EXPLANATORY STATEMENT

Defence Force (Home Loans Assistance) Act 1990

Declaration of warlike service (Operation CATALYST)

The Defence Force (Home Loans Assistance) Act 1990 (the Act), together with the Agreement incorporated in the Act, provides for the payment of housing loan subsidies for certain members of the Australian Defence Force (the ADF).

Subsection 3C(1) of the Act enables the Minister to declare duty to be warlike service for the purposes of the Act.

The purpose of this Declaration is to declare duty with the ADF contribution in support of the United States led coalition operations in Iraq on Operation CATALYST, as warlike service for the purpose of the Act during the period 16 July 2003 to 31 July 2009.

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

Clause 2 revokes the previous Declaration made for Operation CATALYST and provides that this Declaration replaces that earlier instrument.

Clause 3 of this Declaration provides that the Determination commences on the day after it is registered.

Clause 4(a) of this Declaration specifies the area of operations for the purpose of the Declaration.

Clause 4(b) provides that the Declaration applies to a member of the ADF who is allotted for duty on Operation CATALYST.

Clause 4(c) provides that the Declaration applies for the period 16 July 2003 to 31 July 2009, the period ADF personnel were deployed on Operation CATALYST within the specified area defined in clause 4(a).

This Declaration is a legislative instrument for the purposes of the Legislative Instruments Act 2003 (the LIA).

These benefits entitle an eligible person who rendered warlike service to additional periods of housing subsidy as well as an exemption of the five year qualifying period of service. The entitlement to additional years of subsidy range from two additional years, for warlike service of less than three months, to five additional years for warlike service of more than nine months.
Consultation was considered unnecessary pursuant to section 18 of the Legislative Instruments Act 2003 because the Determination relates to the service of members of the ADF.

Authority: Subsection 3C(1) of the Defence Force (Home Loans Assistance) Act 1990