



AFPA Bulletin: Travel in excess of 21 days and the Living Away From Home Allowance 9 September 2008

Recently the AFPA National President Jon Hunt-Sharman and CEO Jim Torr met with the AFP Commissioner Mick Keelty in order to raise members ongoing concerns about travel in excess of 21 days being deemed a temporary assignment of duties and therefore attracting the Living Away From Home Allowance (LAFHA) rather than the Travel Allowance. The AFPA advised the Commissioner that we believe that the LAFHA is being applied incorrectly by the AFP. Commissioner Keelty agreed to a joint AFP/AFPA review of the application of LAFHA which is a significant outcome for members.

The LAFHA is an allowance which exists to compensate employees who incurs additional expenses because they are required to live away from home. The AFP is applying a tax ruling which states:

“As a practical general rule, where the period away does not exceed 21 days the allowance will be treated as a travelling allowance rather than a living away from home allowance.”

The AFP interpretation particularly affects members who travel for less than 21 days and their trip is extended beyond 21 days for operational reasons. It also affects those who have multiple separate trips under the same operational code name. In some cases, these trips are being aggregated and determined to be longer than 21 days. In both scenarios members have been subject to retrieval action for overpayment. The AFP has agreed to review individual cases where this has occurred.

As part of the joint AFP/AFPA review, the AFPA National President and AFPA CEO recently met with AFP Chief Operating Officer Andrew Wood and National Manager Human Resources Paul Jevtovic. Preliminary discussions were positive and the AFPA is providing the AFP with collated information from all the other police forces in the country and the Australian Defence Force in regards to their approach to LAFHA.

A further meeting is scheduled with the AFP, to work through this issue. The AFPA is confident that a suitable outcome will be jointly reached by the AFP/AFPA working group.

The AFPA will keep members informed of the progress and final outcome of the joint AFPA/AFP review.

If you have any concerns about the issues raised in this bulletin or other CA 2007 – 2011 queries please contact your local representatives or visit your AFPA Zone Discussion Forum at <https://secure.afpa.org.au/members/>

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