Defence Determination, Conditions of service Amendment (Miscellaneous and salary non-reduction) Determination 2019 (No. 25)

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 August 2019

Fiona Louise McSpeerin
Assistant Secretary
People Policy and Employment Conditions
Defence People Group
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1 Name

This instrument is the *Defence Determination, Conditions of service Amendment (Miscellaneous and salary non-reduction) Determination 2019 (No. 25)*.

2 Commencement

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

*Defence Determination 2016/19, Conditions of service*

1. **Subsection 3.2.58.2 (Movements between Reserve service and continuous full-time service)**
   Omit the subsection, substitute:
   For a period of continuous full-time service the member is to be paid the non-reduction supplement at the same rate payable under section 3.2.56.

2. **Section 4.9.2 (Contents)**
   Omit "Annex 4.9.A High Readiness Reserve health support allowance claim form".

3. **Subsection 5.4.8.3 (Basic recreation leave credit), formula**
   Omit "additional", substitute "basic"

4. **Subsection 5.4.31.1 (Conditions of granting of leave)**
   Omit the subsection, substitute:
   1. A member must not be granted recreation leave if they do not hold enough leave credit for the period of the absence.

5. **Subsection 5.4.31.3 (Conditions of granting leave), see note**
   Omit the see note.

6. **Section 7.0.2 (Contents)**
   Omit "Annex 7.G Example of how the rent ceiling and member's contribution works".

7. **Subsection 7.1.3 (Types of housing assistance – contributions and choices)**
   Omit the section.

8. **Subsection 7.1.14 (Definitions)**
   Before the definition of 'Date of purchase', insert:
   
   | Contribution | The amount a member pays towards the cost of benefits provided for housing, meals and utilities. |

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9 Subparagraph 7.1.16A.2.d.ii (Puckapunyal housing trial member)
Omit "form", substitute "from".

10 Subsection 7.4.27B.2 (Member with dependants (unaccompanied) on a flexible service determination)
Omit “A member’s may”, substitute “A member may”.

11 Subsection 7.7.14.3 (Contributions for accommodation)
Omit the subsection, substitute:
3. The fortnightly rent contribution for a member who accepts an offer of accommodation above their rent ceiling, under subsection 7.7.12.1, is the sum of the following amounts.
   b. The difference between the applicable rent ceiling, under subsection 7.7.13.1 and the rent of the home.

12 Section 7.8.3 (Definitions)
Omit the section.

13 Paragraph 7.8.17.1A.b (Contribution for rented home), see note
Omit the see note.

14 Subsection 7.8.20.3 (Shared Home), example
Omit the example.

15 Subsection 7.8.23.2 (Home is sublet), see note
Omit the see note.

16 Annex 7.G (Example of how the rent ceiling and member’s contribution works)
Omit the Annex.

17 Subsection 8.3.6.7 (Member who may be classified as a member with dependants (unaccompanied))
Omit the subsection, substitute:
7. The CDF may approve a member as a member with dependants (unaccompanied) when the member has not been provided removal benefits for the member’s dependants to move
to a personal location.

18 Chapter 8 Part 3 Division 2 (Member with dependants (unaccompanied) summary)
Omit the division.

19 Section 8.6.5 (Assessment of assistance on posting), title
Omit the title, substitute:

8.6.5 Limitation on assistance

20 Paragraph 9.5.15 (Meaning of normal accommodation stock)
Omit the section, substitute:

9.5.15 Meaning of normal accommodation stock
Normal accommodation stock is accommodation that is made available through the contracted service provider for the period required.

21 Subsection 9.5.17.2 (Meals and incidentals while living out on a journey)
Omit the subsection, substitute:

2. The maximum daily limits for meals and incidentals are the following.
   a. For meals — the sum of rates for each meal period specified for the location in Annex 9.5.A Part 4, columns B, C and D for each day.
   b. For incidentals — the rate in Annex 9.5.A Part 4, column E for each 24 hours of the travel period and for any part-day at the end of the journey.

22 Subsection 15.3.7.2 (Public transport)
Omit "The excess cost the member is calculated", substitute “The excess cost is calculated".
# Schedule 2—Salary non-reduction amendment

*Defence Determination 2016/19, Conditions of service*

1. **Annex 3.2.C (Salary non-reduction – Flight test engineers)**

2. **Transitional provision**
   1. This section applies to a member of the Air Force who meets all of the following.
      a. The member was on a salary non-reduction period under item 2 of the table in subsection 3.2.52.2 on 13 August 2013.
      b. The member was in Air Force Pay grade 7.
      c. The member would have been eligible for the salary non-reduction had this Schedule commenced on 14 August 2019.
   2. The member is eligible for a payment of an amount of salary that is the difference between the following amounts.
      a. The amount of salary that the member was paid between 14 August 2019 and the commencement of this Determination.
      b. The amount of salary that the member would have been paid had this Determination commenced on 14 August 2019 until the commencement of this Determination.