes)
15.1 Paragraph 4.1(1)(a):
Omit “the Chief of the Defence Force”, substitute “the CDF”.
NOTES

1. Determination 1503, as amended to date. For previous amendments see Note to Determination No. 25 of 1998 and see also Determination Nos. 25 and 31 of 1998.

2. Determination 1906, as amended to date. For previous amendments see Note to Determination No. 32 of 1998 and see also Determination No. 32 of 1998.

3. Determination 2904 was made by Determination No. 211 of 1989 and has been amended by Determination No. 73 of 1990; 35 of 1992; 32 of 1993; 7 and 47 of 1994; 21 of 1995; and 35 of 1997.

4. Defence Determination 1991/45, as amended to date. For previous amendments see Note to Determination No. 23 of 1998 and see also Determination Nos. 23, 31, 32 and 34 of 1998.

5. Defence Determination 1994/27, as amended to date. For previous amendments see Note to Determination 2 of 1998 and see also Determination Nos. 2, 6 and 26 of 1998.

6. Defence Determination 1997/10, as amended to date. For previous amendments see Note to Determination No. 16 of 1998 and see also Determination No. 16 of 1998.
EXPLANATORY STATEMENT

Defence Determination 1998/40

Defence Act 1903

This Determination amends:

Determination 1503, Cancelled Posting Expenses
Determination 1906, Insurance on Removal of Urgently Required Household Items
Determination 2904, Financial Benefits for Members of the Australian Defence Force
Declared Redundant
Defence Determination 1991/45 [general definitions and interpretation]
Defence Determination 1994/27 [Deployment Allowance]
Defence Determination 1997/10 [special leave for private purposes].

The amendments:

• replace certain references to the Minister for Defence (Part D), the Minister for Defence Science and Personnel (as set out in the definition omitted by Part F) and the ‘relevant Minister’ (Part G) with general references to ‘the Minister’, ie the Minister or Ministers administering the Defence portfolio;

• substitute an acronym for the Chief of the Defence Force, as defined in Defence Determination 1991/45 (Part G); and

• make other minor typographic and textual amendments.

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