Defence Determination, Conditions of service Amendment (Leave for travel to restricted destinations) Determination 2019 (No. 27)

I, KIRK MARCEL LLOYD, Acting Assistant Secretary, People Policy and Employment Conditions, make the following Determination under section 58B of the Defence Act 1903.

Dated 24 September 2019

K M LLOYD
Acting Assistant Secretary
People Policy and Employment Conditions
Defence People Group
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Name</td>
<td>1</td>
</tr>
<tr>
<td>2 Commencement</td>
<td>1</td>
</tr>
<tr>
<td>3 Authority</td>
<td>1</td>
</tr>
<tr>
<td>4 Schedules</td>
<td>1</td>
</tr>
</tbody>
</table>

**Schedule 1—Leave for travel to restricted destinations amendments**  
Defence Determination 2016/19, Conditions of service  

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule 1</td>
<td>2</td>
</tr>
</tbody>
</table>
1 Name

This instrument is the *Defence Determination, Conditions of service Amendment (Leave for travel to restricted destinations) Determination 2019 (No. 27)*.

2 Commencement

This instrument commences 3 October 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Leave for travel to restricted destinations amendments

_Defence Determination 2016/19, Conditions of service_

1 Section 1.3.68 (Restricted destination)

Omit the section, substitute:

1.3.68 Restricted destination

Restricted destination means any of the following.

a. Afghanistan.
b. Democratic People's Republic of Korea.
c. Iraq.
d. South Sudan.
e. Syria.
f. Yemen.
g. A country, or a part of a country, listed by the Department of Foreign Affairs and Trade with an advice level of 'Do not travel'.

2 Section 5.0.2 (Contents)

Omit "Leave and travel", substitute "Leave for travel to restricted destinations".

3 Chapter 5 Part 2 (Leave and travel)

Omit the Part, substitute:

Part 2: Leave for travel to restricted destinations

5.2.1 Purpose

This Part specifies the restrictions on the granting of leave for members who travel to restricted destinations and the consequences of travelling to a restricted destination while on approved leave.

5.2.2 Member this Part applies to

This Part applies to members who have applied, or have been approved, for any of the following types of leave.

a. Recreation leave.
b. Long service leave.
c. War service leave.
d. Compassionate leave.
e. Leave without pay.
f. Maternity leave.

5.2.3 Transiting through a restricted destination
For the purpose of this Part, a member transits through a restricted destination if they enter the restricted destination and both of the following apply.
a. The member remains in the port or airport.
b. The member does not pass through any customs or immigration process.

5.2.4 Restriction on the grant of leave
A member must not be granted leave to travel to a restricted destination unless either of the following apply.
a. The member has been granted a leave travel waiver for that restricted destination.
b. The member will only transit through the restricted destination.

5.2.5 Cancellation of leave in a restricted destination
If a member is on leave and travels to a restricted destination, the member’s leave is cancelled unless one of the following applies.
a. The member has been granted a leave travel waiver for that restricted destination.
b. The member is only transiting through the restricted destination.
c. The member’s presence in the restricted destination is beyond their control.
b. The member was in transit in the restricted destination and required to leave the port or airport for a reason beyond their control.

Note: A member’s leave is not restored once the member leaves the restricted destination.