

STATUTORY RULES.

196 . No. 4 .

REGULATIONS UNDER THE DEFENCE ACT 1903-1956.*

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Defence Act* 1903-1956.

Dated this 10th
day of January, 1961

DUNROSSIL

Governor-General.

By His Excellency's Command,

(Sgd)

J.O. Gomer

Minister of State for the Army.

AMENDMENTS OF THE FINANCIAL (MILITARY) REGULATIONS.†

1. Regulation 3 of the Financial (Military) Regulations is amended by Parts. inserting after the words—

“Part IIA.—Pay and Pay Allowances—Citizen Military Forces (Regulations 30A-30D).”

the words—

“Part IIB.—Allowances payable in respect of Travel on Duty in Australia (Regulations 30E-30Q).”.

2. After 11A. of the Financial (Military) Regulations the following Part is inserted:—

“PART 11B.—ALLOWANCES PAYABLE IN RESPECT OF TRAVEL ON DUTY IN AUSTRALIA.

“30E.—(1.) For the purposes of this Part—

- (a) a place in the Territory of Papua or in the Territory of New Guinea shall be deemed to be a Capital City;
- (b) a reference to the rank of a member is a reference to the rank held by the member during the period in respect of which travelling allowance is payable.

Interpretation.

“(2.) Where a member is promoted, travelling allowance is not payable at a higher rate (if any) prescribed by this Part in respect of the rank to which the member is promoted for any period before the date on which notification of the promotion is published in the *Gazette*.

“30F.—(1.) Where, in accordance with a direction given by the proper military authority, a member visits a place within Australia other than his normal place of duty for the purpose of performing duty at that other place and that visit involves his absence overnight from his normal place of residence, travelling allowance is, subject to this Part, payable in respect of the period of the visit, that is to say, from the time of the member's departure from his normal place of duty to the time of his return to that place.

Members visiting another place in the course of their duty.

* Notified in the *Commonwealth Gazette* on 17th January, 1960.
† Statutory Rules 1947, No. 110, as amended by Statutory Rules 1947, Nos. 166 and 167; 1952, No. 31; 1955, No. 56; and 1960, No. 51.

“(2.) For the purposes of this regulation, a married member shall not be deemed to be absent from his normal place of residence in respect of any period for which he is able to live at his home.

“30G. Where a member serving at a place within Australia is posted for duty to another place within Australia and the time necessarily involved in travelling from the first-mentioned place to that other place for the purpose of taking up duty extends overnight, travelling allowance is payable in respect of the period of travel. Members posted for duty at another place.

“30H.—(1.) Subject to this Part, the rate of travelling allowance for the first twenty-one days in the one Capital City or place within Australia is that specified, according to the rank of the member and the place of residence of the member in the following table:— Rates of travelling allowance.

Rank.	Rate per day for residence in a Capital City.	Rate per day for residence in a place other than a Capital City.
	£ s. d.	£ s. d.
Brigadier }	4 10 0	3 3 0
Colonel }	4 4 0	3 3 0
Lieutenant-Colonel	3 18 0	3 3 0
Major	3 18 0	2 18 0
Captain	3 18 0	2 12 0
Lieutenant }	3 18 0	2 12 0
Second Lieutenant }	3 18 0	2 12 0
Warrant Officer and soldier of lower rank ..	3 18 0	2 12 0

“(2.) The rate of travelling allowance payable to a member of the Military Board or an officer of the rank of major-general or a higher rank is Five pounds five shillings per day.

“(3.) The rate of travelling allowance payable to a chaplain is—

- (a) in the case of the Chaplain-General or a Chaplain First Class—the rate prescribed for a colonel;
- (b) in the case of a Chaplain Second Class—the rate prescribed for a lieutenant-colonel;
- (c) in the case of a Chaplain Third Class—the rate prescribed for a major; and
- (d) in the case of a Chaplain Fourth Class—the rate prescribed for a captain.

“(4.) If a member resides continuously for twenty-one days in any one place travelling allowance is not payable after the conclusion of that period except with the approval of the Military Board and at such rates and subject to such conditions as the Military Board determines.

“30J.—(1.) Subject to the succeeding provisions of this regulation, the rate of travelling allowance payable in respect of the period of an unbroken journey within Australia from one Capital City to another, or, where at the outset of the journey a return trip is intended, from any place to a Capital City and from that Capital City back to the place at which the journey commenced, is the rate prescribed by the last preceding regulation for residence in a Capital City. Rate of allowance for journey.

“ (2.) Where—

(a) a member travels within Australia by other than a normal method of public transport; and

(b) the time so taken exceeds twenty-four hours,

the rate of travelling allowance payable to the member in respect of the time taken on that journey is the same rate as that prescribed by the last preceding regulation for residence in a place other than a Capital City.

“ (3.) The rate of travelling allowance payable in respect of any journey within Australia other than a journey referred to in sub-regulation (1.) of this regulation is the rate prescribed by the last preceding regulation for residence in a place other than a Capital City.

“ (4.) The preceding provisions of this regulation do not apply to or in relation to a member referred to in sub-regulation (2.) of the last preceding regulation.

“ (5.) Where a member unnecessarily or for private reasons breaks his journey, travelling allowance is not payable in respect of the period of the break.

“ (6.) For the purposes of this regulation, a journey shall not be deemed to be broken at any point if the member travels from that point by the next available scheduled means of transport by which he is required to travel.

“ 30k.—(1.) Where a member to whom travelling allowance is payable under this Part is provided with rations by the Commonwealth without charge the member shall be paid—

Reduction of allowance, where rations or quarters are provided or fare includes subsistence.

(a) an amount equal to the amount paid by him for quarters or, if, in the opinion of the Military Board, the amount so paid by him is not reasonable, such amount as the Military Board considers to be reasonable; and

(b) an allowance to cover incidental expenses at the rate applicable to the member under this regulation.

“ (2.) Where a member to whom travelling allowance is payable under this Part is provided with quarters by the Commonwealth without charge, the member shall be paid—

(a) an amount equal to the amount paid by him for rations or, if, in the opinion of the Military Board the amount so paid by him is not reasonable, such amount as the Military Board considers to be reasonable; and

(b) an allowance to cover incidental expenses at the rate applicable to the member under this regulation.

“ (3.) Where a member to whom travelling allowance is payable under this Part travels by rail or sea and the fare paid includes all necessary subsistence during the course of the journey, the member shall be paid an allowance to cover incidental expenses at the rate applicable to the member under this regulation.

“ (4.) Where a member to whom travelling allowance is payable under this Part, travels by civil aircraft on a journey involving a stop over night *en route* and the fare paid includes all necessary subsistence and

accommodation during the journey, the member shall be paid an allowance to cover incidental expenses at the rate applicable to the member under this regulation.

“(5.) Nothing in this regulation affects the rate of travelling allowance payable under regulation 30H of these Regulations to a member who travels on a civil aircraft on a journey that does not involve a stop over night *en route*.

“(6.) The rate of the allowance applicable to a member under this regulation to cover incidental expenses is that specified, according to the rank of the member in the following table:—

Rank.	Rate per day for residence in a Capital City.	Rate per day for residence in other than a Capital City.
	<i>s. d.</i>	<i>s. d.</i>
Brigadier }	15 0	11 0
Colonel }	14 0	11 0
Lieutenant-Colonel	13 0	11 0
Major	13 0	10 0
Captain	13 0	9 0
Lieutenant }	13 0	9 0
Second Lieutenant }	13 0	9 0
Warrant officer and soldier of lower rank ..	13 0	9 0

“30L. Travelling allowance is not payable under this Part to a member—

- (a) for any period during which the member is provided with rations and quarters by the Commonwealth without charge to the member;
- (b) if the member travels as a member of an organized body of troops, in a troop train, in a naval vessel, in a Defence Force aircraft or in a vessel or aircraft specially chartered or requisitioned for the carriage of troops; or
- (c) in respect of a period of travel while the member is on leave of absence from duty.

Cases in which travelling allowance is not payable.

“30M. Where a member visits the Weapons Research Establishment at Woomera or the Army Establishment at Maralinga and is provided with rations and quarters at a mess, an allowance of an amount equivalent to the amount of any obligatory mess fees incurred by the member during that visit is payable to him, subject to such conditions as are approved by the Military Board.

Mess fees allowance for service at Woomera.

“30N.—(1.) Where the amount of the expenses reasonably incurred by a member for accommodation and subsistence in respect of any one period of absence exceeds the amount ascertained by deducting, from the amount payable to the member under this Part in respect of that period, an amount equal to the amount deemed to be payable under this Part to the member to cover incidental expenses in that period, the Military Board or, if the amount of the excess does not exceed Three pounds ten shillings, the Command Secretary may authorize payment to the member of an amount equal to the excess.

Alteration of travelling allowance.

“(2.) For the purposes of the last preceding sub-regulation, the amount deemed to be payable to the member to cover incidental expenses in the period is the sum of—

- (a) where the member is, in the period, entitled to travelling allowance at the Capital City Rate specified in regulation 30H of these Regulations—an amount ascertained by multiplying the rate specified in regulation 30K of these Regulations as the rate applicable to the member under that regulation for residence in a Capital City by the number that is equal to the number of days (including, where necessary, a fraction of a day) for which the member is, in the period, entitled to the Capital City rate specified in regulation 30H of these Regulations;
- (b) where the member is, in the period, entitled to travelling allowance at the other than Capital City Rate specified in regulation 30H of these Regulations—an amount ascertained by multiplying the rate specified in regulation 30K of these Regulations as the rate applicable to the member under that regulation for residence in a place other than a Capital City by the number that is equal to the number of days (including, where necessary, a fraction of a day) for which the member is, in the period, entitled to the other than Capital City Rate; and
- (c) where the member is paid an allowance under paragraph (b) of sub-regulation (1.) or paragraph (b) of sub-regulation (2.), sub-regulation (3.), or sub-regulation (4.), of regulation 30K of these Regulations—the amount so paid to the member.

“(3.) The Military Board, after having regard to the expenses reasonably incurred by a member for a period in which travelling allowance is payable to him, may authorize payment of a less amount than the amount prescribed by this Part to be payable or may disallow payment of a member’s claim for travelling allowance.

“30P. Where the time in respect of which an allowance under this Part is payable consists of, or includes, part of a day, the member shall, in respect of that part of a day, be paid a proportionate part of the amount of the allowance payable in respect of a complete day of twenty-four hours, calculated to the nearest hour. Calculation of allowance for part of day.

“30Q.—(1.) Where, in accordance with a direction given by a proper military authority— Meal allowance.

- (a) a member travels on duty; and
- (b) the travel extends over a normal meal period but does not involve his absence over night from his normal place of residence,

an allowance, called ‘meal allowance’, is, subject to such conditions as the Military Board determines, payable to the member.

“(2.) The rate of meal allowance payable is—

(a) if absence extends over morning meal period—Five shillings and sixpence;

(b) if absence extends over mid-day meal period—Five shillings and sixpence; and

(c) if absence extends over evening meal period—Nine shillings.

“(3.) Meal allowance is not payable to a member in respect of a meal if the member travels on duty by rail and a meal voucher authorizing the member to debit the cost of the meal to the Commonwealth is issued to **him**.”.

By Authority: A. J. ARTHUR, Commonwealth Government Printer, Canberra.