



## **Defence Determination, Conditions of service Amendment Determination 2023 (No. 4)**

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I, FIONA LOUISE McSPEERIN, Assistant Secretary, People Policy and Employment Conditions, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 21 February 2023

Fiona Louise McSpeerin  
Assistant Secretary  
People Policy and Employment Conditions  
Defence People Group

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## 1 Name

This instrument is the *Defence Determination, Conditions of service Amendment Determination 2023 (No. 4)*.

## 2 Commencement

1. Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 4 and anything in this Instrument not elsewhere covered by this table.	The day the instrument is registered.	
2. Schedules 1 to 3	2 March 2023	

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**Note:** this table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

2. Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

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

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

# Schedule 1—Higher duties allowance amendments

## *Defence Determination 2016/19, Conditions of service*

**1 Paragraph 4.1.4.d (table item 5)**

Repeal the table item.

# Schedule 2—Overseas amendments

## Defence Determination 2016/19, Conditions of service

**1 Annex 12.3.B (table item 49)**  
Omit “TURKEY”, substitute “TÜRKIYE”.

**2 Annex 13.3.A**  
Omit “Turkey” wherever occurring, substitute “Türkiye”.

**3 Paragraph 14.4.11.2A.b**  
Omit “1 March 2023”, substitute “1 March 2024”.

**4 Annex 15.6.A (table item 39)**  
Omit “Turkey”, substitute “Türkiye”.

**5 Subsection 15.8.2.2 (table item 29)**  
Repeal the table item, substitute:

29.	Türkiye	MACFit
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**6 Annex 16.B, table item 55**  
Omit “Turkey”, substitute “Türkiye”.

**7 Subsection 17.7.6.1, table item 7**  
Omit “Turkey”, substitute “Türkiye”.

## Schedule 3—Transitional provisions

### 1. Definition

In this Schedule, **Defence Determination** means the Defence Determination 2016/19, Conditions of service, as in force from time to time.

### 2. Higher duties allowance for Sub Lieutenants

1. This clause applies to a member who meets all of the following and has been directed to perform duties at the rank of Lieutenant in the Navy.
  - a. They hold the rank of Sub Lieutenant in the Navy.
  - b. One of the following apply.
    - i. They were eligible to receive higher duties allowance immediately before 2 February 2023.
    - ii. Since the commencement of this Schedule, they have become eligible for higher duties allowance in relation to a period that commenced on or after 2 February 2023.
2. The member is eligible for higher duties allowance under Chapter 4 Part 1 of the Defence Determination from 2 February 2023 until the earlier of the following, as though the changes made by Schedule 1 of this Determination applied at the time.
  - a. The last day they are eligible to receive higher duties allowance.
  - b. The commencement of this Schedule.

### 3 Overseas – Turkiye club membership

1. This clause applies to a member who meets all of the following between 14 December 2022 and the commencement of this Determination.
  - a. They were posted to Türkiye.
  - b. They were eligible for the cost of club membership in Türkiye under any of the following sections of the Defence Determination.
    - i. Section 15.8.4, Benefits in the member's location.
    - ii. Section 15.8.5, Additional club membership costs.
2. The member is eligible for the cost of club membership they would have been eligible to under section 15.8.4 and 15.8.5 of the Defence Determination as though Schedule 3 item 5 of this Determination had been in force between 14 December 2022 and the commencement of this Determination.
3. The benefit under subclause 1 is reduced by the amount the member received for the cost of a club membership under section 15.8.4 or 15.8.5 of the Defence Determination between 14 December 2022 and the commencement of this Determination which has not been repaid.