

ATTORNEY-GENERAL AND MINISTER FOR INDUSTRIAL RELATIONS

- 1. TITLE:** **Transfer and Appointment Expenses**
- 2. PURPOSE:** To provide for the payment or reimbursement of expenses and other matters associated with:
 - the transfer of an officer from one centre to another;
 - the appointment of an officer to the Queensland Public Service;
 - the engagement in employment in the Queensland Public Service of a temporary employee.
- 3. LEGISLATIVE PROVISION:** Section 54(1) of the *Public Service Act 2008*.
- 4. APPLICATION:** The directive applies to:
 - public service officers; and
 - temporary employees engaged under section 148(2)(a) of the *Public Service Act 2008*.

The directive does not apply to:

 - general employees engaged under section 147(2)(a) of the *Public Service Act 2008*; or
 - 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 and entitlements prescribed in the schedules apply.
- 6. EFFECTIVE DATE:** This directive is effective from **1 September 2009**.
- 7. VARIATION:** The provisions in the schedules 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 this directive conflicts with an act, regulation or industrial instrument.
- 9. SUPERSEDES:** Directive No. 11/08 "*Transfer and Appointment Expenses*".
- 10. PREVIOUS REFERENCES:**
 - Directive No. 9/07 "*Transfer and Appointment Expenses*"
 - Directive No. 12/06 "*Transfer and Appointment Expenses*"
 - Directive No. 12/05 "*Transfer and Appointment Expenses*"
 - Directive No. 8/00 "*Transfer and Appointment Expenses*"
 - Directive No. 16/99 "*Transfer and Appointment Expenses*"
 - Directive No. 9/97 "*Transfer and Appointment Expenses*"
 - Sections 63 and 64 of the *Public Service Management and Employment Regulation 1988* as in force on 24 February 1995
 - Determination No. 9
 - Circulars 2/93, 2/92, 6/91, 1/91
 - Administrative Instruction Nos. 1 | 15, 1 | 89.

SCHEDULE A

TRANSFER EXPENSES

1. Principal Objective

The principal objective of this directive is to ensure that an employee covered by the directive who is required by his or her department to transfer from one centre to another to carry out his or her duties is assisted with costs necessarily incurred by the employee because of the transfer.

2. Definitions

In this schedule:

“**centre**” means a location to which an employee has been appointed or transferred.

“**employee**” means a person to whom this directive applies according to the application clause.

“**family**” means a spouse, a dependent child or other dependent member of the employee’s family residing with the employee at the time of transfer.

“**former centre**” in relation to paragraphs 28, 29 and 30 may be any former centre, not necessarily the centre from which the most recent transfer has taken place.

“**spouse**” has the same meaning as in the *Industrial Relations Act 1999*. An employee’s spouse must be residing with the employee at the time of the transfer for the employee to receive any of the entitlements within this directive that relate to a spouse.

3. Eligibility

An employee is eligible for the benefits provided in this directive when all of the following conditions have been met:

- the employee has been transferred or promoted from one position to another other than in circumstances covered by the directive dealing with travelling and relieving allowances;
- because of the transfer or promotion the employee has been obliged to transfer to a work place in a different location;
- the change of location is such as to satisfy the employee’s chief executive that it would be impractical for the employee to continue to reside at the former location and unreasonable to require him or her to do so.

A transfer within the same city or town area does not attract an entitlement in this directive.

4. Entitlement

An employee transferred from one centre to another is to be allowed reasonable transfer expenses as provided in this schedule for the following purposes:

- to convey the employee and the employee’s family and effects to the centre to which the employee is transferred;
- to obtain temporary board and lodging; and
- to meet other items of expenditure related to taking up duty.

It is the responsibility of the employee in determining any taxation implications relating to payment of any allowances provided for in this directive.

Transfer expenses, for a registered deployee who is deployed and relocates as part of the deployment process, will be met by the deployee’s releasing department. Transfer expenses for a registered redeployee who is subsequently deployed into a position at their substantive level will be met by the appointing department.

5. Documentary Evidence

An employee must provide documentary evidence of an expense before reimbursement of an expense or payment of an allowance may be authorised. Such evidence might include (but is not limited to) receipts, invoices, including tax invoices, itemised statements, quotes, declarations or certification. The documentary evidence must be such as to satisfy the chief executive of the validity of the employee’s claim.

6. Expenses Not Allowed

Except with the approval of the chief executive, an employee is not entitled to expenses in the following circumstances:

- the transfer has been sought by the employee on compassionate grounds;
- the transfer has arisen as a direct result of disciplinary action taken against the employee in accordance with section 188 of the *Public Service Act 2008*, if the non-allowance of transfer expenses was included in the terms of the discipline imposed;
- the transfer is the result of a request by two employees who have agreed to an exchange of positions; or
- the employee has requested the transfer on health grounds, but has not provided a supporting medical certificate before approval of the transfer.

7. Time Limit on Claim

Unless the chief executive is satisfied that the circumstances warrant otherwise, a claim may be paid only if it is submitted within 12 months of the later of the following occurrences:

- the incurring of the expense;
- the conclusion of the events leading to the claim.

8. Paid Time Off Work

An employee may be granted paid time off work necessary to attend to matters associated with the transfer as follows:

Purpose of time off	Paid time off
To complete arrangements at the former centre	Up to 2 working days
To complete arrangements at the new centre	Up to 2 working days
To travel from one centre to the other by rail	Time necessary for the journey
To travel from one centre to the other by private motor vehicle by the most direct practicable route	1 working day for each 500 km of road travel or part thereof (eg, a journey of 700 km would attract 2 days; a journey of 300 km would attract 1 day)
Where employee packs his or her own household and personal effects (see under <i>Transport of Furniture and Effects</i> below)	1 working day

9. Travel Expenses

An employee is entitled to fares or reimbursement of the cost of travel as follows:

Mode of travel	Conditions
Rail	First class fare for employee and family, including sleeper where necessary
Private motor vehicle	An allowance per kilometre for each of up to two vehicles using the most direct practicable route, the allowance being the rate prescribed from time to time in the directive dealing with motor vehicle allowances under the heading <i>Employees Who Choose to Use Their Private Motor Vehicles</i>
Air	Economy class airfares for employee and family, where circumstances or costs make air travel more desirable than other forms of transport
Other travel arrangements	Where a chief executive determines that an alternative travel arrangement provides greater efficiency, the fares or relevant costs in respect of employee and family

10. Overnight Accommodation and Meals in Transit

An employee is entitled to payment for accommodation and meals that might be necessary while in transit from one centre to the other. If travelling by private motor vehicle, one overnight stay for each completed 500 km or part thereof is considered reasonable. A motor vehicle trip of less than 500 km would not attract any entitlement for accommodation at the new centre (meals and accommodation at a new centre are treated under the provisions for temporary board and lodging). Payment or reimbursement would be on the following basis:

Accommodation

Type of accommodation	Conditions
Hotel, motel, registered hostel, boarding house, bed and breakfast or other commercial provider of board and lodging or caravan park	All reasonable and necessary expenses for the employee and family
Relatives or friends	Up to \$21.10 a night for the employee and for each accompanying member of the employee's family 12 years of age or more; up to \$10.55 a night for each member of the employee's family under 12 years of age

Meals

Circumstances	Conditions
General rule	<ul style="list-style-type: none"> Actual and reasonable expenses for employee and each accompanying family member up to a maximum for each person of the meal allowances for "other country centres" contained from time to time in the directive dealing with travelling and relieving expenses for 3 meals a day Meals at a new centre are treated under the provisions for temporary board and lodging
Employee travelling by private motor vehicle	<ul style="list-style-type: none"> As in the general rule above - expenses for meals on the basis of one meal for each 166 kilometres of completed travel to a maximum of three meals a day
Employee staying overnight with relatives or friends	No separate meal allowance payable while staying with relatives or friends – meals with relatives and friends included in accommodation component. However, while actually travelling the general rule above applies.

11. Multiple Journeys in Private Motor Vehicles

An employee is entitled to payment or reimbursement of the cost of accommodation and meals for a single journey from the former centre to the new centre by each member of the employee's family. Where an employee chooses to drive (or to have driven by a family member) 2 private motor vehicles (see below), the employee is not entitled to payment of expenses for more than one journey for each family member (including the employee), even where the arrangement might necessitate more than one journey by the employee or family member.

12. Temporary Board and Lodging

An employee is entitled to relief for the cost of temporary accommodation, and for meals while in such accommodation, in the following circumstances:

- While waiting to begin the journey from one centre to the other;
- While waiting to secure permanent accommodation at the new centre.

The entitlement is limited to a period of 2 months for an employee without dependants and to 4 months for an employee accompanied by family. The chief executive may extend these periods where an employee taking all reasonable steps is unable to secure permanent accommodation within these times.

The entitlement is limited to reasonable and actual expenses with the following conditions:

Type of accommodation	Accommodation expenses	Extra for meal expenses
Hotel, motel or registered hostel, boarding house, bed and breakfast or other commercial provider of board and lodging	<p>Employee accompanied by family</p> <ul style="list-style-type: none"> For the first 2 months - ¾ of reasonable actual expenses For the second 2 months (and any subsequent period approved in special circumstances) - ½ of reasonable actual expenses 	½ of the actual reasonable expenses during the approved period (see note below)
Hotel, motel or registered hostel, boarding house, bed and breakfast or other commercial provider of board and lodging	<p>Employee unaccompanied by family</p> <ul style="list-style-type: none"> For the first month - ¾ of reasonable actual expenses For the second month (and any subsequent period approved in special circumstances) - ½ of reasonable actual expenses 	½ of the actual reasonable expenses during the approved period (see note below)
<p><i>Note: The entitlement for meals provided at hotels, motels or registered hostels, boarding houses, bed and breakfasts or other commercial providers of board and lodging is to be limited to actual and reasonable costs. Refunds should not exceed the applicable portion for each person of the meal allowances for "other country centres" contained from time to time in the directive dealing with travelling and relieving expenses. Where the necessary and properly incurred costs of the purchase of meals exceed these amounts an employee may apply to the chief executive as a special case for reimbursement of the greater amounts.</i></p>		
House, flat, cabin or unit with cooking facilities, caravan or caravan site	<p>Employee accompanied by family</p> <ul style="list-style-type: none"> For first 2 months - ¾ of rental. For the next 2 months (and any subsequent period approved in special circumstances) - ½ of rental <p>Employee unaccompanied by family</p> <ul style="list-style-type: none"> For first month - ¾ of rental. For second month (and any subsequent period approved in special circumstances) - ½ of rental 	Nil
Relatives or friends	<p>Refund of actual costs with maximum as follows:</p> <p>Employee accompanied by family</p> <ul style="list-style-type: none"> For first 2 months - \$15.80 a night for the employee and for each accompanying member of the employee's family 12 years of age or more; \$7.90 for each member of the employee's family under 12 years of age For the next 2 months (and any subsequent period approved in special circumstances) - \$10.55 a night for the employee and for each accompanying member of the employee's family 12 years of age or more; \$5.30 a night for each member of the employee's family under 12 years of age <p>Employee unaccompanied by family</p> <ul style="list-style-type: none"> For first month - \$15.80 a night For the second month (and any subsequent period approved in special circumstances) - \$10.55 a night 	Nil

13. Special Circumstances

Chief executives may modify the arrangements for the refund of expenses associated with travel, accommodation and meals in transit and temporary board and lodging at a new centre where circumstances make this desirable. For example, an employee with school age children, who is transferred mid-year, might choose to leave the children with his or her spouse or under another arrangement at the former centre until the close of the school year. In such a situation, it would be reasonable for the chief executive and the employee to negotiate suitable modifications to the arrangements.

14. Cash Advances

- **Meals and accommodation in transit**
The chief executive may authorise a cash advance to an employee for the whole of the expected cost of accommodation and meals in transit for the employee and family.
- **Temporary board and lodging at new centre**
An employee may be granted an advance to assist with board and lodging expenses incurred while waiting to secure permanent accommodation. Advances should be made on a fortnightly basis up to the allowable period of temporary accommodation. They should not exceed the estimated entitlement of the employee.
- **General Requirements**
Before receiving an advance an employee must give an undertaking in writing to refund any portion of an advance for which the employee would not be eligible. An advance is to be acquitted and adjusted on completion of the journey.

15. Transport of Furniture and Effects

An employee is entitled to payment of the cost of removal of household and personal effects from one centre to another by means of transport authorised by the chief executive.

16. Limit on Quantity of Effects

Generally, this entitlement is limited to 8 tonnes or 50 cubic metres per employee. However, where the chief executive considers that special circumstances warrant the chief executive may authorise the removal of a greater quantity, as he or she considers reasonable.

17. Professional Library and Equipment

In addition to the general entitlement, where a chief executive determines it appropriate for an employee or class of employees to which the employee belongs, the employee is entitled to the removal of up to 254 kg or 1.15 cubic metres for the purpose of removing a professional library or professional equipment.

18. Cost of Packing

The entitlement includes the cost of packing by an approved carrier. Where an employee chooses to pack his or her own effects or is compelled to do so because professional packers are not available, the following conditions apply:

Circumstances	Entitlement
Employee does the packing during normal working hours	<ul style="list-style-type: none">• Time off in accordance with section 8 above and• The cost of packing materials
Employee does the packing in his or her own time	<ul style="list-style-type: none">• An allowance of \$132 and• The cost of packing materials

No allowance is payable where a contract is let for the packing and removal, even if the employee does some of the packing.

19. Insurance

Household and personal effects must be insured to cover loss or damage in transit or storage. Insurance coverage is to be effective from the time they leave the employee's residence until they are delivered to their destination at the new centre. This provision does not apply to motor vehicles and other items covered in Section 23 below.

20. Storage of Effects

An employee is entitled to the cost of storage of effects while securing permanent accommodation for up to 6 months. This includes the cost of any necessary cartage to and from store, unloading, receiving, listing, stowage, unstowage and insurance. The amount of insurance coverage paid for is not to exceed the coverage obtained during transit.

21. Maximum Insurance Liability

An agency transferring an employee is to meet the cost of insuring household and personal effects up to the following amounts:

Circumstances	Limit
Where an employee's effects are not already covered by a householder's insurance policy	The actual value of the goods not exceeding \$25,000 in total
Where an employee's effects are already covered by a householder's insurance policy	To the value stated in the policy, with a maximum of \$60,000

The employee is responsible for ensuring appropriate insurance coverage and payment of any additional premium if these amounts provide insufficient coverage.

22. Accelerated Depreciation of Furniture and Effects

An employee is to be paid accelerated depreciation for household and personal effects removed on transfer. The amount is to be based on a realistic valuation of the effects removed. As a general rule, this would be the insured value of the effects. Accelerated depreciation is calculated as follows:

Value of Effects	Rate of Allowance	Maximum Allowance
Up to \$25,000	3% of declared value	\$750
More than \$25,000 and up to \$40,000	3% on the first \$25,000; 2% on the balance	\$1,050
More than \$40,000 and up to \$60,000	3% on the first \$25,000; 2% on the next \$15,000; 1.5% on the balance	\$1,350

23. Compensation instead of Removal

An employee may choose to sell or otherwise dispose of his or her furniture and effects instead of having them removed to the new centre. In such cases the employee may be paid an amount. Where an employee does this, he or she may be compensated for any loss considered by the chief executive to be fair and reasonable, provided it does not exceed the amount that would have been payable for removal and associated expenses described above.

24. Transport of Private Motor Vehicles, etc

To qualify under this provision, a motor vehicle or other item must be in lawfully functional condition and, unless not required by law (eg, some smaller motorcycles and boats), must be registered at the time of transfer. This requirement may be relaxed if a chief executive is satisfied that where an employee's private motor vehicle is not in lawfully functional condition the employee nonetheless has good reason to take the motor vehicle to the new centre (eg, where an employee is in the process of making roadworthy or restoring an unregistered car).

Employees are entitled to be paid the cost of removing their private motor vehicles, boats, etc to a new centre. This includes all necessary handling costs for loading and unloading each approved item and, with respect to a private motor vehicle, a vehicle allowance under Section 9 to the nearest loading or unloading point by the most direct practicable route.

The entitlement covers one private motor vehicle and any three of the following:

- second private motor vehicle
- motor cycle
- boat and trailer unit
- caravan
- domestic trailer

25. Insurance

Premiums for insurance cover of motor vehicles etc in transit are to be borne by the employee.

26. Vehicles Driven to the New Centre

Where the employee or a member of the employee's family drives the employee's vehicle to the new centre (with reimbursement of a vehicle allowance under Section 9), the entitlement is limited to three other items from the list. Where the employee or members of the employee's family drive two of the employee's vehicles to the new centre (with reimbursement of a vehicle allowance under Section 9) the entitlement is limited to two other items from the list.

27. Transport of Pets and Plants

An employee is entitled to be paid for the expense of relocating domestic pets or plants in pots or boxes. The entitlement includes actual and reasonable freight charges, cost of pet accommodation in transit and at the destination and cost of special carrying boxes etc. The maximum amount payable for each employee with respect to a single transfer is \$263.

28. Expenses Associated with Sale and Purchase of Home or Land

An employee is entitled to the payment of expenses associated with the sale or purchase of residence or land on transfer from one centre to another under the conditions specified below. The conditions cover four possible alternative situations, namely:

- The employee sells a principal residence at a former centre and buys a residence to occupy at a new centre;
- The employee sells land at a former centre and buys land at a new centre with the intention of building a principal residence on it;
- The employee sells land at a former centre and buys a residence to occupy at a new centre;
- The employee sells a principal residence at a former centre and buys land at a new centre with the intention of building a principal residence on it.

29. Conditions to Qualify for Payment

- (a) The employee must have sold his or her principal residence or land at a former centre after the notification of the transfer from that centre but within two years of arriving at a new centre where a house or land is purchased.
- (b) The employee must have purchased and occupied the residence at the new centre within two years of arrival.
- (c) The employee must have signed a contract to erect a principal residence on that land within two years of arrival at that centre.
- (d) Where the employee can satisfy the chief executive that in spite of having taken all reasonable steps to do so, he or she has been unable to sell the residence or land at a former centre as specified in (a), (b) or (c), the chief executive may extend the 2-year limit.
- (e) An employee transferred back to a former centre may be refunded expenses for the sale and purchase of a residence or land at that centre, provided the sale of the residence or land took place before the date of the current transfer.
- (f) The principal residence at a former centre may be tenanted while the employee occupies official or rented accommodation as a result of subsequent transfers. In such cases, the two-year rule specified in (a), (b) or (c) may be relaxed to accommodate the circumstances.
- (g) The residence purchased or erected at the new centre must not have been tenanted between purchase and occupancy.

30. Expenses to be paid

Item	Conditions of Payment
Duties on transactions	<ul style="list-style-type: none"> • Transfer duty paid to the Office of State Revenue on a transfer for the purchase of the property • Mortgage duty paid to the Office of State Revenue for new mortgage of the new property
Land Registry fees (regulated fees)	Lodgement fees paid to the Queensland Resource Registry (Titles Office) for: <ul style="list-style-type: none"> • release of mortgage on the sale of a property • transfer for the purchase of a property • new mortgage on the purchase of a property
<p><i>Note: The amounts of duties on transactions or Land Registry fees should not exceed what would be payable for a property of average size and market price as determined by the chief executive. Where the property is acquired outside Queensland, any refund is limited to the amount that would have been paid in respect of a property of the same type and value in Queensland at the time, subject also to the limitations of average size and market price.</i></p>	
Conveyancing fees – sale	Actual fees up to the following amounts: <ul style="list-style-type: none"> • Residence - \$880 • Land - \$550 Fees on the sale of property may be refunded to the employee at the time of sale. The refund should not be withheld until the employee buys a property at the new centre.
Conveyancing fees – purchase	Actual fees up to the following amounts: <ul style="list-style-type: none"> • Residence - \$1,210 • Land - \$660 Legal costs for assistance with the establishment of a financing facility or a mortgage are not regarded as “conveyancing fees” for this purpose.
Real estate agent’s commission	Actual real estate agent’s commission up to the following amounts: <ul style="list-style-type: none"> • Residence - \$3,300 • Land - \$1,650

31. Other Allowances

Other allowances for expenses associated with a transfer are payable as follows:

Purpose	Allowance
<i>Dislocation allowance</i> – for incidental personal expenses	<ul style="list-style-type: none"> • Employee with family - \$441. • Employee without family - \$221.
<i>Education assistance</i> – compensation for additional cost of relocating pre-school and school age children	\$88 for each child
<i>Transfer of telephone</i> – for employees who had a private telephone installed at their own expense at the previous centre	Full cost of connecting or reconnecting one telephone at the new centre

SCHEDULE B

APPOINTMENT EXPENSES

1. Entitlement

A chief executive may authorise payment for the following to an employee on the employee's appointment or engagement:

- cost of conveyance of the employee and the employee's family and effects to the centre to which the employee is appointed;
- cost of temporary board and lodging;
- cost of other items of expenditure related to taking up duty.

Subject to this schedule, the conditions of such payment should be settled at the time of engagement or appointment. The conditions and amounts of any such payments are at the discretion of the chief executive but may not exceed the corresponding entitlement in Schedule A. The conditions relating to the sale or purchase of a home or land contained in Schedule A do not apply in the case of appointments from outside the Queensland Public Service unless the chief executive considers it to be in the operational interests of the department. It is the responsibility of the employee in determining any taxation implications relating to payment of any allowances provided for in this directive.

2. Documentary Evidence

An employee must provide documentary evidence of an expense before reimbursement of an expense or payment of an allowance may be authorised. Such evidence might include (but is not limited to) receipts, invoices, including tax invoices, itemised statements, quotes, declarations or certification.

3. Time limit on claim

Unless the chief executive considers that there are special circumstances, a claim is not to be paid unless it is submitted within 12 months of the latest of the following occurrences:

the incurring of the expense;
the conclusion of the circumstances leading to the claim.

4. Refund of costs on termination

Payment of appointment expenses is on the condition that if the employee resigns or otherwise ceases duty in the Queensland Public Service prematurely (except for retirement, retrenchment, death, medical unfitness or termination of the contract by the State other than by disciplinary action), the employee is required to refund to the Queensland Government costs involved in taking up duty to the following extent:

(a) *Permanent officer:*

- ceases duty after less than a year's service – full cost;
- ceases duty after a year from taking up duty, but before completing 2 years' service – two-thirds of the cost;
- ceases duty after 2 years from taking up duty, but before completing 3 years' service – one-third of the cost

(b) *Officer on contract or temporary employee:*

- in accordance with the terms of the officer's employee's contract of employment
- where this is not expressly covered by the contract of employment, the same as for a permanent officer, provided that where the period of employment in the contract or as agreed between a temporary employee and the chief executive is less than 3 years, the determining periods instead of 1 or 2 years are one third or two thirds of the contracted term of employment.

5. Engagement of temporary employees

Chief executives should keep in mind that temporary engagements are by their nature of short duration. When considering the engagement of a temporary employee for assignment to another location, a chief executive should be satisfied that it is not practicable to engage a suitable employee locally at the assigned location.

6. Definitions

In Schedule B "*employee*", "*family*" and "*spouse*" have the same meanings as in Schedule A.