



## **Defence Determination, Conditions of service (COVID-19 response – overseas) Amendment Determination 2021 (No. 21)**

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

Dated 8 October 2021

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 (COVID-19 response – overseas) Amendment Determination 2021 (No. 21)*.

## **2 Commencement**

This instrument commences on 14 October 2021.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

## *Defence Determination 2016/19, Conditions of service*

### 1 Section 1.3.62 (Public transport)

After the section, insert:

#### 1.3.62A Quarantine residence

**Quarantine residence** means a residence or other form of accommodation provided for the purpose of undertaking an isolation period.

### 2 Section 12.1.1 (Members Chapters 12 to 16 apply to)

Omit the section, substitute:

#### 12.1.1 Member Chapters 12 to 16 apply to

Chapters 12 to 16 apply to a member, including a member of the reserves, performing duty overseas and includes the following periods.

- a. For the purpose of commencing duty overseas, the period immediately before commencing duty overseas for the purpose doing all things necessary to travel to the overseas location.
- b. During the COVID-19 pandemic, the later of the following periods.
  - i. The period ending when the member returns to their posting location in Australia.
  - ii. If the member returns to their posting location and is required to isolate — the end of their isolation period.

**Notes:**

1. Required to isolate is defined in section 1.3.66A and includes quarantine.
2. Isolation period is defined at section 1.3.29B and include a quarantine period.

### 3 Section 12.5.3 (Cost of isolation accommodation)

Omit “who meets all of the following”.

### 4 Section 12.5.4 (Alternative accommodation)

After the section, insert:

#### **12.5.4A Accommodation at end of duty overseas – quarantine residence**

- 1, A person is eligible to occupy a quarantine residence for their isolation period if any of the following apply.
  - a. If they are a member and all of the following apply.
    - i. They have returned to Australia at the end of a period of duty overseas, other than on a deployment.
    - ii. They are required to isolate.
    - iii. They are not required to isolate in a State or Territory operated quarantine facility.
    - iv. They are not able complete their isolation period in their home.
    - v. A quarantine residence is available to occupy.
  - b. If they are a dependant of a member all of the following apply.
    - i. They have returned to Australia in connection with the end of the member's long-term posting overseas.
    - ii. They are required to isolate.
    - iii. They are not required to isolate in a State or Territory operated quarantine facility.
    - iv. They are not able complete their isolation period in their home.
    - v. A quarantine residence is available to occupy.
2. If a member and their dependant are eligible for a benefit under this section at the same time, the member and their dependant share the same quarantine residence.

#### **5 Section 12.5.5 (Meal supplement allowance)**

Omit the section, substitute:

#### **12.5.5 Meal supplement allowance – outside of Australia**

1. This section applies to a person who is outside of Australia and is eligible for any of the following benefits.
  - a. Cost of isolation accommodation under section 12.5.3.
  - b. Alternative accommodation under section 12.5.4.
2. Subject to subsection 3, a person is eligible for meal supplement allowance for each day of the isolation period.
3. Meal supplement allowance is not payable for a day on which a person receives 3 or more meals without a fee being charged to the person.
4. The rate of meal supplement assistance for a person required to isolate outside of Australia is one of the following.
  - a. If the country where the person is required to isolate is listed in Annex 13.3.A Part 2,

one of the following applies.

- i. If the person is 13 years old or older — the rate specified for the limit for each day: meals in the table in Annex 13.3.A Part 2 for the country.
  - ii. If the person is younger than 13 years old — two-thirds of the rate specified in subparagraph i.
- b. If the country where the person is required to isolate is not listed in the table in Annex 13.3.A Part 2 — one of the following.
    - i. If the person is 13 years old or older — \$42.50 per day.
    - ii. If the person is younger than 13 years old — \$21.25 per day.

### **12.5.6 Incidentals – outside of Australia**

1. This section applies to a member who meets all of the following.
  - a. They are eligible for meals supplement allowance under section 12.5.5.
  - b. They are on short-term duty overseas.
2. The member is eligible for incidentals.
3. The rate of incidentals is one of the following.
  - a. If the country where the person is required to isolate is listed in Annex 13.3.A Part 2, the rate specified for the limit for each day: incidentals in the table in Annex 13.3.A Part 2 for the country.
  - b. If the country where the person is required to isolate is not listed in Annex 13.3.A Part 2, the rate specified for the limit for each day: incidentals in item 92 of the table in Annex 13.3.A, Part 2.

### **12.5.7 Meal supplement allowance – in Australia**

1. This section applies to a person who is in Australia and is eligible for isolation accommodation under section 12.5.4A.
2. A person is eligible for meal supplement allowance for each day of their isolation period.
3. The daily rate of meal supplement allowance is the sum of the following.
  - a. The meals component.
  - b. If the person is a member and not in their own residence — the incidentals component.
4. Subject to subsection 5, the meals component of meal supplement allowance is the sum of the following.
  - a. The sum of the costs of the meals for which the member is eligible to receive meal supplement allowance.
  - b. The sum of the amounts for the following meals that corresponds with the location of the member in column A of the table in Annex 9.5.A Part 4 that the member is eligible to receive meal supplement allowance for.

- i. For breakfast — the amount in column B.
  - ii. For lunch — the amount in column C.
  - iii. For dinner — the amount in column D.
5. All of the following apply.
  - a. A person is not eligible for the meals component of the meal supplement allowance for a meal that has been provided to the person at no cost.
  - b. If the person is 10 years old or less, the meal component is 50% of what the person would have otherwise been eligible for.
6. The incidentals component of meal supplement allowance is the amount payable for the location of the member in column A of the table in Annex 9.5.A Part 4 that is specified in column E.

# Schedule 2—Overseas pet relocation amendments

## *Defence Determination 2016/19, Conditions of service*

### 1 Subsection 14.3.6.1 (Pet relocation)

After the subsection, insert:

**Note:** Relocation of pets within Australia is provided under Chapter 6 Part 1 Division 3.

### 2 Subsection 14.3.6.5 (Pet relocation)

Omit the subsection, substitute:

5. A member is not eligible for pet relocation under this section if they are eligible to receive a pet relocation under section 14.3.6A.

### 14.3.6A End of posting pet relocation costs – COVID-19

1. A member is eligible for pet relocation assistance for a pet if all of the following apply.
  - a. The pet was relocated to the member's posting location in connection with the member starting a long-term posting overseas.

**Note:** A member is not required to have received benefit for the relocation of the pet.
  - b. The member is eligible for a removal to their next posting location under this Part.
  - c. The cost of the pet relocation is at least 2 times greater than the cost of pet relocation in connection with the commencement of the member's long-term posting overseas.
  - d. The pet relocation commences no later than 30 June 2022.
2. Pet relocation assistance is an amount the lesser of the following.
  - a. The amount calculated using the following formula.

$$\text{Pet relocation assistance} = A - (2 \times B)$$

Where:

- A** is the actual cost of the pet relocation.
- B** is the cost of pet relocation to the posting location overseas in connection with the commencement of the member's long-term posting overseas.

- b. The amount calculated using the following formula.

$$\text{Pet relocation assistance} = 4 \times A$$

Where:

- A** is the cost of pet relocation to the posting location overseas in connection with the commencement of the member's long-term posting overseas.

3. In this section, all of the following apply.



- a. The cost of pet relocation includes the following.
  - i. The commercial transportation of the pet and associated boarding.
  - ii. Veterinary fees for the sedation of the pet for transportation.
  - iii. Fees and charges in relation to quarantine.
- b. The cost of pet relocation does not include any of the following.
  - i. Items purchased for the transportation of the pet.
  - ii. Costs of vaccinating the pet.
  - iii. Other veterinary services that are not directly related to the relocation of the pet.

# Schedule 3—Transitional provisions – quarantine housing

## 1 Definitions

In this Schedule the following apply.

**Defence Determination** means Defence Determination 2016/19, Conditions of service, as in force from time to time.

**Isolation period** has the same meaning as given in the Defence Determination.

**Required to Isolate** has the same meaning as given in the Defence Determination.

## 2 Application

This Schedule applies to a person who would have been eligible for a benefit under the Defence Determination, as amended by Schedule 1 of this Determination had it been in force between 31 August 2021 and the commencement of this Determination.

## 3 Quarantine accommodation in Australia

1. Subject to subsection 2, if the person would have been eligible to occupy a quarantine residence under section 12.5.4A of Schedule 1 and incurred a cost for occupying accommodation provided for the purpose of requiring to isolate, the member is eligible for the cost of that accommodation for the isolation period.
2. If the member received a payment under the Defence Determination for occupying accommodation provided for the purpose of completing an isolation period, the member is not eligible for a payment under Schedule 1 for the same period.

## 4 Meals and incidentals in Australia

1. Subject to subsection 2, if the member would have been eligible for meal supplement allowance under section 12.5.7 of Schedule 1, the member is eligible for the amount of supplement allowance they would have received had Schedule 1 applied.
2. If the member received an allowance for meals and incidentals under the Defence determination, as in force from time to time, for a period of isolation to which this section would apply, the amount payable to the member under subsection 1 is reduced by the amount they have received.

# Schedule 4—Transitional provisions – overseas pet relocations

## 1 Definitions

In this Schedule, **Defence Determination** means Defence Determination 2016/19, Conditions of service.

## 2 Additional pet relocation assistance

1. This section applies to a member who meets all of the following.
  - a. They were on a long-term overseas posting on or after 19 March 2020 and before the commencement of this Determination.
  - b. They received a benefit for a pet relocation under section 14.3.6 of the Defence Determination, as in force at the end of their posting.
2. The member is eligible for a payment of an amount calculated using the following formula.

$$Amount = A - B$$

Where:

- A** is the amount they would have been eligible to receive under section 14.6A of the Defence Determination, as amended by this Determination.
- B** is the amount they received under section 14.3.6 of the Defence Determination, as in force at the time.