



Taxation Determination

Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 2017-18 income year?

❶ This publication provides you with the following level of protection:

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

A public ruling is an expression of the Commissioner's opinion about the way in which a relevant provision applies, or would apply, to entities generally or to a class of entities in relation to a particular scheme or a class of schemes.

If you rely on this determination, the Commissioner must apply the law to you in the way set out in the determination (unless the Commissioner is satisfied that the determination is incorrect and disadvantages you, in which case the law may be applied to you in a way that is more favourable for you – provided the Commissioner is not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any underpaid tax, penalty or interest in respect of the matters covered by this determination if it turns out that it does not correctly state how the relevant provision applies to you.

Ruling

1. This Determination sets out the amounts that the Commissioner considers are reasonable (reasonable amounts) for the substantiation exception¹ in Subdivision 900-B of the *Income Tax Assessment Act 1997* (ITAA 1997)² for the 2017-18 income year in relation to claims made by employees for:

- (a) overtime meal expenses – for food and drink when working overtime
- (b) domestic travel expenses – for accommodation, food and drink, and incidentals when travelling away from home overnight for work (particular reasonable amounts are given for employee truck drivers, office holders covered by the Remuneration Tribunal and Federal Members of Parliament)
- (c) overseas travel expenses – for food and drink, and incidentals when travelling overseas for work.

2. The approach outlined can only be used where you receive an allowance to cover the particular expenses you are claiming - for example, you received an accommodation allowance and are claiming accommodation expenses. This Determination is not relevant to you where you do not receive an allowance to cover your expenses.

¹ This Determination should be read together with Taxation Ruling TR 2004/6 *Income tax: substantiation exception for reasonable travel and overtime meal allowance expenses* which explains the substantiation exception and the way in which these expenses are able to be claimed.

² All legislative references in this Determination are to this Act, unless otherwise specified.

3. The reasonable amounts only provide the maximum amount you can claim without being required to substantiate your expenditure (refer to paragraph 33 of TR 2004/6). If you rely on the reasonable amounts and the ATO checks your income tax return, you will still be required to show:

- you spent the money in performing your work duties (for example, in travelling away from home overnight on a work trip)
- how you worked out your claim (for example, you kept a diary)
- you spent the money yourself (for example, using your credit card statement or other banking records) and were not reimbursed (for example, a letter from your employer), and
- you correctly declared your allowance as income in your tax return.

Reasonable amount for overtime meal expenses

4. For the 2017-18 income year the reasonable amount for overtime meal expenses is \$30.05.

Example 1

5. *Samantha works for the local government. She is asked to work overtime one night to complete an urgent task. Samantha works her 8 hour day followed by 4 hours of overtime. Samantha receives an overtime meal allowance of \$14.98 pursuant to her agreement which is shown on her payment summary. During the overtime Samantha takes a rest break to get a meal and returns to continue her overtime. Samantha spends \$20 on her meal.*

6. *Because Samantha has spent less than the reasonable amount for overtime meal expenses, she can claim a deduction for the \$20 she spends and she is not required to substantiate the expenditure (for example, get and keep the receipt for the meal).*

7. *If Samantha's tax return is checked by the ATO she may be asked to explain her claim for deduction. To do this, Samantha would show that she worked overtime, that she was paid an overtime meal allowance under an industrial instrument, that she correctly declared this allowance as income in her tax return, and that she costed her meal at \$20 based on the cost of the curry and drink she purchased from a nearby Thai restaurant.*

8. *If Samantha had spent more than the reasonable amount and wanted to claim the higher amount that she spent, she would need to get and keep the receipt for the meal.*

9. *If Samantha's overtime meal allowance was not shown on her payment summary and she fully spent the allowance, she can choose to leave it out of her tax return and not claim a deduction for the meal she purchases when working overtime.*

Reasonable amounts for domestic travel expenses

10. The following reasonable amounts do not apply to employee truck drivers³, office holders covered by the Remuneration Tribunal⁴, or Federal Members of Parliament.⁵

³ See paragraphs 23 to 30 for the rates for truck drivers.

⁴ Paragraphs 66 to 69 of TR 2004/6 says claims made by office holders covered by the Remuneration Tribunal are considered to be reasonable amounts if they do not exceed the rate of allowances set by the Remuneration Tribunal for that office holder.

11. Reasonable amounts are provided for 3 salary levels. Salary excludes any allowances received. Use Table 1 if your salary is \$119,650 and below. Use Table 2 if your salary is between \$119,651 and \$212,950. Use Table 3 if your salary is \$212,951 or more.
12. Reasonable amounts are given for:
- accommodation at daily rates (for domestic travel only)
 - meals (showing breakfast, lunch and dinner), and
 - expenses incidental to travel.
13. These amounts are shown for the following travel destinations:
- each Australian State and Territory capital city (see Tables 1 to 3)
 - certain specified high cost regional and country centres (see Table 4 for individual amounts)
 - other specified regional and country centres (a common amount is given for locations listed in Table 5), and
 - all other regional and country centres (a common amount is given for all locations not listed in Tables 4 or 5).
14. The reasonable amount for accommodation applies only for short stays in commercial establishments like hotels, motels and serviced apartments. If a different type of accommodation is used (for example, a hostel or caravan park), the reasonable amount cannot be used even if you receive an allowance.
15. The reasonable amount for meals depends on the period and time of travel. That is, the reasonable amounts only apply to meals (that is breakfast, lunch, dinner) that fall within the time of day from the commencement of your travel to the end of your travel that is covered by the allowance. For example, if you leave at 10am on Monday and return home at 3pm on Tuesday you can apply the reasonable amounts for lunch and dinner on Monday and breakfast and lunch on Tuesday.
16. The reasonable amount for incidentals applies in full to each day of travel covered by the allowance, without the need to apportion for any part day travel on the first and last day.
17. The reasonable amounts for domestic travel expenses, according to salary levels and destinations, for the 2017-18 income year are shown in Tables 1 to 5 as follows:

| Table 1: Employee's annual salary – \$119,650 and below | | | | |
|--|---------------------|--|-------------------------|-------------------------|
| Place | Accomm. (\$) | Food and drink (\$) breakfast 27.05 lunch 30.45 dinner 51.85 (total 109.35) | Incidentals (\$) | Daily total (\$) |
| Adelaide | 157 | as above | 19.35 | 285.70 |
| Brisbane | 205 | as above | 19.35 | 333.70 |
| Canberra | 168 | as above | 19.35 | 296.70 |
| Darwin | 216 | as above | 19.35 | 344.70 |

⁵ Paragraphs 70 and 71 of TR 2004/6 says travel allowances paid to Federal Members of Parliament and Federal Parliamentary Secretaries, under the arrangements that commenced on 14 April 1998, are considered reasonable amounts for the recipients of those allowances. This includes the Capital City and Canberra travel allowance rates for domestic travel, having regard to the circumstances under which those allowances are paid.

Table 1: Employee's annual salary – \$119,650 and below

| Place | Accomm. (\$) | Food and drink (\$) breakfast 27.05 lunch 30.45 dinner 51.85 (total 109.35) | Incidentals (\$) | Daily total (\$) |
|--------------------------------------|---------------------|--|-------------------------|-------------------------|
| Hobart | 138 | as above | 19.35 | 266.70 |
| Melbourne | 173 | as above | 19.35 | 301.70 |
| Perth | 203 | as above | 19.35 | 331.70 |
| Sydney | 185 | as above | 19.35 | 313.70 |
| High cost country centres | see Table 4 | as above | 19.35 | variable |
| Tier 2 country centres (see Table 5) | 134 | breakfast 24.25 lunch 27.65 dinner 47.70 | 19.35 | 252.95 |
| Other country centres | 110 | breakfast 24.25 lunch 27.65 dinner 47.70 | 19.35 | 228.95 |

Table 2: Employee's annual salary – \$119,651 to 212,950

| Place | Accomm. (\$) | Food and drink (\$) breakfast 29.45 lunch 41.70 dinner 58.35 (total 129.50) | Incidentals (\$) | Daily total (\$) |
|--------------------------------------|---------------------|--|-------------------------|-------------------------|
| Adelaide | 208 | as above | 27.65 | 365.15 |
| Brisbane | 257 | as above | 27.65 | 414.15 |
| Canberra | 246 | as above | 27.65 | 403.15 |
| Darwin | 287 | as above | 27.65 | 444.15 |
| Hobart | 184 | as above | 27.65 | 341.15 |
| Melbourne | 228 | as above | 27.65 | 385.15 |
| Perth | 245 | as above | 27.65 | 402.15 |
| Sydney | 247 | as above | 27.65 | 404.15 |
| High cost country centres | see Table 4 | as above | 27.65 | variable |
| Tier 2 country centres (see Table 5) | 152 | breakfast 27.05 lunch 27.65 dinner 53.90 | 27.65 | 288.25 |
| Other country centres | 134 | breakfast 27.05 lunch 27.65 dinner 53.90 | 27.65 | 270.25 |

| Place | Accomm. (\$) | Food and drink (\$) breakfast 34.75 lunch 49.20 dinner 68.85 (total 152.80) | Incidentals (\$) | Daily total (\$) |
|---------------------|--|--|-------------------------|-------------------------|
| Adelaide | 209 | as above | 27.65 | 389.45 |
| Brisbane | 257 | as above | 27.65 | 437.45 |
| Canberra | 246 | as above | 27.65 | 426.45 |
| Darwin | 287 | as above | 27.65 | 467.45 |
| Hobart | 195 | as above | 27.65 | 375.45 |
| Melbourne | 265 | as above | 27.65 | 445.45 |
| Perth | 265 | as above | 27.65 | 445.45 |
| Sydney | 265 | as above | 27.65 | 445.45 |
| All country centres | \$195, or the relevant amount in Table 4 if higher | as above | 27.65 | variable |

| Country centre | \$ | Country centre | \$ |
|------------------------------|-----------|-----------------------|-----------|
| Albany (WA) | 179 | Horsham (VIC) | 142 |
| Alice Springs (NT) | 150 | Jabiru (NT) | 216 |
| Bordertown (SA) | 140 | Kalgoorlie (WA) | 159 |
| Bourke (NSW) | 165 | Karratha (WA) | 250 |
| Bright (VIC) | 156 | Katherine (NT) | 138 |
| Broome (WA) | 260 | Kununurra (WA) | 195 |
| Bunbury (WA) | 155 | Mackay (QLD) | 161 |
| Burnie (TAS) | 160 | Maitland (NSW) | 152 |
| Cairns (QLD) | 153 | Mount Isa (QLD) | 160 |
| Carnarvon (WA) | 151 | Mudgee (NSW) | 135 |
| Castlemaine (VIC) | 146 | Newcastle (NSW) | 165 |
| Chinchilla (QLD) | 143 | Newman (WA) | 195 |
| Christmas Island (WA) | 180 | Norfolk Island (NSW) | 240 |
| Cocos (Keeling) Islands (WA) | 285 | Northam (WA) | 140 |
| Colac (VIC) | 138 | Orange (NSW) | 155 |
| Dalby (QLD) | 150 | Port Hedland (WA) | 200 |
| Dampier (WA) | 175 | Port Lincoln (SA) | 170 |
| Derby (WA) | 190 | Port Macquarie (NSW) | 152 |
| Devonport (TAS) | 145 | Port Pirie (SA) | 150 |
| Emerald (QLD) | 156 | Roma (QLD) | 139 |
| Esperance (WA) | 141 | Thursday Island (QLD) | 200 |
| Exmouth (WA) | 220 | Townsville (QLD) | 143 |
| Geraldton (WA) | 175 | Wagga Wagga (NSW) | 144 |

Table 4: High cost country centres – accommodation expenses

| Country centre | \$ | Country centre | \$ |
|-------------------|-----|--------------------|-----|
| Gladstone (QLD) | 155 | Weipa (QLD) | 138 |
| Gold Coast (QLD) | 200 | Whyalla (SA) | 145 |
| Gosford (NSW) | 140 | Wilpena-Pound (SA) | 181 |
| Halls Creek (WA) | 170 | Wollongong (NSW) | 149 |
| Hervey Bay (QLD) | 157 | Wonthaggi (VIC) | 138 |
| Horn Island (QLD) | 200 | Yulara (NT) | 300 |

Table 5: Tier 2 country centres

| Country centre | Country centre |
|-----------------------|--------------------|
| Albury (NSW) | Kingaroy (QLD) |
| Ararat (VIC) | Launceston (TAS) |
| Armidale (NSW) | Lismore (NSW) |
| Ayr (QLD) | Mildura (VIC) |
| Bairnsdale (VIC) | Mount Gambier (SA) |
| Ballarat (VIC) | Muswellbrook (NSW) |
| Bathurst (NSW) | Naracoorte (SA) |
| Bega (NSW) | Nowra (NSW) |
| Benalla (VIC) | Port Augusta (SA) |
| Bendigo (VIC) | Portland (VIC) |
| Broken Hill (NSW) | Queanbeyan (NSW) |
| Bundaberg (QLD) | Queenstown (TAS) |
| Ceduna (SA) | Renmark (SA) |
| Charters Towers (QLD) | Rockhampton (QLD) |
| Coffs Harbour (NSW) | Sale (VIC) |
| Cooma (NSW) | Seymour (VIC) |
| Dubbo (NSW) | Shepparton (VIC) |
| Echuca (VIC) | Swan Hill (VIC) |
| Geelong (VIC) | Tamworth (NSW) |
| Goulburn (NSW) | Tennant Creek (NT) |
| Griffith (NSW) | Toowoomba (QLD) |
| Gunnedah (NSW) | Tumut (NSW) |
| Hamilton (VIC) | Wangaratta (VIC) |
| Innisfail (QLD) | Warrnambool (VIC) |
| Kadina (SA) | Wodonga (VIC) |

Example 2:

18. *Michelle is an accountant earning \$120,000 a year. As part of her duties, she is required to travel to and work in Sale for 4 days/3 nights each month. Michelle's employer pays for her accommodation directly and gives her a meal and incidental allowance of \$80 per day for the 4 days of travel. This allowance is shown on her payment summary.*

Michelle's usual pattern is to eat 3 times a day, spending \$20 on breakfast, \$25 on lunch and \$40 on dinner (that is, a total of \$85 per day). Michelle calculates the daily reasonable amount for meals and incidentals as follows:

- *Table 2 applies because Michelle's salary is between \$119,651 and \$212,950*
- *Sale is listed as a Tier 2 country in Table 5*
- *Table 2 provides reasonable amounts for Tier 2 country centres as \$108.60 per day for meals and \$27.65 per day for incidentals (that is a total of \$136.25 per day).*

19. *Because Michelle has spent less than the reasonable amount on meals and incidentals, she can claim a deduction for the \$85 per day that she spends and she is not required to substantiate the expenditure (for example, get and keep all of the receipts for the meals and incidentals). Michelle cannot claim anything for accommodation because her employer paid for it.*

20. *If Michelle's tax return is checked by the ATO she may be asked to explain her claim for deduction. To do this Michelle would show she travelled to and worked in Sale for 4 days each month, that she received an allowance for the meals and incidentals for each day she travelled, that she correctly declared this allowance as income in her tax return, and that she typically spent \$85 a day on meals and incidental expenses (for example, by reference to diary entries, bank records and receipts that she kept for some of the trips).*

21. *If Michelle had spent more than the reasonable amount on meals and incidentals and wanted to claim the higher amount that she spent, she would need to get and keep all of the receipts.*

22. *If Michelle's meal and incidental allowance was not shown on her payment summary and she fully spent the allowance, she can choose to leave it out of her tax return and not claim any deductions for the meals and incidentals that she purchases whilst travelling and working in Sale.*

Reasonable amount for domestic travel expenses for employee truck drivers⁶

23. *Employee truck drivers who do not receive a travel allowance and truck drivers who are owner-drivers must substantiate all travel expenses with written evidence (refer to paragraphs 76 to 80 of TR 2004/6).*

24. *For the 2017-18 income year the reasonable amount for travel expenses (excluding accommodation) of employee truck drivers who have received a travel allowance and who are required to sleep (take their major rest break) away from home is \$55.30 per day.*

25. *Employee truck drivers who receive a travel allowance and spend less than the reasonable amount on food and drink they consume while travelling do not have to keep detailed written evidence of expenditure (for example, all of the receipts). On review or audit, employee truck drivers will be required to show how they calculated the amount they claimed, including evidence that they travelled for work on the relevant days and were required to sleep or take their major rest break away from home. They will also be required to show that they received a travel allowance for the relevant days, and correctly returned this allowance as income in their tax return.*

⁶ For further information on truck drivers refer to paragraphs 72 to 75 of TR 2004/6 and to TR 95/18 *Income tax: employee truck drivers-allowances, reimbursements and work-related deductions*.

26. If an employee truck driver wants to claim more than the reasonable amount, the whole claim must be substantiated with written evidence, not just the amount in excess of the reasonable amount.

27. All accommodation expenses incurred by employee truck drivers as part of work-related travel must be substantiated with written evidence (refer to paragraph 72 of TR 2004/6).

Example 3:

28. *Kevin is required to travel regularly from Melbourne to Adelaide and sleep away from home in his truck cab, then return home to Melbourne the next day. Kevin is paid a travel allowance of \$40 per day for such trips. Kevin's usual pattern is to stop and eat four times at road houses over the two days. Kevin usually has a meal, a coffee and buys a drink for the road, and spends between \$25 and \$40 for each meal. In the 2017-18 income year, Kevin's records show that he made this trip 100 times, received an allowance of \$8,000, and spent \$14,000 on food and drink he consumed when travelling.*

29. *When completing his tax return, Kevin must correctly declare the travel allowance as income in his tax return. Because Kevin calculated that he spent more than the reasonable amount on food and drink when travelling, he has 2 choices, as follows:*

- *Kevin can claim \$14,000 as a travel expense if he got and kept all of his receipts for the food and drink he purchased and consumed when travelling; or*
- *Kevin can rely on the reasonable amount and claim \$11,060 (\$55.30 x 200 days) as a travel expense. If Kevin relies on the reasonable amount and his tax return is checked by the ATO, Kevin will be asked to show he travelled this route 100 times, that he received a travel allowance from his employer for the 200 days that he was required to travel, that he correctly declared this allowance as income in his tax return and that he typically spent \$55 or more a day on food and drink when making this trip (for example, by reference to diary entries, bank records and receipts that he kept for some of the trips).*

30. *If Kevin's travel allowance was not shown on his payment summary and he fully spent the allowance, he can choose to leave it out of his tax return and not claim any deductions for the meals and drinks he buys when travelling from Melbourne to Adelaide.*

Reasonable amounts for overseas travel expenses

31. If you are travelling overseas and are away from your usual residence for 6 or more nights in a row, you must still keep travel records even if you rely on the reasonable amounts and don't have to substantiate your expenses. Travel records may include ticketing information, diary entries or other information setting out the nature of your travel, the day and time it began, how long it lasted and where you travelled.

32. Reasonable amounts are provided for 3 salary levels. Salary excludes any allowances received. Use Table 6 if your salary is \$119,650 and below. Use Table 7 if your salary is between \$119,651 and \$212,950. Use Table 8 if your salary is \$212,951 or more.

33. Reasonable amounts are given for:

- meals (showing breakfast, lunch and dinner), and
- expenses incidental to travel.

Any expenditure on accommodation overseas must be fully substantiated.

34. Reasonable amounts are shown for cost groups to which a country has been allocated. Table 9 sets out the cost group to which a country has been allocated.
35. If you travel to a country that is not shown in Table 9, use the reasonable amount for Cost Group 1 in the Table relevant to your salary range.
36. If you travel to two or more countries in the same day, use the cost group of the country that is in the higher cost group in determining the reasonable amount for that day.
37. The reasonable amount for incidentals applies in full to each day of travel covered by the allowance, without the need to apportion for any part day travel on the first and last day.
38. The reasonable amounts for overseas travel expenses per day according to salary levels and cost groups for the 2017-18 income year are shown in Tables 6 to 9 as follows:

| Table 6: Salary \$119,650 and below | | | |
|--|--------------|--------------------|--------------|
| Cost Group | Meals | Incidentals | Total |
| 1 | \$60 | \$25 | \$85 |
| 2 | \$95 | \$30 | \$125 |
| 3 | \$130 | \$35 | \$165 |
| 4 | \$150 | \$35 | \$185 |
| 5 | \$200 | \$40 | \$240 |
| 6 | \$240 | \$45 | \$285 |

| Table 7: \$119,651 and \$212,950 | | | |
|---|--------------|--------------------|--------------|
| Cost Group | Meals | Incidentals | Total |
| 1 | \$75 | \$25 | \$100 |
| 2 | \$110 | \$35 | \$145 |
| 3 | \$150 | \$40 | \$190 |
| 4 | \$170 | \$45 | \$215 |
| 5 | \$240 | \$50 | \$290 |
| 6 | \$295 | \$50 | \$345 |

| Table 8: Salary \$212,951 and above | | | |
|--|--------------|--------------------|--------------|
| Cost Group | Meals | Incidentals | Total |
| 1 | \$95 | \$30 | \$125 |
| 2 | \$140 | \$40 | \$180 |
| 3 | \$185 | \$45 | \$230 |
| 4 | \$215 | \$50 | \$265 |
| 5 | \$295 | \$60 | \$355 |
| 6 | \$340 | \$60 | \$400 |

| Table 9: Table of countries | | | |
|------------------------------------|-------------------|------------------|-------------------|
| Country | Cost Group | Country | Cost Group |
| Albania | 2 | El Salvador | 3 |
| Algeria | 3 | Eritrea | 3 |
| Angola | 6 | Estonia | 3 |
| Antigua and Barbuda | 5 | Ethiopia | 3 |
| Argentina | 3 | Fiji | 3 |
| Armenia | 3 | Finland | 5 |
| Austria | 5 | France | 5 |
| Azerbaijan | 3 | French Polynesia | 5 |
| Bahamas | 6 | Gabon | 5 |
| Bahrain | 5 | Gambia | 2 |
| Bangladesh | 4 | Georgia | 3 |
| Barbados | 5 | Germany | 5 |
| Belarus | 2 | Ghana | 4 |
| Belgium | 5 | Gibraltar | 4 |
| Bermuda | 6 | Greece | 4 |
| Bolivia | 2 | Guatemala | 3 |
| Bosnia | 2 | Guyana | 3 |
| Brazil | 4 | Hong Kong | 5 |
| Brunei | 2 | Hungary | 3 |
| Bulgaria | 2 | Iceland | 5 |
| Burkina Faso | 3 | India | 3 |
| Cambodia | 3 | Indonesia | 3 |
| Cameroon | 3 | Iran | 3 |
| Canada | 4 | Ireland | 5 |
| Chile | 3 | Israel | 5 |
| China | 5 | Italy | 5 |
| Colombia | 3 | Jamaica | 4 |
| Congo Democratic Republic | 4 | Japan | 5 |
| Cook Islands | 4 | Jordan | 5 |
| Costa Rica | 3 | Kazakhstan | 3 |
| Cote D'Ivoire | 5 | Kenya | 4 |
| Croatia | 3 | Korea | 6 |
| Cuba | 3 | Kosovo | 2 |
| Cyprus | 4 | Kuwait | 5 |
| Czech Republic | 3 | Kyrgyzstan | 2 |
| Denmark | 6 | Laos | 3 |
| Dominican Republic | 4 | Latvia | 3 |
| East Timor | 3 | Lebanon | 5 |
| Ecuador | 4 | Lithuania | 3 |
| Egypt | 3 | Luxembourg | 5 |

Table 9: Table of countries continued

| Country | Cost Group | Country | Cost Group |
|------------------|-------------------|--------------------------|-------------------|
| Macau | 5 | Saint Lucia | 4 |
| Macedonia | 2 | Saint Vincent | 3 |
| Malawi | 2 | Samoa | 5 |
| Malaysia | 3 | Saudi Arabia | 4 |
| Mali | 4 | Senegal | 4 |
| Malta | 3 | Serbia | 2 |
| Mauritius | 3 | Sierra Leone | 3 |
| Mexico | 3 | Singapore | 5 |
| Monaco | 6 | Slovakia | 3 |
| Morocco | 3 | Slovenia | 3 |
| Mozambique | 3 | Solomon Islands | 4 |
| Myanmar | 3 | South Africa | 2 |
| Namibia | 2 | Spain | 4 |
| Nepal | 2 | Sri Lanka | 3 |
| Netherlands | 5 | Sudan | 3 |
| New Caledonia | 5 | Surinam | 2 |
| New Zealand | 4 | Sweden | 5 |
| Nicaragua | 3 | Switzerland | 6 |
| Nigeria | 5 | Taiwan | 5 |
| Norway | 6 | Tanzania | 3 |
| Oman | 5 | Thailand | 4 |
| Pakistan | 2 | Tonga | 3 |
| Panama | 3 | Trinidad and Tobago | 5 |
| Papua New Guinea | 4 | Tunisia | 2 |
| Paraguay | 2 | Turkey | 3 |
| Peru | 4 | Uganda | 3 |
| Philippines | 3 | Ukraine | 2 |
| Poland | 3 | United Arab Emirates | 5 |
| Portugal | 3 | United Kingdom | 5 |
| Puerto Rico | 5 | United States of America | 5 |
| Qatar | 5 | Uruguay | 3 |
| Romania | 3 | Vanuatu | 5 |
| Russia | 5 | Vietnam | 3 |
| Rwanda | 3 | Zambia | 3 |

Example 4:

39. *Toby travels to China on business for two weeks and is paid a travel allowance of \$500 per day (made up of \$250 for meals and incidentals and \$250 for accommodation). Toby's annual salary is \$191,000. Toby usually spends \$250 per day on meals and incidentals and \$300 per night on accommodation when travelling in China. Toby calculates the daily reasonable amount for his overseas travel as follows:*

- *Table 7 applies because Toby's salary is between \$119,651 and \$212,950*
- *Table 9 lists China as Cost Group 5*
- *Table 7 provides reasonable amounts for meals and incidental expenses for Cost Group 5 as \$240 per day for meals and \$50 per day for incidentals (that is a total of \$290 per day).*

40. *Because Toby has spent less than the reasonable amount on meals and incidentals, he can claim a deduction for the \$250 per day that he spends and he is not required to substantiate the expenditure (for example, get and keep all of the receipts for the meals and incidentals). Because he has spent more than 6 nights away in a row, Toby must keep travel records for the 2 weeks he is in China. Toby can claim a deduction for the \$300 per day he spends on accommodation but he must fully substantiate this expenditure (by getting and keeping a receipt or other documentary evidence of the expenditure).*

41. *If Toby's tax return is checked by the ATO he may be asked to explain his claim for deduction. To do this Toby would show he travelled to China for work, that he received an allowance for the meals and incidentals for each day he travelled, that he correctly declared this allowance as income in his tax return, and that he typically spent \$250 a day on meals and incidental expenses (for example, by reference to diary entries, bank records and some receipts that he kept).*

42. *If Toby's travel allowances were not shown on his payment summary and he fully spent the allowance, he can choose to leave them out of his tax return and not claim any deductions for the meals and incidentals he purchases when travelling and working in China.*

Date of effect

43. This Determination applies to the 2017-18 income year only. However, the Determination will not apply to taxpayers to the extent that it conflicts with the terms of settlement of a dispute agreed to before the date of issue of the Determination (see paragraphs 75 to 76 of TR 2006/10).

References

Previous draft:

Not previously issued as a draft

Related Rulings/Determinations:

TR 95/18; TR 2004/6; TR 2006/10

Previous Rulings/Determinations:

TD 2012/17; TD 2013/16; TD 2014/19;
TD 2015/14; TD 2016/13

Legislative references:

- ITAA 1997
 - ITAA 1997 Subdiv 900-B
 - TAA 1953
-

ATO references

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