



## **Parliamentary Business Resources (Commonwealth Transport) Determination 2017**

---

I, Mathias Cormann, Minister for Finance, determine that, for subsection 33(1) of the *Parliamentary Business Resources Act 2017*, Commonwealth transport (as prescribed in section 62 of the *Parliamentary Business Resources Regulations 2017*) is to be provided in accordance with this instrument.

Dated                    20<sup>th</sup> December 2017

Mathias Cormann  
Minister for Finance

---

---

# Contents

<b>Part 1—Preliminary</b>	<b>1</b>
1 Name.....	1
2 Commencement .....	1
3 Authority.....	1
4 Definitions .....	1
5 Meaning of <i>COMCAR</i> .....	1
6 Meaning of <i>special purpose aircraft</i> .....	2
<b>Part 2—COMCAR</b>	<b>3</b>
<b>Division 1—COMCAR for member travel</b>	<b>3</b>
7 Objective.....	3
8 Member may use COMCAR within Australia .....	3
9 Limits and conditions on members’ use of COMCAR within Australia.....	3
10 Persons travelling with a member on a COMCAR journey .....	4
<b>Division 2—COMCAR for persons other than members, who are travelling independently</b>	<b>5</b>
<b>Subdivision A—COMCAR for family members</b>	<b>5</b>
11 When family members travelling independently may use COMCAR .....	5
12 Limits and conditions on family members’ use of COMCAR .....	5
<b>Subdivision B—COMCAR for other persons</b>	<b>6</b>
13 When other persons travelling independently may use COMCAR .....	6
<b>Division 3 —Access and administration</b>	<b>7</b>
14 Subject to availability and prioritisation .....	7
15 Making COMCAR transport costs information available .....	7
<b>Part 3—Special purpose aircraft</b>	<b>8</b>
16 Special purpose aircraft use for the Prime Minister and Minister for Defence .....	8
17 Minister for Defence or Prime Minister may approve another member’s use of special purpose aircraft .....	8

## Part 1—Preliminary

### 1 Name

This instrument is the *Parliamentary Business Resources (Commonwealth Transport) Determination 2017*.

### 2 Commencement

This instrument commences immediately after the *Parliamentary Business Resources Regulations 2017*.

### 3 Authority

This instrument is made under subsection 33(1) of the *Parliamentary Business Resources Act 2017*.

### 4 Definitions

In this instrument:

*Act* means the *Parliamentary Business Resources Act 2017*.

**COMCAR** has the meaning given by section 5.

**Department** means the Department arranging for the provision of the COMCAR services for members in the circumstances of the travel.

**Regulations** means the *Parliamentary Business Resources Regulations 2017*.

**special purpose aircraft** has the meaning given by section 6.

Note: A number of expressions used in this instrument are defined in the Regulations, including the following:

- (a) Commonwealth transport;
- (b) family member;
- (c) transport costs;
- (d) travels with;
- (e) unscheduled commercial transport.

### 5 Meaning of **COMCAR**

- (1) **COMCAR** means the car with driver transport service, known by that name, operated by the Commonwealth.
- (2) For the avoidance of doubt, COMCAR includes a third party service engaged by the Commonwealth for the purposes of providing or administering the COMCAR services in accordance with this instrument.

**6 Meaning of *special purpose aircraft***

*Special purpose aircraft* means air passenger transport operated by the Commonwealth through the Department of Defence.

## **Part 2—COMCAR**

### **Division 1—COMCAR for member travel**

#### **7 Objective**

The objective of this Division is to support members' conduct of their parliamentary business, throughout Australia, by providing an efficient and effective transport service that is secure, reliable, and responsive to changing parliamentary business needs, while providing value for money for the Commonwealth.

#### **8 Member may use COMCAR within Australia**

COMCAR services are to be made available for the purposes of subsection 8(2) of the Regulations, in accordance with this instrument.

**Note:** Subsection 8(2) prescribes transport costs for members for travel by Commonwealth transport, where such transport is made available in accordance with this determination.

COMCAR will only be claimable under subsection 8(2) in accordance with the requirements of the Act and Regulations, including the dominant purpose test and value for money principle.

#### **9 Limits and conditions on members' use of COMCAR within Australia**

*When other car transport is reasonably available*

- (1) COMCAR is not available for the purposes of subsection 8(2) of the Regulations if the member could reasonably use the member's private plated vehicle in the circumstances, assuming the member had a private plated vehicle.

**Note:** A member who chooses an allowance instead of a private plated vehicle could reasonably be expected to use the allowance instead of claiming COMCAR transport costs in circumstances where a private plated vehicle could otherwise reasonably be used.

*COMCAR to be treated as 'unscheduled commercial transport' for applicable cost limits in the Regulations*

- (2) COMCAR transport costs are to be treated as unscheduled commercial costs for the purposes of any applicable limit for a member in section 14 of the Regulations.

**Note:** This means that the transport costs for a journey taken by COMCAR will count towards the member's limit (if any) in subsection 14(1) of the Regulations, if the transport costs for a member to travel by unscheduled commercial transport for that journey would have counted towards the limit.