

# **DEFENCE FORCE REMUNERATION TRIBUNAL**

## **DETERMINATION NO. 23 OF 1999**

### **DIVE RELATED ALLOWANCES – REPEAL AND CONSEQUENTIAL AMENDMENT**

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

#### **Commencement**

- 1.1 Parts B and C commence on 16 December 1999.
- 1.2 The remaining provisions of the Determination are to be taken to have commenced on 9 December 1999.

#### **PART B – Repeal of Determination No.4 of 1996**

##### **Repeal**

2. Determination No.4 of 1996, Submarine Escape Training Facility Allowance, as amended, is repealed.

#### **PART C – Amendment of Determination No. 6 of 1998**

##### **Amendment**

3. Determination No. 6 of 1998, Diving Allowance, as amended, is amended as set out in this Part.

##### **Clause 5 (Allowance not payable)**

4. Paragraph 5(c):  
  
Omit “Submarine escape Training Facility Allowance”, substitute “Submarine Escape Allowance”.

#### **PART D – Transitional Provisions**

##### **Transitional provision for period between 11 November 1999 and commencement of this Part**

- 5.1 Subject to clause 7, a member to whom Determination No. 20 of 1999, Experimental Diving Allowance, applies is entitled to a payment equal to the amount of Experimental Diving Allowance to which the member would have been entitled in the relevant period if that Determination had commenced on 11 November 1999.
- 5.2 For subclause 5.1, “relevant period” means the period beginning on 11 November 1999 and ending on the day immediately before the day on which this Part commences.

**Transitional provision for period between 7 September 1999 and 10 November 1999**

- 6.1 Subject to clause 7, a member to whom Determination No. 20 of 1999, Experimental Diving Allowance, applies is entitled to a payment equal to the amount set out in the table at the end of this clause for any deep dive in the relevant period.
- 6.2 For subclause 6.1, “relevant period” means the period beginning on 7 September 1999 and ending on 10 November 1999.

Grade of dive	Rate for each dive	Additional rate for each hour or part hour for the duration of the dive
	\$	\$
1	120.00	12.00
2	200.00	22.00
3	325.00	35.00
4	650.00	110.00

**Transitional provision on treatment of Deep and Experimental Diving Allowance**

- 7. The amount, if any, of Deep and Experimental Diving Allowance to which a member is entitled for a dive under Defence Determination 1993/35, during the period commencing on 7 September 1999 and ending on the day on which Defence Determination 1993/35, Deep and Experimental Diving Allowance, is repealed is to be deducted from the combined amount to which the member is entitled for that dive by way of:
  - (a) Clearance Diving Allowance payable under clause 6A of Determination No.5 of 1998, Clearance Diving Allowance;
  - (b) Experimental Diving Allowance; and
  - (c) Submarine Escape Allowance payable under subclause 3.2 of Determination No. 21 of 1999, Submarine Escape Allowance.

Dated this sixteenth day of December nineteen hundred and ninety nine.

The Hon. Justice A J Boulton  
 President .....

Air Vice Marshal F D Cox, AO (Retd)  
 Member .....