



## **Defence (Payments to ADF Cadets) Determination 2023**

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I, General Angus J. Campbell AO, DSC, Chief of the Defence Force, make the following determination.

Dated this 1<sup>st</sup> day of December 2023

**Signed by**

**Angus J. Campbell AO, DSC**  
General  
Chief of the Defence Force

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## 1 Name

This instrument is the *Defence (Payments to ADF Cadets) Determination 2023*.

## 2 Commencement

This instrument commences on the day after registration.

## 3 Authority

This instrument is made under subsection 62B(1) of the *Defence Act 1903*.

## 4 Definitions

Note: The expression *ADF Cadets* is used in this instrument and is defined in the Act.

In this instrument:

*Act* means the *Defence Act 1903*.

*authorised person* has the meaning given by section 10.

*daily amount* means an amount payable in respect of participation in an activity of the ADF Cadets for all or part of a day.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 6 Eligibility for payments

### *Application required*

- (1) An officer or instructor in the ADF Cadets may apply, in writing, to an authorised person, for the payment of:
  - (a) a daily amount; or
  - (b) an expense that has been, or will be, incurred;in respect of participation by the officer or instructor in activities of the ADF Cadets.

### *Timing of application*

- (2) An application made under subsection (1) must be made at or before the end of the calendar month (the *relevant calendar month*) that follows the calendar month in which the officer or instructor:
  - (a) participated in the activities of the ADF Cadets; or
  - (b) incurred the expense relating to participating in the activities of the ADF Cadets.

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- (3) Despite subsection (2), an authorised person may approve an officer or instructor in the ADF Cadets making an application under subsection (1) after the end of the relevant calendar month.

*Other matters*

- (4) The Chief of Personnel may, by notifiable instrument, determine any other matters in connection with the eligibility of members of the ADF or ADF Cadets for payments.

## **7 Amount of payments**

*Daily amounts*

- (1) The amount payable under subsection 6(1) is the amount approved by notifiable instrument by the Chief of Personnel for that purpose, for an officer or instructor at the same tier as the applicant.

*Other amounts*

- (2) If an expense has been, or will be, incurred in respect of participation in activities of the ADF Cadets, the amount payable is no more than the amount approved by the Chief of Personnel, by notifiable instrument, for an expense of that kind.

Note: See also section 8.

## **8 Recovery of amounts paid**

If an amount is paid under section 7 and the expense is not, in fact, incurred, then the amount:

- (a) is a debt due by the person to the Commonwealth; and
- (b) may be recovered by action in a court of competent jurisdiction.

## **9 Other benefits**

- (1) A person is eligible for a payment, relating to:
- (a) an ADF cadet;
  - (b) an officer or instructor in the ADF Cadets; or
  - (c) other adult volunteers assisting at an ADF Cadets activity;
- if the decision maker is satisfied there are exceptional circumstances in connection with participation in the activities of the ADF Cadets.

Note: These expenses would not be covered by subsection 7(2).

- (2) The payment under subsection (1) is an amount set by the decision maker.
- (3) The decision maker is any of the following:
- (a) Chief of the Defence Force;
  - (b) Chief of Personnel;
  - (c) Head Joint Support Services Division;
  - (d) Director-General Australian Navy Cadets;
  - (e) Commander Australian Army Cadets;

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(f) Director-General Cadets – Air Force.

## **10 Authorised persons**

The Chief of Personnel may, by notifiable instrument, authorise a person to approve an application made under section 6 of this instrument.

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## **Schedule 1—Repeals**

### ***Defence (Payments to ADF Cadets) Determination 2022***

#### **1 The whole of the instrument**

Repeal the instrument.