



ATTORNEY-GENERAL AND MINISTER FOR INDUSTRIAL RELATIONS

DIRECTIVE No. 16/10
September 2010

- 1. TITLE:** **International Travelling, Relieving and Living Expenses**
- 2. PURPOSE:** To provide as necessary for alternative remuneration arrangements and payment of other expenses to employees who are posted or otherwise engaged to work or travel in an overseas location.
- 3. LEGISLATIVE PROVISION:** Sections 54(1), 121, 122, and 52(3) of the *Public Service Act 2008*. Sections 686 and 687 of the *Industrial Relations Act 1999*.
- 4. APPLICATION:**

This directive applies to –

 - public service officers; and
 - temporary employees engaged under section 148(2)(a) of the *Public Service Act 2008*.

This directive does not apply to –

 - general employees engaged under section 147(2)(a) of the *Public Service Act 2008*; and
 - employees engaged on a casual basis under sections 147(2)(b) and 148(2)(b) of the *Public Service Act 2008*.
- 5. STANDARD:** The conditions prescribed in the Schedules apply.
- 6. EFFECTIVE DATE:** This directive is to operate from **1 September 2010**.
- 7. VARIATION:** The provisions in this directive may be varied in accordance with certified agreements made under Chapter 6, Part 1 of the *Industrial Relations Act 1999* or decisions of an industrial tribunal of competent jurisdiction.
- 8. INCONSISTENCY:** Sections 51 and 52 of the *Public Service Act 2008* and section 687 of the *Industrial Relations Act 1999* apply if there is a conflict with an act, regulation or industrial instrument.
- 9. SUPERSEDES:** Directive 10/09: “*International Travelling, Relieving and Living Expenses*”
- 10. PREVIOUS REFERENCES:**

Directive 10/08: “*International Travelling, Relieving and Living Expenses*”.

Directive 08/07: “*International Travelling, Relieving and Living Expenses*”

Directive 11/06: “*International Travelling, Relieving and Living Expenses*”.

Directive 9/05: “*International Travelling, Relieving and Living Expenses*”

Directive 03/04: “*Travelling and Relieving Expenses*” – Schedule B

Directive 01/02: “*Travelling and Relieving Expenses*”

Directive 3/00: “*Travelling and Relieving Expenses*”

Directive 17/99: “*Travelling and Relieving Allowances*”

Directive 11/97: “*Travelling and Relieving Allowances*”

Sections 63 and 66 of the *Public Service Management and Employment Regulation 1988*

Determination No. 10

Circular letters 2/90, 7/90, 6/91, 2/92
Administrative Instruction Nos 1 | 10, 1 | 94.

Superseded

SCHEDULE A

TRAVELLING OR RELIEVING OVERSEAS

GENERAL CONDITIONS

1. Entitlement

1.1 A public service officer or temporary employee engaged under section 148(2)(a) of the *Public Service Act 2008* (referred to as “employee” in this directive) required to travel overseas on official duty shall be paid an overseas travelling allowance for accommodation, meals, equipment and incidental expenses as provided in Schedule C.

2. Documentary evidence

2.1 Before expenses may be paid the employee is to produce documentary evidence as required by the chief executive. This evidence includes:

- receipts;
- itemised statements;
- certification, etc.

3. Travel diary

3.1 An employee travelling overseas is to maintain a daily diary of arrival and departure times, places visited, expenses, exchange rates (where available), etc. This is to be presented when submitting a claim for expenses.

4. Discretion to refuse unreasonable expenses

4.1 The chief executive has discretion to refuse or reduce any claim for expenses considered unreasonable.

5. Other administrative requirements

5.1 All employees undertaking travelling or relieving overseas should be aware of the government and departmental administrative requirements that apply to overseas travel approved for official purposes.

6. Time limit on claim

6.1 Without the approval of the chief executive a claim will not be paid unless it is submitted within 12 months of –

- the date of completion of the work; or
- the incurring of the expense; or
- the conclusion of the circumstances leading to the claim.

7. Payments from third parties

7.1 Where an employee receives a payment (e.g. cash, cheque, electronic funds transfer) for overseas travel directly from a third party (e.g. external funding body) the employee will remit that money into their department and may claim the appropriate entitlements under this directive.

This clause does not apply to a payment by a third party directly to a service provider in connection with an employee’s overseas travel (e.g. airfare, accommodation, meals).

SCHEDULE B

LIVING OVERSEAS

GENERAL CONDITIONS

1. Entitlement

1.1 A public service officer or temporary employee engaged under section 148(2)(a) of the *Public Service Act 2008* (referred to as “employee” in this directive) is entitled to be remunerated and compensated for reasonable expenses incurred while posted or otherwise engaged to work in an overseas location in accordance with:

- Schedule C of this directive; or
- where agreed between the employee and the chief executive, alternative remuneration and other expenses arrangements in an approved employment contract in accordance with section 122 of the *Public Service Act 2008*.¹

1.2 An employee’s overall employment conditions under a section 122 contract must not, on balance, be less than those conditions as contained in Schedule C. Conditions relating to section 122 contracts are as specified in Schedule D.

2. Short-term postings or engagements, and approved study, research or interchange programs

2.1 In connection with a short-term overseas posting or engagement, or an approved study, research or interchange program, it is at the discretion of the chief executive to determine whether an employee is to be –

- offered an approved employment contract in accordance with section 122 of the *Public Service Act 2008*; or
- remunerated and compensated for expenses in accordance with Schedule C of this directive.

3. Long-term postings or engagements (excluding approved study, research or interchange programs)

3.1 An employee who is posted or otherwise engaged to work in an overseas location for an extended period or long-term is to be offered an approved employment contract in accordance with section 122 of the *Public Service Act 2008*. Conditions relating to section 122 contracts are specified in Schedule D.

4. Definitions

4.1 “Long-term/extended period” is a period defined by the chief executive, but is not less than four weeks.

4.2 “Short-term period” is a period other than a “long-term/extended period”.

5. Other administrative requirements

5.1 All employees posted or otherwise engaged to work in an overseas location should be aware of the government and departmental administrative requirements that apply to overseas travel approved for official purposes.

6. Payments from third parties

6.1 Except as may be provided for in a section 122 contract, where an employee receives a payment (e.g. cash, cheque, electronic funds transfer) for overseas travel directly from a third party (e.g. external funding body) the employee will remit that money into their department and may claim the appropriate entitlements under this directive.

This clause does not apply to a payment by a third party directly to a service provider in connection with an employee’s overseas travel (e.g. airfare, accommodation, meals).

¹ Section 122 contracts for employees whose remuneration is lower than the remuneration payable to a senior executive are administered by the Department of Justice and Attorney-General. See also Directive relating to engaging officers on fixed term contracts of employment.

SCHEDULE C

ALLOWANCES FOR OVERSEAS TRAVELLING AND RELIEVING

CATEGORY AND CONDITIONS OF APPROVAL	ENTITLEMENTS
<p>1. PREPARATORY EXPENSES</p> <p>An employee may be refunded certain expenses incurred in preparation of the overseas visit.</p>	<p>The chief executive may approve the payment of expenses incurred before departure that are related to the overseas visit such as overseas telephone calls made from the employee's private residence to arrange itineraries, meetings, contacts, accommodation, etc. which are not possible to be made during working hours because of different time zones; and necessary inoculations and vaccinations.</p>
<p>2. OVERSEAS TRAVELLING EXPENSES AND ALLOWANCES</p> <p>(a) Actual and necessary expenses</p> <p>As a guide, the following expenses may be considered for payment –</p> <ul style="list-style-type: none"> • Fares and car hire; • Accommodation expenses but only bed, breakfast, lunch and dinner; • Tips, portage and laundry; • Official telephone calls, cables, facsimiles and postage; • Reciprocal entertainment; • Passport and visa costs; • Airport exit and entry taxes; • Any other necessary expenses considered reasonable by the chief executive. <p>(b) Equipment allowances</p> <p>The level of equipment allowance will depend primarily upon the seasonal and climatic conditions likely to be encountered at the time of the overseas visit. Overseas visits will fall into the following four categories as determined by the chief executive –</p> <p>(i) where the climatic conditions to be met are substantially the same as those in Queensland</p> <p>(ii) where tropical climatic conditions are to be met</p>	<p>Actual and necessary expenses approved by the chief executive.</p> <p>A basic equipment allowance of \$A276 towards the cost of travel equipment, purchase of other items necessary for the visit and extra wear and tear on the employee's possessions. The basic equipment allowance is not to be paid more than twice in any three-year period.</p> <p>The basic equipment allowance of \$A276 as in (b)(i) above; PLUS An additional equipment allowance of \$A208 towards the purchase of tropical clothing and the extra wear and tear which can be expected to arise. This additional equipment allowance is not to be paid more than once in any three-year period.</p>

CATEGORY AND CONDITIONS OF APPROVAL	ENTITLEMENTS														
<p>(iii) where winter climatic conditions (i.e. more severe than in Queensland) are to be met</p> <p>(iv) where the employee is likely to encounter extreme cold or is visiting a remote tropical locality</p>	<p>The basic equipment allowance of \$A276 as in (b)(i) above; PLUS An additional equipment allowance of \$A276 towards the purchase of necessary heavy clothing. This additional equipment allowance is not to be paid more than once in any three-year period.</p> <p>As in (b)(ii) or (b)(iii) above where applicable.</p>														
<p>The chief executive, if satisfied that these allowances are inadequate having regard to the severity of conditions and the duration of the visit, may approve of an additional amount to cover the purchase of special items of clothing or equipment.</p> <p>The payment of such additional amount is subject to the employee furnishing satisfactory documentary evidence of the additional costs involved.</p>															
<p>Note: An employee travelling to a number of countries, who is likely to encounter extreme variations of climate, would only be entitled to one basic equipment allowance in addition to the applicable additional equipment allowances for the visit.</p>															
<p>(c) Daily personal allowance</p> <p>A daily personal allowance to cover incidental expenses of the following nature –</p> <ul style="list-style-type: none"> • newspapers, magazines; • snacks including coffee, tea or drinks, etc; • private telephone calls; • personal items necessary for the visit. 	<p>See table of countries for relevant cost group.</p> <table border="1" data-bbox="927 1391 1305 1641"> <thead> <tr> <th>Cost Group</th> <th>Daily personal allowance</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>\$25.00</td> </tr> <tr> <td>2</td> <td>\$30.00</td> </tr> <tr> <td>3</td> <td>\$35.00</td> </tr> <tr> <td>4</td> <td>\$35.00</td> </tr> <tr> <td>5</td> <td>\$40.00</td> </tr> <tr> <td>6</td> <td>\$45.00</td> </tr> </tbody> </table> <p>Cost group 1 is used for any country not specified in the following table of countries.</p>	Cost Group	Daily personal allowance	1	\$25.00	2	\$30.00	3	\$35.00	4	\$35.00	5	\$40.00	6	\$45.00
Cost Group	Daily personal allowance														
1	\$25.00														
2	\$30.00														
3	\$35.00														
4	\$35.00														
5	\$40.00														
6	\$45.00														

TABLE OF COUNTRIES

Country	Cost Group	Country	Cost Group	Country	Cost Group	Country	Cost Group
Albania	2	Eritrea	2	Malaysia	2	Slovakia	4
Algeria	3	Estonia	3	Mali	3	Slovenia	3
Angola	6	Ethiopia	1	Malta	4	Solomon Islands	2
Antigua and Barbuda	4	Fiji	2	Mauritius	3	South Africa	2
Argentina	2	Finland	5	Mexico	2	Spain	4
Austria	4	France	5	Monaco	6	Sri Lanka	2
Azerbaijan	4	Gabon	5	Morocco	3	Sudan	3
Bahamas	5	Gambia	2	Mozambique	2	Surinam	3
Bahrain	3	Georgia	2	Myanmar	3	Sweden	5
Bangladesh	3	Germany	4	Namibia	2	Switzerland	5
Barbados	5	Ghana	3	Nepal	2	Syria	3
Belgium	4	Gibraltar	3	Netherlands	4	Taiwan	3
Bermuda	5	Greece	4	New Caledonia	5	Tanzania	2
Bolivia	1	Guatemala	3	New Zealand	3	Thailand	3
Bosnia	2	Guyana	2	Nicaragua	2	Tonga	2
Brazil	5	Hungary	3	Nigeria	4	Trinidad and Tobago	5
Brunei	2	Iceland	4	Norway	6	Tunisia	2
Bulgaria	3	India	3	Oman	5	Turkey	4
Burkina Faso	3	Indonesia	3	Pakistan	2	Uganda	2
Cambodia	2	Iran	2	Panama	3	Ukraine	3
Cameroon	3	Irish Republic	5	Papua New Guinea	3	United Arab Emirates	5
Canada	4	Israel	4	Paraguay	1	United Kingdom	5
Chile	2	Italy	4	Peru	3	United States of America	4
China (incl Hong Kong and Macau)	4	Jamaica	2	Philippines	3	Uruguay	2
Colombia	3	Japan	5	Poland	3	Vanuatu	4
Congo Democratic Rep.	3			Portugal	4	Venezuela	4
Cook Islands	4	Jordan	4	Puerto Rico	3	Vietnam	2
Costa Rica	2	Kazakhstan	3	Qatar	4	Zambia	3
Cote D'Ivoire	4	Kenya	3	Romania	3		
Croatia	3	Korea Republic	5	Russia	6		
Cuba	3	Kuwait	4	Rwanda	3		
Cyprus	4	Laos	2	Saint Lucia	3		
Czech Republic	4	Latvia	4	Saint Vincent	2		
Denmark	6	Lebanon	3	Samoa	3		
Dominican Rep.	3	Libya	3	Saudi Arabia	2		
East Timor	2	Lithuania	3	Senegal	3		
Ecuador	2	Luxembourg	4	Serbia	2		
Egypt	3	Macedonia	2	Sierra Leone	3		
El Salvador	2	Malawi	2	Singapore	4		

SCHEDULE D

LIVING OVERSEAS

SECTION 122 CONTRACTS

Where it is prescribed by this directive that a section 122 contract is to, or may be, entered into, such contract or agreement must comply with the following provisions:

1. Employment status on completion of a statutory employment contract

1.1 A person who was a tenured public service officer prior to entering into a statutory employment contract for the purposes of posting or engagement to work in an overseas location is to revert to their former tenured basis of employment on completion of their statutory employment contract. This includes as a minimum, undertaking duties consistent with their pre-employment contract and substantive classification level in the same location.

2. Approval of contracts and agreements

2.1 Section 122 contracts are to be approved in accordance with the requirements of the *Public Service Act 2008* and the directive relating to engaging officers on fixed term contracts of employment.

3. Remuneration and compensation for other reasonable expenses

3.1 The chief executive is responsible for ensuring remuneration and compensation for other reasonable expenses agreed to as part of an approved engagement or employment contract or long-term posting are directed towards ensuring the effective, efficient, economical and appropriate use of public resources and that ongoing budgetary provision is available.

3.2 In determining necessary and reasonable remuneration and compensation for other expenses to be offered to an employee via a statutory employment contract the chief executive may take into account:

- accommodation (from which an employee contribution for rent/utilities may be deducted);
- passport and visa costs;
- medical costs related to travelling overseas (e.g. pre-departure vaccinations);
- assistance with health services in the overseas country;
- insurance;
- the cost of living in the overseas destination including the impact of the exchange rate on salary payments;
- education assistance;
- relocation or removal assistance;
- travel including for accompanying spouse and family and reunion visits;
- clothing for extreme climatic conditions; and
- other necessary and reasonable expenses.