



DRAFT DETERMINATION

Fair Work Act 2009

s.157—variation of modern award

Expense-related allowances 2022

(AM2022/12)

REAL ESTATE INDUSTRY AWARD 2020

[MA000106]

Real estate industry

JUSTICE ROSS, PRESIDENT
VICE PRESIDENT CATANZARITI
COMMISSIONER HAMPTON

MELBOURNE, XX JUNE 2022

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 table appearing in clause 17.2(b)(iii) and inserting the following:

Engine capacity	Allowance	Rate \$
Up to 5 years old		
Up to and including 1600cc	Standing charge	93.25
Up to and including 1600cc	Per kilometre	0.15
Up to and including 1600cc	Lump sum	171.21
1601cc up to and including 2600cc	Standing charge	127.81
1601cc up to and including 2600cc	Per kilometre	0.18
1601cc up to and including 2600cc	Lump sum	220.14
Over 2600cc	Standing charge	132.98
Over 2600cc	Per kilometre	0.20
Over 2600cc	Lump sum	238.48

Engine capacity	Allowance	Rate \$
Over 5 years old		
Up to and including 1600cc	Standing charge	47.38
Up to and including 1600cc	Per kilometre	0.15
Up to and including 1600cc	Lump sum	128.41
1601cc up to and including 2600cc	Standing charge	70.94
1601cc up to and including 2600cc	Per kilometre	0.18
1601cc up to and including 2600cc	Lump sum	165.09
Over 2600cc	Standing charge	77.36
Over 2600cc	Per kilometre	0.22
Over 2600cc	Lump sum	195.67

2. By deleting the amount “\$0.80” appearing in clause 17.3(a) and inserting “\$0.91”.
3. By deleting the amount “\$0.27” appearing in clause 17.5(a) and inserting “\$0.31”.
4. By deleting the table appearing in clause C.1.1 and inserting the following:

Allowance	Clause	\$	Payable
Vehicle up to 5 years of age:	17.2(b)(iii)		
Up to and including 1600cc— Standing charge		93.25	per week
Up to and including 1600cc—Per kilometre		0.15	per km
Up to and including 1600cc— Lump sum		171.21	per week (if agreed on)
1601cc up to and including 2600cc—Standing charge		127.81	per week
1601cc up to and including 2600cc—Per kilometre		0.18	per km
1601cc up to and including 2600cc—Lump sum		220.14	per week (if agreed on)
Over 2600cc—Standing charge		132.98	per week
Over 2600cc—Per kilometre		0.20	per km
Over 2600cc—Lump sum		238.48	per week (if agreed on)
Vehicle over 5 years of age:	17.2(b)(iii)		

Allowance	Clause	\$	Payable
Up to and including 1600cc— Standing charge		47.38	per week
Up to and including 1600cc—Per kilometre		0.15	per km
Up to and including 1600cc— Lump sum		128.41	per week (if agreed on)
1601cc up to and including 2600cc—Standing charge		70.94	per week
1601cc up to and including 2600cc—Per kilometre		0.18	per km
1601cc up to and including 2600cc—Lump sum		165.09	per week (if agreed on)
Over 2600cc—Standing charge		77.36	per week
Over 2600cc—Per kilometre		0.22	per km
Over 2600cc—Lump sum		195.67	per week (if agreed on)
Vehicle allowance (alternative)—to a maximum of 400 kilometres per week	17.3(a)	0.91	per km
Motor cycle allowance—to a maximum of 400 kilometres per week	17.5(a)	0.31	per km
Mobile telephone allowance— maximum phone plan payable	17.7(a)(i)	100.00	per month (reimbursement see clause 17.7(a)(ii))

B. This determination comes into operation on 1 July 2022. 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 2022.

PRESIDENT