



DRAFT DETERMINATION

Fair Work Act 2009

s 157—variation of modern award

Expense-related allowances 2023

(AM2023/12)

REAL ESTATE INDUSTRY AWARD 2020

[MA000106]

Real estate industry

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 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	97.31
Up to and including 1600cc	Per kilometre	0.16
Up to and including 1600cc	Lump sum	178.67
1601cc up to and including 2600cc	Standing charge	133.38
1601cc up to and including 2600cc	Per kilometre	0.19
1601cc up to and including 2600cc	Lump sum	229.73
Over 2600cc	Standing charge	138.78
Over 2600cc	Per kilometre	0.21
Over 2600cc	Lump sum	248.87

Engine capacity	Allowance	Rate \$
Over 5 years old		
Up to and including 1600cc	Standing charge	49.45
Up to and including 1600cc	Per kilometre	0.16
Up to and including 1600cc	Lump sum	134.01
1601cc up to and including 2600cc	Standing charge	74.03
1601cc up to and including 2600cc	Per kilometre	0.19
1601cc up to and including 2600cc	Lump sum	172.29
Over 2600cc	Standing charge	80.73
Over 2600cc	Per kilometre	0.23
Over 2600cc	Lump sum	204.20

2. By deleting the amount "\$0.91" appearing in clause 17.3(a) and inserting "\$0.95".
3. By deleting the amount "\$0.31" appearing in clause 17.5(a) and inserting "\$0.32".
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		97.31	per week
Up to and including 1600cc—Per kilometre		0.16	per km
Up to and including 1600cc— Lump sum		178.67	per week (if agreed on)
1601cc up to and including 2600cc—Standing charge		133.38	per week
1601cc up to and including 2600cc—Per kilometre		0.19	per km
1601cc up to and including 2600cc—Lump sum		229.73	per week (if agreed on)
Over 2600cc—Standing charge		138.78	per week
Over 2600cc—Per kilometre		0.21	per km
Over 2600cc—Lump sum		248.87	per week (if agreed on)

Allowance	Clause	\$	Payable
Vehicle over 5 years of age:	17.2(b)(iii)		
Up to and including 1600cc— Standing charge		49.45	per week
Up to and including 1600cc—Per kilometre		0.16	per km
Up to and including 1600cc— Lump sum		134.01	per week (if agreed on)
1601cc up to and including 2600cc—Standing charge		74.03	per week
1601cc up to and including 2600cc—Per kilometre		0.19	per km
1601cc up to and including 2600cc—Lump sum		172.29	per week (if agreed on)
Over 2600cc—Standing charge		80.73	per week
Over 2600cc—Per kilometre		0.23	per km
Over 2600cc—Lump sum		204.20	per week (if agreed on)
Vehicle allowance (alternative)—to a maximum of 400 kilometres per week	17.3(a)	0.95	per km
Motor cycle allowance—to a maximum of 400 kilometres per week	17.5(a)	0.32	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 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