

DEFENCE FORCE REMUNERATION TRIBUNAL

DETERMINATION NO. 16 OF 2015

ADF ALLOWANCES — FIELD — AMENDMENT

The Defence Force Remuneration Tribunal makes the following Determination under section 58H of the *Defence Act 1903*. It relates to Matter 7 of 2014 — Field Allowance Review.

1 Citation

1. This Determination is DFRT Determination No. 16 of 2015, *ADF Allowances — Field — amendment*.
2. This Determination may also be cited as DFRT Determination No. 16 of 2015.

2 Commencement

This Determination commences on 25 February 2016.

3 Amendment

Determination No. 11 of 2013, *ADF Allowances*, as amended, is amended as set out in this Determination.

4 Repeal

DFRT Determination No. 14 of 1995, *Field Allowance*, as amended, is repealed from 24 February 2016.

5 Section A.1.3 (Repeal), table

Insert at the end of the table:

Item	Title	Date of repeal
16.	DFRT Determination No. 14 of 1995, Field Allowance	24 February 2016

6 Section A.1.4 (Contents), Part B

Insert after the entry for Division B.12 – Special Forces disability allowance:

Division B.13 – Field allowance

7 Part B (General Disability Allowances)

After Division B.12, insert the Division at Schedule 1 of this Determination.

8 Part B (General Disability Allowances)

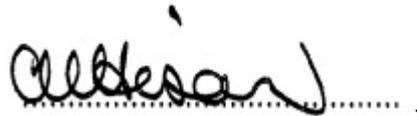
Amend Division B.9 as set out at Schedule 2 of this Determination.

9 Part F (Allowance rates), table 1 – General allowance rates

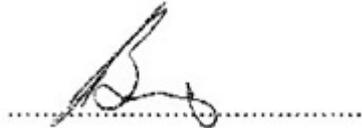
Amend table 1 under Part F as set out at Schedule 3 of this Determination.

Dated this nineteenth day of November two thousand and fifteen.

The Honourable A Harrison
President

A handwritten signature in cursive script, appearing to read "A Harrison", written over a horizontal dotted line.

The Honourable Arch Bevis
Member

A handwritten signature in cursive script, appearing to read "Arch Bevis", written over a horizontal dotted line.

Schedule 1

Division B.13: Field allowance

B.13.1 Purpose

Field allowance compensates members for the requirement to live and work in uncomfortable conditions in the field. This includes limited home contact, inability to use leisure time effectively and the liability to work exceptionally long and irregular hours.

B.13.2 Definitions

This table defines terms used in this Division.

Term	Definition
Field	Means a land-based scene or area where activities are conducted and where access to the facilities normally available in barracks, garrison or domestic dwellings is limited or non-existent.
Field service	Means service during which the member is required to undertake duty and live in the field. This service can be rendered during peacetime training, as well as in warlike or non-warlike service, including field operations, exercises or similar activities. Disabilities may be experienced in any of the following elements. <ul style="list-style-type: none">a. Living conditions.b. Working conditions.c. Eating arrangements.d. Leisure.e. Facilities and services.f. Hours of work.

B.13.3 Member this allowance applies to

Field allowance may apply to any member of the Permanent Force or Reserve Force who performs field service.

B.13.4 Levels of hardship

Considerations relevant to each element of hardship are set out in the following table.

Item	Element	Element description	Level of hardship	Standard of level of hardship
1.	Living conditions	Living conditions include any accommodation provided and arrangements for sleeping. This is a mandatory element.	a. Extreme	<p>This level of living condition is characterised by arrangements that are often arbitrary, or dependent on the nature of the task being performed in the field. Accommodation, if it exists at all, is:</p> <ul style="list-style-type: none"> a. self-contained; b. limited to individual or small group resources generally transported or carried by individuals; and c. erected as required. <p>Example: Living conditions are the furthest removed from the comforts of barracks or a normal household.</p>
			b. Intermediate	<p>Temporary accommodation is any form of housing erected by a group of people. It is more static than the extreme level, but is not necessarily fixed in one place. Although static, it is of a deficient standard.</p> <p>Examples: Fixed tentage (such as 11 feet x 11 feet or 3 metres x 3 metres) and also fixed ‘camps’ or huts which are deficient in standard (for example, do not protect from weather).</p>
			c. Low	<p>Fixed accommodation includes functional, permanent or established buildings or purpose built structures which are designed and provided for accommodation purposes.</p> <p>Example: Barracks.</p>

Item	Element	Element description	Level of hardship	Standard of level of hardship
2.	Working conditions	Working conditions encompass the conditions under which daily work is undertaken. This is a mandatory element.	a. Extreme	<p>Extreme working conditions feature extended exposure to disabilities and very limited, or no opportunity, for relief. Extreme working conditions typically involve:</p> <ul style="list-style-type: none"> a. consistent exposure to humidity, water, dust, mud or dirt; b. consistent and significant exposure to weather; c. frequent exposure to hazards not normally experienced in the barracks environment; d. strenuous physical activity may be required for extended periods. There is very limited opportunity to rest during activities.
			b. Intermediate	<p>Medium working conditions are demonstrably more difficult and demanding than those experienced in barracks. The working conditions involve some exposure to such factors as adverse weather conditions or demanding physical activity. There is little opportunity for relief from such conditions during the working day; work continues regardless.</p>
			c. Low	<p>Low level hardship working conditions are those which are generally normal and reflect those that apply in the barracks or workplace. The normal workplace involves occasional adverse working conditions.</p>

Item	Element	Element description	Level of hardship	Standard of level of hardship
3.	Eating arrangements	This hardship includes the rations provided, the method of preparation and the arrangements for consuming food.	a. Extreme	<p>No general facilities are provided for the preparation or consumption of rations, and:</p> <ul style="list-style-type: none"> a. meals are prepared by individuals or small groups, from rations; b. meals are prepared and consumed under adverse conditions; and c. the quality, quantity and regularity of meals vary.
			b. Intermediate	<ul style="list-style-type: none"> a. Food is prepared and consumed under temporary arrangements, such as a field kitchen. b. Any facilities provided are not purpose designed or members may have to assist in the preparation of their food. c. Under these temporary arrangements, rationing conditions are demonstrably inferior to those in barracks.
			c. Low	<p>Food is normally prepared by dedicated staff in purpose designed facilities. These fixed facilities provide arrangements similar to those in barracks, although the style and variety of meals may be limited.</p>

Item	Element	Element description	Level of hardship	Standard of level of hardship
4.	Leisure	This hardship encompasses access to mail and telephone, and the ability to communicate with family or friends. It also includes the capacity to take time off to relax while in the field and, more importantly, the ability to effectively use such time.	a. Extreme	<p>This level is characterised by the almost total lack of any meaningful leisure time.</p> <ul style="list-style-type: none"> a. There is little or no opportunity to maintain contact with family or friends. b. Any time off is so restricted or irregular that it does not relieve the effects of the disabilities of field service. c. No leisure resources are available.
			b. Intermediate	<p>Individuals get some leisure, but are clearly disadvantaged when compared with the normal barracks environment.</p> <ul style="list-style-type: none"> a. Communication facilities are limited or inconsistently available. b. Some time off may be given (for example, at night) but is limited and irregular. c. There may be few resources provided to allow effective use of such time.
			c. Low	<p>Facilities may be of a lesser standard than those enjoyed in barracks, but individuals are not significantly disadvantaged.</p> <ul style="list-style-type: none"> a. There is reasonable access to communications facilities. b. Leisure time is available and some resources are provided for use in time off.

Item	Element	Element description	Level of hardship	Standard of level of hardship
5.	Facilities and services	Facilities include ablutions and toilet, and services include such things as water and electricity.	a. Extreme	<p>Facilities and services are generally absent or not available for consistent use.</p> <ul style="list-style-type: none"> a. Water would normally be individually carried or transported, or be obtained from local resources. b. Toilet facilities would normally be individual or group field latrines dug as required.
			b. Intermediate	<p>Facilities and services may be provided, but are deficient.</p> <ul style="list-style-type: none"> a. Ablutions and toilets may be temporary facilities provided in situ. b. Permanent hot water may not be available. c. Electricity may be provided by generator. <p>The net effect of these deficiencies causes individuals to be demonstrably disadvantaged when compared with the barracks standard of facilities and services.</p>
			c. Low	<ul style="list-style-type: none"> a. Facilities and services are similar to those provided in barracks, although not necessarily to the same standard. b. Ablutions and toilets are fixed, and hot and cold running water is provided.

6.	Hours of work	This hardship relates to the length of the working day.	a. Extreme	<p>a. There is a sustained requirement in each 24 hour period to undertake duty for 16 hours or more.</p> <p>b. Resting or sleep is very limited and irregular.</p> <p>Example: Fully tactical exercises would normally be in this category. At night, members would be required to carry out picket or sentry duty and operate radios.</p>
			b. Intermediate	<p>a. There is a sustained requirement in each 24 hour period to undertake duty between 12 to 16 hours.</p> <p>b. The remainder of waking hours could be taken up with eating and essential rest.</p> <p>These working hours are demonstrably more arduous than those in barracks.</p>
			c. Low	<p>The structure of the working day generally differs little from that experienced in the barracks workplace. Work may be hard, and may involve extended hours (between 8 to 10 hours) on some days, but the cumulative effect does not lead to a significant hardship for members.</p>

B.13.5 Conditions for eligibility

1. The conditions for eligibility set out in this section apply to a member who meets both of the following conditions.

- a. The member is required to live and undertake duty in the field.
- b. The member is in the field for a continuous period of 48 hours or more.

Exception 1: If a member is in receipt of maritime disability allowance under Division B.9 immediately before going into the field, the member is taken to have met this condition.

Exception 2: If a member was serving a qualifying period for maritime disability allowance under Division B.9 immediately before going into the field — the period served towards the maritime disability allowance qualifying period is counted towards the 48 hour qualifying period requirement for field allowance.

2. A member may be eligible for field allowance if any of the following criteria are met.

- a. CDF has determined that the member is undertaking field service under extreme levels of hardship in living and working conditions and at least three other elements listed at section B.13.4.
- b. CDF has determined that the member is undertaking field service under a combination of extreme and intermediate levels of hardship in living and working conditions and at least three other elements listed at section B.13.4.
- c. CDF has determined that the member is undertaking field service for which both of the following conditions are met.
 - i. A combination of extreme and intermediate levels of hardship are experienced by the member in living and working conditions and at least one other element listed at section B.13.4.
 - ii. The member is performing field service in exceptional circumstances.

B.13.6 Qualifying periods of field service

- 1. This section is used to work out how a member’s qualifying field service counts as a part of a period of eligibility for field allowance under paragraph B.13.5.1.b.
- 2. The following rules describe how to count periods of field service for the purposes of paying field allowance under section B.13.8.
 - a. **Field service of three days or less.** The following table sets out how part days at the end of the 48 hour qualifying period are counted towards whole days of eligible field service.

Item	If the member’s 48 hour qualifying period ends on a day (“the qualifying day”...	and the member completes their period of field service...	then the member is counted as having completed...
1.	before midday	before midday of the qualifying day	two days of field service.
2.	before midday	after midday of the qualifying day	three days of field service.
3.	after midday	after midday of the qualifying day	two days of field service.

- b. **Field service of three days or more.** The following table sets out how the days during and after the qualifying period count as completed days of field service.

If the member’s 48 hour qualifying period ends on a day (“the qualifying day”...	and the member completes their period of field service...	then the member is counted as having completed the sum of the following field service.
before midday	any day after the qualifying day	<ul style="list-style-type: none"> a. Three days. b. Any whole calendar days after the qualifying day. c. Any remainder worked out under subsection B.13.7.2.

Example: A member starts a period of field service at 0900 on Monday and completes it at 1600 on Friday of the same week. The member completes their qualifying period on Wednesday and is counted as completing three days of field service. Thursday is counted as one whole day of field service. Friday is counted as one whole day of field service under subsection B.13.7.2. The member is counted as completing five days of field service.

Non -Example: A member starts a period of field service at 1830 on Friday and finishes at 1600 on Sunday of the same week. The member was not in the field for a continuous period of 48 hours. No field allowance is payable.

3. Any break in field service during the qualifying period results in the member being required to restart the qualifying period under paragraph B.13.5.1.b for a period of field service.

B.13.7 Qualified periods of field service

1. This section applies to members who have met the qualifying period under paragraph B.13.5.1.b, including the deemed qualifying periods.

2. The following table sets out how to count part days at the end of a period of field service for the purposes of paying field allowance under section B.13.8.

Item	If the member ends a period of field service...	then that part day...
1.	before midday	does not count as a completed day if preceded by a whole day of field service.
2.	after midday	counts as a completed day if preceded by a whole day of field service.

3. A member does not need to requalify for field service if they have a break of 48 hours or less between the two periods of field service.

Example: A member finishes a period of field service. Thirty-six hours later, the member is directed to perform another period of field service. The member is not required to meet the qualifying period under paragraph B.13.5.1.b for this second period of field service.

4. This table sets out how to count part days at the start of the second period of field service described under subsection B.13.7.3 for the purposes of paying field allowance under section B.13.8.

Item	If the member starts a period of field service...	then that part day...
1.	before midday	counts as a completed day when followed by a whole day of field service.
2.	after midday	does not count as a completed day when followed by a whole day of field service.

B.13.8 Daily rate of allowance

1. A member who is eligible under paragraph B.13.5.2.a is to be paid the daily rate listed for item 7 of table 1 in Part F of this Determination. This may be referred to as Tier 1 hardship.
2. A member who is eligible under paragraph B.13.5.2.b is to be paid the daily rate listed for item 15 of table 1 in Part F of this Determination. This may be referred to as Tier 2 hardship.
3. A member may only be paid the daily rate once for any day on which the member is eligible for the allowance. A member who meets the conditions of eligibility under paragraphs B.13.5.2.a and B.13.5.2.b on the same day is to be paid the rate that applied at the end of the day.

See: Subsections B.13.8.1 and B.13.8.2, Daily rate of allowance.

Example: A member renders field service that meets the conditions of eligibility under paragraph B.13.5.2.a for four days. On day five, the member is moved to an area that meets the conditions of eligibility under paragraph B.13.5.2.b and remains there for another day. For the first four days the member is paid the rate under subsection B.13.8.1. For the remaining two days the member is paid the rate under subsection B.13.8.2.

4. A member who meets the conditions of eligibility under paragraph B.13.5.2.c is to be paid the daily rate of field allowance approved by CDF for the period of the exceptional circumstances. CDF must choose a rate listed at either item 7 or item 15, table 1 of Part F of this Determination.
5. For a member who meets the conditions of eligibility under subsection B.13.5.2 and provides field service for a prolonged period, CDF may decide to pay a different daily rate of field allowance to that member for a specified period of time than would otherwise be payable. When approving the daily rate that is payable for the specified period, CDF must undertake the following.
 - a. CDF must have regard to the levels of hardship for each element experienced while providing field service.
 - b. CDF must have regard to the duration of the period of field service.
 - c. CDF must choose a rate listed at either item 7 or item 15, table 1 of Part F of this Determination.
6. Field allowance is not payable for the period of any break between periods of field service.

Exception: If a member's period of eligibility under section B.13.5 ends after midday and another period of eligibility starts before midnight on the same day, the member is entitled to the amount payable for one day of field allowance for that calendar day.

B.13.9 Interactions with other allowances

1. The rules for payment of field allowance and maritime disability allowance under Division B.9 for the same period are set out below.
 - a. For any part–day of field service and part–day of maritime service on the same calendar day, the relevant daily rate of whichever allowance applies at the end of that calendar day is payable for the whole day.
 - b. If a daily rate of field allowance is payable to a member for any period for which the member would also be eligible for a daily rate of maritime disability allowance, then the member is only entitled to payment of the higher of the two relevant rates for that period.
 - c. A member who is entitled to an annual rate of maritime disability allowance is not entitled to any rate of field allowance.
2. Field allowance is not payable to a member for any day that a member is eligible for travelling costs under Defence Determination 2005/15, *Conditions of Service*, including use of the Defence travel card.
3. Other allowances may not permit payment of field allowance for the same period.

See: Division B.12, Special Forces disability allowance.

Schedule 2

Amendment of Division B.9 (Maritime disability allowance)

1 Section B.9.2 (Definitions), definition of *deemed position*

insert after 'deemed position' but before 'minor war vessel'

maritime service	Means service during which the member is required to undertake duty at sea in any of the following circumstances. a. A major fleet unit, which includes a seagoing ship. b. A minor war vessel. c. A seagoing submarine. This service can be rendered during peacetime training, as well as in warlike or non-warlike service, including maritime operations, exercises or similar activities.
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2 Section B.9.4 (Conditions of eligibility for maritime disability allowance)

substitute

B.9.4 Conditions for eligibility for maritime disability allowance

1. A member of the Permanent Force or Reserve Force who is posted to any of the following is eligible for maritime disability allowance.

- a. A major fleet unit, which includes a seagoing ship.
- b. A minor war vessel.
- c. A seagoing submarine.
- d. A shore establishment for service in a vessel in paragraphs a to c.
- e. Sea Training Group for service in a vessel in paragraphs a to c.

Note: Eligibility under subsection 1 is a precondition to the annual rate of maritime disability allowance. Eligibility under either subsection 2 or 3 is a precondition to daily rates of the allowance.

2. A member of the Permanent Force or Reserve Force qualifies for maritime disability allowance from the start of any period in which they meet both the following conditions.

- a. The member is serving in any of the following circumstances.
 - i. A major fleet unit, which includes a seagoing ship.
 - ii. A minor war vessel.
 - iii. A seagoing submarine.

- iv. A shore establishment for service in a vessel in subparagraphs i to iii.
- b. That service requires the member to stay on board the vessel for a continuous period of 48 hours or more.

Exception 1: If a member is in receipt of field allowance under Division B.13 of this Determination immediately before boarding a seagoing ship or seagoing submarine, the member is taken to have qualified for maritime disability allowance from the time of boarding.

Exception 2: If a member was serving a qualifying period for field allowance under Division B.13 of this Determination immediately before boarding a seagoing ship or seagoing submarine – the period served towards the field allowance qualifying period is taken to count towards the relevant qualifying period under this clause.

Exception 3: A member who becomes eligible for maritime disability allowance under this clause and moves from one vessel directly to another to perform cross deck daily operations continues to be eligible based on their initial qualifying period. They do not need to requalify while they continue to perform the cross deck duties.

- 3. A member of the Permanent Force or Reserve Force qualifies for maritime disability allowance from the start of any period in which they meet both the following conditions.
 - a. The member is serving in Sea Training Group in any of the following circumstances.
 - i. A major fleet unit, which includes a seagoing ship.
 - ii. A minor war vessel.
 - iii. A seagoing submarine.
 - b. That service requires the member to stay on board the vessel for a continuous period of 24 hours or more.

B.9.4A Qualifying periods of maritime service

- 1. This section is used to work out how a member's qualifying maritime service counts as a part of a period of eligibility for maritime disability allowance under paragraph B.9.4.2.b or paragraph B.9.4.3.b.
- 2. The following rules describe how to count periods of maritime service under paragraph B.9.4.2.b for the purposes of paying maritime disability allowance under section B.9.6.
 - a. **Maritime service of three days or less.** The following table sets out how part days at the end of the 48 hour qualifying period are counted towards whole days of eligible maritime service.

Item	If the member’s 48 hour qualifying period ends on a day (“the qualifying day”)...	and the member completes their period of maritime service...	then the member is counted as having completed...
1.	before midday	before midday of the qualifying day	two days of maritime service.
2.	before midday	after midday of the qualifying day	three days of maritime service.
3.	after midday	after midday of the qualifying day	two days of maritime service.

b. **Maritime service of three days or more.** The following table sets out how the days during and after the qualifying period count as completed days of maritime service.

If the member’s 48 hour qualifying period ends on a day (“the qualifying day”)...	and the member completes their period of maritime service...	then the member is counted as having completed the sum of the following maritime service.
before midday	any day after the qualifying day	a. Three days. b. Any whole calendar days after the qualifying day. c. Any remainder worked out under subsection B.9.4B.2.

Example: A member starts a period of maritime service at 0900 on Monday and completes it at 1600 on Friday of the same week. The member completes their qualifying period on Wednesday and is counted as completing three days of maritime service. Thursday is counted as one whole day of maritime service. Friday is counted as one whole day of maritime service under subsection B.9.4B.2. The member is counted as completing five days of maritime service.

3. The following rules describe how to count periods of maritime service under paragraph B.9.4.3.b for the purposes of paying maritime disability allowance under section B.9.6.

a. **Maritime service of two days or less.** The following table sets out how part days at the end of the 24 hour qualifying period are counted towards whole days of eligible maritime service.

Item	If the member's 24 hour qualifying period ends on a day ("the qualifying day")...	and the member completes their period of maritime service...	then the member is counted as having completed...
1.	before midday	before midday of the qualifying day	one day of maritime service.
2.	before midday	after midday of the qualifying day	two days of maritime service.
3.	after midday	after midday of the qualifying day	one day of maritime service.

b. **Maritime service of two days or more.** The following table sets out how the days during and after the qualifying period count as completed days of maritime service.

If the member's 24 hour qualifying period ends on a day ("the qualifying day")...	and the member completes their period of maritime service...	then the member is counted as having completed the sum of the following maritime service.
before midday	any day after the qualifying day	<ul style="list-style-type: none"> a. Two days. b. Any whole calendar days after the qualifying day. c. Any remainder worked out under subsection B.9.4B.2.

Example: A member starts a period of maritime service at 0900 on Monday and completes it at 1600 on Friday of the same week. The member completes their qualifying period on Tuesday and is counted as completing two days of maritime service. Wednesday and Thursday are counted as two whole days of maritime service. Friday is counted as one whole day of maritime service under subsection B.9.4B.2. The member is counted as completing five days of maritime service.

4. Any break between periods of maritime service that starts during the qualifying period breaks the qualifying period. The member is required to restart the qualifying period under paragraphs B.9.4.2.b or B.9.4.3.b for a period of maritime service.

Example: If a member has been accommodated ashore at an intermediate port of call during the voyage aboard the vessel.

B.9.4B Qualified periods of maritime service

1. This section applies to members who have met the qualifying period under paragraphs B.9.4.2.b or B.9.4.3.b.

2. The following table sets out how to count part days at the end of a period of maritime service for the purposes of paying maritime disability allowance under section B.9.6.

Item	If the member ends a period of maritime service...	then that part day...
1.	before midday	does not count as a completed day if preceded by a whole day of maritime service.
2.	after midday	counts as a completed day if preceded by a whole day of maritime service.

3. A member does not need to requalify for maritime service if they have a break of 48 hours or less between the two periods of maritime service.

Example: A member finishes a period of maritime service. Thirty-six hours later, the member is directed to perform another period of maritime service. The member is not required to meet the qualifying period under either paragraph B.9.4.2.b or paragraph B.9.4.3.b for this second period of maritime service.

4. This table sets out how to count part days at the start of the second period of maritime service described under subsection B.9.4B.3 for the purposes of paying maritime disability allowance under section B.9.6.

Item	If the member starts a period of maritime service...	then that part day...
1.	before midday	counts as a completed day when followed by a whole day of maritime service.
2.	after midday	does not count as a completed day when followed by a whole day of maritime service.

5. A member who has been accommodated ashore at an intermediate port of call during the course of a voyage is not required to meet the relevant qualifying period prescribed under paragraph B.9.4.2.b or B.9.4.3.b when they reboard the vessel.

3 Subsection B.9.6.3 (Daily rates of allowance)

omit

4 Subsection B.9.6.6 (Daily rates of allowance)

omit

5 Subsection B.9.7.2 (Interactions with other allowances)

substitute

2. A daily rate of maritime disability allowance is not payable to a member for any day that a member is entitled to travelling costs under Defence Determination 2005/15, *Conditions of service*, including use of the Defence travel card.

6 Subsection B.9.7.3 (Interactions with other allowances)

omit

7 Subsection B.9.7.4 (interactions with other allowances), cross references

substitute

See: Division B.12, Special Forces disability allowance.
Division B.13, Field allowance.
Division B.14, Clearance diver allowance.

Schedule 3

Amendment of Part F (Allowance rates), table 1

1 Table 1 (General allowance rates), item 7

substitute

7.	Diving allowance section B.6.6, item 3 Boarding party allowance section B.10.5 Field allowance (Tier 1 hardship) subsection B.13.8.1	\$64.41
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2 Table 1 (General allowance rates), item 15

substitute

15.	Maritime disability allowance subsection B.9.6.1 item 2 subsection B.9.6.2 item 2 Field allowance (Tier 2 hardship) subsection B.13.8.2	\$37.98
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