Defence Determination, Conditions of service Amendment (Education assistance – rates) Determination 2019 (No. 22)

I, FIONA LOUISE McSPEERIN, Assistant Secretary, People Policy and Employment Conditions, make the following Determination under section 58B of the Defence Act 1903.

Dated 26 July 2019

F L McSPEERIN
Assistant Secretary
People Policy and Employment Conditions
Defence People Group
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Schedule 1—Amendments

Defence Determination 2016/19, Conditions of service 2
1 Name

This instrument is the *Defence Determination, Conditions of service Amendment (Education assistance – rates) Determination 2019 (No. 22)*.

2 Commencement

This instrument commences on 5 September 2019.

3 Authority

This instrument is made under section 58B of the *Defence Act 1903*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.
Schedule 1—Education assistance rate amendments

Defence Determination 2016/19, Conditions of service

1 **Subsection 8.4.10.3 (Face-to-face tutoring)**
   Omit "$103", substitute "$106".

2 **Subsection 8.4.11.6 (Web-based tutoring), table**
   Omit the table, substitute:

<table>
<thead>
<tr>
<th>Item</th>
<th>Column A If the subject…</th>
<th>Column B then the maximum limit is…</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>is offered at the new school and the child has studied the subject before.</td>
<td>$1,487.</td>
</tr>
<tr>
<td>2.</td>
<td>is offered at the new school and the child has not studied the subject before.</td>
<td>$2,761.</td>
</tr>
<tr>
<td>3.</td>
<td>is not offered at the new school and the child meets both of the following conditions. a. The child is in Year 10, 11 or 12. b. The child needs to study the subject, as it is essential to their career aims.</td>
<td>$5,522.</td>
</tr>
</tbody>
</table>

3 **Subsection 8.4.14.2 (Children with special needs)**
   Omit the subsection.

4 **Subsection 8.4.14.3 (Children with special needs)**
   Omit the subsection, substitute:

   3. A member who has a child who is a dependant with special needs is eligible for a service specified in column A up to the maximum specified in column B of the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Column A Services</th>
<th>Column B Maximum benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>A therapy service or tuition not provided by the school, but critical to educational progress.</td>
<td>One hour a week for 14 weeks — up to $106 an hour for each service needed.</td>
</tr>
<tr>
<td>2.</td>
<td>An assessment of their needs, critical to the development of an educational program.</td>
<td>A private assessment of the need — up to $782.</td>
</tr>
</tbody>
</table>

5 **Subsection 8.4.14.5 (Children with special needs)**
   Omit "$28,563", substitute "$29,319".
6 Subsection 8.4.14.5 (Children with special needs)
Omit "$361", substitute "$382".

7 Subsection 8.4.15.4 (CDF discretion to extend education assistance)
Omit "$103", substitute "$106".

8 Section 8.4.21 (Rates of reimbursement), title
Omit the title, substitute:

8.4.21 Rates of reimbursement and member contributions

9 Subsection 8.4.21.1 (Rates of reimbursement)
Omit the subsection, substitute:

1. Subject to subsection 2 and section 8.4.22, a member who incurs a cost for a purpose in column A in a year is eligible for a reimbursement of the cost incurred up to the amount specified in column B and must pay the contribution specified in column C of the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Column A Purpose</th>
<th>Column B Maximum reimbursement</th>
<th>Column C Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Compulsory tuition fees.</td>
<td>$29,319</td>
<td>$382</td>
</tr>
</tbody>
</table>
| 2.   | If in boarding school or a commercial establishment, the cost of board. | $29,989 | Either of the following.
|      |                  |                              | a. For the first year of boarding — $2,742.  
|      |                  |                              | b. For every other year of boarding — $3,146. |
| 3.   | If accommodated privately, the cost of board to a maximum of $18,431. | $18,431 | |

10 Section 15.6.10A (Member contribution)
Omit the section, substitute:

15.6.10A Member contribution
A member who receives a benefit under section 15.6.10B must pay an annual contribution specified in column B for the school level described in column A of the following table.
<table>
<thead>
<tr>
<th>Item</th>
<th>Column A School level</th>
<th>Column B Annual contribution in AUD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Pre-school</td>
<td>509</td>
</tr>
<tr>
<td>2.</td>
<td>Primary school</td>
<td>174</td>
</tr>
<tr>
<td>3.</td>
<td>Secondary school</td>
<td>405</td>
</tr>
</tbody>
</table>

11 **Subsection 15.6.22A.5 (Education assistance – Cherbourg)**

Omit "395", substitute "405".

12 **Subsection 15.6.25.1 (Rates of assistance)**

Omit the subsection, substitute:

1. For the purpose of education assistance provided in this Division, if the member incurs an expense described in column A, the maximum assistance in a 12 month period is specified in column B and the contribution is specified in column C of the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Column A Expense</th>
<th>Column B Maximum assistance</th>
<th>Column C Contribution</th>
</tr>
</thead>
</table>
| 1.   | For compulsory tuition fees. | AUD 29,319 | Either of the following.  
|      |                   |                              | a. if the child is in pre-school or primary school — AUD 174.  
|      |                   |                              | b. if the child is in secondary school — AUD 405. |
| 2.   | For accommodation charged by a boarding school, a tertiary institution or a commercial establishment. | AUD 29,989 | The greater of the following.  
|      |                   |                              | a. Either of the following.  
|      |                   |                              | i. For the first year of boarding — AUD 2,742  
|      |                   |                              | ii. For every other year of boarding — AUD 3,146.  
|      |                   |                              | b. The annual cost incurred by the member for the child's accommodation that was current on the day before the date the notice of posting was issued to the member.  
|      |                   |                              | **Note**: If the child lives in the family home, no assistance is provided under this Division. |
| 3.   | For private accommodation. | AUD 18,431 | The greater of the following.  
|      |                   |                              | a. AUD 3,036.  
|      |                   |                              | b. The annual cost incurred by the member for the child's accommodation that was current on the day before the date the notice of posting was issued to the member. |
Note: If the child lives in the family home, no assistance is provided under this Division.