TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s23 application for award or variation of award

Australian Education Union,
Tasmanian Branch
(T.5996 of 1995)

and

The Community and Public Sector Union
(State Public Services Federation Tasmania)
(T.6011 of 1995)

GENERAL CONDITIONS OF EMPLOYMENT AWARD

Award variation - kilometrage allowances - consent matter - operative first full Day period to commence on or after 21 December 1995

ORDER BY CONSENT -

No. 7 of 1995

THE ABOVE AWARD IS VARIED AS FOLLOWS:
By deleting Clause 30 - Travel Allowances, subclause (b) - Kilometreage, and inserting in lieu thereof:

"(b) Kilometreage

(i) Required User

Where an employee is required in writing by the controlling authority to have available on a regular basis a private motor vehicle which the employee will be required to use for official purposes, and the employee agrees in writing so to do, an allowance shall be paid for such use in accordance with the following rates:

<table>
<thead>
<tr>
<th>ANNUAL KILOMETREAGE TRAVELLED ON DUTY IN A FINANCIAL YEAR</th>
<th>CENTS PER KILOMETRE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate 1</td>
</tr>
<tr>
<td></td>
<td>2 litres Less than</td>
</tr>
<tr>
<td></td>
<td>100% (Rate 1)</td>
</tr>
<tr>
<td>First 10,000 kilometres</td>
<td>54.37</td>
</tr>
<tr>
<td>Any additional kilometres</td>
<td>28.82</td>
</tr>
</tbody>
</table>

PROVIDED that where the controlling authority wishes to withdraw the requirement to provide a private motor vehicle then, except where special circumstances exist, at least one year's notice in writing shall be given, and the notice period shall be specified to end on 30 June.

(ii) Occasional User

Where an employee is not required to provide a private motor vehicle for official use as prescribed in subclause (b)(i) of this clause, but otherwise receives approval from the controlling authority to use a private motor vehicle for official purposes on an occasional basis, an allowance shall be paid in accordance with the following rates:

<table>
<thead>
<tr>
<th>ANNUAL KILOMETREAGE TRAVELLED ON DUTY IN A FINANCIAL YEAR</th>
<th>CENTS PER KILOMETRE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate 3</td>
</tr>
<tr>
<td></td>
<td>2 litres Less than</td>
</tr>
<tr>
<td></td>
<td>100% (Rate 3)</td>
</tr>
<tr>
<td>First 10,000 kilometres</td>
<td>36.25</td>
</tr>
<tr>
<td>Any additional kilometres</td>
<td>19.21</td>
</tr>
</tbody>
</table>

(iii) For the purposes of subclauses (b)(i) and (b)(ii) of this clause, the rates specified therein shall apply as follows:
RATES 1 and 3 Apply to motor vehicles generally recognised as having an engine capacity of 2.0 litres or more and include rotary engines.

RATES 2 and 4 Apply to motor vehicles generally recognised as having an engine capacity of less than 2.0 litres.

(iv) The rates specified in subclauses (b)(i) and (b)(ii) of this clause, shall not be varied as a consequence of National Wage Case decisions. The rates shall be varied upon application subsequent to 30 March and 30 September of each year after the Hobart Transportation, Private Motoring subgroup, Consumer Price Index Numbers for the quarters ending 30 March and 30 September respectively, become available. The Rate 1 and Rate 3 variations for the first 10,000 kilometres travelled shall be calculated in accordance with the formula specified in decision T.33 of 1985 dated 13 June 1985.

Variations to the other rates specified in the tables in subclauses (b)(i) and (b)(ii) of this clause, shall be calculated by applying the percentage shown in brackets to the relevant first 10,000 kilometres rate (as varied) shown as 100 per cent.

(v) An employee shall not receive an allowance for kilometres travelled in excess of 16,000 kilometres in any one financial year unless authorised by the controlling authority concerned on the recommendation of the Head of Agency, to travel a greater distance in that year.

(vi) In addition the following allowances shall be paid to employees:

(1) Where stationed in Category R as provided in Clause 24 - Location Allowances, subclause (b)(ii)(1) thereof - $24.70 per month plus $9.90 per 1,600 kms travelled on duty.

(2) Where stationed in Category B as provided in Clause 24 - Location Allowances, subclause (b)(ii)(2) thereof - $16.40 per month plus $9.90 per 1,600 kms travelled on duty.

(3) Where authorised to use a utility, four-wheel drive motor vehicle or any other special type of motor vehicle approved by the controlling authority concerned - $9.90 per month.

(4) Where authorised to use a trailer attached to the motor vehicle 2.97 cents for each kilometre travelled on duty with the trailer attached.

(5) Where authorised to use a motor vehicle on work involving the regular carrying of heavy equipment - $9.90 per month.

(6) Where authorised to use a motor cycle - 9.67 cents for each kilometre travelled on duty.
(vii) Where an employee is required to provide a private motor vehicle in accordance with subclause (b)(i) of this clause, and the distance travelled on duty in any financial year does not exceed 4,000 kilometres, the employee shall be paid an allowance calculated by multiplying the appropriate rate per kilometre by the difference between the actual number of kilometres travelled on duty during that year and 4,000 kilometres.

(viii) Where a part-time employee is eligible for any payment under subclause (b)(vii) of this clause, such allowance shall be calculated on the proportion of the total hours worked in that year by the part time employee to the annual standard hours for a full time employee of the same classification.

(ix) Unless otherwise directed by the controlling authority, kilometrage on duty shall be the distance travelled from an employee's place of employment to his or her destination and return to his or her place of employment.

(x) A kilometrage allowance in excess of or at variance with the rates set forth in subclauses (b)(i) and (b)(ii) of this clause, may be paid if, on the determination of the controlling authority concerned, special circumstances exist which justify such excess or variation."

**OPERATIVE DATE**

A. Robinson  
**DEPUTY PRESIDENT**

21 December 1995