

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s.23 application for award or variation of award

Police Association of Tasmania

(T12984 of 2007)

POLICE AWARD

COMMISSIONER T J ABEY

Award variation – expense related allowances - motor vehicle expense allowance - transfer expenses – meal and incidentals allowance - name change - specialist capability group - approved – operative date 4 July 2007

ORDER BY CONSENT -

No 1 of 2007

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

AMEND THE **POLICE AWARD** IN THE FOLLOWING MANNER:

1. By deleting from Clause 8 - Salaries, paragraph 8.5.1 - Constable, and inserting in lieu thereof the following:

"8.5.1 Constable

- (a) A member shall commence on the minimum point in the Constable salary range after completion of the Trainee Course and being appointed as a Constable except for cases referred to in subclause 8.3.
- (b)
 - (i) Advancement to the next salary point (2nd) will occur after 12 months subject to successful completion of a probationary period and satisfactory completion of the performance assessment in accordance with subclause 8.4 - Performance Assessment.
 - (ii) On successful completion of a probationary period and successful completion of the Performance Assessment in accordance with subclause 8.4 a member who has successfully completed a Bachelor of Social Science (or equivalent approved by the Commissioner of Police) prior to being appointed shall advance to Level 3.
- (c)
 - (i) Advancement to the 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th and 12th salary levels will be on the subsequent anniversary dates, subject to the review in accordance with subclause 8.4 - Performance Assessment.
 - (ii) Advancement to the 13th salary level will only occur after being on Level 12 for 12 months and:
 - (1) Attaining the Sergeant Qualifying course; or
 - (2) Qualifications approved by the Controlling Authority; or
 - (3) Being appointed to a Specialist position approved by the controlling Authority.
- (d) A member who has gained one of the competencies in paragraph 8.5.1(e) shall have accelerated advancement by one salary level in the Constable range for each competency. This is subject to paragraph 8.5.1(f).
- (e) Competencies:
 - (i) Search and Rescue

Has successfully completed training as required by that Squad and has been appointed and confirmed as a member of a Search and Rescue Squad.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

(ii) Specialist Groups:

Bomb Response Group – competency is payable when member has successfully completed the Bomb Technicians Course and is appointed to the Bomb Response Group.

Negotiator Unit – competency is payable when member has successfully completed the state based negotiators course and is appointed to the Negotiator Unit.

Special Operations Group – competency is payable when the member has completed the Special Operations Group Induction Course and is appointed to the Special Operations Group.

(iii) Crime Scene Examiner

Has successfully completed Crime Scene Examination training required by that area and has been appointed and confirmed as a Crime Scene Examiner. Crime Scene Examiner includes Photogrammetrist.

(iv) Expert

Has been or is an expert in Fingerprints, Ballistics, Photography, or handwriting and has been appointed and confirmed in the field designated.

(v) Detective

Has successfully completed Detective training of Drug Investigation course and has been appointed and confirmed in a CIB or Drug Investigation or other area approved by the Commissioner where these detective skills are specified.

(vi) One Member Station

Has been or is appointed to a one member station or has been seconded to a one member station for an aggregate of a minimum of 12 months.

(vii) Accident Investigation

Has successfully completed Accident Investigation training required by that area and has been appointed and confirmed in the Accident Investigation Section.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

(viii) Boat Handling Certification

Has a Master V Certificate and/or Unrestricted Coxswains Certificate and has been appointed and confirmed in a Marine position where these skills are part of their duties.

(ix) Dog Handler

Has successfully completed training required of a Dog Handler and who is appointed as a Dog Handler.

(x) Prosecution

Has successfully undertaken training as required by Prosecution Services and has been appointed and confirmed as a Prosecutor in that Section.

(xi) Academy Instructor

Has successfully undertaken training required for an Academy Instructor and has been appointed and confirmed in an Academy Instructor position on a full-time basis at the Academy.

(xii) Firearms and Operational Competency Instructor

Has successfully undertaken training required for a Firearms and Operational Competency Instructor and has been appointed and confirmed in a designated Instructor position.

(xiii) Crime Management Unit Member

Has successfully undertaken training required of a member of a Crime Management Unit and has been appointed and confirmed in as a Crime Unit Management member.

(xiv) Radio Dispatch Officer

Has successfully undertaken training required of a Radio Dispatch Officer and has been appointed and confirmed in as a Radio Dispatch Operator.

(xv) Other Competencies

Has other skills and qualifications approved by the Controlling Authority in consultation with the Police Association of Tasmania.

- (f) Only one (1) accelerated competency advancement may occur in any one year. The maximum number of accelerated competency advancements for 8.5.1(e) (1) – (xv) that shall occur is two (2).

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

- (g) The provisions in 8.5.1(d) and (e) will apply from 1 July 2004 to 30 June 2007.
- (h) With effect from 1 July 2007, the Commissioner will approve those competencies that will remain with only major competencies to remain and other competencies to be removed. In approving the new competencies, consultation and agreement will occur with the Police Association of Tasmania.
- (i) Qualifications

A member who has gained one of the following competencies in subclause in 8.5.1(i) (i) – (iii) shall have accelerated advancement by one salary level in the Constable range for each of the following qualifications:

- (i) has successfully completed QP1 and QP2 for Sergeant level.
- (ii) has successfully completed Sergeant Qualifying or 150% of the Bachelor of Social Science (Police Studies) or equivalent tertiary qualification approved by the Controlling Authority.
- (iii) has successfully completed the Bachelor of Social Science (Police Studies) or equivalent tertiary qualifications approved by the Controlling Authority."

2. By deleting from Clause 9 – Allowances, subclause 9.5 – Specialist Squad Allowance, and inserting in lieu thereof the following:

"9.5 Specialist Squad Allowance

- 9.5.1 Members (Constables, Sergeants and Inspectors) in identified specialist squads shall be paid an allowance, whilst appointed to a specialist squad in a secondary role, which recognises the skills and responsibilities required of a member in addition to the member's primary role.
- 9.5.2 For the purpose of this clause the allowance applies to members in a secondary role in the following specialist squads:
 - (a) Special Operations Group;
 - (b) Negotiators;
 - (c) Bomb Disposal; or
 - (d) Search and Rescue (including divers).

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

9.5.3 The allowance is payable as indicated in the following categories whilst the member remains in the specialist squad and maintains the described levels of skill and participation:

Category	Amount	Description
Level 1	4 per cent of normal salary	Members identified as undertaking a key management and/or team leadership role approved by the Controlling Authority within the squad, including planning, coordination of training and exercise and equipment programs.
Level 2	2 per cent of normal salary	Members accredited nationally and/or accredited to a national standard approved by the Controlling Authority.
Level 3	1 per cent of normal salary	Other members of the specialist squads.

9.5.4 For members in more than one specialist squad this allowance is only payable once.

9.5.5 Members must meet the standards established for the specialist squad including:

- (a) required fitness;
- (b) operational readiness;
- (c) competency: and
- (d) training levels and attendance at required training.

9.5.6 The Specialist Squad Allowance is recognised for all purposes whilst the member remains with the specialist squad in a secondary role.

9.5.7 This allowance may be applied to members appointed or seconded to other specialist squads identified and approved by the Controlling Authority."

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

3. By deleting Clause 11 – Expense Allowances, and inserting in lieu thereof the following:

"11. EXPENSE ALLOWANCES

11.1 Camping and Sea Victualling Expense Allowance

11.1.1 Where, in the performance of duties, a member is either required to camp, and tents or other means of accommodation are provided, or if the member is required to proceed to sea, and is away from the member's normal place of residence overnight, the member shall be paid a camp or sea victualling allowance, as the case may be, in accordance with the following rates for each 24 hour period of absence:

Where a cook is provided:	\$27.25
Where a cook is not provided:	\$50.65

11.1.2 For a period of absence overnight involving less than a 24 hour period a minimum allowance of the following shall apply:

Where a cook is provided:	\$21.75
Where a cook is not provided:	\$40.45

11.1.3 The provisions of this clause shall not apply to any members engaged in a trainee constable's program, in-service training course or other activity deemed by the Commander, Human Resources to be a training activity and who are supplied with meals, either cooked or uncooked, by the Controlling Authority.

11.2 Incidental Expenses on Training Courses

11.2.1 A member, except trainees undergoing the trainee constable's program, required or authorised to attend a training course, conference or similar function where full board and accommodation is provided at no cost to the member and the member stays overnight, shall be paid incidental expenses at the rate of \$16.50 within Tasmania and \$23.00 outside Tasmania for each overnight stay.

11.3 Rental Expenses

11.3.1 Alonnah, Currie, Lady Barron and Whitemark

A member at Alonnah, Currie, Lady Barron and Whitemark police stations and residing in accommodation provided by the Controlling Authority, shall pay a rental for such premises not exceeding \$15.00 per week.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

11.3.2 Queenstown, Rosebery, Strahan, Waratah and Zeehan (Tarraleah removed)

A member at Queenstown, Rosebery, Strahan, (Tarraleah removed) Waratah and Zeehan police stations, and residing in accommodation provided by the Controlling Authority, not being single hostel accommodation in accordance with subclause 11.5 herein, shall pay a rental for such premises not exceeding \$20.00 per week.

11.4 Isolated Area Expense Allowance

11.4.1 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 phone calls, freight, fuel and depreciation costs.

11.4.2 Where a member is stationed permanently at one of the following stations he or she shall, on the determination of the Controlling Authority, be paid an allowance in accordance with the following rates:

(a) Alonnah, Currie, Lady Barron and Whitemark

A member with dependent relatives residing with him or her: \$3225 per annum

Other (no dependants): \$1609 per annum.

(b) Queenstown, Rosebery, Strahan, Waratah and Zeehan

A member with dependent relatives residing with him or her: \$1609 per annum

Other (no dependants): \$806 per annum.

(c) Gladstone

A member with dependent relatives residing with him or her: \$806 per annum

Other (no dependants): \$409 per annum

11.5 Single Accommodation Expenses at Remote Police Stations

11.5.1 A member at a police station identified at subclauses 11.3 and 11.4, residing in single hostel accommodation, shall pay a rental of no more than \$10.00 per week. In addition, members residing in such accommodation shall be entitled to receive a light and power subsidy of not more than \$500 in any one financial year.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

11.6 Meal Expense Allowance

- 11.6.1 Where the duties of a member, not being an officer is, required to travel from his or her usual station on authorised duty and the member is more than 60 kilometres therefrom between the fourth and sixth hours of the member's shift, the member shall be paid a meal allowance of \$9.70.
- 11.6.2 Where an officer is required to travel in the performance of duties and this officer is more than 60 kilometres from his or her usual headquarters station during a meal break of a shift the officer shall be reimbursed for reasonable actual expenses for a meal, provided the payment of this allowance is dependant on less than 24 hours' notice and expenses are actually incurred.
- 11.6.3 When a member, being a Constable or Sergeant, continues authorised duty for a period in excess of two hours' duration immediately following the member's rostered duty or two hours in excess of normal hours on a rostered day off, the member shall be paid a meal allowance of \$9.70.
- 11.6.4 The exception to this is where the excess work detailed above is performed over the full dinner period from 6.00pm to 7.30pm. In such cases the payment will be \$18.50.
- 11.6.5 Where an officer continues duty in excess of two hours' duration immediately following, or where an officer is required to commence duty two hours prior to rostered duty, or two hours in excess of normal hours on a rostered day off, the officer shall be reimbursed for reasonable actual expenses for a meal. Payment of this allowance is dependant on un-programmed and/or additional work and actual expenses being incurred.

PROVIDED that the officer is not entitled to a meal allowance or meal expense when the officer continues to work on programmed and/or normal work.

- 11.6.6 Where a member works a further period of authorised continuous overtime duty beyond that outlined in paragraph 11.6.4 above, he or she shall be paid a meal allowance of \$9.70 for each additional five hours' overtime worked.
- 11.6.7 Where a member commences authorised duty in excess of two hours before the commencement time of his or her normal rostered duty, he or she shall be paid a meal allowance of \$9.70.
- 11.6.8 Meal expenses in excess of or at variance with the rates set out in this clause may be paid if, on the determination of the Controlling Authority, special circumstances exist which justify the excess or variation.
- 11.6.9 This clause does not apply to members receiving an allowance under subclause 11.1 - Camping and Sea Victualling Expense Allowance and subclause 11.9 - Overnight Expense Allowance.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

11.7 Motor Vehicle Expense Allowance

11.7.1 A member:

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

shall be paid an allowance for use of the member's private motor vehicle in accordance with the following rates:

Annual	Rate A	Rate B
Kilometreage	2.00 Litres	Less Than
Travelled on Duty	or more	2.00 Litres
	Cents per km	Cents per km
First 10,000 km	45.20	38.87
Any additional kms	23.96	20.79

11.7.2 This clause is to operate in respect of kilometreage travelled in any one financial year.

11.7.3 These rates shall be adjusted in accordance with the kilometreage rates contained in the General Conditions of Employment Award of the Tasmanian Industrial Commission.

11.8 Out of Pocket Expense Allowance

11.8.1 A detective or a member performing duties within the CIB and Licensing Squad, or any other member approved by the Controlling Authority, shall be paid \$1679 per annum for out-of-pocket expenses that are regularly incurred as part of the requirements of the duties performed.

11.8.2 Notwithstanding paragraph 11.8.1, a member may be reimbursed additional out-of-pocket expenses at the discretion of the Controlling Authority.

11.9 Overnight Expense Allowance

11.9.1 Members travelling on duty who are required to remain away from their normal place of residence overnight shall be paid an allowance calculated in accordance with the following components:

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

Component	Within Tasmania	Outside Tasmania	Sydney
Overnight Absence from Normal Place of Residence	\$93.85	\$131.25	\$153.25
Breakfast (preceding or following an overnight absence) applicable hours 7.00am - 8.30am	\$15.35	\$15.35	\$15.35
Lunch (preceding or following an overnight absence) applicable hours 12.30pm - 2.00pm	\$13.70	\$13.70	\$13.70
Dinner (preceding or following an overnight absence) applicable hours 6.00pm - 7.30pm	\$29.15	\$29.15	\$29.15

PROVIDED that if the member so wishes, he or she shall be allowed advance payment of the estimated allowance payable for the period of travel in question.

- 11.9.2 In addition to the allowance available in accordance with paragraph 11.9.1 and provided the Controlling Authority is satisfied that the member did incur the expense claimed, a member shall be entitled to reimbursement of reasonable expenses incurred, as a result of his or her absence from the normal place of residence, for the following purposes:
- (a) a reasonable length telephone call to the member's spouse and children each 24 hours;
 - (b) dry cleaning or laundry required as the result of an extended absence.
- 11.9.3 Notwithstanding paragraph 11.9.1 where the Controlling Authority is satisfied that no reasonable alternative accommodation is available, the member may be reimbursed for actual expenses incurred.
- 11.9.4 Where a member travels with a Judge or a Minister or in a representative capacity for the State, or on special duties as determined by the Controlling Authority, and thereby incurs additional expense, the member may be paid such travelling allowance as may be determined by the Controlling Authority.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

11.9.5 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 exist which justify such excess or variation.

11.9.6 A member required to travel in the performance of his or her duties:

- (a) within Australia or Papua New Guinea or New Zealand - by ship, aircraft, railway train, or other means of conveyance, where he or she is provided with meals and sleeping quarters, that member, while so travelling, shall be paid a travelling allowance at the rate of:

Rates per Day

(i) Within Tasmania \$16.50

(ii) Outside Tasmania \$23.00

- (b) outside Australia, Papua New Guinea or New Zealand - that member, while so travelling, shall be paid a travelling allowance at such rate as the Controlling Authority has approved.

11.9.7 The allowance prescribed in this clause shall not be paid beyond three weeks unless the Controlling Authority is satisfied that the member did in fact incur the expenses claimed.

11.9.8 The rates in this clause will be adjusted in accordance with the travelling allowance rates contained in the relevant clause of the General Conditions of Employment Award of the Tasmanian Industrial Commission.

11.10 Plain Clothes Expense Allowance

11.10.1 A member required by the Controlling Authority to perform duties necessitating the wearing of Plain Clothes, including members who are pregnant and the Controlling Authority approves wearing of plain clothes, shall be paid as prescribed in the following categories:

- (a) Members, as the Controlling Authority determines, who are regularly required to wear plain clothes due to the nature of their duties will be paid \$1936 per annum.
- (b) Members who are provided with protective clothing will be paid \$1234 per annum.
- (c) Members required by the Authority to wear plain clothes on an occasional basis will be paid \$7.60 for each day they are required to wear plain clothes.
- (d) Members on permanent transfer to plain clothes duty in category (a) above may be paid an initial advance payment of \$968.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

- (e) Member's carrying out close personal protection duties in a secondary role may be paid an initial advance payment of \$216 to assist with the purchase of appropriate clothing to carry out those duties.

11.10.2 Notwithstanding anything in this clause, the Controlling Authority may approve the plain clothes expense allowance upon application by a member in special circumstances.

11.11 Relieving Expense Allowance

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

- (a) Where full board and lodgings are provided by the Controlling Authority:
 - (i) Rate per day for the first six weeks of duty: \$16.50;
 - (ii) Thereafter such rate as the Controlling Authority may determine.
- (b) Where only accommodation is provided by the Controlling Authority:
 - (i) Rate per day for the first six weeks of duty: \$52.90
 - (ii) Thereafter such rate as the Controlling Authority may determine.

PROVIDED that Relieving Expenses at variance with the above rate may be paid if, on the determination of the Controlling Authority, special circumstances exist which justify such variation.

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

11.12 National Common Police Services and National Development Programs

11.12.1 National Common Police Services

A member required to perform duty outside Tasmania as a seconded member of a national common police service may be entitled to one return economy fare each year to his or her station. This applies to the member and dependants of the member travelling with that member.

11.12.2 This entitlement is not cumulative, each year shall stand alone.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

- 11.12.3 A member shall be eligible to receive payment for the return economy fares as prescribed in paragraph 11.12.1 provided that member has completed three months' continuous service with the National Common Police Service.
- 11.12.4 A member required to perform duty outside Tasmania as a seconded member of the Australian Bureau of Criminal Intelligence or the National Crime Authority shall be charged rental of not more than \$20.00 per week while occupying accommodation of a standard approved by the Controlling Authority.
- 11.12.5 A member required to perform duty outside Tasmania as a seconded member of a National Common Police Service shall be paid at a minimum of Constable Level 11 as provided at subclause 8.1 - Salaries, or the member's substantive rank, which ever is greater, for the period of the seconded duty, and shall be subject to the allowances normally received.
- 11.12.6 National Development Programs

Where a member attends an interstate development program, approved by the Controlling Authority, of at least seven weeks' duration, that member will be reimbursed one economy return air fare for the purpose of a reunion visit within the duration of the program."

4. By deleting Clause 12 – Transfer Expenses, and inserting in lieu thereof:

"12. TRANSFER EXPENSES

12.1 Definitions

'New locality' means the locality to which the member is transferred.

'Old locality' means the locality from which the member is transferred.

'Property' means all conventional permanent types of accommodation including flats, home units and land on which to erect a dwelling, but shall not include any type of temporary accommodation such as a caravan, holiday home, house boat or similar.

'Property Purchase Expenses' includes:

- (a) Professional costs and disbursements paid to a solicitor, land broker or conveyancer.
- (b) Expenses relating to the execution or discharge of a mortgage. Where the property is subject to more than one mortgage, the costs involved with one mortgage only shall be admissible.
- (c) Stamp duty and other statutory charges paid to register or transfer titles and/or mortgages.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

- (d) All other expenses necessarily incurred in the purchase of a property which are approved by the Controlling Authority.

but does not include:

- (a) Mortgage insurance costs.
- (b) Charges incurred in arranging bridging finance.
- (c) Council or Corporation rates, water, sewerage, garbage, electricity or similar charges.

'Property Sale Expenses' includes:

- (a) Commission and related expenses paid to a real estate agent or other agent for fees paid to an auctioneer where the property is sold at auction.
- (b) Professional costs and disbursements paid to a solicitor, land broker or conveyancer.
- (c) Expenses relating to the execution or discharge of a mortgage. Where the property is subject to more than one mortgage, the costs involved with one mortgage only shall be admissible.
- (d) Advertising expenses, not exceeding \$500.00 relating to the sale of the property where an agent was not engaged to sell the property.
- (e) Stamp duty and other statutory charges paid to register or transfer titles and/or mortgages.
- (f) Other expenses necessarily incurred in the sale of a property which are approved by the Controlling Authority.

but does not include:

- (a) Charges incurred in arranging bridging finance.
- (b) Auctioneers fees in respect of an unsuccessful auction.
- (c) Council or Corporation rates, water, sewerage, garbage, electricity or similar charges.

'Transfer' or **'transferred'** means a permanent transfer resulting from an advertised vacancy or application for promotion, or a compulsory transfer. It does not include a voluntary request by a member, a posting upon graduation from the Police Academy or a transfer as a result of misconduct.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

12.2 Property Sale Expenses

12.2.1 A member transferred from one location to another requiring a change in residence shall be entitled to property sale expenses for the sale of a property in their old locality provided that:

- (a) the property is owned and occupied by the member; or
- (b) the property was being purchased under a contract of sale providing for vacant possession; or
- (c) the property was being constructed for the member's own occupation on completion of construction;
- (d) at the date of sale the transfer of the member was approved and signed; and
- (e) the expenses shall not exceed:
 - (i) \$10,300 for a sale in a capital city and greater metropolitan area within the capital city,
 - (ii) \$8,800 for a sale in a non capital city; or
 - (iii) such proportion which reflects the member's equity in the property owned jointly or in common with a person other than the members spouse or dependent relative; and
- (f) the amount paid shall be reimbursement for reasonable expenses approved by the Controlling Authority incurred in the sale of the property owned or part-owned by the member.

12.3 Property Purchase Expenses

12.3.1 A member who transfers to another locality and receives property sale expenses is entitled to property purchase expenses for the purchase of a property in the new locality, provided that:

- (a) the expenses shall not exceed:
 - (i) \$8,670 for a purchase in a capital city and greater metropolitan area within the capital city, or
 - (ii) \$6,900 for a purchase in a non capital city;
- (b) the amount paid shall be for reasonable expenses approved by the Controlling Authority incurred in the purchase of a property; and

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

- (c) the members occupies the purchased property or intends to occupy the property upon completion of construction.
- 12.3.2 The Controlling Authority may approve payment of the property purchase expenses for the purchase of a property in the new locality, to a member who does not sell a property in connection with transferring to another locality, if the Controlling Authority is satisfied the transfer necessitated the member to purchase a property in the new locality.
- 12.3.3 In addition to paragraph 12.3.2, a member who was required to reside in departmental accommodation at their old locality is entitled to claim property purchase expenses for the purchase of a property at their new locality, provided the member was entitled to and claimed property sale expenses when the member transferred to the old locality.
- 12.3.4 (a) A member is not entitled to claim property sale or property purchase expenses in respect of a sale or purchase of a property, which is effected more than two years after the date on which the members takes up duty in the new locality; or
(b) After the date on which the transfer appears in the Police Gazette as the member's transfer date back to the previous locality if less than two years.
- 12.3.5 The Controlling Authority may approve both property sale and property purchase expenses outside the two year time frame in special circumstances upon application by the member.
- 12.3.6 Property sale or property purchase expenses may be approved at the discretion of the Controlling Authority for a member transferred to a locality as a result of misconduct.
- 12.3.7 Where a member's spouse is also a member of the Police Service only one claim may be made in respect to property sale or property purchase expenses for the sale of a property or the purchase of a property that they own jointly or in common or intend to own jointly or in common with their spouse.
- 12.3.8 An application for property sale and/or property purchase expenses shall be accompanied by written documentary evidence of payment by the member of the allowable expenses, being evidence that is satisfactory to the Controlling Authority.
- 12.3.9 The monetary amounts stated in 12.2.1(e) and 12.3.1(a) shall be applied with effect from 1 December 2004.
- 12.3.10 The monetary amounts stated in 12.2.1(e) and 12.3.1(a) will be reviewed annually by the Controlling Authority.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

12.4 Displacement Expenses

12.4.1 Where a member has been:

- (a) compulsorily transferred and retires by reason of having reached retirement age; or
- (b) compulsorily transferred and as a result of death or the early retirement of that member due to ill-health, or the redundancy of that member, there has developed a hardship that can only be alleviated if the member or surviving spouse of that member changes address; or
- (c) transferred as a result of promotion or advertised vacancy to a new locality, is required to live in a dwelling owned by the Controlling Authority in that new locality, and retires by reason of having reached retirement age; or
- (d) transferred as a result of promotion or advertised vacancy to a new locality and as a result of the death or early retirement on the grounds of ill-health or redundancy of that member there has developed a hardship that can only be alleviated if that member or the surviving spouse of that member changes address,

the member or surviving spouse of that member, as the case may be, shall be entitled to displacement expenses. The Controlling Authority may determine a person's entitlement to displacement expenses where the member or surviving spouse cites hardship as a reason for making application for displacement expenses.

12.4.2 Displacement expenses shall be a sum not exceeding \$2346, and shall be for reimbursement of reasonable removal and storage expenses of furniture and personal effects of the member and the member's spouse and/or dependent relatives of the member, and the costs of temporary accommodation that may be required during relocation that is subject of displacement expenses.

12.4.3 A member or member's spouse may, subject to the discretion of the Controlling Authority, be required to vacate the dwelling within 30 days of the member's death, retirement or redundancy, as the case may be, in order to be eligible to claim displacement expenses.

12.5 Depreciation Expenses

12.5.1 A member shall be paid depreciation expenses as compensation for accelerated depreciation and extra wear and tear on furniture and effects, the replacement and alteration of floor coverings, curtains, blinds and household goods resulting from a transfer or a requirement by the Controlling Authority to change residence.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

12.5.2 Depreciation expenses shall have direct relevance to furniture, effects, floor coverings, curtain, blinds and household goods, and be in accordance with the following amounts:

- (a) Value between \$1 and \$3999 - amount claimable is \$235.
- (b) Value between \$4000 and \$20000 - amount claimable is \$467.
- (c) Value \$20001 and above - amount of 2 per cent of the insured value of goods with a maximum of \$838.

12.6 Removal Expenses

12.6.1 A member transferred from one station to another that requires a move from one locality to another will be paid reasonable expenses incurred in the transport of the member's furniture and personal effects, and for the costs involved in transporting the member, their spouse and dependant relatives.

12.6.2 The maximum amount of removal expenses shall be \$1819.

12.6.3 The maximum removal expenses to or from King Island and Flinders Island \$7036.

12.6.4 Graduate Trainees

- (a) Where a Graduate Trainee is appointed to a position requiring the member to move from his or her normal residential location, he or she shall be paid for reasonable expenses incurred in the transportation of furniture and personal effects.
- (b) The total amount claimable by the Graduate Trainee is \$1819.
- (c) A Graduate Trainee shall not be eligible to claim Property Sale or Property Purchase expenses, displacement expenses, education assistance expenses or the depreciation allowance on the first appointment following graduation.

12.6.5 Where a member, including a Graduate Trainee, is appointed to a position in a new locality, shall prior to undertaking a removal, obtain quotations from at least three carriers if required, in respect of the removal and shall submit the quotations to the Controlling Authority for determination.

12.6.6 Where a member, including a Graduate Trainee, is appointed to a position in a new locality, that involves a move from one property to another, the Controlling Authority shall approve up to three paid working days at the time of the transfer for the purpose of packing, cleaning the property being vacated, travelling to the new locality, unpacking and settling into the new property.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

12.7 Motor Vehicle Usage Allowance

12.7.1 Where a member, including a Graduate Trainee on his or her initial appointment, uses a private motor vehicle to transport themselves and their family to their new locality, the member shall be paid a motor vehicle usage allowance for a maximum of two motor vehicles in accordance with the rates at subclause 11.7 - Motor Vehicle Expense Allowance.

12.8 Meal and Accommodation Expenses

12.8.1 Where a member, including a Graduate Trainee on his or her initial appointment, incurs reasonable expenses for necessary meals and accommodation for themselves and their spouse and dependant relatives on the day prior to departure for the new locality, the day or days travelling and the day after arrival at the new locality, the member shall be refunded such expenses actually paid as the Controlling Authority deems reasonable.

12.9 Education Assistance Expenses

12.9.1 A member transferred from one station to another that requires a move from one locality to another and has a dependant child or dependant children who resides with the member and who attend school, shall be reimbursed for actual costs associated with the cost of transferring that child or children from one school to another, up to the limit of \$551 per child to assist with the expenses of transferring the child or children.

12.9.2 Education expenses is restricted to the following:

- (a) uniform purchase;
- (b) school levies;
- (c) replacement prescribed text books;
- (d) other expenses as approved by the Controlling Authority.

12.10 General Provisions

12.10.1 Notwithstanding the clauses relating to Transfer Expenses, the Controlling Authority may approve claims for all allowances in Clause 12 in exceptional circumstances."

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

5. By deleting from Clause 21 – Physical Surveillance Services and Police Technical Support (Surveillance) Services, subclause 21.11 – Meals and Incidentals Allowance, and inserting in lieu thereof the following:

"21.11 Meals and Incidentals Allowance

- 21.11.1 The standard Meals and Incidentals Allowance rate to be claimed by members is \$66.45 per day. This is comprised of meal expenses components under paragraph 11.9.1 and 50 per cent of the incidental allowance under paragraph 11.9.6. This allowance rate will be adjusted in accordance with the current rates of its components, as varied in this award.
- 21.11.2 The meals and incidentals allowance above shall be claimed in 24-hour periods or wherever there is a requirement to stay away overnight when the stay away is less than 24 hours.
- 21.11.3 Where a member is absent overnight in excess of a 24 hour period but less than another overnight stay, the member is not entitled to claim any further meal expenses under 21.11.1 above or 11.9.1 unless the excess hours are overtime, or the excess hours are when the member is more than 60 kilometres from the office between the fourth and sixth hours of duty. In these circumstances the members is entitled to claim meal expense allowance in accordance with subclause 11.6 of the Police Award.
- 21.11.4 Meal claims in accordance with 11.6 are not payable when in receipt of the Allowance under this clause
- 21.11.5 Where a member:
- (a) is required to stay away overnight and was not advised of the requirement prior to commencement of their rostered duty on that day, or;
 - (b) is recalled to duty, without notice and is required to stay away overnight;
- the member is entitled to overnight expense allowances at subclause 11.9 for the first night away in lieu of the allowance at paragraph 21.11.1 above.
- If the member is advised of the requirement to stay away overnight on any subsequent night/s the rate reverts to the allowance in paragraph 21.11.1. above.
- 21.11.6 Overnight Expense Allowance under subclause 11.9 will not be paid when members are on Standby or Availability and are recalled for the purpose of intrastate travel and are required to stay away overnight, provided that they were informed of the likelihood of this requirement when placed on Standby or Availability at subclause 14.3 - Hours.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

21.11.7 Where these provisions apply and overnight accommodation is required, accommodation will be arranged and expenses met by the department or accommodation expenses will be reimbursed by the department."

6. By deleting Clause 22 – Special Capability Unit, and inserting in lieu thereof the following:

"22. SPECIALIST CAPABILITY GROUP

22.1 Definitions and Authority over other Clauses

22.1.1 For the purpose of this clause the following definitions shall apply:

'Member' means a person permanently or temporarily appointed under the provisions of the *Police Service Act 2003* in the Tasmania Police Service and who is appointed or seconded on a full-time basis to a position in the Specialist Capability Group.

'Normal salary' means the salary at Clause 8 - Salaries and inclusive of the In Charge Allowance at subclause 22.7, but excluding the shift and penalty allowance at paragraph 22.6.1.

22.1.2 Where inconsistent, this clause prevails over the following:

- (a) Meal Expense Allowance at subclause 11.6;
- (b) Overnight Expense Allowance at subclause 11.9;
- (c) Rosters at Clause 19;
- (d) Shift and Penalty Allowance at Clause 20; and
- (e) Hours of Duty at Clause 14.

22.2 Hours of Duty

22.2.1 The standard hours shall average 38 hours per week over the rosters cycle.

22.2.2 The standard hours shall be:

- (a) 7.6 hours per shift;
- (b) 8,10 and12 hours per shift; or
- (c) a combination of eight (8), ten (10) and twelve (12) hours per shift over a shift cycle.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

22.2.3 Twelve (12) hour shifts may occur where the Specialist Capability Group is deployed to a high risk incident involving immediate threat to life or as a rostered shift.

22.2.4 Generally accrued days during a roster cycle will be factored into or taken during that roster cycle. In special circumstances and when approved by the Controlling Authority up to five (5) accrued days may be accumulated and may be taken on application by the member with the approval of the Controlling Authority.

22.3 Rostered Meal Breaks

22.3.1 Members shall be entitled to meal breaks according to roster for their work areas as following:

(a) an eight (8) hour shift shall have a 20 minute paid break or an unpaid break not exceeding one hour in addition to the rostered hours.

(b) A ten (10) hour shift shall have a 30 minute paid break or an unpaid break not exceeding one hour in addition to the rostered hours.

(c) A twelve (12) hour shift shall have two 20 minute paid breaks.

22.3.2 A meal break shall be taken by the member within five (5) hours of the commencement of the shift or as soon as practicable after the fifth hour of commencing duty.

22.3.3 The type and length of break will be decided having regard to the operational requirements of the Specialist Capability Group Commander. The unpaid break will not occur during actual incidents.

22.3.4 A member required to work overtime after completing a shift shall be entitled to a break during the overtime where practicable, provided the member is required to work after the break. In addition, where practicable, the member shall also be entitled to an additional break at the conclusion of each additional five hours of overtime worked, provided the member is required to work overtime after the additional break.

22.3.5 Paid meal breaks shall be at the salary rate applicable at the time.

22.3.6 A member shall be available for work during his or her paid break.

22.4 Availability and Standby

22.4.1 Availability and/or Standby Allowances apply to all members subject to the provisions of subclause 14.3.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

22.5 Specialist Capability Group Allowance

22.5.1 All members in the Specialist Capability Group on a fulltime basis shall be paid an allowance of 5% of normal salary in recognition of the skill requirements, additional training and provisions in this clause related to meal, incidental and overnight expense allowance.

22.6 Shift and Penalty Allowance

22.6.1 Members at the Constable and Sergeant level in the Specialist Capability Group shall be paid a shift and penalty allowance of 26.25%.

22.6.2 The shift and penalty allowance recognises the flexibility in rostering, (subclause 22.8).

22.7 In Charge Allowance

22.7.1 A member being a Constable or Sergeant who is a designated team leader within the Specialist Capability Group shall be paid an In Charge Allowance in accordance with Clause 9.2.2 for unpaid extra duties, disturbance of leisure and/or additional responsibilities.

22.8 Rosters

22.8.1 In establishing rosters for this area it is essential that the specific workload within the area and need for flexibility be assessed and taken into account when determining the extent and frequency of night, afternoon and weekend work.

22.8.2 Maximum Rostered Hours

22.8.2.1 A roster shall not provide in excess of 96 hours to be worked in a fortnight pay period.

22.8.2.2 A roster will be notified as early as possible and generally four weeks in advance of operating but will not be displayed.

22.8.3 Emergency Circumstances

22.8.3.1 A roster may be departed from in the following circumstances:

- (a) A state of alert;
- (b) A state of emergency;
- (c) A state of disaster;
- (d) Unplanned circumstances beyond the control of the Controlling Authority involving high risk events with immediate threat to life.

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

22.8.4 Consultation and Disputes

22.8.4.1 Roster changes shall be the subject of consultation between the Controlling Authority and the members in the work area.

22.8.5 Changes in an Individual's Roster

22.8.5.1 Members may swap their rostered shift with another member provided the other member and the member's supervisor agree to the swap.

22.8.5.2 Where a member's rostered shift is changed without the consent of the member or 24 hours' notice has not been provided the member shall be entitled to be paid double time for the substituted shift or shifts unless the roster has been departed from in accordance with paragraph 22.8.3.1.

22.8.5.3 The period of notice shall be calculated as the time from notification of the member of the shift change to the commencement time of the shift that the member would have worked. Furthermore 24 hours' notice will not be deemed to be provided if the replacement shift is to commence earlier than the original shift and a period of 24 hours' notice has not elapsed between the notification of the member of the shift change and the commencement time of the new shift.

22.8.6 Shift Definitions

22.8.6.1 The following shift definitions shall apply:

- (a) Day shift is a shift commencing at or after 6.00am and concluding at or before 6.00pm.
- (b) Afternoon shift is a shift concluding after 6.00pm and at or before 2.00am, except in the case of Thursdays, Fridays and Saturdays when the finishing time may be 3.00am.
- (c) Night shift is a shift commencing at or after 6.00pm and before 6.00am except as provided for in (b) above.
- (d) Saturday shift is a shift the major portion of which falls on that day.
- (e) Sunday shift is a shift the major portion of which falls on that day.

22.8.7 Maximum Hours

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

22.8.7.1 Members shall not work in excess of the following over a 20 week cycle:

Shift	Maximum Hours
Saturday and/or Sunday	220 hours within 12 weekends over the 20 week cycle ensuring eight full weekends off in a twenty week cycle
Afternoon Shift	200 hours
Night Shift	192 hours

22.8.7.2 The maximum shall not include shifts where a member has arranged a swap as allowed in paragraph 22.8.5.1 or the member agrees to work shifts in excess of the above amounts.

22.8.8 Shift Sequences, Changeovers and Breaks

22.8.8.1 Where a changeover occurs between a sequence of shifts and between shifts during a sequence of shifts the minimum break shall be 10 hours.

22.8.8.2 The variation in starting times of sequence of night shifts, afternoon shifts and day shifts shall not exceed six hours.

22.8.9 Rostered Days Off

22.8.9.1 Rostered days off shall be a minimum of two consecutive days.

22.8.9.2 A roster may change from day shift to afternoon shift or conversely from afternoon to day without a rostered day off on the changeover provided the minimum break in paragraph 22.8.8.1 is adhered to.

22.8.9.3 A roster may change to or from night shift without a rostered day off on the changeover provided the minimum break in paragraph 22.8.8.1 is adhered to.

22.9 Meals and Incidentals Allowance

22.9.1 The standard Meals and Incidentals Allowance rate to be claimed by members is \$66.45 per day. This is comprised of meal expenses components under paragraph 11.9.1 and 50 per cent of the incidental allowance under paragraph 11.9.6. This allowance rate will be adjusted in accordance with the current rates of its components, as varied in this award.

22.9.2 The meals and incidentals allowance above shall be claimed in 24-hour periods or wherever there is a requirement to stay away overnight when the stay away is less than 24 hours.

22.9.3 Where a member is absent overnight in excess of a 24 hour period but less than another overnight stay, the member is not entitled to claim any further meal expenses under 22.9.1 above or 11.9.1 unless the excess hours are

This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.

overtime, or the excess hours are when the member is more than 60 kilometres from the office between the fourth and sixth hours of duty. In these circumstances the members is entitled to claim meal expense allowance in accordance with subclause 11.6 of the Police Award.

22.9.4 Meal claims in accordance with 11.6 are not payable when in receipt of the Allowance under this clause

22.9.5 Where a member:

(a) is required to stay away overnight and was not advised of the requirement prior to commencement of their rostered duty on that day, or,

(b) is recalled to duty, without notice and is required to stay away overnight;

the member is entitled to overnight expense allowances at subclause 11.9 for the first night away in lieu of the allowance at paragraph 22.9.1 above.

If the member is advised of the requirement to stay away overnight on any subsequent night/s the rate reverts to the allowance in paragraph 22.9.1 above.

22.9.6 Overnight expense allowance under subclause 11.9 will not be paid when members are on Standby or Availability and are recalled for the purpose of intrastate travel and are required to stay away overnight, provided that they were informed of the likelihood of this requirement when placed on Standby or Availability at subclause 14.3.

22.9.7 Where these provisions apply and overnight accommodation is required, accommodation will be arranged and expenses met by the department or accommodation expenses will be reimbursed by the department."

OPERATIVE DATE

These variations shall come into operation on and from 4 July 2007.

Tim Abey
COMMISSIONER

9 July 2007