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**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

**T1524 and T1525 of 1988**

**IN THE MATTER** OF AN APPLICATION BY THE TASMANIAN PUBLIC SERVICE ASSOCIATION AND THE TASMANIAN TRADES AND LABOR COUNCIL RESPECTIVELY [CONSEQUENT ON THE DECISION OF THE FULL BENCH OF THE AUSTRALIAN CONCILIATION AND ARBITRATION COMMISSION IN THE NATIONAL WAGE CASE OF 12 AUGUST 1988] TO INCREASE WAGE RATES AND ALLOWANCES GENERALLY IN ALL AWARDS AND AGREEMENTS AND TO REVIEW THE WAGE FIXATION PRINCIPLES

**ORDER -**

**No. 8 of 1988  
(Consolidated)**

AMEND THE **POLICE AWARD** BY DELETING ALL THE CLAUSES CONTAINED THEREIN AND INSERT IN LIEU THE FOLLOWING:

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### **1. TITLE**

This award shall be known as the "Police Award".

### **2. SCOPE**

Subject to the exceptions and modifications contained herein, this award shall apply to the employment of persons employed under the provisions of the Police Regulations Act 1898 for whom classifications appear in this award.

### **3. ARRANGEMENT**

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#### **4. DATE OF OPERATION**

- 4.1 This award shall come into operation as from the first full pay period commencing on or 15 September 1988.
- 4.2 **PROVIDED** that is a term of this award arising from the decision of the Tasmanian Industrial Commission State Wage Case of 5 September 1988 the terms of which are set out therein that the unions undertake, until 1 July 1989, not to pursue any extra claims, award or overaward, except where consistent with the State Wage Case Principles.

#### **5. SUPERSESION AND SAVINGS**

- 5.1 This award incorporates and supersedes No. 5 of 1988 (Consolidated), No. 6 of 1988 and No. 7 of 1988.
- 5.2 **PROVIDED** further that no right, obligation or liability incurred or accrued shall be affected merely as a result of this consolidation.
- 5.3 The provisions of the Police Regulation Act 1898 and the regulations made thereunder shall continue to apply to members or classes of member covered by this award where such Act and regulations are applicable, save in so far as the salaries and allowances to be received by, and the conditions of service of such members or classes of member are inconsistent with the provisions of this award.

#### **6. PARTIES AND PERSONS BOUND**

- 6.1 This award shall be binding upon -
- (a) the Police Association of Tasmania and its Officers, and members of the Police Association of Tasmania for whom classifications appear in this award;
  - (b) the Commissioner of Police in relation to all members (as defined) for whom classifications appear in this award, whether members of a registered organisation or not;
  - (c) the Tasmanian Trades and Labor Council.

#### **7. DEFINITIONS**

- 7.1 In this award unless the contrary intention appears:

**'Adult Member'** - except where otherwise provided an Adult Member means a member 18 years of age or above;

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**'Afternoon shift'** means any shift finishing after 6.00 p.m. and at or before midnight;

**'Breath Analyst operator'** means a member who has qualified at an approved course of instruction as an operator of breath analysing instruments;

**'Day Worker'** means a member whose ordinary hours of duty are performed within a spread of hours of 6.00 a.m. to 6.00 p.m., Monday to Friday inclusive;

**'Detective'** means any member who has been appointed as a detective and who is actively engaged on the investigation of crime; and shall be deemed to include members assigned to such duties as determined by the Commissioner of Police;

**'Expert'** means any member who has had at least five years experience in the appropriate field of fingerprint, ballistic, photographic, or handwriting work, or who has qualifications and experience which, in the opinion of the controlling authority, are equivalent thereto, and who is recognised as an Expert by the Commissioner of Police and employed as such in the Scientific Bureau of the Tasmania Police Force;

**'Isolated area'** means any area, centre, district or location embraced by the Commonwealth Taxation Zone B delineation, together with such other areas, centres, districts or locations as may be approved, including the following:

King Island, Flinders Island, Cape Barren Island, Maria Island and Bruny Island;

**'Junior Member'** means a person appointed as a Junior Constable;

**'Member'** means a person permanently or temporarily employed under the provisions of the Police Regulation Act 1898 in the Police Force of the State, and who is, on the date upon which this award comes into force, occupying a position the salary or rate of pay of which is determined by this award, or who, after that date, is appointed to such a position, and where the context so requires or admits shall include the Deputy Commissioner and Assistant Commissioners;

**'Night Shift'** means a shift commencing after 4.00 p.m. and before 6 a.m.;

**'Normal salary'** means a member's salary excluding all allowances;

**'Officer'** means a member holding the rank of Chief Superintendent, Superintendent or Inspector;

**'Overtime duty'** means -

- (a) any duty performed in excess of eight hours on any rostered day other than a rest day in the case of a shift worker, or in excess of eight hours on a week day in the case of a day worker,

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- (b) any duty performed by a shift worker on a rest day, or
- (c) any duty performed by a day worker on a Saturday, Sunday or public holiday.

**PROVIDED** that in each instance such duty is of a continuous period of not less than one hour;

**PROVIDED FURTHER** that 'duty' shall include travelling from and returning to a member's station in connection with some specific duty, but shall not include -

- (i) meal breaks, and any period of time off during the performance of overtime duty;
- (ii) that part of any period spent away from the member's station during which no specific duty is performed; or
- (iii) any time spent in travelling from the member's home or place of residence to the station to which he is attached for duty, or returning therefrom to his home or place of residence.

**'Plain clothes duty'** means any duty of not less than eight hours duration, which a member is instructed to carry out in plain clothes;

**'Police Prosecutor'** means a member who has for a period of at least six months been engaged wholly on court prosecuting duties, and who has been approved by the controlling authority as competent to perform such duties;

**'Police Academy Instructor'** means a member who is engaged wholly on instructional duties at the Police Academy and who has been approved by the controlling authority as competent to perform such duties;

**'Radio Technician'** means a member employed in the Communication Section who, having not less than twelve months service in that section, has either

- (a) successfully completed a radio tradesman's apprenticeship; or
- (b) holds a Radio Technician's Certificate of Proficiency of the Postal and Telecommunications Department of the Commonwealth of Australia; or
- (c) holds qualifications deemed by the controlling authority to be at least equivalent to either (a) or (b) above,

and who in addition to operating duties, performs duties incidental to the construction, installation and maintenance of communication equipment;

**'Roster'** means a document setting out clearly the names of the members required to work in accordance with such roster; and the days, duties and hours during which each member is required to attend for duty.

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**'Shift Worker'** means a member who is regularly required to undertake shiftwork in accordance with a rotating shift roster approved by the controlling authority;

**'Sub Officer'** means a member holding the rank of Senior Sergeant, Sergeant or Senior Constable;

**'Unattached Trainee'** means a member sworn as a special constable to perform duties as directed until he/she is inducted into an initial basic training course at the Police Academy as a trainee constable.

## **8. SALARIES**

A member classified or graded within a class or grade prescribed by this award shall, subject to satisfying the prescribed requirements be paid:

**PROVIDED** always that it is a condition of the 4% second-tier adjustment applied to the wage rates in this award that the package of restructuring and efficiency offsets referred to in Appendix B be implemented and/or observed in relation to all members for whom salary rates appear in this award.

Where there is an inconsistency between a provision of:

- (a) either this award, an Instruction or Regulation; and
- (b) Appendix B, the terms of which apply to members covered this award

that provision shall be read subject to the relevant provision contained in Appendix B.

Classification	Salary per annum \$
<b>8.1. ADULT MEMBER</b>	
8.1.1 Deputy Commissioner of Police	59279
8.1.2 Assistant Commissioner of Police	55000
<b>8.1.3 Officers -</b>	
(a) Chief Superintendent	47470
(b) Inspector -	
1st year of service	39362
2nd year of service	40087
3rd year of service & thereafter	40812

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**PROVIDED** that an Inspector who is regularly required to perform higher level work of a substantial nature and assume responsibilities beyond those normally assigned to an officer of this rank may, on the determination of the Commissioner of Police, be paid an allowance at the rate of \$687 per annum.

**8.1.4 Sub-Officers -**

8.1.4 (a) Senior Sergeant 32303

**PROVIDED** that -

No member shall be appointed as a senior Sergeant unless he has passed the prescribed qualifying examination for promotion to the rank of Inspector, or has been credited with having passed such examination.

8.1.4 (b) Sergeant 28334

**PROVIDED** that -

- (i) no member shall be appointed as a Sergeant until he has passed the prescribed qualifying examination for promotion to that rank, or has been credited with having passed such examination.
- (ii) a member who, on 30 June 1985, held the rank of Sergeant Second Grade shall be paid a salary of \$29837 per annum.
- (iii) a member who, on 30 June 1985, held the position of Sergeant Second Grade and was in receipt of a qualification allowance of \$609 per annum, and shall be entitled to retain that allowance until promoted to the rank of Senior Sergeant.
- (iv) a member who, after 2 years satisfactory service as such qualifies for promotion to Senior Sergeant shall be paid a salary of \$29837 per annum.

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(v) a member who, not having qualified for promotion to Senior Sergeant, but who has completed six years satisfactory service as such, shall progress by a further increment to a salary of \$29837 per annum.

8.1.4 (c) Senior Constable 26590

**PROVIDED** that a Senior Constable who has passed the qualifying examination for promotion to the rank of Sergeant shall be paid a qualification allowance at the rate of \$609 per annum.

8.1.5 **Other Members -**

(a) First Class Constable	
1st year of service	22789
2nd year of service	23066
3rd year of service	23620
4th year of service and thereafter	23898

**PROVIDED** that -

(i) no member shall be appointed as a First Class Constable unless he has had a minimum of three years service as a Constable and in addition has passed the prescribed examination for promotion to the rank of Senior Constable, or alternatively has completed twelve years of service as a Constable.

(ii) a Constable who having passed the prescribed promotion examination is appointed as a First Class Constable and who -

(aa) has completed a minimum of three years service as a Constable shall commence on the first year of service

(bb) has completed a minimum of seven years service as a Constable shall commence on the second year of service

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(cc) has completed a minimum of eight years service as a Constable shall commence on the third year of service

(dd) has completed a minimum of nine years service as a Constable shall commence on the fourth year of service.

8.1.5	(b) Constable	
	1st year of service	20075
	2nd year of service	20564
	3rd year of service	21050
	4th year of service	21547
	5th year of service	22038

**PROVIDED** that an Adult Member who -

(i) has completed nine years satisfactory service as such, shall progress by a further increment to a salary of \$22932 per annum;

(ii) has completed twelve years satisfactory service as such, may, on the determination of the controlling authority be advanced to the rank of First Class Constable 4<sup>th</sup> year of service.

8.1.5	(c) Trainee	
	Until completion of the Adult training course	19115

**PROVIDED** that an Adult Trainee who has successfully completed an adult training course may, on the determination of the controlling authority, be advanced to the rank of Constable 2<sup>nd</sup> year of service;

8.1.6	(d) Unattached Trainee	
	Until inducted into and commenced an initial basic training course at the Police Academy as a trainee constable	18608

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**8.2 JUNIOR MEMBER**

8.2.1 Junior Constable	
Age 16 years	10037
17 years	12045
18 years	14052

**9. ALLOWANCES**

9.1.1 In addition to the salary rates prescribed in Clause 8 of this award, a member who holds a position or possesses the required qualifications more particularly referred to elsewhere in this award, shall, on the determination of the controlling authority, be paid an allowance within the range specified.

9.1.2 Allowances prescribed in 9.2 and 9.3 of this clause shall be in accordance with the following scale:

"Index	Amount per Annum \$
A	216
B	431
C	643
D	860
E	1078
F	1292
G	1504
H	1721
I	1933
J	2149
K	2366
L	2580
M	2795

9.1.3 **PROVIDED** that the allowances prescribed in 9.2 and 9.3, other than the Coxswain's Certificate Allowance, shall not be cumulative except with the consent and approval of the Industrial Commission.

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**9.2 SPECIALIST ALLOWANCE - payable to a Member other than an Officer -**

Allowance  
to be paid  
within  
Index

**9.2.1 Bomb Disposal Squad -**

who has undertaken an approved course of training and is deemed by the controlling authority to be a bomb explosive disposal expert while attached to the squad

B

**9.2.2 Breath Analysis -**

(a) who is a breath analyst operator while attached to this section and required regularly to perform breath analysis duties and present evidence of breath tests in Court - if in charge of a squad or group or if qualified and experienced

A - D

(b) **PROVIDED** that a member not attached to this section who is qualified and directed to perform breath analysis duties on an occasional basis shall be paid an allowance for each day or shift he is required to assume such duties.

The rate of allowance shall be the daily equivalent of the appropriate amount that would have been payable had the operator concerned been a regular member of the Breath Analysis Section.

**9.2.3 Communications Section -**

- (a) Radio Technician
- (b) If in charge of not less than three or more personnel

D

D - F

**9.2.4 Computer Section -**

a member while attached to this section and who is either a computer programmer or systems analyst or undergoing training as such

A - J

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- 9.2.5 **Coroner's and Assistant Coroner's Clerks -**  
who are employed on a full-time basis  
in such a capacity C
  
- 9.2.6 **Court Prosecuting -**  
A member who is either a police  
prosecutor or undergoing training  
as such - while required to perform  
court prosecuting duties on a  
regular basis -
  - (a) in training B - F
  - (b) specialists including those  
directing and supervising the  
training of others G - M

**PROVIDED** that -

Any member below the rank of Sergeant who is a police prosecutor within the meaning of this award, and who has completed an approved training course to the satisfaction of the controlling authority, and is engaged wholly on court prosecuting duties shall, in addition to any allowance payable under Clause 9.2.6 be paid an allowance equivalent to the difference between his salary and the minimum rate prescribed for a Sergeant.
  
- 9.2.7 **Criminal Investigation -**  
A detective may, at the discretion of  
the controlling authority, be paid an  
allowance within the range B - I

**PROVIDED** that for 12 months, or such lesser or greater period as the Industrial Commission may determine, no allowance of a specialist nature shall be payable to any detective until approved by the Industrial Commission
  
- 9.2.8 **Information Bureau -**  
If in charge of three or more personnel D - F

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**9.2.9 Marine and Rescue District -**

- (a) A member required to hold a restricted or unrestricted master's, skipper's, coxswain's and engine driver's certificate B - G
- (b) A member engaged on marine duties and required to undertake diving duties B

**9.2.10 Marine Division -**

who is employed on Fisheries Patrol and Inspection duties A - H

**9.2.11 Motor Cycle Duty -**

performing motor cycle duty in the Traffic Control Section, in compensation for extra skills and disabilities, including additional uniform cleaning costs C - D

**9.2.12 Police Academy -**

who is a Police Academy instructor whilst attached to the Police Academy and required regularly to perform instructional duties and, when required, assume the responsibilities of duty officer -

For the first six months B  
Second six months and thereafter C - I

**9.2.13 Police Garage -**

- (a) the Constable acting as Workshop Supervisor at the Police Garage B - D
- (b) where a Constable mechanic is required to provide and maintain an up-to-date basic kit of tools for use in the service of his employer A

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**9.2.14 Police Search and Rescue Squad -**

- (a) while performing training and actual search and rescue operation duty and/or engaged on actual diving duty with the Police Search and Rescue Squad A - F
- (b) who is required to hold an appropriate coxswain's or skipper's certificate and/or engine driver's certificate B - C

**PROVIDED** that the Coxswain's Certificate Allowance is cumulative upon any other allowance payable under this subclause.

**9.2.15 Scientific Bureau -** Fingerprint, ballistic, photographic, and handwriting expert employed as such -

- (a) an expert employed as such and/or an expert in charge of three or more personnel, whether experts or not (including trainees) I - J
- (b) Trainees and/or Crime Scene Examiners C - H

**9.2.16 Special Weapons Squad -**

A member of the Special Weapons Squad while attached to the Squad A - C

**9.3 COMPENSATORY ALLOWANCE**

**9.3.1** For regular disturbance of leisure time after the normal hours of duty and/or being required to represent the Commissioner of Police or Deputy Commissioner of Police -

- (a) Assistant Commissioner A - E
- (b) Superintendent B - J

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9.3.2 An Inspector for unpaid overtime, regular disturbance of leisure time after the normal hours of duty, standby availability, extra responsibility of a large division or special assignments B - J

9.3.3 A sub-officer in charge of a station, branch or section for unpaid overtime, regular disturbance of leisure time after normal hours of duty, standby, availability, extra responsibility, special assignments, or in circumstances which the controlling authority and the Industrial Commission agree warrant special consideration, whether or nor the sub-officer concerned is in charge of a station, branch or section B - E

9.3.4 **One-man Station Allowance** - a member appointed to a one-man station - in compensation for extra hours worked in circumstances, and at stations, approved by the controlling authority A - D

**PROVIDED** that such allowance shall be payable -

- (a) in addition to the penalties prescribed in Clause 15 (One-Man Stations) of this award; and
- (b) for all approved leave not exceeding six weeks duration.

**9.4 SPECIAL DUTY ALLOWANCES**

Rate per annum  
\$

9.4.1 **Detective Allowance -**

Adult member performing the duties of a detective for out-of-pocket expenses incurred as such -

- (a) Officer (or where appropriate sub-officer in charge) 1364
- (b) Sub-officer 1090
- (c) Others 817

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	(d) appointed to undertake criminal investigations but not designated Detective	547
	(e) seconded member	272
9.4.2	<b>Gaming Squad Allowance -</b> Adult member of the above squad for out-of-pocket expenses incurred as such -	
	(a) Officer (or where appropriate sub-officer in charge)	1364
	(b) Sub-officer	1090
	(c) Others	817
9.4.3	<b>Licensing Squad Allowance -</b> Adult member of the above squad for out-of-pocket expenses incurred as such -	
	(a) Officer (or where appropriate sub-officer in charge)	1364
	(b) Sub-officer	1090
	(c) Others	817
9.4.4	<b>Plain Clothes Allowance -</b> An adult member authorised and directed by the controlling authority to perform duty in plain clothes, shall, in lieu of the annual provision of uniform (including shoes), be paid an allowance within the following rates, less any initial advance made in accordance with proviso (ii) hereof -	
	(a) Detectives and such other members as the controlling authority from time to time determines are required to wear plain clothes	1082
	(b) Other members, including members who are provided with protective clothing	690
	(c) <b>PROVIDED</b> that a member who is supplied with a uniform but who is -	

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- (i) detailed for casual plain clothes duty shall, whilst so detailed, be paid a plain clothes allowance at the rate of \$4.19 per day in the case of a detective or other authorised member, or \$2.64 per day in all other cases.
- (ii) on permanent transfer to plain clothes duty may, on the determination of the controlling authority, be paid an initial plain clothes allowance equivalent to the current value of a police uniform.

**9.4.5 District Allowance -**

- (a) The purpose of this allowance is to compensate for excess costs necessarily incurred by a member living in an "isolated area" and without limiting the foregoing includes partial reimbursement for STD, freight, fuel and depreciation costs.
- (b) Where a member is stationed permanently in one or other of the following districts he may, on the determination of the controlling authority, be paid an allowance in accordance with the following rates:

	Rate per annum \$
(i) <b>Category R -</b> Remote locations approved as such by the Industrial Commission including Bass Strait Islands, Maria Island and Bruny Island	
(aa) a member with dependent relatives residing with him	1800
(bb) other (no dependants)	899
(ii) <b>Category I -</b> Locations under the Commonwealth Taxation Zone B delineation	
(aa) a member with dependent relatives residing with him	899
(bb) other (no dependants)	450

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- (iii) **Category S -**  
Special locations as may be approved by the Industrial Commission
  - (aa) a member with dependent relatives residing with him 450
  - (bb) Other (no dependants) 228

**9.4.6 Higher Duty Allowance -**

- (a) A member who is appointed or assigned temporarily to perform the duties normally performed by a member of higher rank than the rank held by him at the time of such appointment or assignment, and performs the full duties of that higher rank for a period exceeding seven consecutive days, shall be paid in respect of the whole of such period an allowance at the rate of the difference between his salary plus allowances and the salary plus allowances he would have received if promoted to such higher rank.
- (b) Where a member in receipt of a higher duty allowance is absent from duty either on recreation or sick leave, such leave shall not be deemed to interrupt the period of the performance of such duties, if the member returns to the same duties at the expiration of such leave.
- (c) **PROVIDED** always that with effect from 1 January 1989, subclauses (a) and (b) of this Clause shall not apply in situations where an entitlement may arise because of a member's absence due to accrued days off relative to the 38-hour week.

**9.4.7 Dog Handler Allowance -**

A member required to feed, groom and exercise a police dog on days that are not rostered working days shall be paid an allowance of \$18.51 per day or \$9.26 per half day as the case may be.

**9.4.8 Range Instructors or Range Supervisors Allowance -**

Range personnel, who have qualified in an "in-service" training course on Range Supervision and Instruction, and who are required by the controlling authority to act as Fire Controller on Firing Point NCO, shall receive an allowance of \$13.80 per day whilst actually conducting range practice.

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#### 9.4.9 **Sea Duty Allowance -**

- (a) A member appointed to the Marine and Rescue District who is required to perform seagoing duties and is away from his normal place of residence overnight shall, in compensation for extra hours worked and other disabilities relating to such duties, be paid an allowance equivalent to 50 per cent of a normal day's salary.
- (b) **PROVIDED** that this allowance shall be payable in addition to the provisions of Clauses 20 (Shift Work) and 23.4 (Camp Allowance).

### **10. AVAILABILITY AND STANDBY**

10.1 A member, other than an officer or a member in charge of a oneman station, rostered for after-hours duty, who is not required to remain at the station premises or at home (provided he has made arrangements to be contacted within a time limit imposed by the controlling authority) shall be paid an allowance of 75.92 cents per hour for each hour he is required to be so available, with a minimum payment of \$4.88.

10.2 **PROVIDED** that a member, other than an officer or a member in charge of a one-man station, who is directed to remain at home or on the station (if that is his home for the purpose of this clause) to monitor telephone calls and/or attend to after-hours calls, shall, in addition to any other penalty rates prescribed by this award, be paid an allowance of \$12.14 for the first eight hours or less plus 75.92 cents per hour for each additional hour he is required to hold himself on standby.

10.3 **PROVIDED FURTHER** that these allowances shall not be subject to premium or penalty additions.

### **11. DEDUCTIONS FROM SALARY**

Until otherwise determined by the Industrial Commission, deductions from salaries on account of quarters, fuel, light, power, board and other facilities or amenities provided for members covered by this award, and the rates of those deductions and the basis on which they shall be calculated, shall be in accordance with the terms and conditions for the time being prescribed by regulation or other administrative direction for the Police Force of this State.

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## **12. HOURS OF DUTY**

- 12.1 Until otherwise determined by the Industrial Commission, the ordinary hours of duty of members covered by this award, and the times during which such hours shall be worked, shall be in accordance with the hours of duty for the time being prescribed by regulation for the Police Force of this State.
- 12.2 The principle of the 38 hour week, for the purposes of this award, shall be realized by members accruing over a period of twelve calendar months a total of ten accrued days-off (RDOs) commencing from 1 January 1988.

## **13. LEAVE EXPENSES - BASS STRAIT ISLANDS**

- 13.1 Where a member is permanently stationed on the Bass Strait Islands and embarks upon leave of absence he may, three times in every year, on the determination of the controlling authority, be paid the return fares reasonably incurred by him for himself and for any dependent member of his family, permanently resident on the Bass Strait Islands, while travelling from his station to the nearest seaport or airport on the mainland of this State. Such travel shall include travel via Melbourne when indirect travel is the most expedient means of travelling to or returning from the nearest seaport or airport on the mainland of this State.

**PROVIDED** that -

- (a) with the approval of the controlling authority a member may, in substitution for travel to the nearest seaport or airport in this State, travel to any other seaport or airport in this State or to Melbourne;
- (b) for the purpose of obtaining emergency medical or dental treatment for a member or dependent member of his family, permanently resident on the Bass Strait Islands, a member may by way of reimbursement and, with the approval of the controlling authority, be paid the return fare reasonably incurred for travel from his station to the nearest centre in this State or to Melbourne, whereat such treatment can be obtained; such reimbursement shall be in substitution for one (or all) of the return fares for the person concerned, more particularly set forth in this clause;
- (c) the above entitlement is not cumulative, each year standing alone;
- (d) no member shall be eligible to receive payment for the return fares as set forth above unless such member has first completed three months continuous service on one or other of the Bass Strait Islands.

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#### **14. NEW APPOINTEES**

- 14.1 The commencing salary of a member on first appointment to a position classified within a class or grade in respect of which a salary scale is prescribed by this award shall be as determined by the controlling authority, having regard to the qualifications and the practical experience in police duties of that member in any Police Force of the Commonwealth of Australia or other approved Police Force.
- 14.2 **PROVIDED** that the controlling authority may, at his discretion, review and vary such commencing salary during the fourth month of initial service.

#### **15. ONE-MAN STATIONS**

- 15.1 A member appointed to a one-man station shall be paid his normal salary rate or the salary rate prescribed for a First Class Constable 4th year of service and thereafter, whichever is the greater.
- 15.2 Subject to Clause 9.3.4, a member appointed to a one-man station shall, in lieu of all overtime duty he may perform and in lieu of penalty payments in respect of shift work and work on a Saturday, Sunday or on a public holiday as described in Clause 16.2, while so employed be paid in addition to the maximum salary rate prescribed in 15.1 hereof an allowance calculated at the rate of 27.5 per cent of such salary rate.

#### **16. OVERTIME**

A member who is required to perform overtime duty shall be entitled to receive payment, in respect thereof, in accordance with the conditions and at the rates which follow:

##### **16.1 Officer**

An officer shall not be entitled to receive payment for overtime duty performed, except that an inspector, who by direction works overtime, shall be paid at the rate of his ordinary hourly rate for each hour of overtime so worked.

**PROVIDED** that a sub-officer who is required to perform the duties of an officer, and who, while doing so, is paid a higher duty allowance, shall not be eligible for payment of overtime performed during the period he is in receipt of such higher duty allowance except when directed to perform overtime in accordance with this subclause.

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## **16.2 Other Members**

16.2.1 Members (not including officers or members attached to a one-man stations; or officers or members of the Marine and Rescue District while actually performing sea going duties) shall, for overtime performed be paid -

(a) in the case of shift workers - at all times at the rate of double his normal salary rate;

(b) in the case of day workers -

(i) between midnight on Saturday and midnight on Sunday - at the rate of double his normal salary rate;

(ii) and on the following public holidays

Christmas Day, Boxing Day, New Year's Day, Australia Day, Hobart Regatta Day (south of Oatlands), Eight Hours Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Hobart Show Day, and the first Monday in November in those districts where Hobart Regatta Day is not observed, or such other day as may be observed in the locality in lieu of any of the aforementioned holidays,

and on any holiday proclaimed by the Governor-in-Council as a public holiday and published in the Tasmanian Government Gazette, and on any special Public Service holidays -

at the rate of double and one half of his normal salary rate;

(iii) at all other times at the rate of time and one half of his normal salary rate for the first three hours and double time thereafter.

## **16.3 Rest Period After Overtime**

16.3.1 When overtime work is necessary it shall, whenever reasonably practicable, be so arranged that members have at least eight consecutive hours off duty between the work of successive days.

16.3.2 A member who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not had at least eight consecutive hours off duty between those times shall be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

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16.3.3 A member directed to resume duty (other than court duty beyond the control of the officer-in-charge, and other than members attached to one-man stations) before a period of eight consecutive hours has elapsed from the time of ceasing overtime work on one day and commencing ordinary work on the next shall be paid for ordinary hours worked, double time until he has had eight consecutive hours off duty without loss of pay for ordinary working time during such absence.

**PROVIDED** always that this clause shall not apply to the officer performing supervisory duties at the Police Academy.

#### **16.4 Call Back**

16.4.1 Except where otherwise specifically provided a member, authorised by this clause to receive payment for overtime, who is recalled to work overtime after leaving his station (whether notified before or after leaving such station) shall be paid for a minimum of four hours at the appropriate overtime rate.

16.4.2 A second minimum for a subsequent recall occurring after midday on weekends shall be paid where there has already been a call back prior to midday. This second payment shall also be paid on weekdays where there are calls prior to and after midnight.

16.4.3 **PROVIDED** that time reasonably spent in travelling to and from work shall be regarded as time worked.

### **16A. PAYMENT OF WAGES**

Payment of wages shall be by direct deposit or cheque.

### **17. RECREATION LEAVE ALLOWANCE**

During a period of recreation leave a member shall be paid an allowance by way of additional salary, calculated at the rate of salary prescribed for his rank, as follows:

#### **17.1 Day Worker -**

A member who during the period of such recreation leave would have worked on day work only - an allowance calculated at the rate of 17.5 per cent of his normal salary, plus where applicable, any allowances of a permanent nature payable to such member and deemed by the controlling authority to be in the nature of additional salary.

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## **17.2 Shift Worker -**

17.2.1 A member who but for the period of recreation leave would have worked shift work - an allowance calculated at the rate of 17.5 per cent of his normal salary plus, where applicable, any allowance of a permanent nature payable to such member and deemed by the controlling authority to be in the nature of additional salary.

17.2.2 **PROVIDED** that a member who would have received shift payments as prescribed by Clause 20 (Shift Work) of this award had he not been on recreation leave during the relevant period, and where such shift payments would have entitled him to a greater monetary amount than an allowance of 17.5 per cent of his normal salary plus where applicable allowances, his recreation leave allowance shall be calculated as an amount equivalent to the shift payment he would have received in accordance with his projected shift roster.

17.2.3 **PROVIDED** that such allowance shall -

- (a) be calculated on the basis of a maximum period in any one leave year as follows
  - (i) in the case of a shift worker a period of five weeks recreation leave; and
  - (ii) in all other cases a period of four weeks recreational leave;
- (b) in no case where the allowance is calculated on the basis of 17.5 per cent of normal salary shall it exceed \$399 per annum on and from the first day of January 1986 in respect of all recreation leave accrued during the preceding twelve months.
- (c) not apply to proportionate recreation leave accrued by a member in the leave year of the year of termination of service where such member voluntarily resigns or whose services are terminated for disciplinary or other good reasons;
- (d) be calculated in the case of -
  - (i) a day worker, at the salary rate and, where appropriate, allowances applicable to the member concerned, on the first day of January in the year in which the recreation leave is credited; and
  - (ii) a shift worker, where the allowance is calculated as to projected shift roster, at the salary rate and allowances where applicable to the member concerned as at the date of commencement of recreation leave; and

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- (iii) a shift worker, where the allowance is calculated at 17.5 per cent of his normal salary, at the salary rate and allowances where applicable to the member concerned on the first day of January in the year in which the recreation leave is credited;
- (e) This allowance shall not be cumulative. Any balance of such allowance due to a member at the expiration of a period of one year following the date upon which the recreation leave was credited shall be paid to the member as soon as practicable after the expiration of that period.

**PROVIDED** that:

Notwithstanding the foregoing, during the period 1.9.86 to 31.8.87 (such period to be referred to as the "relevant period") the following shall apply:

1. No permanent full-time or permanent part-time member subject to this award shall suffer involuntary retrenchment.
2. During the relevant period any dispute arising regarding the alleged involuntary retrenchment of any member, except where consistent with the normal turnover of labour, (e.g. casuals and temporaries employed for a specific period or purpose) shall be referred to the Commission for determination.
3. Subject to 9., all members to whom this clause applies shall forego not less than or more than one full year's entitlement to recreation leave allowance during the relevant period.
4. The amount of allowance to be foregone by shift workers shall be calculated as if the shift worker were a day worker. The difference between the amount calculated on that basis and payment according to projected roster shall be retained by the member during the relevant period.
5. Where more than one payment falls due to a member during the relevant period, the first such payment only shall be foregone (provided that payment represents a full year's entitlement), and the second entitlement shall be retained by the member.
6. Where at the end of the relevant period a member has not foregone any allowance due to deferred leave or for any other reason, the amount that would have been foregone shall be debited against the member's recreation leave card and only the residue (being the difference between the amount that would otherwise fall due and the amount debited against his leave card at the end of the relevant period) shall be payable to the member in due course.
7. For the purpose of determining the amount to be foregone or debited, the calculation shall be based upon the member's actual or notional salary as at 1.1.86.
8. A member who, having foregone one entitlement during the relevant period, subsequently resigns, shall not be entitled to a refund of the amount foregone.

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9. A member who is engaged during the relevant period shall have his recreation leave card debited on a pro rata basis at the end of the relevant period and calculated in accordance with 7.
10. Any dispute regarding calculation or entitlement may be referred to the Commission for determination.
11. Except for the purpose of recovering amounts debited in accordance with 6. and 9., this provision shall cease to operate after 31.8.87.

#### INTERPRETATION:

The intention of the foregoing, whether ascertainable from the words used or not, is to ensure that each member otherwise entitled to recreation leave allowance shall, during the relevant period, or where leave has been deferred as soon as possible thereafter, forego not more than one or less than one recreation leave allowance during that period.

For shift workers the amount to be foregone is to be calculated on a notional basis as if the shift worker were a day worker instead. The residue of the shift worker's normal "payment as to roster" allowance shall remain an entitlement to the shift worker concerned.

Members commencing during the relevant period shall also forego a pro rata amount calculated on the same formula.

Where no recreation leave allowance becomes payable during the relevant period, the member shall not, simply for that reason, be excused from foregoing the actual or notional amount that would have otherwise have been foregone during the relevant period.

Where calculated amounts cannot, for technical reasons, be foregone during the relevant period, those or the pro-rated amounts are to be debited against any entitlement falling due outside the relevant period.

It is a condition of this provision that during the relevant period no member subject to this award shall suffer involuntary retrenchment, except in accordance with the normal and customary turnover of labour. (e.g. casual employees engaged intermittently, or temporaries engaged for a specific purpose or for a specified period.)

It is also intended that disputes regarding alleged individual involuntary retrenchment or calculation of individual amounts to be foregone be referred to the Commission for determination - at least in the first instance.

This recreation leave allowance clause continues to apply during the relevant period but only to the extent permitted by the foregoing.

Except for the purpose of recovering amounts not actually recovered during the relevant period, the proviso ceases to have effect after 31 August 1987.

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## **18. RENTALS**

### **18.1 ISOLATED AREAS**

- (a) **Category R** - shall include remote locations approved as such by the Tasmanian Industrial Commission and without limiting the foregoing includes the Bass Strait Islands, Maria Island, Bruny Island and Liawenee.

A member located in a Category R area, and residing in departmental accommodation, not being single hostel accommodation, shall pay a rental for such premises not exceeding \$15 per week.

- (b) **Category I** - shall include locations covered under the Commonwealth Taxation Zone B. delineation.

A member located in Category I area, and residing in departmental accommodation not being single hostel accommodation, shall pay a rental for such premises not exceeding \$20 per week.

- (c) **Single Accommodation in Category R or Category I areas -**

A member residing in single hostel accommodation shall pay a rental of no more than \$10 per week; such accommodation to be subject to a light and power subsidy not exceeding \$500 in any one financial year.

The above maximum subsidy will be reviewed in June 1989 and each subsequent year to take into account any increase in Hydro Electric Commission charges or any other relevant factors.

### **18.2 SPECIAL DUTY IN CANBERRA**

Until further order, a married member required to perform duty in Canberra as a seconded member of the Australian Bureau of Criminal Intelligence shall be charged a rental of not more than \$20.00 per week while occupying accommodation of a standard approved by the controlling authority.

### **18.3 SPECIAL DUTY IN SYDNEY OR MELBOURNE**

Until further order, a married member required to perform duty in Sydney or Melbourne as a seconded member of the National Crime Authority shall be charged a rental of not more than \$20.00 per week while occupying accommodation of a standard approved by the controlling authority.

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## **19. SALARY INCREMENTS**

- 19.1 Except where otherwise specifically determined by this award, or where inconsistent with any Act, a member while holding a position classified or graded within a rank in respect of which a salary scale is prescribed by this award, and who for not less than twelve months has been in receipt of a salary less than the maximum salary prescribed for such rank, shall be entitled to receive the annual increment prescribed for that rank until the maximum salary is reached.
- 19.2 **PROVIDED** that a member who was a member on the date of this award shall be entitled to receive such increment on the anniversary of the date upon which he received his last salary increment in respect of his present position.
- 19.3 A member while continuing to hold the same office or position shall, unless the controlling authority otherwise determines, be deemed, for the purposes of this clause, to have been in receipt of a salary during any period of leave without pay in the twelve months immediately following the date upon which his previous salary increment was awarded.
- 19.4 Notwithstanding anything contained in this award, no member shall be entitled to receive any increase in salary by virtue of this clause unless, in the opinion of the controlling authority, his conduct, diligence and efficiency during the twelve months immediately prior to the date from which such increase would be payable shall have been satisfactory.

## **20. SHIFT WORK**

### **20.1 Afternoon and Night Duty**

- 20.1.1 A member (not above the rank of Inspector or a member attached to a one-man station) rostered for afternoon and night shifts (as defined) shall be paid an allowance at the rate of 15 per cent of the member's normal salary for each shift so worked.
- 20.1.2 Where such member is directed to perform a shift for which he has not been given twenty-four hours prior notice, he shall be paid at the rate of time and one quarter for all working time occurring during the period in respect of which the amount of notice falls short of the required period.

### **20.2 Work on Saturdays, Sundays and Public Holidays**

- 20.2.1 Members (not above the rank of Inspector or members attached to one-man stations) rostered for shift duty (not being in the nature of overtime) the major portion of which falls on a Saturday, Sunday or a public holiday, shall be paid for all time so worked -
- (a) between midnight on Friday and midnight on Saturday at the rate of time and a half of the member's normal salary;

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(b) between midnight on Saturday and midnight on Sunday and on the public holidays more particularly set forth in Clause 16.2 (b) at the rate of double the member's normal salary.

20.2.2 **PROVIDED** that the foregoing rates shall be in substitution for, and not cumulative upon the overtime payments prescribed by Clauses 16.1 and 16.2 and the shift allowance prescribed by 20.1.1 hereof.

20.3.1 Police Trainees, whilst on authorised station or section attachment shall be deemed to be shift workers for the purposes of this award for the period of that station or section attachment.

20.3.2 Unattached trainees whilst performing authorised duties at that rank shall be deemed to be shift workers for the purposes of this award for the period of their employment as unattached trainees.

## **21. TRAINING COURSES AND CONFERENCES**

21.1 A member required or authorised to attend a training course, conference or similar function where full accommodation is provided at no cost to such member, shall be paid an incidental expenses allowance at the rate of \$9.20 per day within this State and \$12.80 outside this State for each day of his attendance.

21.2 A member other than an approved member of the instructional staff, who for the time being is accommodated at and/or catered for meals at or from the Police Academy during the period of a recruit course, in-service course or other activity deemed by the Superintendent of Recruitment and Training District to be a training activity, shall work such hours as may be prescribed by that Superintendent for the purposes of training notwithstanding that the member would have attracted overtime payments for those hours worked had he not been attached to the Academy for training purposes.

21.3 A member to whom clause 21.2 refers who is obliged to continue his training commitment on a Saturday, Sunday or public holiday will nevertheless be entitled to claim penalty rates for those days.

## **22. TRANSFER EXPENSES**

A member transferred from one station to another shall be entitled to transfer expenses in accordance with the following:

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22.1 **Married member** - a married member shall be provided with free transport for himself, his dependants, and his furniture. In addition, if obliged to procure meals or to pay for board and lodging for himself or his dependants for the day prior to his departure, the day or days of travelling, and the day after arrival at his new quarters, he shall be refunded such expenses actually paid by him as the controlling authority deems reasonable.

22.2 **Single member** - a single member shall be provided with free transport for himself, and for personal effects. In addition, if obliged to procure meals or to pay for board and lodging for himself on the day or days of travelling he shall be refunded such expenses actually paid by him as the controlling authority deems reasonable.

22.3 A member shall be paid an allowance in the nature of compensation for accelerated depreciation and extra wear and tear on furniture and effects, the replacment and alteration of carpets, linoleums, curtains, blinds and household goods resulting from transfer. The rate of allowance shall be:

Value of Furniture, carpets, blinds, etc. as above	Allowance Payable
Not less than \$2000 and not more than \$3999	\$200
Not less than \$4000	\$400

**23. TRAVELLING, MEAL, LIVING AWAY FROM HOME AND RELIEVING EXPENSES**

**23.1 Travelling Expenses**

23.1.1 (a) Where a member is travelling on duty and is required to remain away from his normal pllace of residence overnight, he shall, subject to this subclause, be paid traveling expenses in accordance with the following scales:-

	Allowance per Day \$
(i) In this State	76.00
(ii) Outside this State	106.00

The expenses prescribed in this subclause shall be calculated at an hourly rate of one twenty-fourth of the daily rate, from the time of departure of the member concerned from his station to the time of his return thereto, and shall apply only where a member is away from his normal place of residence overnight.

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- (b) Any member who in the course of his duties is required to camp, or is engaged on water patrol duties, shall be paid in lieu of the travelling expenses \$4.35 per meal.
- (c) Where sleeping accommodation is provided by the Department free of cost to a member, the member concerned shall be paid a meal allowance only.
- (d) A travelling allowance in excess of or at variance with the rates set out above may be paid if, on the determination of the controlling authority special circumstances existed which justified such excess or variation.

23.1.2 The provisions of clause 23.1.1 do not apply to any members who, for the time being are engaged in a training activity within the meaning of clause 21.2 and who are supplied with meals, either cooked or uncooked, from the Police Academy.

## **23.2 Kilometrage Allowance**

23.2.1 A member who is either -

- (a) authorised or directed by a duly authorized senior officer to use his private motor vehicle in the performance of his police duties; or
- (b) on approved leave in an area which in the opinion of the controlling authority is distant from his usual place of residence, if directed to interrupt such leave for purposes associated with the employment, and authorized to return to his home centre in his private motor vehicle,

may be paid an allowance for such use in accordance with the following rates:

(i)	Annual Kilometrage Travelled on Duty	Rate A 2:00 litre or more (including rotary engines)	Rate B less than 2:00 litre
		Cents per km	Cents per km
	First 10,000 kilometres	27.99	24.07
	Any additional kilometres	14.83	12.88

- (ii) motor cycle at 9.67 cents per kilometre.

23.2.2 **PROVIDED** that this provision is to operate in respect of kilometrage travelled in any one financial year.

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23.2.3 **PROVIDED** that these rates will be adjusted in accordance with the kilometreage rates contained in Clause 8. 0. 2.2 and 8. 0. 2.6 (f) respectively of the General Conditions of Service Award of the Tasmanian Industrial Commission.

### **23.3 Meal Expenses**

- (a) Where the duties of a member require him/her to travel from his usual station on authorised duty and he/she is more than 60 kilometres therefrom between the fourth and sixth hours of the member's shift, he/she shall be paid a meal allowance of \$5.45.
- (b) Where a member continues authorised duty for a period in excess of two hours duration immediately following his/her rostered eight hours of duty or ten hours duty on a rostered day off, he/she shall be paid a meal allowance of \$10.30.
- (c) Where a member works a further period of authorized continuous overtime duty beyond that outlined in (b) above, he/she shall be paid a meal allowance of \$5.45 for each additional five hours overtime worked.
- (d) Where a member commences authorised duty in excess of two hours before the commencement time of his/her normal rostered duty, he/she shall be paid a meal allowance of \$5.45.
- (e) Meal expenses in excess of or at variance with the rates set out in this subclause may be paid if, on the determination of the controlling authority, special circumstances exist which justify the excess or variation.
- (d) Meal expenses in excess of or at variance with the rates set out in this subclause may be paid if, on the determination of the controlling authority, special circumstances existed, which justified the excess or variation.

### **23.4 Camp Allowances**

23.4.1 Where in the performance of his duties a member is either required to camp, and tents or other means of accommodation are provided, or if he is required to proceed to sea, and is away from his normal place of residence overnight, he shall be paid a camp allowance or sea victualling allowance, as the case may be, in accordance with the following rates:

- (a) Where cook is provided - \$15.10 per day;
- (b) Where cook is not provided - \$18.60 per day.

23.4.2 The provisions of clause 23.4.1 do not apply to any members who, for the time being are engaged in a training activity within the meaning of clause 21.2 and who are supplied with meals, either cooked or uncooked, from the Police Academy.

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**23.5 Living Away From Home Expenses**

Where a junior member is required in the performance of his duties, either on appointment or transfer, to move from his normal place of residence and reside in another locality and thereby incurs additional expense by way of board and lodging, the controlling authority may grant to such junior member a special living away from home allowance. The rate of such allowance shall not exceed \$29 per week, as the controlling authority may in each case determine.

**23.6 Relieving Expenses**

23.6.1 A member absent from his usual station, and required to reside away from his normal place of residence for a period in excess of seven days relieving or assisting another member, shall be entitled to the following:

	Rate per Day \$
For first six weeks of such duty	29.60

Thereafter - such rate as the controlling authority may determine.

23.6.2 **PROVIDED** that relieving expenses at variance with the above rate may be paid if, on the determination of the controlling authority, special circumstances existed which justified such variation.

23.6.3 **PROVIDED FURTHER** that if while relieving or assisting at another station a single member is required to pay a retention fee for the accommodation he rents while attending his usual station, the amount of that retention fee shall be paid in addition to any amount otherwise payable pursuant to this subclause. Provided that the cost of such retention has been certified by the officer-in-charge at the member's usual station.

J.G. King  
**COMMISSIONER**

17 October 1988