



Defence Determination 2016/24, Principal Determination harmonisation

I, TYSON PAUL SARA, Assistant Secretary People Policy and Employment Conditions, make this Determination under section 58B of the *Defence Act 1903*.

Dated 22 June 2016

T P SARA
Assistant Secretary
People Policy and Employment Conditions
Defence People Group

1 Citation

1. This Determination is Defence Determination 2016/24, Principal Determination harmonisation.
2. This Determination may also be cited as Defence Determination 2016/24.

2 Commencement

This Determination commences on 1 July 2016.

3 Authority

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

4 Amendment

Defence Determination 2016/19, Conditions of service, as amended,¹ is amended in this Determination.

5 Schedules

Defence Determination 2016/19 is amended as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Determination has effect according to its terms.

NOTE

1. Defence Determination 2016/19, as amended to date. For previous amendments see Defence Determination 2016/23.

Schedule 1—Overseas education assistance – amendment

1 Section 15.1.6 (Member living on Manhattan Island, USA), table header

omit

under Annex 15.2.A is...

insert

under Annex 15.2.A and Annex 15.6.A is...

2 Section 15.6.4 (Definitions), definition for benchmark school

substitute

Benchmark school	A school that provides a standard of education that is as close as possible to the Australian standard at a reasonable cost. The school sets a 'benchmark' for the amount of education assistance to be reimbursed to the member or paid to a school, when a child attends school at the posting location. See: Division 2 section 15.6.9 and Annex 15.6.A
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3 Section 15.6.9.2 (Benchmark schools at posting locations)

at the end, insert

Exception 1: A member who is directed to live in the District of Columbia.

See: Subsection 15.6.10.1A, Education assistance benefit – general

Exception 2: The CDF has decided under subsection 15.6.10.1B that a suitable primary or secondary benchmark school is not available at the posting location.

See: Subsection 15.6.10.1B, Education assistance benefit – general

4 Subsection 15.6.10.1 (Education assistance benefit – general)

substitute

1. This subsection applies to a member with a child who attends school at the member's posting location for which a benchmark school has been provided under Annex 15.6.A. The member may be reimbursed the lesser of the following.
 - a. The compulsory tuition fees paid for the child to attend school at the posting location.
 - b. The compulsory tuition fees levied by a benchmark school in the posting area.

Exception: The member's child attends pre-school in the USA, but will not turn five by 31 December in the current school year. The amount is the compulsory tuition fees levied by the benchmark school at the rate of five half days a week.

- 1A. This subsection applies to a member who is directed to live in the District of Columbia with a child attending primary or secondary school at the posting location. All the following conditions apply.

- a. The benchmark school for 'USA, elsewhere', under Annex 15.6.A, does not apply to a member whose child attends primary or secondary school.

Note: Annex 15.6.A does apply to a member whose child attends pre-school/kindergarten.

See: Annex 15.6.A, benchmark schools

- b. The member may be reimbursed the lesser of the following amounts a year.
 - i. The compulsory tuition fees paid for the child to attend school at the posting location.
 - ii. The amount of USD 18,121.

Note: The reimbursable amount is instead of and not in addition to the amount reimbursable for the benchmark school for 'USA, elsewhere'.

- 1B. The CDF may decide that a suitable primary or secondary benchmark school is not available at the member's posting location in the USA only. The member may be reimbursed the lesser of the following amounts for compulsory tuition fees a year.

- a. The compulsory tuition fees paid for the child to attend school at the posting location.
 - b. The amount of USD 18,121.

Note 1: This subclause does not apply to a member's child in preschool or kindergarten. The benchmark school for USA, elsewhere applies.

Note 2: The reimbursable amount is instead of and not in addition to the amount reimbursable for the benchmark school for 'USA, elsewhere'.

See: Annex 15.6.A, Benchmark schools

5 Section 15.6.17 (USA – tuition and tertiary study)

substitute

15.6.17 Tertiary study

A child may intend to begin a course of study at a university or similar tertiary institution in Australia. In order to obtain admission, the child must attend freshman year at a junior college or similar tertiary institution in the USA. In this case, attendance is treated as secondary school. Both these conditions must be met.

- a. The child lived or intends to live with a member at the posting location for a substantial part of the posting period.
- b. The child has completed high school in the USA.

6 Annex 15.6.A (Benchmark schools), table item 36

substitute

36.	USA - Manhattan Note: The member must be directed to live on Manhattan Island under section 15.1.5	Dwight School, New York	Dwight School, New York	Dwight School, New York
	- elsewhere	The government pre-school where the member lives that offers part-time tuition for at least 15 hours a week Example: The member is able to pay for their child to attend the school 3 hours a day, five days a week. They are not charged for full-time care. See also: Paragraph 15.6.10.1.b	The government primary school where the member lives Exception: The CDF decides there is no suitable government school under subsection 15.6.10.1B. See: Subsection 15.6.10.1B See also: Subsection 15.6.10.1A	The government secondary school where the member lives Exception: The CDF decides there is no suitable government school under subsection 15.6.10.1B. See: Subsection 15.6.10.1B See also: Subsection 15.6.10.1A

Schedule 2—Benchmark and summer schools – amendment

1 Annex 15.6.A (Benchmark schools)

after item 6, insert

6A.	Ethiopia	International Community School Addis Ababa	International Community School Addis Ababa	International Community School Addis Ababa
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2 Annex 15.6.A (Benchmark schools)

after item 11, insert

11A.	Italy	American Overseas School of Rome	American Overseas School of Rome	American Overseas School of Rome
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3 Annex 15.6.B (Approved summer schools)

after item 5, insert

5A.	Italy	American Overseas School of Rome, Rome
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4 Annex 15.6.B (Approved summer schools), table item 8

substitute

8.	Japan	EtonHouse International School, Tokyo Sacred Heart International School, Tokyo Tokyo International School Willowbrook International School, Tokyo
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5 Annex 15.6.B (Approved summer schools), table item 14

substitute

14.	Spain: - All of Spain	Enforex Day Camp Summer Program (See: Subsection 15.6.16.5)
	- Madrid	American School of Madrid Centro Educativo Internacional El Jarama
	- La Coruna/Ferrol	Colegio Eiris Colegio Obradoiro