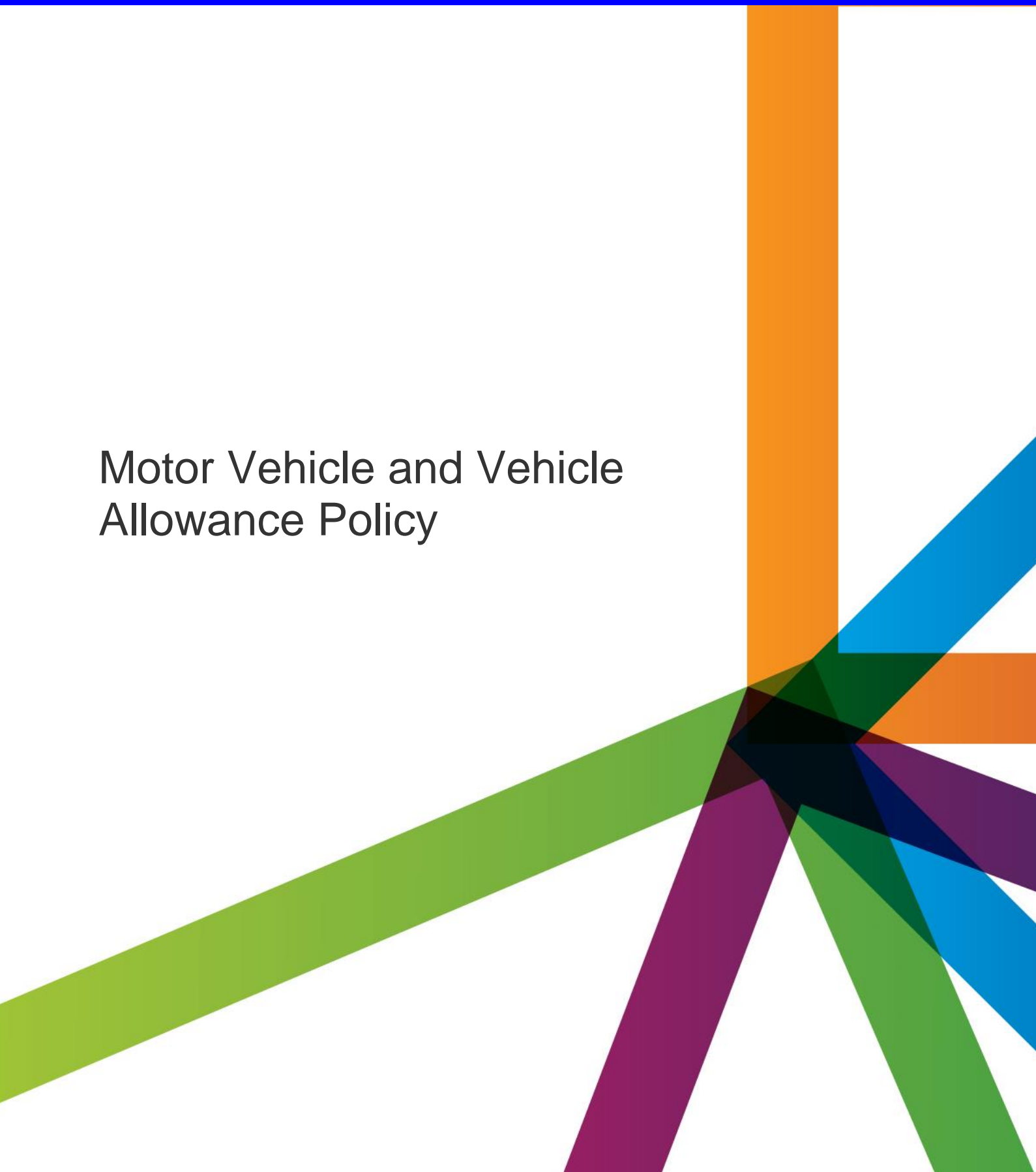


Illawarra Shoalhaven Joint Organisation Policy Manual

Motor Vehicle and Vehicle Allowance Policy



1. PURPOSE

The Illawarra Shoalhaven Joint Organisation (ISJO) recognises the need to purchase passenger vehicles to satisfy its operational requirements. The ISJO owns motor vehicles to conduct its operational business and for the provision of full private usage of vehicles to designated employees.

The purpose of this policy is to inform and provide clearer guidelines to assist in the conduct of the ISJO's operational business and in the provision of vehicles for private use.

The objectives of this policy are to ensure:

- the fleet is managed efficiently
- vehicles purchased on behalf of the ISJO are used appropriately
- the conditions for use, care and maintenance of vehicles are clearly defined
- an optimal vehicle replacement time is maintained
- a consistent approach to the provision of vehicles as part of salary packages is provided and associated value is recognised
- formal staff entitlements are recognised
- an appropriate number of vehicles is maintained to effectively deliver ISJO services
- a safe, secure working and living environment is provided
- vehicles are selected on the basis of "fit for purpose" in association with ISJO business
- the reduction of the need to travel, and the encouragement of low and zero carbon modes of transport to reduce emissions, and
- attraction and retention of staff at coordinator / manager level or above.

2. SCOPE

This policy applies to all persons operating a vehicle owned by the ISJO except where there is conflict with Senior Staff Contracts. In such cases the Senior Staff Contract will take precedence.

3. DEFINITIONS

Assigned Officer means an employee who is assigned a vehicle for private or Commuter Use.

CEO means the Chief Executive Officer.

ISJO means the Illawarra Shoalhaven Joint Organisation.

Operation Use means using a vehicle solely for the purposes of operational business to deliver ISJO services.

Immediate Family means:

- (a) the employee's partner (including the employee's spouse, de facto partner); and
- (b) the employee's child or an adult (including an adopted child or stepchild), parent, brother, sister, grandparent or grandchild.

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Plant and Vehicle Services means the staff member or organisation responsible for managing ISJO’s vehicle fleet and fleet requirements.

At July 2024, “Plant and Fleet Services” is a function provided by the ISJO’s Finance and Administration Manager.

Pool Vehicle means a car which is made available for any employee to drive on ISJO business during normal working hours and overnight use for ISJO business.

Private Use means non-business travel in a vehicle, including travel between home and work.

Vehicle(s) means all passenger and light commercial vehicles and e-bikes

Vehicle Allowance means a company car scheme where an employer provides employees with monetary benefits, instead of a company-owned cars. The car allowance is supplied on a monthly, quarterly or annual basis and is meant to help employees purchase or lease a vehicle or maintain the one they already own.

4. PRINCIPLES

This policy takes into account the following general principles:

- The range of vehicles from which Council may select when purchasing fleet vehicles will be determined by consideration of full whole of life cost, fuel efficiency and carbon emissions and having regard to benchmark references.
- Leaseback and limited private use of ISJO-owned vehicles by employees will be based on the attribution of proportional cost allocations for operational use and private use.
- Operational needs for non-standard vehicles will be assessed through a structured justification process for both leaseback and other vehicles.

5. POLICY

5.1 General Conditions

Irrespective of who has been designated as the assigned officer of a vehicle, all persons who drive an ISJO vehicle must:

- be in possession of a current, valid and appropriate driver’s licence
- drive safely and appropriately according to the road rules, road conditions, terrain and weather conditions
- use the vehicle only for purposes for which it has been designed and manufactured
- when not in use, ensure the vehicle is safely parked and secured
- not smoke in the vehicle
- keep the interior tidy, free from bad odour and in a hygienic condition
- return the vehicle in a clean and tidy condition after use, and
- return the vehicle with no less than half a tank of fuel.

Furthermore, the assigned officer must:

- ensure the vehicle is serviced and maintained in accordance with the manufacturer’s recommendations. All vehicle servicing must be booked and organised in consultation

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with ISJO's Plant and Fleet service provider

- report any faults or damage to the Plant and Fleet service provider and ensure appropriate incident / hazard reports are completed
- immediately notify their manager if their licence is cancelled or suspended or if they are prevented by law from driving a vehicle
- sign a statement of acceptance, and
- carry out general maintenance of their assigned vehicle, including monitoring oil and water levels and tyre pressure.

Additional conditions:

- Vehicles not on Leaseback shall be surrendered to Council when the employee is on leave for two or more working days or when operational requirements warrants its return.
- Unless otherwise provided for and advised in writing, no member of the public (including a relative of the employee) is allowed to travel in a Council-owned vehicle unless such travel is required to facilitate the business of the ISJO or is in accordance with a Leaseback Agreement
- The ISJO will require the keeping of a log book for all pool vehicles and may require the keeping of a log book for private use vehicles.

Breaches of Policy

Coverage under ISJO's insurances may not be available to employees and / or third parties in circumstances where the use of a vehicle is in breach of any provision of this policy.

5.2 ISJO Vehicle Pool

Unless otherwise approved by the CEO, all assigned officers are to make their vehicle available to other employees for business purposes during business hours. The availability of vehicles for use by employees is administered through an electronic vehicle Booking System process.

Any employee, including the assigned officer, who needs to use a vehicle is to do so by booking a vehicle for the date and time it is required. A vehicle should not be used unless a booking has been made through the booking system.

If, during business hours, a staff member is using a private use vehicle assigned to another employee it is the "borrowing" employee's responsibility to ensure that the vehicle is returned to the ISJO office by 5 pm. If not, they are to ensure arrangements are made for a suitable vehicle to be available for appropriate employees.

5.3 Fuel

Payment for fuel shall only be made with the fuel card which is assigned to each vehicle and may not be used to purchase fuel for any other vehicle or any other purpose. The fuel card must be kept in the vehicle and odometer readings are to be given at all times to the service station operator or appropriate fuel system when fuel is purchased.

If the fuel card is lost or damaged the assigned officer shall immediately report the loss or damage to the Plant and Fleet service provider.

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5.4 E -Tags

All vehicles are to be registered with a number plate recognition facility to uphold ISJO's commitment to tag-less vehicles and reduction in E-waste (currently this is managed through Linkt).

No additional costs for number plate recognition facilities or E-tag use will be required for those staff with private use or extended use as these costs are included within the staff contributions outlined in Appendix 2 (vehicle Contribution Rates). Tool of Trade vehicles will be equipped with the number plate recognition facility or E-Tags.

5.5 Parking and Traffic Violations

The driver of a vehicle is personally responsible for obeying parking signs and road rules at all times, including on-street and off-street parking.

The ISJO will maintain records of who has driven vehicles through the car pool booking system and log books during business hours. Under no circumstances will the ISJO be liable to pay any fine or costs incurred by the driver of a vehicle. The responsibility for payment of fines resides with the offender.

5.6 Accidents and/or Incidents

In the event of an accident and/or incident, employees are expected to:

- stop immediately
- render assistance, if possible, to any injured person and call an ambulance if required. If any person is injured, the Police must be notified
- exchange name, address and details of the vehicle with other parties and, if possible, obtain details of their insurance policy
- not admit liability. IT IS ESSENTIAL that the driver MUST NOT ADMIT LIABILITY or make any statements OR admission as this is a matter for decision by the Insurance Companies involved or by a Court if necessary
- note carefully where the accident/incident occurred and record details of street name, time and date, weather conditions and details of any witness
- if towing is required, contact the Plant and Fleet service provider in the first instance
- report the accident/incident to the Plant and Fleet service provider (including completion of an incident/hazard report) as soon as is practical, and
- the Plant and Fleet service provider will instigate further action, including possible insurance claims and repair of vehicles.

In the event of multiple accidents and/or incidents involving an employee or an assigned officer or their approved driver, a risk assessment may be done to determine the appropriate action.

5.7 Breakdowns

In the event of a breakdown, employees are expected to:

- if during business hours, contact the Workshop within the Plant and Fleet Services Team in the first instance, and

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- if Workshop assistance cannot be arranged, or if the breakdown occurs outside of business hours, contact emergency roadside assistance on the number provided / updated from time to time by Plant and Fleet Services.

5.8 Servicing and Maintenance

The Assigned Officer is responsible for ensuring that the vehicle is serviced and maintained in accordance with the manufacturer's schedule.

Servicing is to be arranged through Plant and Fleet Services. In some circumstances, for example during annual leave, servicing may be approved at another location. Prior approval from the Plant and Fleet Services is required in this circumstance.

5.9 Alcohol and Drugs

All drivers of vehicles are to adhere to State laws regarding the use of controlled substances and alcohol when driving. No person is to drive or operate a vehicle whilst under the influence of alcohol, hallucinatory medication or prescribed medication beyond the prescribed limits, or any other illegal substance.

5.10 Mobile Phones

It is illegal to use a hand held mobile device or visual display unit while driving a motor vehicle (including while stationary but not parked). Employees must not use mobile devices for any purpose while driving unless – when using the device for making or receiving a phone call – the vehicle is fitted with a Bluetooth enabled device.

Tablets and other portable electronic devices are considered mobile devices for the purpose of this policy.

5.11 Levels of Usage

a) Pool Vehicles

Pool vehicles are dedicated to general ISJO business and are not allocated to a particular position or person. Pool vehicles will be available for use by all staff for general day to day business use (including pre-approved by emailed consent of the relevant manager overnight use for ISJO business only) and are booked using the organisation's Car Booking System.

b) Operational Use Vehicles

A vehicle is allocated for operational use where it is deemed that an employee regularly commences work on site rather than ISJO premises, or regularly works on-call. An Operational Use vehicle can only be allocated on the recommendation of the relevant manager and approved by the CEO. The vehicle is not available for private use and must be left at the ISJO premises for any periods of annual leave, long service leave, or other absences of more than 2 working days.

Employees who have been offered operational use of a vehicle must agree to and sign the Operational Motor vehicle Use Agreement.

On 31 March of each year, employees who are allocated operational use of a vehicle must sign an annual declaration stating that the vehicle has not been used for private use. The annual declaration must be returned to the CEO no later than 14 days after the 31 March each year.

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c) Private Use Vehicles

Private use of a vehicle is granted to employees in their employment agreement. Private use may be approved for business purposes or as an attraction or retention strategy.

The CEO can withdraw private use entitlements at any time due to retirement, resignation or breaches of this policy and related motor vehicle procedures. In other cases where private use is withdrawn, three months' notice will be given to the employee of the change.

Costs associated with any damage to a vehicle caused by a breach of ISJO policy or unlawful use may be passed onto the assigned staff member with the direction of the CEO.

Private use of a vehicle is available to all staff at manager level and above, in accordance with the ISJO's organisational structure.

The Assigned Officer may allow the vehicle to be driven unsupervised by licensed members of their immediate family (spouse/partner and children).

On 31 March of each year, employees who are allocated private use of a vehicle must complete and sign an annual declaration. The annual declaration must be returned to the CEO no later than 2 weeks after the 31 March.

5.12 Selection of Vehicle Makes and Models

Purchase of all vehicles will be managed in accordance with the following considerations:

a) Environmental

- A 4 Star or above green vehicle guide rating is preferred

b) Safety

- ANCAP 5 Star ratings are preferred.

c) Value for Money and Fit for Purpose

- All vehicles should be fit for purpose relative to ISJO business and approved in writing by the CEO
- Fleet composition must remain sufficiently diverse to spread financial risk associated with whole of life asset management, and
- Vehicles purchased are not to be:
 - (i) liable to Prestige car tax
 - (ii) a coupe, sports or customised make or model
 - (iii) powered by an engine greater in size than six cylinders.

d) Vehicle Selection

Private Use vehicles must be selected from the NSW Government Approved vehicle List.

The Approved Vehicle List will be made available on request to the Plant and Fleet Services Team.

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The selection of the passenger vehicle will then be used to calculate Remuneration Package Benefit in accordance with Schedule 1.

e) Colour Selection

All pool and operational use vehicles purchased will be white. White will be considered the baseline for all private use vehicles purchased, however, a limited choice of external colour may be approved in consultation with the CEO. Light coloured vehicles are encouraged on the basis of safety, bodywork maintenance costs and re-sale value.

f) Standard equipment

Vehicles will be fitted with Bluetooth hands free, towbars (where requested or appropriate) and floor mats. Wagons and SUVs will have a cargo barrier fitted (where appropriate). Other accessories needed to fulfil a role will require the approval of the CEO and will be costed to the relevant business unit.

g) Accessories

CEO approval will be required if an officer requests the fitting of any other optional accessories for personal, non-work related use. The officer is required to personally fund its cost, including fitting, maintenance, repair and removal.

A fixed child care seat is considered to be an accessory for personal use. Accessories must not be used that are contrary to the manufacturer's specifications or recommendations.

At vehicle changeover or the officer's departure from their employment with the ISJO, the officer has the alternative to either leave the accessory on the vehicle or remove it. If removed it may be relocated to the new vehicle at the officer's cost.

5.12 Remuneration Package Benefit

Refer to Schedule One at the end of this Policy document.

5.13 Changeover of Vehicles

a) Replacement Guidelines

Vehicles will be changed over using the following as a guide alongside the principle of value for money on behalf of the community across the fleet program.

(i) Passenger (including Private Use) Vehicles

- 3 years – no more than 75,000kms (whichever comes first)

(ii) Operational

- 6 years / 120,000kms (whichever comes first)

b) Collecting - Vehicle Procedure

Collection of all new vehicles shall be carried out by the Fleet Administrator to ensure specification compliance and to undertake initial testing and checking. The Assigned Officer or any other employee shall not collect a new vehicle without the presence or approval of the Fleet Administrator.

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c) Handing Back - Vehicle Procedure

The Assigned Officer shall ensure that the vehicle is thoroughly cleaned (i.e. the vehicle shall be washed externally and cleaned internally to the satisfaction of the Fleet Administrator). If the Fleet Administrator is not satisfied that the vehicle has been thoroughly cleaned they will arrange for the vehicle to be professionally cleaned and the cost of cleaning may be attributed / passed on to the Assigned Officer.

5.14 Accident or Breakdown Replacement

In case of an accident or breakdown, an employee with an entitlement of private vehicle use will be provided with another vehicle on a temporary basis while their current vehicle is undergoing repairs. Where possible, the replacement vehicle will be of the equivalent standard to their current vehicle.

Costs incurred in relation to the accident or any costs associated with the breakdown will be costed to the relevant unit who were using the vehicle at the time of the accident or breakdown.

5.15 Reportable Fringe Benefits Tax (FBT)

Employees that are allocated vehicles may incur reportable fringe benefits tax (FBT) on their annual payment summary if the vehicle is made available to them for private use. Private use is also determined for operational vehicles, where the vehicle is garaged at the employee's home. This may, however, be determined to be an exempt car benefit.

FBT liability is calculated at after taking into consideration the post tax contribution made by the employee to the ISJO during the FBT year (April – March).

All Employees with a private Use or Operational Use vehicle must complete an FBT declaration at the end of each FBT year. This will be provided to them annually by Finance or Plant and Fleet Services.

Employees should seek their own independent advice regarding whether the allocation of a vehicle will incur FBT and understand the impact any reportable FBT will have on tax obligations or eligibility for government assistance.

Each manager is responsible for ensuring that an individual employee is identified for the purpose of assigning reportable FBT.

5.16 Home to Work Use

- Where agreed to by Council, employees may use the Council-owned FBT exempt vehicle for travel to and from between the employee's residence and Council workplace, whether or not the vehicle is subject to a Leaseback Agreement. Plant and Fleet Services can advise on FBT exempt vehicles
- Council will allocate a vehicle for Home to Work use only where there is an operational benefit to Council. Considerations will include:
 - Where the employee regularly (greater than 80% of the time) starts and finishes on a worksite, and / or
 - Where the employee is regularly Replies to afterhours calls.

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- Allocation of vehicles for Home to Work use are to be approved by the relevant Section Manager. Home to work use shall include travel to and from the employee's residence to the ISJO's offices
- Whilst home to work travel is generally exempt from any employee contributions, the ISJO will aim to minimise the cost of this to the organisation.
- Any FBT liable vehicles, not on Leaseback are to be justified by the Group Director and be approved by the Director of Assets and Works.

5.17 Minor Journeys for Vehicles Not Under Leaseback

The relevant Supervisor or Manager may approve the use of Council Vehicles to be taken home by certain employees for operational reasons, who are prepared to accept responsibility for keeping the vehicle clean and tidy. The driver of the vehicle may make minor deviations from the direct route between home and the work site to pick up other employees working on the same site. In all cases these deviations are to be made only with the approval of the Supervisor, and the driver must be ready to commence work on site, at the Office or Depot as appropriate, by the agreed starting time.

Other minor deviations, subject to approval, include:

- Picking up / dropping of dependent children or spouse
- Attending gym or sporting activity
- Picking up shopping, or

The deviation must be from the most direct route home and typically less than in length 2km.

5.18 Motor Vehicle Expenses

Each manager is responsible for costs associated with the operation of vehicles allocated to their Area.

The ISJO will pay all standard maintenance and operating expenses including oil, repairs, tyres, servicing, comprehensive insurance, registration, taxes and fuel incurred in respect of all ISJO motor vehicles provided.

5.19 Sale of ISJO Vehicles

Vehicles are usually sold either as trade-ins for replacement vehicles or by public auction. There is no restriction on employees purchasing a vehicle sold to a motor vehicle trader by the ISJO. There is no restriction on employees purchasing a vehicle offered for sale at public auction.

Although not common, used vehicle markets may justify sale by public tender. There is no restriction on employees purchasing a vehicle by public tender.

5.20 Extended Leave

Approval is required by the CEO, or his/her delegate, to use a vehicle for periods of leave or absence (other than annual leave or long service leave), for longer than six weeks. The CEO will consider reasons for leave or absence, individual circumstances and organisational requirements for the vehicle. Where use of an assigned ISJO vehicle during an extended leave period is denied, post tax salary contributions from the employee will be suspended during the period involved.

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Where the entitlement to private vehicle use is not utilised during a period of annual leave or long service leave in excess of four weeks and the vehicle is garaged in the vehicle pool, the pre- tax salary deduction will be suspended for the period of leave.

5.21 Higher Duties

Employees assigned duties to a higher level position to which the substantive occupant has a vehicle entitlement are entitled to utilise the vehicle, subject to its availability, when:

- the use is approved by the CEO, and
- there is a financial contribution (via a salary deduction).

5.22 Vehicle Branding

The ISJO does not brand vehicles that have been negotiated for private use as part of an employee's employment package. All ISJO vehicles that have been negotiated for operational use will be branded with the ISJO's approved branding.

5.23 Number Plates

The ISJO will not fund personalised number plates.

5.24 Use of ISJO Vehicle outside core business hours

Where an employee is required to represent the ISJO in the course of performing duties aligned with their position description outside core business hours, the employee with the approval of their manager is permitted to use a vehicle to travel home that evening if they are attending work the following day. The employee must be representing the ISJO at a venue/place other than the ISJO's core business premises. Instances where this could apply are:

- early morning meeting (professional development days, seminars); and
- evening meetings (small township meetings, community forums)

5.25 Novated Lease

Novated leasing of a vehicle may be available to an employee entitled to a private use motor vehicle.

The ISJO cannot enter into a leasing agreement directly with the leasing company but it may agree to deduct payments from the employee's pay and forward those deductions to the appropriate account as specified in the leasing agreement.

The ISJO does not provide salary packaging financial advice and encourages staff considering the novated leasing option to seek independent financial advice.

5.26 Bikes including eBikes

The Bike Fleet is made available for work related travel. Bikes may also be used during breaks for short trips, to encourage physical activity and in order for users to become more familiar with the bikes.

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In some circumstances bikes may be booked overnight, but this must only take place for the purpose of familiarising a user with travel to and from work or for attending out of hours meetings.

All bike users must:

- Comply with all procedures and directions that are included in this policy or implemented by the ISJO
- Perform all relevant safety checks before beginning to cycle and immediately report any operational defects, faults or problems to the fleet manager in a timely manner
- Adhere to road rules. Bike riders are personally responsible for any breaches or offences committed
- Wear safety apparel as required by law (helmet) and covered in, closed-toe suitable footwear. The ISJO will provide helmets to Australian Safety Standards and lights
- Return bikes and accessories to place of pick up at the end of a booking period
- Secure bikes and accessories (including removal of lights where these are not fixed to the bike) when parking in public places
- Ensure that staff time efficiency is considered when using a bike rather than other forms of transport
- Ride only on roads, smooth tracks and trails, and
- Not misuse or wilfully damage equipment and facilities.

Use of an ISJO owned eBike on a public road by a person under eighteen (and who does not have a valid Driver's Licence) is forbidden.

Booking

Bike bookings can be made through the organisation's Vehicle Booking System. Helmets and other accessories will be kept on the bikes or in a location close to where the bikes are parked.

Training

Users should be competent in riding a bike and complete a signed self-assessment. Where users are not competent, bikes should not be utilised until training has been undertaken. This includes if not confident, or unfamiliar with riding on roads and in traffic.

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Schedule One: Remuneration Package Benefit

In certain circumstances the CEO may approve the provision of a motor vehicle / car allowance instead of an assigned motor vehicle.

Employers make a motor vehicle / car allowance payment to employees to enable the use of the employee's personal vehicle for work-related activities. The allowance is designed to cover the costs associated with the business use of a vehicle, such as fuel and maintenance. The allowance is calculated on a per-kilometre rate determined by the Australian Tax Office (ATO) or as a lump sum.

The ISJO will provide a motor vehicle / car allowance as a lump sum.

Car allowances provide flexibility for employees, allowing them to choose their own vehicle and potentially save on lease costs, while also being a taxable component of their income.

Per kilometre rate:

In 2024 the ATO set a specific cents per kilometre rate for such allowances. Employees need to maintain a log book and keep detailed records of their vehicle use as this information is necessary to claim a deduction on their taxes.

Taxation:

Employees receiving a motor vehicle / car allowance will have the allowance amount specified in their contract of employment / appointment letter / letter of contract amendment.

A motor vehicle / car allowance will be paid with your salary. It is considered a benefit by the ATO and is taxed on par with your regular income.

Employees in receipt of or seeking a motor vehicle / car allowance should seek independent tax advice relating to such allowances.

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