



Defence Determination, Conditions of service Amendment Determination 2024 (No. 13)

I, BRIGADIER Kirk Lloyd, Director General, People Policy and Employment Conditions, make the following Determination under section 58B of the *Defence Act 1903*.

Dated 2 December 2024

BRIG Kirk Lloyd
Director General
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 2024 (No. 13).

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.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4.	The day the instrument is registered.	
2. Schedule 1	5 December 2024	
3. Schedule 2	13 February 2025	
4. Schedules 3 to 5	5 December 2024	
5. Schedule 6	13 February 2025	

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Salary non-reduction – Officers amendment

Defence Determination 2016/19, Conditions of service

1 Annex 3.2.D (at the end of the table)

Add:

13.	Pay grade 2	Public Relations – Under Training	19 December 2024	19 December 2029
14.	Pay grade 2	Public Relations – Primary Qualification	19 December 2024	19 December 2029
15.	Pay grade 6	Public Relations – Shore Charge	19 December 2024	19 December 2029
16.	Pay grade 8	Public Relations – Shore Command	19 December 2024	19 December 2029

Schedule 2—Maternity and Parental leave amendments

Defence Determination 2016/19, Conditions of service

- 1 Subsection 5.6.7.3**
Omit “she”, substitute “the member”.
- 2 Section 5.6.9**
Repeal the section.
- 3 Subsection 5.6.10.1**
Omit “she believes she is”, substitute “they believe they are”.
- 4 Paragraph 5.6.10.1.a**
Omit “her”, substitute “their”.
- 5 Subsection 5.6.12.2**
Omit “she is” (wherever occurring), substitute “they are”.
- 6 Section 5.6.14**
Omit “14” (wherever occurring), substitute “18”.
- 7 Subsection 5.6.14.2**
Omit “she has not completed her”, substitute “they have not completed their”.
- 8 Subsection 5.6.14.3**
Omit “her” (wherever occurring), substitute “their”.
- 9 Section 5.6.20**
Omit “her” (wherever occurring), substitute “their”.
- 10 Section 5.6.24**
Omit “who is pregnant”.
- 11 Section 5.6.24 (table heading)**
Omit “she” (wherever occurring), substitute “the member”.

- 12 Section 5.6.24 (table)**
Omit “she has” (wherever occurring), substitute “they have”.
- 13 Section 5.6.25**
Omit “her” (wherever occurring), substitute “their”.
- 14 Section 5.6.26**
Omit “her” (wherever occurring), substitute “their”.
- 15 Paragraph 5.6.26.1.a**
Omit “she”, substitute “they”.
- 16 Subparagraph 5.6.26.1.b.ii**
Repeal the subparagraph, substitute:
 - ii. If they have previously been given permission under this section — on or before the day they already have permission to work to.
- 17 Subsection 5.6.26.4**
Omit “her”, substitute “their”.
- 18 Subsection 5.6.26.4**
Omit “she is”, substitute “they are”.
- 19 Section 5.6.27**
Omit “her” (wherever occurring), substitute “their”.
- 20 Subsection 5.6.27**
Omit “she” (wherever occurring), substitute “the member”.
- 21 Paragraph 5.6.28.a**
Omit “She has”, substitute “They have”.
- 22 Paragraph 5.6.28.b**
Omit “She becomes”, substitute “They become”.

23 Section 5.6.29

Repeal the section, substitute:

5.6.29 Cancelling leave without pay

1. If a member has not started leave without pay when they become pregnant, they may cancel their application and they are entitled to maternity leave under Division 2.
2. If the member is on leave without pay when they become pregnant, cancelling the application will be of no effect and this Division will continue to apply.

24 Paragraph 5.6.30.3.a

Omit “her” (wherever occurring), substitute “their”.

25 Subparagraph 5.6.30.3.a.ii

Omit “14”, substitute “18”.

26 Subsection 5.6.31.1

Omit “her” (wherever occurring), substitute “their”.

27 Paragraph 5.6.31.2.b (note)

Omit “She”, substitute “They”.

28 Subsection 5.7.4C.1

Omit “18”, substitute “26”.

29 Subsection 5.7.5.1

Omit “20”, substitute “40”.

30 Paragraph 5.7.5.2.b

Repeal the paragraph, substitute:

- b. The minimum period of paid parental leave that may be taken at a time is one of the following.
 - i. If the leave is taken at full pay — 1 day.
 - ii. If the leave is taken at half pay — 7 consecutive days.

31 **Paragraph 5.7.6E.1.a**
Omit “14”, substitute “18”.

Schedule 3—ADF family health program amendments

Defence Determination 2016/19, Conditions of service

1 Section 8.9.2 (definition of healthcare physician)

Repeal the definition.

2 Section 8.9.7C

Omit “if the eligible dependant has been referred to the service by a healthcare physician in relation to an existing condition”.

3 Section 8.9.7D

Repeal the section, substitute:

8.9.7D Reimbursable items – Memberships and fitness classes

For the purpose of section 8.9.6A, out of pocket expenses relating to the following services provided to an eligible dependant by a provider with a registered Australian Business Number are reimbursable.

- a. Gym membership.
- b. Fitness Passport membership.
- c. Swimming pool membership.
- d. Any of the following classes.
 - i. Aqua fitness classes.
 - ii. Personal training.
 - iii. Pilates.
 - iv. Yoga.
 - v. Zumba.

Schedule 4—Deployment allowance amendments

Defence Determination 2016/19, Conditions of service

1 Section 17.7.6.1 (after table item 3)

Insert:

3A.	BEECH	The land, territorial waters and superjacent airspace of the following: a. Israel and the Occupied Palestinian Territories; b. Lebanon	195.63
		The land, territorial waters and superjacent airspace of the Sinai in Egypt.	136.00

2 Section 17.7.6.1 (after table item 4)

Insert:

4A.	HYDRANTH	The waters and superjacent airspace of the following: a. Arabian Sea (bounded by 10 degrees north and 60 degrees east) b. Gulf of Oman; c. Persian Gulf.	136.00
		The land, territorial waters and superjacent airspace of the following. a. Bahrain; b. Qatar.	106.59

3 Section 17.7.6.1 (table item 9 Column B)

Omit the cells, substitute:

The land, territorial waters and superjacent airspace of the following. a. Iraq; b. Syria.
All of the following: a. The land, territorial waters and superjacent airspace of the following. i. Bahrain;

- ii. Cyprus;
- iii. Jordan;
- iv. Kuwait;
- v. Qatar;
- vi. The United Arab Emirates;
- b. The waters and superjacent airspace of the Persian Gulf;
- c. The land territory of Türkiye east of Longitude 35° East.

Schedule 5—Transitional provisions

1 Definitions

The following apply in the Schedule.

Defence Determination means Defence Determination 2016/19, Conditions of service.

2 ADF family health program

1. This clause applies to a member who was eligible for reimbursement under section 8.9.6A of the Defence Determination, as in force from time to time, between 1 December 2024 and the commencement of Schedule 3 of this Determination.
2. Schedule 3 of this Determination applies to the member as though it applied at the time.

3 Deployment allowance – Operation BEECH

1. This section applies to a member who was deployed on Operation BEECH at any time between 13 October 2023 and the commencement of this Determination.
2. A member is eligible for the payment of deployment allowance at the rate specified in the following table for each day of duty they performed in the specified area of Israel and the Occupied Palestinian Territories or Lebanon on Operation BEECH between 13 October 2023 and the commencement of this Determination.

Item	Start date	End date	Daily rate
1.	13 October 2023	8 November 2023	AUD 181.22
2.	9 November 2023	6 November 2024	AUD 188.47
3.	7 November 2024	The commencement of this Determination.	AUD 195.63

3. A member is eligible for the payment of deployment allowance at the rate specified in the following table for each day of duty they performed in the specified area of the Sinai in Egypt on Operation BEECH between 13 October 2023 and the commencement of this Determination.

Item	Start date	End date	Daily rate
1.	13 October 2023	8 November 2023	AUD 125.98
2.	9 November 2023	6 November 2024	AUD 131.02
3.	7 November 2024	The commencement of this Determination.	AUD 136.00

4. The benefit under this clause is reduced by any amount of deployment allowance the member has received for duty performed in the specified area under section 17.7.6 of the Defence Determination between 13 October 2023 and the commencement of this Determination.

4 Deployment allowance – Operation HYDRANTH

1. This section applies to a member who was deployed on Operation HYDRANTH at any time between 15 February 2024 and the commencement of this Determination.
2. A member is eligible for the payment of deployment allowance at the rate specified in the following table for each day of duty they performed in the specified area of the Persian Gulf, Gulf of Oman, Arabian Sea (bounded by 10 degrees north and 60 degrees east) on Operation HYDRANTH between 15 February 2024 and the commencement of this Determination.

Item	Start date	End date	Daily rate
1.	15 February 2024	6 November 2024	AUD 131.02
2.	7 November 2024	The commencement of this Determination.	AUD 136.00

3. A member is eligible for the payment of deployment allowance at the rate specified in the following table for each day of duty they performed in the specified area of Qatar and Bahrain on Operation HYDRANTH between 15 February 2024 and the commencement of this Determination.

Item	Start date	End date	Daily rate
1.	15 February 2024	6 November 2024	AUD 102.69
2.	7 November 2024	The commencement of this Determination.	AUD 106.59

4. The benefit under this clause is reduced by any amount of deployment allowance the member has received for duty performed in the specified area under section 17.7.6 of the Defence Determination between 15 February 2024 and the commencement of this Determination.

Schedule 6—Savings provisions

1 Definitions

In this Schedule, the following apply.

Defence Determination means Defence Determination 2016/19, Conditions of service, immediately before the commencement of Schedule 2.

2 Savings – Maternity leave and parental leave

1. This clause applies to a member who met all of the following immediately before the commencement Schedule 2 of this Determination.
 - a. They were eligible for one of the following.
 - i. Paid maternity leave under Part 6 of Chapter 5 of the Defence Determination.
 - ii. Paid parental leave under Part 7 of Chapter 5 of the Defence Determination.
 - b. The leave under paragraph a is in relation to a child that was born, adopted, or otherwise joined the member's household in a situation recognised under the Defence Determination, on or before 12 February 2025.
2. Despite items 6, 25, 28, 29 and 31 of Schedule 2, the period of paid maternity or parental leave that applied to the member immediately before the commencement of this Determination continues to apply.

3 Savings – Parental leave at half pay

Despite item 30 of Schedule 2, section 5.7.5 of the Defence Determination continues to apply to a member who has been approved to take leave at half pay before the commencement of the Schedule.