

# DEFENCE FORCE REMUNERATION TRIBUNAL

## DETERMINATION NO. 11 OF 2013

### ADF ALLOWANCES

The Defence Force Remuneration Tribunal makes this Determination under section 58H of the *Defence Act 1903*.

#### Contents

This Determination includes the following Parts which are set out in the Schedule.

Part A Administration

Part B General Disability Allowances

Part C Sustainment Allowances

Part D Other Allowances

Part E Savings and transitional arrangements

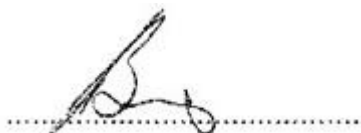
Part F Allowance Rates

Dated this twenty-third day of August two thousand and thirteen.

The Honourable A Harrison  
President

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The Honourable Arch Bevis  
Member

A handwritten signature in black ink, appearing to read 'Arch Bevis', written over a horizontal dotted line.

Brigadier William Rolfe, AO (Ret'd)  
Member

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## Schedule

## **PART A - ADMINISTRATION**

### **A.1.1 Citation**

1. This Determination is DFRT Determination No. 11 of 2013, ADF Allowances.
2. This Determination may also be cited as DFRT Determination No. 11 of 2013.

### **A.1.2 Commencement**

This Determination commences on 12 September 2013.

### **A.1.3 Repeal**

1. A Determination listed in the following table, as amended, and in force at the date listed in the table, is repealed from that date.

| <b>Item</b> | <b>Title</b>                                                                 | <b>Date of repeal</b> |
|-------------|------------------------------------------------------------------------------|-----------------------|
| 1.          | DFRT Determination No. 26 of 2008, Trainee Allowance                         | 11 September 2013     |
| 2.          | DFRT Determination No. 11 of 1994, Service Allowance                         | 11 September 2013     |
| 3.          | DFRT Determination No. 21 of 2006, Separation Allowance                      | 11 September 2013     |
| 4.          | DFRT Determination No. 15 of 1996, Adventurous Training Instructor Allowance | 11 September 2013     |
| 5.          | DFRT Determination No. 12 of 1997, Arduous Conditions Allowance              | 11 September 2013     |
| 6.          | DFRT Determination No. 6 of 1998, Diving Allowance                           | 11 September 2013     |
| 7.          | DFRT Determination No. 13 of 2008, Flying and Flight Duties Allowance        | 11 September 2013     |
| 8.          | DFRT Determination No. 21 of 1999, Submarine Escape Allowance                | 11 September 2013     |

2. Transitional arrangements for the Determinations listed in subsection A.1.3.1 are set out in Part E of this Determination.

#### A.1.4 Contents

Part A Administration

Part B General Disability Allowances

Division B.1 – Trainee allowance

Division B.2 – Service allowance

Division B.3 – Separation allowance

Division B.4 – Adventurous training instructor allowance

Division B.5 – Arduous conditions instructor allowance

Division B.6 – Diving allowance

Division B.7 – Flying disability allowance

Division B.8 – Submarine escape disability allowance

Part C Sustainment Allowances

Part D Other Allowances

Part E Savings and transitional arrangements

Part F Allowance Rates

Table 1 – General disability allowance rates

Table 2 – Quarantined disability allowance rates

#### A.1.5 Purpose

This Determination sets out the allowances to be paid to members of the Australian Defence Force.

#### A.1.6 Definitions

This table defines terms used in this Determination.

| Term                         | Definition                                                                                                                                                                                                                                                 |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ADF                          | Means the Australian Defence Force.                                                                                                                                                                                                                        |
| CDF                          | Means Chief of the Defence Force.                                                                                                                                                                                                                          |
| continuous full-time service | This definition applies to the service performed by these two groups of members.<br>a. Members of the Permanent Forces.<br>b. Members of the Reserves who are undertaking a period of continuous full-time service directed by the relevant Service Chief. |
| DFRT                         | Means the Defence Force Remuneration Tribunal established by section 58G of the <i>Defence Act 1903</i> .                                                                                                                                                  |
| employment category          | Includes a mustering. It may include a grade that indicates a level of qualification, experience and skill, or may be descriptive only.                                                                                                                    |
| equivalent rank              | Means a corresponding rank in regulation 8 of the <i>Defence Force Regulations 1952</i> , as in force from time to time.                                                                                                                                   |

|                                          |                                                                                                                                                                                                                                                    |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Force                                    | Means either the Permanent Force or the Reserve Force of the ADF.                                                                                                                                                                                  |
| individual readiness                     | Means the standard of readiness required of a member determined by the Service Chief under section 9A of the <i>Defence Act 1903</i> .                                                                                                             |
| initial minimum period of service (IMPS) | Means the minimum period of service which the relevant Service Chief has determined under the <i>Defence (Personnel) Regulations 2002</i> that a member is required to complete in respect of the member's initial appointment or enlistment.      |
| leave without pay (LWOP)                 | Means a period of full-time unpaid leave described in Defence Determination 2005/15, <i>Conditions of Service</i> , as amended from time to time.                                                                                                  |
| part-time leave without pay (PTLWOP)     | Means a period of part-time unpaid leave described in Defence Determination 2005/15, <i>Conditions of Service</i> , as amended from time to time.                                                                                                  |
| rank                                     | Includes equivalent rank.                                                                                                                                                                                                                          |
| rate                                     | Includes a scale of rates.                                                                                                                                                                                                                         |
| return of service obligation (ROSO)      | Means the period of service which the relevant Service Chief has determined under the <i>Defence (Personnel) Regulations 2002</i> that a member is required to complete in respect of specified training, education, experience or special duties. |
| senior officer                           | Means an officer at the rank of Brigadier or higher.                                                                                                                                                                                               |

#### A.1.7 Payment arrangements

1. This Determination does not limit the capacity for Defence Determination 2005/15, *Conditions of Service*, as amended from time to time, made under section 58B of the *Defence Act 1903*, to provide for administrative matters relating to the payment of allowances.

2. Annual rates of an allowance may be paid on a fortnightly basis. The fortnightly rate of an annual allowance is worked out using the following steps.

| Step | Action                                                                                |
|------|---------------------------------------------------------------------------------------|
| 1.   | Find the annual rate of allowance payable to the member.                              |
| 2.   | Multiply that figure by fourteen.                                                     |
| 3.   | Divide the result of Step 2 by 365.                                                   |
| 4.   | The result of Step 3 is the fortnightly rate of allowance that applies to the member. |

3. The following arrangements relating to eligibility for payment of an allowance are set out in Defence Determination 2005/15, *Conditions of Service*, as amended from time to time.

- a. The method for calculating a daily rate of an annual rate of allowance.
- b. The arrangements for payments and any temporary cessation of eligibility during periods of leave without pay, if not expressly provided in a Division of Part B.

4. If a member takes leave at half pay then any annual rate of allowance under this Determination is only payable to the member at half that annual rate for the period of the leave taken at half pay.

5. The annual rate of an allowance in this Determination continues to be payable during periods of paid leave if the member continues to meet relevant eligibility conditions.

#### **A.1.8 Cessation of payment**

1. A member's eligibility for an allowance ceases from the day that they cease to meet any condition that they are required to meet in order to be eligible for payment of an allowance.

**Exception:** Specific rules for payment of allowances during periods of recreation and long service leave in Defence Determination 2005/15, *Conditions of Service*, as amended, may set out extended payment periods.

**Note:** This will usually have the effect that payment stops the day after the eligibility condition ceases to be met.

2. If a member ceases to be eligible for an allowance during a pay fortnight, the member is to be paid the daily rate of allowance only for each day of that fortnight on which the member met the conditions of the allowance.

**See:** Paragraph A.1.7.3.a, The method for calculating a daily rate of an annual allowance.

3. For the purposes of payment of allowances, a member is taken to have ceased to be eligible for the allowance on the day after they die, or are missing presumed dead, in accordance with Defence Determination 2005/15, *Conditions of Service*, as amended from time to time.

#### **A.1.9 Exercise of powers**

1. In this Determination, a reference to the CDF includes a reference to a person the CDF has authorised to exercise administrative powers vested in the CDF under this Determination.

2. In this Determination, a reference to a named position includes a reference to a person who has been authorised to exercise administrative powers vested in that position under this Determination.

## **PART B – GENERAL DISABILITY ALLOWANCES**

The allowances in the Divisions in Part B of this Determination apply to members who meet the conditions for the allowances.

### **Division B.1: Trainee allowance**

#### **B.1.1 Purpose**

Trainee allowance compensates for the special demands of trainee life to the extent that they are not fully compensated by the payment of on-occurrence allowances, additional leave or other benefits.

#### **B.1.2 Member this allowance applies to**

Trainee allowance may apply to a member of the Permanent Force who is paid salary under Schedule B.13 to DFRT Determination No. 15 of 2008, *Salaries*.

#### **B.1.3 Conditions for eligibility**

1. A member is eligible for trainee allowance for any period in which any of the following circumstances apply to the member.

| <b>Item</b> | <b>Circumstance</b>                                                                                                  | <b>Reference in Part 1 of Schedule B.13 to Determination No. 15 of 2008, <i>Salaries</i>.</b> |
|-------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| a.          | Normal entry recruit undergoing basic recruit training.                                                              | Item 1                                                                                        |
| b.          | A member undergoing initial category or trade or employment training.                                                | Item 2                                                                                        |
| c.          | A member undertaking a combination of degree course and officer training, or study in preparation for such a course. | Item 4                                                                                        |
| d.          | A member undergoing officer training and not undertaking a degree course.                                            | Item 7                                                                                        |
| e.          | A member in their first postgraduate legal year.                                                                     | Item 5                                                                                        |

2. A member is not eligible for trainee allowance for any period in which any of the following circumstances apply to the member.

| <b>Item</b> | <b>Circumstance</b>                                                                                                          | <b>Reference in Part 1 of Schedule B.13 to Determination No. 15 of 2008, <i>Salaries</i>.</b> |
|-------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| a.          | A trainee, other than a member referred to in item b. of subsection B.1.3.1, undertaking a Certificate of Technology course. | Item 3                                                                                        |



|    |                                                                                                                                                                       |        |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| b. | A member participating in the undergraduate entry scheme.<br><b>Exception:</b> A member described in item e. of the table in subsection B.1.3.1.                      | Item 5 |
| c. | A member participating in the Officer Tertiary Recruitment Scheme who immediately before entering the scheme was not a member rendering continuous full-time service. | Item 6 |
| d. | A member participating in the graduate medical scheme who immediately before entering the scheme was not a member rendering continuous full-time service.             | Item 8 |

3. A member who meets both of the following conditions is eligible for trainee allowance for the period during a semester break.

- a. The member is in any of the circumstances listed in the table at subsection B.1.3.2.
- b. The member is undertaking ADF training.

#### **B.1.4 Annual rate of allowance**

The eligible member is to be paid the annual rate of training allowance as set out in the following table.

| <b>Item</b> | <b>A member who has met the conditions of eligibility under this subsection...</b> | <b>is to be paid...</b>                                                                                                                                                              |
|-------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.          | B.1.3.1                                                                            | the annual rate listed at item 1, table 1 in Part F of this Determination.                                                                                                           |
| 2.          | B.1.3.3                                                                            | the annual rate listed at item 1, table 1 in Part F of this Determination on a pro rata basis for the training period.<br><br><b>See:</b> Paragraph A.1.7.3.a, Payment arrangements. |

#### **B.1.5 Interaction with other allowances**

Trainee allowance is not payable for any period for which the member is entitled to service allowance under Division B.2 of this Determination.

## **Division B.2: Service allowance**

### **B.2.1 Purpose**

Service allowance compensates for the special demands of Service life to the extent that they are not fully compensated by the payment of on-occurrence allowances, additional leave or other benefits. The allowance compensates a member for factors such as, but not limited to:

- a. the requirement to be on call and the liability to work long and irregular hours including weekends, public holidays and shifts;
- b. the turbulence in postings caused by the liability to be moved frequently, and often at short notice, to meet the needs of the Service and the effects of this on the member and the member's family;
- c. the requirement to submit to discipline and control in personal and employment matters in which a civilian generally has some freedom of choice;
- d. the requirement at times to live and work in uncomfortable conditions; and
- e. the requirement to frequently be away from the home location.

### **B.2.2 Member this allowance applies to**

Service allowance may apply to a member on continuous full-time service who is entitled to salary and not expressly excluded by section B.2.3.

### **B.2.3 Conditions for eligibility**

A member is eligible for Service allowance if the member meets both the following conditions.

- a. The member is performing a period of continuous full-time service.
- b. The member is not described in any of the following circumstances.
  - i. The member is at the substantive rank of Lieutenant-Colonel or higher.
  - ii. The member is classified as a Chaplain Division 3, 4, or 5.
  - iii. The member is paid salary under Schedule B.13 of DFRT Determination No. 15 of 2008, *Salaries*.

### **B.2.4 Annual rate of allowance**

A member who is eligible under section B.2.3 is to be paid the annual rate listed for item 2, table 1 in Part F of this Determination.

### **B.2.5 Interactions with other allowances**

Service allowance is not payable for any period for which the member is entitled to trainee allowance under Division B.1 of this Determination.

## **Division B.3: Separation allowance**

### **B.3.1 Purpose**

Separation allowance compensates members for the time they spend away from their dependants for Service reasons. It recognises the effects on the member of separation from home and the additional costs that could be incurred due to that separation.

### **B.3.2 Definitions**

This table defines terms used in this Division.

| <b>Term</b>                            | <b>Definition</b>                                                                                                    |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| Member with dependants                 | Has the meaning given in Defence Determination 2005/15, <i>Conditions of Service</i> , as amended from time to time. |
| Member with dependants (unaccompanied) |                                                                                                                      |
| Member without dependants              |                                                                                                                      |

### **B.3.3 Member this allowance applies to**

Separation allowance may apply to a member who is in any of the following categories.

- a. A member with dependants (unaccompanied).
- b. A member with dependants.

### **B.3.4 Member this allowance does not apply to**

Separation allowance does not apply to a member for any period in which the member is in any of the following circumstances.

- a. The member is paid salary under a determination made by the Remuneration Tribunal under the *Remuneration Tribunal Act 1973*.
- b. The member holds the rank of Lieutenant-General or General.
- c. The member is staying in hospital in the location where their dependants live.

### B.3.5 Conditions for eligibility

1. A member on continuous full-time service is eligible for payment of separation allowance if any of the following paragraphs are met.

- a. The member is categorised as a member with dependants (unaccompanied) and the member is required to perform duty for a continuous period of more than 60 calendar days away from the location where their dependants live.

**Note:** Periods of time off duty and leave of up to 45 days do not break continuity of the qualifying period of 60 days.

- b. The member is a member with dependants and all of the following circumstances apply.
  - i. The member is required to perform duty for a continuous period of more than 60 calendar days away from the location where their dependants live.
  - ii. The member is not categorised as a member with dependants (unaccompanied).
  - iii. The member is not eligible for an allowance listed in paragraph c.
- c. The member is a member with dependants and eligible for any of the following disability allowances.
  - i. Seagoing allowance under DFRT Determination No. 1 of 1996, *Seagoing Allowance*.
  - ii. Submarine service allowance under DFRT Determination No. 14 of 2008, *Submarine Service Allowance*.
  - iii. An amount in column 4 of item 1, 2, 3, 4, 5, 7, 9, 10, 11 or 12 of Schedule 1 of DFRT Determination No. 5 of 2008, *Special Forces Disability Allowance*.
- d. The member meets both of the following conditions.
  - i. The member is categorised as a member with dependants (unaccompanied) and the member is required to perform duty for a continuous period of more than 60 calendar days away from the location where their dependants live.

- ii. The member is eligible for an allowance listed in paragraph c.

**Note:** Periods of time off duty and leave of up to 45 days do not break continuity of the qualifying period of 60 days.

**Exception:** If the member is recategorised as a member with dependants before the qualifying period of 60 days, then the member may be eligible for the allowance under paragraph B.3.5.c.

**Note:** A member's eligibility is not affected when the member's partner is also eligible for the allowance.

2. While a member who is eligible under paragraph B.3.5.c continues to be eligible for the allowances referred to in that paragraph, the member cannot qualify for eligibility under paragraphs B.3.5.a or B.3.5.b, even if they meet the qualifying period.

### **B.3.6 Annual rates of allowance**

1. If the member must meet a qualifying period before becoming eligible for the allowance, then on the day the member completes the time period set out for their eligibility class, separation allowance becomes payable from the first day of the qualifying period.
2. An eligible member is to be paid the annual rate of separation allowance as set out in the following table.

| <b>Item</b> | <b>A member on continuous full-time service who has met the conditions of eligibility under this paragraph...</b> | <b>is to be paid...</b>                                                                |
|-------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1.          | B.3.5.a                                                                                                           | the annual rate listed for item 3, table 1 in Part F of this Determination.            |
| 2.          | B.3.5.b                                                                                                           |                                                                                        |
| 3.          | B.3.5.c                                                                                                           | the discounted annual rate listed for item 4, table 1 in Part F of this Determination. |
| 4.          | B.3.5.d                                                                                                           | the annual rate listed for item 3, table 1 in Part F of this Determination.            |

3. If a member is eligible for an allowance listed in paragraph B.3.5.c becomes eligible under B.3.5.d, the member may be eligible for a special rate as set out in the following table.

| <b>If a member initially met the conditions of eligibility under...</b> | <b>and after a period of separation the member meets the conditions of eligibility under...</b> | <b>then the member is to be paid the sum of the following amounts, worked out for the periods specified...</b>                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| paragraph B.3.5.c                                                       | paragraph B.3.5.d                                                                               | <p>a. For the first 60 days of separation – the discounted annual rate listed for item 4, table 1 in Part F of this Determination, plus the difference between that discounted rate and the annual rate listed for item 3, table 1 in Part F of this Determination; and</p> <p>b. From day 61 – the annual rate listed for item 3, table 1 in Part F of this Determination.</p> |

### **B.3.7 Events that end eligibility**

1. A member ceases to be eligible for separation allowance under paragraph B.3.5.a, B.3.5.b or B.3.5.d (whichever is relevant) from the day on which any of the following events occur.

- a. The period of continuous duty that the member was required to perform in order to become eligible, ends.

**Note:** If the member starts another period of continuous duty away from the location where the dependants live, the member is required to requalify.

- b. The member ceases to be a member with dependants or member with dependants (unaccompanied) for a period of more than 45 days.
- c. The member is at their home location or otherwise absent from their place of duty for a period of more than 45 days.

2. A member ceases to be eligible for separation allowance under paragraph B.3.5.c if the member meets either of the following conditions.

- a. The member ceases to be eligible for an allowance described in paragraph B.3.5.c.
- b. The member ceases to be a member with dependants for a period of more than 45 days.

**Exception:** The member continues to be eligible for payment under B.3.5.c if B.3.6.3 applies.

### **B.3.8 Payment during periods of leave**

Payment of this allowance ends after 45 continuous days of paid leave for members eligible under paragraphs B.3.5.a, B.3.5.b or B.3.5.d. This is because the specific rule in section B.3.7 limits the general rule in subsection A.1.7.5.

### **B.3.9 Interactions with other allowances**

Eligibility for separation allowance does not exclude eligibility for any other allowance.

### **B.3.10 Conditions for eligibility – member on Reserve service**

A member on Reserve service is eligible for payment of separation allowance if the member performs duty away from the location where their dependants live for a continuous period of more than 14 days.

### **B.3.11 Daily rate of allowance**

A member who meets the conditions set out in section B.3.10 is to receive the rate listed for item 1, table 2 in Part F of this Determination.



## **Division B.4: Adventurous training instructor allowance**

### **B.4.1 Purpose**

Adventurous training instructor allowance recognises the responsibilities and disabilities inherent in conducting adventurous training activities.

### **B.4.2 Definitions**

This table defines terms used in this Division.

| <b>Term</b>                      | <b>Definition</b>                                                                                                |
|----------------------------------|------------------------------------------------------------------------------------------------------------------|
| adventurous training activity    | Means an activity that is authorised by the CDF and included in the Adventurous Training Wing syllabus.          |
| adventurous training instructor  | Means a member who holds the Service recognised qualification required to be an adventurous training instructor. |
| unit adventurous training leader | Means a member who holds the Service recognised qualification required to be a unit adventurous training leader. |

### **B.4.3 Member this allowance applies to**

Adventurous training instructor allowance may apply to Permanent Force or Reserve Force members who are either of the following.

- a. An adventurous training instructor.
- b. A unit adventurous training leader.

### **B.4.4 Conditions for eligibility**

1. An adventurous training instructor is eligible for adventurous training instructor allowance if both of the following conditions are met.
  - a. The member is posted to the Adventurous Training Wing.
  - b. The member is reasonably expected to undertake regular instructional duties.
2. A unit adventurous training leader is eligible for adventurous training allowance for an activity if all the following conditions are met.
  - a. The activity is an adventurous training activity.
  - b. The member is authorised by the commanding officer or officer commanding to lead the activity.
  - c. The member conducts the activity.

3. To avoid doubt, a unit adventurous training leader is not eligible for the allowance for any of the following associated activities.

- a. Pre- and post-activity planning and administration.
- b. Reconnaissance for an adventurous training activity.
- c. Adventurous training club activities.
- d. Attendance as a student on a unit adventurous training leader course.
- e. Attendance as a student on a course of an adventurous nature.
- f. Participation in personal adventurous training activities.

#### **B.4.5 Annual rate of allowance**

A member on continuous full-time service who is eligible under subsection B.4.4.1 is to be paid the annual rate listed for item 5, table 1 in Part F of this Determination.

#### **B.4.6 Daily rate of allowance**

The eligible member is to receive the daily rate of adventurous training instructor allowance as set out in the following table.

| <b>Item</b> | <b>A member on...</b>        | <b>who has met the conditions of eligibility under this subsection...</b> | <b>is to be paid...</b>                                                    |
|-------------|------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------------|
| 1.          | Reserve service              | B.4.4.1                                                                   | the daily rate listed for item 6, table 1 in Part F of this Determination. |
| 2.          |                              | B.4.4.2                                                                   |                                                                            |
| 3.          | continuous full-time service | B.4.4.2                                                                   |                                                                            |

#### **B.4.7 Interactions with other allowances**

Eligibility for adventurous training instructor allowance does not exclude eligibility for any other allowance.

#### **B.4.8 Transition and sunset provision**

Saving and transitional provisions for adventurous training instructor allowance are provided in Part E of this Determination.

## **Division B.5: Arduous conditions instructor allowance**

### **B.5.1 Purpose**

Arduous conditions instructor allowance recognises the disabilities endured by instructors providing training at the Royal Australian Navy School of Survivability and Ship Safety.

### **B.5.2 Definitions**

This table defines terms used in this Division.

| <b>Term</b>        | <b>Definition</b>                                                                                                                  |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------|
| arduous conditions | Includes the wearing of personal protective equipment, and environments of extreme toxicity, temperature, confinement or flooding. |

### **B.5.3 Conditions of eligibility**

A member of the Permanent Force or Reserve Force who meets all of the following conditions is eligible for arduous conditions instructor allowance.

- a. The member is performing a period of continuous full-time service.
- b. The member is posted to an instructor position at the Royal Australian Navy School of Survivability and Ship Safety.
- c. The member undertakes instructional duties.
- d. The member is reasonably expected to be exposed to arduous conditions.

### **B.5.4 Annual rate of allowance**

A member who is eligible under section B.5.3 is to be paid the annual rate listed for item 4, table 1 in Part F of this Determination.

### **B.5.5 Interactions with other allowances**

Eligibility for arduous conditions instructor allowance does not exclude eligibility for any other allowance.

## **Division B.6: Diving allowance**

### **B.6.1 Purpose**

Diving allowance is paid in recognition of the disabilities associated with diving duties.

### **B.6.2 Definitions**

This table defines terms used in this Division.

| <b>Term</b>       | <b>Definition</b>                                                                                                                                                                                                                                                              |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| diver             | Means a member who holds the Service recognised qualification required to be held by a diver.                                                                                                                                                                                  |
| diving duties     | Means duties performed by any member that involve either of the following:<br>a. Performance of duties below the surface of the water with the aid of a breathing apparatus.<br>b. Performance of diving-related or medical duties within a pressurised recompression chamber. |
| diving instructor | Means a member who holds the Service recognised qualification required to conduct diving training.                                                                                                                                                                             |
| medical member    | Means a member who holds the Service recognised qualifications required to be a medical officer or medic in the ADF.                                                                                                                                                           |

### **B.6.3 Member this allowance applies to**

Diving allowance may apply to any member of the Permanent Force and Reserve Force who perform diving duties.

### **B.6.4 Conditions for eligibility**

1. A member is eligible for diving allowance if the member is in any of the following circumstances.
  - a. The member is undergoing diving training.
  - b. The member is a diver and required to perform diving duties.
  - c. The member is either of the following and required to perform diving duties.
    - i. A medical member.
    - ii. A member under training to be a medical member.

2. A member is eligible for diving allowance if all of the following conditions are met.

- a. The member is performing a period of continuous full-time service.
- b. The member is posted to a position of diving instructor at the Army Diving School.
- c. The member is required to regularly perform diving duties.

#### **B.6.5 Annual rate of allowance**

A member who is eligible under subsection B.6.4.2 is to be paid the annual rate listed for item 5, table 1 in Part F of this Determination.

#### **B.6.6 Daily rate of allowance**

The eligible member is to receive the daily rate of diving allowance as set out in the following table.

| <b>Item</b> | <b>A member who has met the conditions of eligibility under this paragraph...</b> | <b>is to be paid...</b>                                              |
|-------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 1.          | B.6.4.1.a                                                                         | the rate listed for item 6, table 1 in Part F of this Determination. |
| 2.          | B.6.4.1.c                                                                         |                                                                      |
| 3.          | B.6.4.1.b                                                                         | the rate listed for item 7, table 1 in Part F of this Determination. |

#### **B.6.7 Interactions with other allowances**

Diving allowance is not payable to a member for any period for which the member is entitled to any of the following.

- a. A rate under submarine escape disability allowance in Division B.8.
- b. A rate under DFRT Determination No. 4 of 2008, *Allowance for Specialist Operations*, for any clearance diving activity.
- c. A rate under any of the following items of Schedule 1 of DFRT Determination No. 5 of 2008, *Special Forces Disability Allowance*.
  - i. Items 1 to 12.
  - ii. Items 19 to 21.

## **Division B.7: Flying disability allowance**

### **B.7.1 Purpose**

Flying disability allowance recognises the disabilities associated with military flying and flight duties.

### **B.7.2 Definitions**

This table defines terms used in this Division.

| <b>Term</b>                | <b>Definition</b>                                                                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Designated flying position | Means either of the following types of positions.<br>a. A position designated as a flying position in the ADF.<br>b. A position with flying as a significant part of its primary duties, certified by CDF.                                                               |
| Flight duties              | Means duties performed aboard a Service aircraft for the purposes of the operation on which the aircraft is engaged.<br><b>Exception:</b> Parachute duties are not flight duties for the purpose of this allowance.                                                      |
| Service aircraft           | Includes any of the following.<br>a. A commercial aircraft chartered or leased by the Commonwealth.<br>b. A foreign military aircraft.<br><b>Exception:</b> Simulators and remotely operated aviation assets are not Service aircraft for the purpose of this allowance. |

### **B.7.3 Member this allowance applies to**

Flying disability allowance may only apply to a Permanent Force or Reserve Force member who is liable to perform flight duties.

### **B.7.4 Member this allowance does not apply to**

Flying disability allowance does not apply to a member who is only a passenger aboard a Service aircraft.

### **B.7.5 Conditions for eligibility – member on continuous full-time service**

A member performing a period of continuous full-time service is eligible for flying disability allowance if they are in any of the following circumstances.

- a. The member meets both of the following.
  - i. The member is posted to a designated flying position.
  - ii. The member is qualified and reasonably expected to fly in that position for the duration of the posting.
- b. The member is undergoing flying training.
- c. The member performs flight duties on a Service aircraft.
- d. The member is on standby to fly on search and rescue duties.

### **B.7.6 Conditions for eligibility – member on Reserve service**

A member performing a period of Reserve service may be eligible for flying disability allowance on a day if they are in any of the following circumstances.

- a. The member performs flight duties on a Service aircraft.
- b. The member is on standby to fly on search and rescue duties.
- c. The member meets both of the following.
  - i. The member is posted to a designated flying position.
  - ii. The member is qualified and reasonably expected to fly in that position for the duration of the posting.

### **B.7.7 Annual rate of allowance**

A member who is eligible under paragraph B.7.5.a or b. is to be paid the annual rate listed for item 8, table 1 in Part F of this Determination.

### **B.7.8 Daily rate of allowance**

The eligible member is to be paid the rate of flying disability allowance as set out in the following table.

| <b>Item</b> | <b>A member who has met the conditions of eligibility under...</b> | <b>is to be paid...</b>                                                    |
|-------------|--------------------------------------------------------------------|----------------------------------------------------------------------------|
| 1.          | paragraph B.7.5.c                                                  | the daily rate listed for item 9, table 1 in Part F of this Determination. |
| 2.          | paragraph B.7.5.d                                                  |                                                                            |
| 3.          | section B.7.6                                                      |                                                                            |

### **B.7.9 Interactions with other allowances**

Flying disability allowance is not payable to a member for any period for which the member is entitled to any of the following.

- a. A rate under DFRT Determination No. 2 of 2001, *Paratrooper Allowance*.
- b. A rate under item 7 of Schedule 2 of DFRT Determination No. 4 of 2008, *Allowance for Specialist Operations*.
- c. A rate under any of the following items of Schedule 1 of DFRT Determination No. 5 of 2008, *Special Forces Disability Allowance*.
  - i. Items 1 to 12.
  - ii. Items 19 to 21.



## **Division B.8: Submarine escape disability allowance**

### **B.8.1 Purpose**

Submarine escape disability allowance compensates ADF members for the disabilities involved with submarine escape training.

### **B.8.2 Definitions**

This table defines terms used in this Division.

| <b>Term</b>                          | <b>Definition</b>                                                                                                                                            |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| submarine escape training instructor | Means a member who holds the qualification to be a submarine escape training instructor.                                                                     |
| training facility                    | Means the Submarine Escape Training Facility at HMAS Stirling or a similar facility used by the ADF for the purpose of conducting submarine escape training. |

### **B.8.3 Member this allowance applies to**

Submarine escape disability allowance may apply to members of the Permanent Force and Reserve Force who perform submarine escape training activities or underwater ascents.

### **B.8.4 Conditions for eligibility**

1. Any member who meets the circumstances set out in either paragraphs a. or b. is eligible for submarine escape disability allowance.
  - a. The member is in both the following circumstances.
    - i. The member is posted to a training facility.
    - ii. The member is undertaking training to become a submarine escape training instructor.
  - b. The member is in both the following circumstances.
    - i. The member is attending a course in submarine escape procedures.
    - ii. The member is required to undertake an underwater ascent at the training facility.

**Exception:** A member posted to a seagoing submarine.

2. A member is eligible for submarine escape disability allowance if they are in either of the following circumstances.

- a. The member is a submarine escape training instructor posted to a training facility.
- b. The member is a submarine escape training assistant instructor posted to a training facility.

3. A member who makes an underwater ascent in the open sea is eligible for submarine escape disability allowance.

#### **B.8.5 Annual rate of allowance**

The eligible member is to be paid the rate of submarine escape disability allowance as set out in the following table.

| <b>Item</b> | <b>A member on continuous full-time service who has met the conditions of eligibility under...</b> | <b>is to be paid...</b>                                                     |
|-------------|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1.          | paragraph B.8.4.1.a                                                                                | the annual rate listed for item 5, table 1 in Part F of this Determination. |
| 2.          | subsection B.8.4.2                                                                                 |                                                                             |

#### **B.8.6 Daily rate of allowance**

The eligible member is to be paid the rate of submarine escape disability allowance as set out in the following table.

| <b>Item</b> | <b>A member on...</b>        | <b>who has met the conditions of eligibility under...</b> | <b>is to be paid...</b>                                                           |
|-------------|------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------------------|
| 1.          | continuous full-time service | paragraph B.8.4.1.b                                       | the daily rate listed for item 10, table 1 in Part F of this Determination.       |
| 2.          |                              | subsection B.8.4.3                                        | the daily rate listed for items 2 and 3, table 2 in Part F of this Determination. |
| 3.          | Reserve service              | paragraph B.8.4.1.a                                       | the daily rate listed for item 10, table 1 in Part F of this Determination.       |
| 4.          |                              | subsection B.8.4.2                                        |                                                                                   |
| 5.          |                              | subsection B.8.4.3                                        | the daily rate listed for items 2 and 3, table 2 in Part F of this Determination. |

### **B.8.7 Interactions with other allowances**

Submarine escape disability allowance is not payable to a member for any period for which the member is entitled to any of the following.

- a. Diving allowance under Division B.6.
- b. Flying disability allowance under Division B.7.
- c. An amount under clause 7 or 8 of DFRT Determination No. 4 of 2008, *Allowance for Specialist Operations*.

## **PART C – SUSTAINMENT ALLOWANCES**

The allowances in the Divisions in Part C of this Determination apply to members who meet the conditions for the allowances.

This Part is reserved for publication of sustainment allowances which have not yet been determined.

## **PART D – OTHER ALLOWANCES**

The allowances in the Divisions in Part D of this Determination apply to members who meet the conditions for the allowances.

This Part is reserved for publication of other allowances which have not yet been determined.

## **PART E – SAVINGS AND TRANSITIONAL ARRANGEMENTS**

### **E.1.1 General saving and transitional – repealed Determinations under section A.1.3.**

1. Sections E.1.1 to E.1.3 set out general transitional provisions for the Determinations repealed by section A.1.3 (the ‘repealed Determinations’).
2. To avoid doubt, benefits accrued by a member under any of the repealed Determinations prior to 12 September 2013 are preserved and may be claimed subject to the rules in force under in the relevant repealed Determination in the period to which the claim relates.

### **E.1.2 General saving of decisions**

If, before the day this Determination commenced, a person complied with conditions for an allowance under a repealed Determination:

- a. a decision made under a repealed Determination relevant to the member’s eligibility or other obligations relevant to that allowance, is taken to be a decision under this Determination, for the purpose of continuity of benefits; and
- b. any related approval, authority, instruction or direction is taken to have been given, issued or granted under, and for the purposes of, this Determination, regardless of the identity of the Service decision-maker; and
- c. the preserved decision ceases to have effect in relation to the member, from the day on which either of the following circumstances are met.
  - i. The member’s circumstances change so that they no longer meet conditions that the decision is taken to establish.
  - ii. This Determination (as amended) amends the basis for eligibility for an allowance so that the original decision no longer establishes eligibility for it.

### **E.1.3 General saving and transitional – value of allowance**

1. The general transitional provisions in this Part are made subject to any specific transitional provisions in this Determination, which may maintain the amount of a benefit.
2. Except as set out in this Part, from the day it commences, this Determination provides for the entirety of the monetary amount and related liabilities of the type previously provided under the repealed Determinations and nothing in it:
  - a. is taken to preserve or maintain after the commencement day the value of a benefit, as the result of the person’s eligibility under the former Determination before the commencement day; and

- b. is taken to preserve or maintain after the commencement day a person's entitlements.

**E.1.4 Transitional – DFRT Determination No. 15 of 1996, *Adventurous training instructor allowance***

A member who was eligible for an annual rate of adventurous training instructor allowance as in force under Determination No.15 of 1996, *Adventurous Training Instructor Allowance*, (the 'old Determination') on 11 September 2013 continues to be entitled to the rate that was payable under the old Determination until the end of the member's current posting.

## PART F – ALLOWANCE RATES

**Table 1 – General disability allowance rates**

| <b>Column 1<br/>Item</b> | <b>Column 2<br/>Allowance Reference</b>                                                                                                                                  | <b>Column 3<br/>Rate (\$)</b> |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1.                       | Trainee allowance<br>section B.1.4                                                                                                                                       | \$9,457                       |
| 2.                       | Service allowance<br>section B.2.4                                                                                                                                       | \$12,609                      |
| 3.                       | Separation allowance<br>section B.3.6, items 1, 2 and 4                                                                                                                  | \$2,509                       |
| 4.                       | Separation allowance<br>section B.3.6, item 3<br>Arduous conditions instructor allowance<br>section B.5.4                                                                | \$667                         |
| 5.                       | Adventurous training instructor allowance<br>section B.4.5<br>Diving allowance<br>section B.6.5<br>Submarine escape disability allowance<br>section B.8.5, items 1 and 2 | \$6,140                       |
| 6.                       | Adventurous training instructor allowance<br>section B.4.6, items 1, 2 and 3<br>Diving allowance<br>section B.6.6, items 1 and 2                                         | \$45.09                       |
| 7.                       | Diving allowance<br>section B.6.6, item 3                                                                                                                                | \$60.40                       |
| 8.                       | Flying disability allowance<br>section B.7.7                                                                                                                             | \$7,943                       |
| 9.                       | Flying disability allowance<br>section B.7.8, items 1, 2 and 3                                                                                                           | \$21.76                       |
| 10.                      | Submarine escape disability allowance<br>section B.8.6, item 1                                                                                                           | \$36.62                       |



**Table 2 – Quarantined disability allowance rates**

| <b>Column 1<br/>Item</b> | <b>Column 2<br/>Allowance Reference</b>                                                                                 | <b>Column 3<br/>Rate (\$)</b> |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1.                       | Separation allowance (Reserves)<br>section B.3.11                                                                       | \$8.36                        |
| 2.                       | Submarine Escape Allowance – for ascents made from<br>a depth of 90 metres or less<br>section B.8.6, item 2 and item 5  | \$166.63                      |
| 3.                       | Submarine Escape Allowance – for ascents made for a<br>depth greater than 90 metres<br>section B.8.6, item 2 and item 5 | \$333.24                      |