



DRAFT DETERMINATION

Fair Work Act 2009

s 157—variation of modern award

Expense-related allowances 2023

(AM2023/12)

PROFESSIONAL DIVING INDUSTRY (INDUSTRIAL) AWARD 2020

[MA000108]

Diving services

JUSTICE HATCHER, PRESIDENT
VICE PRESIDENT ASBURY
DEPUTY PRESIDENT HAMPTON

SYDNEY, XX JUNE 2023

Expense-related allowances.

- A. Pursuant to s 157 of the *Fair Work Act 2009*, the above award is varied as follows:
1. By deleting the amount “\$9.63” appearing in clause 29.3(a)(i) and inserting “\$10.38”.
 2. By deleting the amount “\$13.56” appearing in clause 29.3(b)(i) and inserting “\$14.14”.
 3. By deleting the amount “\$7.47” appearing in clause 29.3(c)(iii) and inserting “\$9.34”.
 4. By deleting the amount “\$390.23” appearing in clause 29.3(c)(v) and inserting “\$487.71”.
 5. By deleting the amount “\$55.79” appearing in clause 29.3(c)(vi) and inserting “\$69.73”.
 6. By deleting the amount “\$0.91” appearing in clause 29.3(c)(viii) and inserting “\$0.95”.
 7. By deleting the amount “\$2771” appearing in clause 34.3(a)(i) and inserting “\$2966”.
 8. By deleting the amount “\$60.54” appearing in clause 34.3(b)(i) and inserting “\$75.66”.
 9. By deleting the amount “\$135,839” appearing in clause 34.3(f)(i) and inserting “\$144,683”.

10. By deleting the table appearing in clause C.2.1 and inserting the following:

Allowance	Clause	\$	Payable
Meal allowance—overtime	29.3(a)(i)	10.38	per occasion
Meal allowance—late cancellation of overtime	29.3(a)(i)	10.38	per occasion
Fares and travelling time allowance	29.3(b)(i)	14.14	per day
Distant work allowance—Expenses	29.3(c)(iii)	9.34	per occasion
Distant work allowance—Accommodation and meals	29.3(c)(v)	487.71	per week by agreement
Distant work allowance—Accommodation and meals—broken parts of the week	29.3(c)(vi)	69.73	per day
Distant work allowance—Use of own vehicle allowance	29.3(c)(viii)	0.95	per km
Diving clothing and equipment allowance	29.3(d)	7.08	per day
Protective clothing, footwear and equipment allowance—casual employees	29.3(e)(ii)	2.53	per day

11. By deleting the table appearing in clause C.4.1 and inserting the following:

Allowance	Clause	\$	Payable
Loss of personal effects reimbursement—maximum—an amount of up to	34.3(a)(i)	2966	per claim
Living away from home allowance	34.3(b)(i)	75.66	per day
Clothing and equipment allowances—Full-time employees	34.3(d)(ii)	108.61	per calendar month

Allowance	Clause	\$	Payable
Clothing and equipment allowances—Casual employees	34.3(d)(iii)	8.75	per day
Insurance policy—reimbursement of cost policy	34.3(f)(i)	144,683	insured sum

B. This determination comes into operation on 1 July 2023. In accordance with s 165(3) of the *Fair Work Act 2009* this determination does not take effect in relation to a particular employee until the start of the employee’s first full pay period that starts on or after 1 July 2023.

PRESIDENT