

Fringe Benefits Tax - Information Gathering Questionnaire

Client: _____ Date: _____

Please complete this questionnaire in relation to the FBT year 1 April 2023 to 31 March 2024 and return the questionnaire and relevant schedules to us as soon as possible.

Thank you for taking the time to complete this questionnaire; this will enable us to identify your Fringe Benefits Tax commitments.

I/We hereby instruct you to prepare our Fringe Benefits Tax requirements for the FBT year ended 31 March 2024.

I/We undertake to supply all information necessary to carry out such services and will be responsible for the accuracy and completeness of such information.

You are hereby authorised to communicate with my bankers, solicitors, finance companies and all government agencies such as the ATO to obtain such information as you require, to enable you to complete the above assignment.

Name:

Signature:

Date:

About Fringe Benefits Tax

There are many different types of Fringe Benefits to consider, in order to determine which ones apply to your business please respond to the following questions.

Note that fringe benefits tax applies to non-cash benefits provided:

- By the employer, or an associate of the employer, or a third party under an arrangement with the employer.
- To a past, present or future employee, including a working director, or an associate of any of those.

For simplicity, the terms “you” and “employee” when used throughout this questionnaire include any or all of the above. See the Attachment at the end of this questionnaire for further information.

1.	Benefits Paid	Yes	No	n/a
1.1	Have you provided any non-cash benefits during the year to employees? Common examples of benefits include a company-maintained car, low interest loan, free or discounted products, or payment of private expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Are you a non-resident entity that employs an Australian resident who works overseas? If yes:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.1	Do you have a sufficient connection to Australia? <i>Note: A non-resident entity will have a sufficient connection to Australia if the non-resident entity carries on an enterprise or income producing activities (or part of such enterprise or activities) in Australia and has a physical presence in Australia.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.2	Do you have obligations to withhold from payments of foreign income you make to your employees according to the Australian PAYG withholding rules?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.3	Have you provided any non-cash benefits during the year to an Australian resident employee?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.4	If you answer yes to 1.2.1, 1.2.2 and 1.2.3, you have obligations under the FBTAA in respect of the benefits provided.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
2.	Car Benefits	Yes	No	n/a
2.1	Have you provided cars to employees during the year? <i>If yes, for each vehicle provided please complete the attached Forms 2, 3, and 5.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Were any cars provided to employees where you have not previously provided this office with the original purchase or lease details? <i>If yes, for each vehicle, please complete Form 4.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Have you taken a record of the odometer reading at the date of purchase or first lease of the above cars? <i>(This should be available from the dealer's invoice or registration transfer.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.4	Were any car leases renewed, extended or paid out during the FBT year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2.5	Were any cars provided to employees sold or scrapped, or the lease expired, during the FBT year? <i>If yes, please complete the appropriate section on the vehicle's form.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.6	Have you taken a record of the odometer reading at 31 March 2024 for each car still on hand at that date?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Loan Benefits	Yes	No	n/a
3.1	Have you provided any loans to employees who are not shareholders in the employer or a related company?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2	Was interest charged to the employee at a rate at least equal to the benchmark interest rate for the 2024 FBT year (7.77%)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3	Was the interest due actually paid by the employee at least once every six months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.4	Was the loan used by the employee to purchase a car?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5	Was the loan used for income producing purposes by the employee (<i>but NOT an associate of the employee</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
4.	Debt Waiver Benefits	Yes	No	n/a
4.1	Have you released any employees from a debt that was previously owed to you? (<i>i.e., written the debt off rather than having the employee repay it.</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
5.	Expense Payment Benefits	Yes	No	n/a
5.1	Have you paid any expenses on behalf of employees? (<i>Refer to the Attachment at the end of the Questionnaire for an explanation of this.</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2	Have you reimbursed employees for any expenses paid by them? <i>If yes, please complete Form 6 – Expense Payments Benefits.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	Have you paid or reimbursed expenses for any employee's personal car (<i>e.g. fuel or lease rental</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4	Have you paid or reimbursed expenses for any employee's casual car parking in a commercial car park?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.5	Have you provided any of the above benefits under a salary packaging agreement that was entered into on or after 22 October 2012 or under an existing salary packaging arrangement that was materially altered or varied on or after 22 October 2012?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your notes:				
6.	Housing Benefits	Yes	No	n/a
6.1	Have you provided any employees with a right to use a dwelling as their usual place of residence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	Were any of the above dwellings in “remote areas” as defined?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Was any rent received from the employees for the above dwellings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
7.	Board Benefits	Yes	No	n/a
7.1	Have you provided accommodation and at least two meals per day to employees as a result of an industrial award or under an employment arrangement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
8.	Living Away From Home Allowance Benefits	Yes	No	n/a
8.1	Have you provided employees with an allowance to compensate them for additional expenses or disadvantages when they are required to live away from their usual place of residence (<i>as opposed to temporarily travelling</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	If yes, were any of the allowances provided to fly-in fly-out or drive-in drive-out employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.3	Were any LAFHA arrangements entered into after 8 May 2012?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.4	If your employees had LAFHA arrangements in place prior to 8 May 2012, were they materially varied between 8 May 2012 and 1 October 2012?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.5	Were any employee’s food and drink expenses more than the statutory food amount (adults \$42 per week, children under 12 \$21 per week)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.6	Were all accommodation expenses incurred substantiated in full, regardless of the amount?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your notes:				
9.	Airline Transport Benefits	Yes	No	n/a
<i>Please note that airline transport benefits provided after 8 May 2012 are no longer a separate category of fringe benefits. They are now taxed as in-house benefits under the property or residual benefits categories in the Details of fringe benefits provided (item 23) on the FBT return.</i>				
Your notes:				
10.	Property Benefits	Yes	No	n/a
10.1	Have you provided property or goods, that are not normally sold as part of the business, to employees either free of charge or at discounted prices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.2	Have you sold a car to an employee at less than market value? <i>(In the case of an arm's length ex-lease vehicle, the market value is the lease residual).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.3	Have you provided property or goods under a salary packaging arrangement that was entered into on or after 22 October 2012 or under an existing salary packaging arrangement that was materially altered or varied on or after 22 October 2012?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.4	If you are in the travel industry and an airline operator has provided your employees with free or discounted airline travel:			
10.4.1	For domestic travel, have you obtained details of the lowest standard single economy airfare for that route that was advertised during the FBT year by the carrier that provided the transport?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.4.2	For international travel, have you obtained details of the lowest fare advertised in Australia for that route during the FBT year by any carrier that provides commercial airfares?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
11.	Car Parking	Yes	No	n/a
11.1	Have you provided car parking facilities to employees on premises that you own or lease?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.2	Is there a commercial all day car park within a kilometre radius that charged more than \$10.40 per day at the beginning of the FBT year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.3	Have you leased a permanent parking space in a commercial car park for the use of employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your notes:				
12.	Entertainment	Yes	No	n/a
12.1	Have you paid any entertainment expenses? <i>If yes, complete the attached Form 1 – Entertainment and Recreation Expense Schedule.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
13.	Residual Benefits	Yes	No	n/a
13.1	Have you paid any other benefits to employees not included above?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.2	Were any of the above benefits of a kind normally sold as part of the business?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.3	Have you provided motor vehicles other than cars to employees (<i>e.g. motorcycles or commercial vehicles</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.4	Have you provided any of the above benefits under a salary packaging arrangement that was entered into on or after 22 October 2012 or under an existing salary packaging arrangement that was materially altered or varied on or after 22 October 2012?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.5	If you are in the travel industry and an airline operator has provided your employees with free or discounted airline travel:			
13.5.1	For domestic travel, have you obtained details of the lowest standard single economy airfare for that route that was advertised during the FBT year by the carrier that provided the transport?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.5.2	For international travel, have you obtained details of the lowest fare advertised in Australia for that route during the FBT year by any carrier that provides commercial airfares?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
14.	Exemptions	Yes	No	n/a
14.1	Have you provided any benefits that may qualify for exemption, in the following categories:			
14.1.1	Food and accommodation provided to trainees under the Australian Traineeship Scheme?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.2	Work related items used primarily for employment purposes (<i>see the list in the Attachment at the end of this questionnaire</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.3	Compassionate travel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14.1.4	Emergency assistance, taxi travel for sick employees to or from work, or on-site medical treatment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.5	Meals and accommodation in respect of travel to employment interviews?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.6	Food and accommodation provided to a live-in domestic employee of a religious institution?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.7	Long service or safety awards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.8	Meals on working days to employees of primary production employers located away from urban areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.9	Trade or professional membership fees or subscriptions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.10	Benefits with a value less than \$300 that are infrequent or irregular?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.11	Newspapers and periodicals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.12	Occupational health and counselling?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.13	Relocation costs (conditions apply)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.14	Student exchange programs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.1.15	Payments to a Worker Entitlement Fund that are required by an industrial instrument?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Your notes:				
15.	Record Keeping	Yes	No	n/a
15.1	Have you reviewed your cash book and/or financial statements to ensure all employee fringe benefits have been brought to account during the FBT tax year from 1 April 2023 to 31 March 2024?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.	How Can We Help You?	Yes	No	n/a
16.1	Would you like any salary packaging advice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.2	Would you like us to explain the relevant FBT rulings relating to your business?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17.	Additional Comments			

Entertainment and Recreation Expenses

Employer Name

Depending on the circumstances, entertainment expenses incurred are treated as:

- Tax deductible and not liable to FBT;
- Not deductible and not liable to FBT; or
- Tax deductible and liable to FBT

The determining factors are:

- Where the entertainment took place; and
- Who were the attendees (employees and associates, clients)

Please provide the following information regarding all entertainment expenses paid from 1 April 2023 to 31 March 2024.

Date of Payment	Amount		Type of Entertainment <i>(e.g. meals, tickets to sporting events, accommodation or travel connected with entertainment)</i>	Location/Venue	Attendees			
	GST Excl.	GST Incl.			No. & Name(s)* of Employees	No. of Associates	No of Cliratents	Principals (If Self Employed)

*Names are only required for recreation benefits such as tickets to events (not corporate box), corporate golf day etc.

Note that we are able to provide you with details of the FBT treatment of most entertainment and recreation expenses. Please contact our office should you require further information.

Car Fringe Benefits - Statutory Method

(Please Read Attachment First)

Employer Name:								
Name of employee:								
Type of vehicle (model and make):								
Registration number:								
Cost of vehicle: * Refer to Form 4	\$							
Date purchased:								
Type of finance:	Lease	<input type="checkbox"/>	Hire Purchase	<input type="checkbox"/>	Personal Loan	<input type="checkbox"/>	Cash	<input type="checkbox"/>
Pre-existing commitment								
Was there a pre-existing commitment on 10 May 2011?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>				
If there was a change in the pre-existing commitment, enter the date of the change.								
Odometer readings								
Odometer reading at 1 April 2023 or when first used:								
Odometer reading at 31 March 2024 or when car last used:								
Date entry made:								
Name of person making entry:								
Signature								
Number of days in the year when the vehicle was not used or not available for private use by an employee:								
Expenses paid by employee towards the cost of running the vehicle as per receipts recovered from employee including mileage records to support fuel:	Details					Amount		
						\$		
						\$		
					\$			
Vehicle disposed of								
Date of disposal:	\$							
Sale price:	\$							
* Cost of a vehicle = original GST inclusive cost including any fitted accessories not required for business, including dealer delivery charges, sales tax exemption or dealer discounts, less registration or stamp duty charges.								

Car Fringe Benefits - Operating Cost (Log Book) Method

Please complete Form 5

Employer Name:								
Name of employee:								
Type of vehicle:								
Registration number:								
Cost:	\$ (Please complete Form 4)							
Date purchased:								
Method of purchase:	Lease	<input type="checkbox"/>	Hire Purchase	<input type="checkbox"/>	Personal Loan	<input type="checkbox"/>	Cash	<input type="checkbox"/>
Running expenses (GST Inclusive):	Paid By Employer				Paid By Employee			
Insurance:	\$				\$			
Registration:	\$				\$			
Fuel:	\$				\$			
Repairs & maintenance:	\$				\$			
Leasing costs (if applicable):	\$				\$			
Association fees (e.g. NRMA):	\$				\$			
Depreciation (to be calculated):	\$				\$			
Interest (to be calculated):	\$				\$			
Total:	\$				\$			
Taxable Value:	\$				\$			
Notes:	<p><i>Log Book must be kept for 12 continuous weeks. A new log book must be prepared every 5 years. Election to use Operating Cost Basis to value car benefit</i></p> <p>Pursuant to section 10(1) of the FBTA Act the employer elects that the operating cost basis be used to determine the taxable value of the following car in respect of the FBT year ended 31 March 2024: -</p>							
Car Details								
Registration number:								
Make and model:								
Signature (Public Officer)								
Date								

Car Fringe Benefits - Base Value Calculation Worksheet

Employer Name:	
Make and model of car:	
Car registration number:	
Cost price: ¹	\$
Add: GST on cost price (regardless of whether input tax credit claimed):	\$
GST inclusive cost of car:	\$
Less: Employee payment or trade-in, paid direct to car dealer: ²	\$
Sub-total:	\$
Add: GST inclusive cost of dealer and delivery charges:	\$
Add: GST inclusive cost of non-business accessories (added at, and after, acquisition): ³	\$
Window tinting	\$
Air-conditioning	\$
Rust proofing	\$
Paint protection	\$
Customised wheels	\$
Other	\$
Sub-total	\$
Less Expenditure in respect of registration and transfer of car:	\$
Registration costs	\$
Stamp duty on transfer	\$
Other	\$
Base value of car for FBT:	\$

¹ The arm's length purchase price of the car, net of any purchase discount (e.g. fleet owner's discount) and net of GST.

² This must be either where the employee trades-in their own vehicle or makes a personal payment direct to the dealer.

³ Do not include if these are paid for by the employee.

Operating Cost (Log Book) Method Checklist

Car registration number				
Name of usual driver of car (if any)				
		Yes	No	?
	If a logbook was not prepared in the 2024 FBT year in relation to the car, is there a log book which was prepared after the FBT year ended 31 March 2019?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Was the log book maintained over a continuous period of at least 12 weeks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Have you ensured that the following details are recorded in the log book:			
3.1	When the log book period begins and ends?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2	The car's odometer readings at the start and end of the 12 week period?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3	The total number of kilometres the car travelled during that 12 week period?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.4	The business use percentage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5	Certain details related to each business journey, as follows:			
3.5.1	The dates on which each journey began and ended?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5.2	The kilometres travelled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5.3	The purpose of each journey? <i>(Note: an entry merely indicating "business" or "miscellaneous business" will not be sufficient).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Have you ensured odometer records are maintained showing the car's odometer readings at the start and end of the 2024 FBT year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Has a reasonable estimate been made of the number of business kilometres travelled <i>(in determining the car's business use percentage)</i> , taking into account:			
5.1	The information contained in the log book and odometer records?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2	Any variations in the pattern of use of the car related to, for example, the changing of jobs, a variation in employment duties, holidays, seasonal fluctuations, the employer relocating to another address, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Expense Payment Benefits

Employer Name					
Date	Nature of Expense (e.g. school fees, private insurance)	Amount (GST Exclusive)	GST	Name of Employee	Otherwise Deductible Amount*

**This is the amount the employee would have been able to claim as a tax deduction, if the expense had not been paid by their employer.*

Information Summary Guide

Fringe Benefits Tax

This guide has been prepared to help you to complete your Fringe Benefit Tax - Information Gathering Questionnaire. The purpose of this attachment is to provide you with more information regarding Fringe Benefits Tax (FBT) to help you to identify fringe benefits you have or may have provided to your employees. We can then help you to reduce your potential exposure to penalty taxes and interest if you have inadvertently overlooked an FBT liability.

We will be happy to provide further information and also refer you to the Australian Taxation Office publications [“Fringe Benefits Tax – A Guide for Employers”](#).

The following is an explanation of the major types of benefits that are potentially provided in everyday business dealings. Please note that each of the benefits described has various inclusions, exclusions and exemptions that can't be explained in detail here. However, these can be considered once we have identified whether a particular type of benefit has been provided.

Cars

Cars are by far the most common fringe benefit. Essentially, this type of benefit arises where an employer's car is used by an employee for any private purposes, notwithstanding that the car is also used for business purposes. Generally, this situation arises where an employee is provided with a car for travel between home and work or uses a car for any other private use.

The Fringe Benefits Tax Assessment Act (FBTAA) allows two methods for calculating the taxable value of the car fringe benefit:

- Statutory Formula Method
- Operating Cost Method

We recommend providing us with details to calculate the taxable value under both the above methods; this then enables us to choose the method which gives you the best result for FBT purposes.

The statutory formula method calculates the taxable value of the benefit depending on how many kilometres have been travelled during the FBT year. Please note that under the statutory formula method, from 10 May 2011 the progressive statutory rates have been replaced with a single statutory of 20%, which applies regardless of kilometres travelled.

The record keeping for the operating cost method is much more onerous than the statutory formula method but this can, in many circumstances, achieve a lower FBT result. The taxable value is calculated by applying the log book percentage against the costs of operating the car for the FBT year.

Even after we have done all the calculations, we may reduce the taxable value of the fringe benefit to nil through employee reimbursements or contributions. This can actually be paid in cash (e.g. employee pays for petrol). In the case of employee shareholders, this is usually performed by way of a journal entry against their loan accounts. Even though we may not physically lodge an FBT return in many cases, we still need all of the information to perform the necessary calculations which enable us to provide you with an appropriate journal entry.

Car Parking Fringe Benefits

A car parking fringe benefit arises only if all of the following conditions are satisfied:

- A car is parked at premises that are owned or leased by or otherwise under the control of, the provider (usually the employer). This includes a permanent parking space in a commercial car park.
- Within a one-kilometre radius of the premises on which the car is parked, there is a commercial parking station that charges a fee for all-day parking, which is more than the car parking threshold.
- The car is parked for a total of more than four hours between 7.00am and 7.00pm on the day.
- The car is owned by, leased to, or otherwise under the control of, an employee, or is provided by the employer.
- The parking is provided in respect of the employee's employment.
- The car is parked at or near the employee's primary place of employment on that day.
- The car is used by the employee to travel between home and work (or work and home) at least once on that day, and

- The commercial parking station referred to above must also, at the beginning of the FBT year, charge a representative fee for all-day parking that is more than the car parking threshold, which is \$10.40 for the 2024 FBT year.

Payment or reimbursement of casual car parking in a commercial car park is subject to FBT as a car parking expense payment fringe benefit.

Small Business Concessions

If you are a small business employer, car parking benefits you provide are exempt if:

- The parking is not provided in a commercial car park.
- You are not a government body, a listed public company, or a subsidiary of a listed public company, and either:
- You were a small business entity for the last income year before the relevant FBT year, or
- Your total income for the last income year before the relevant FBT year was less than \$10 million or aggregated turnover was less than \$50 million. For this purpose, your income includes ordinary income and statutory income as defined in the Income Tax Assessment Act 1997; that is, total gross income before any deductions.

Loan Benefits

A loan fringe benefit arises where an employer makes a loan to an employee, including a director. For these purposes a “loan” includes:

- Advance of money
- Provision of credit
- Payment of an amount on behalf of another person where that person has an obligation to repay

The focus of this type of benefit is on employees’ “debit” loan balances with their companies. A “debit” loan balance is where the employee owes the company money. If the loan is made to an employee or director who is also a shareholder, the loan will be covered by Division 7A of the Income Tax Assessment Act 1936 and is likely to be exempt from FBT. Generally, only loans to employees who are not also shareholders are relevant for FBT.

If an employee’s loan account has gone into debit at any time during the FBT year we will have to obtain details of the movements to calculate the statutory interest, which is at the rate of 7.77% for the 2024 FBT year.

A general ledger printout of the loan account gives us most of the information to enable us to do the calculations. We may already have prepared some accounts for you during the year and have details of these movements. Alternatively, these details may need to be compiled now.

If these loans are used for income producing purposes (e.g. the employee has borrowed money from the company to buy shares) there will be no taxable fringe benefit but we will still need to do the calculations for substantiation purposes. If interest is already being charged on the loan then we will need the interest rate charged or the interest actually charged in order to calculate the taxable fringe benefit.

Note: A loan of property is not a loan benefit; this is defined as a “residual benefit”, which is discussed in a later section.

Debt Waiver Benefits

A taxable benefit arises where an employer releases an employee from a debt. The taxable value is the amount waived, so therefore we will require this information if applicable.

Expense Payment Benefits

An expense payment benefit arises where an employer pays or reimburses private expenses incurred by employees, including directors.

The following types of expenses comprise expense payment fringe benefits:

- Children's school fees
- Home office computers
- Private telephone accounts
- Rates and land taxes
- Electricity, gas (heat & power)
- Medical and health benefits
- Insurance premiums
- Travel/credit cards
- Drivers licence
- Mortgage/loan payments
- Holiday transport
- Casual car parking
- Other - please ask us if you have any queries

In most cases, where the employee would have been allowed a "once only" tax deduction for the expense if the employer had not paid or reimbursed it, then the taxable value is reduced to the extent it is deductible.

We will need the following details in relation to expense payment fringe benefits:

- The name of the employee for whom it was paid
- The date, nature and amount of the payment
- The extent to which, if any, that the payment is tax deductible to the employee

Note: Any item for which depreciation will be claimed is excluded from being a once only deduction.

The taxable value of an in-house expense payment fringe benefit provided under a salary packaging arrangement is the amount the employee would have been required to pay to purchase the benefit from the provider under an arm's length transaction (market or fair value). An "in-house" fringe benefit arises where the employer sells identical goods or services as part of its business.

Housing Benefits

A housing fringe benefit arises where an employer provides an employee a right to occupy or use accommodation as a usual place of residence. This accommodation includes the following:

- House, flat, unit, hotel, motel, guesthouse, bunkhouse, ship, oil rig, caravan or mobile home.

If the accommodation cannot be described as the employee's usual place of residence then the benefit will not be a housing benefit, but will be a residual benefit.

Note: Accommodation whilst travelling on business will definitely not be a housing benefit. Depending on the circumstances, expenditure of this type will be fully tax deductible.

Living Away From Home Allowance (LAFHA) Benefits

A living away from home allowance benefit arises where an employer pays an employee an allowance to compensate for additional expenses or disadvantages suffered because the employee was required to live away from their usual place of residence for employment purposes.

The following requirements must generally be satisfied:

- The employee was required to live away from their usual place of residence;
- The employee must be paid an allowance in addition to salary;
- An allowance must be paid in respect of employment;
- An allowance was paid to compensate the employee for additional non-deductible expenses and other living disadvantages incurred because the employee is required to live away from home to perform employment duties.

Unless all four of these conditions are satisfied the amount paid to employees is assessable to them as a normal allowance.

There have been changes made to the living away from home allowance (LAFHA) benefits, which came into effect from October 2012. Access to the tax concessions for LAFHA will generally be limited to a period of 12 months for an employee at a particular work location, and to cases where the employee:

- Maintains a home in Australia at which they usually reside and is available for their immediate use and enjoyment during that period;
- Can substantiate all expenses incurred on accommodation and food or drink (if the food or drink expenses are more than the statutory food amount – adults \$42 per week, children under 12 \$21 per week);
- Provides the employer with a declaration relating to living away from home.

Transitional rules apply where a LAFHA arrangement was in place prior to 8 May 2012 and was not materially varied between 8 May 2012 and 1 October 2012.

Special rules apply to employees who are working on a fly-in fly-out (FIFO) and drive-in drive-out (DIDO) basis.

The extent to which a LAFHA benefit is subject to FBT will be determined on the basis of the facts, so please provide as much information as you can about such an arrangement if you think it applies to you.

Property Benefits

A property benefit arises when an employee is provided with property, free or at discount, by an employer. Property includes goods, real property such as land and buildings and financial assets, such as shares, bonds and crypto assets (refer to the publication Fringe Benefits Tax – A Guide for Employers).

The taxable value of an in-house property fringe benefit provided under a salary packaging arrangement is the amount the employee would have been required to pay to purchase the property from the provider under an arm's length transaction (market or fair value). An "in-house" fringe benefit arises where the employer sells identical goods or services as part of its business.

If you have provided employees with any goods during the year please provide as many details as possible (i.e. what was provided) to determine whether a fringe benefit has been provided.

Food and drink consumed by current employees on a working day on the employer's premises is an exempt property fringe benefit.

Note: Property is provided when the ownership passes. If ownership does not pass (e.g. the employee used the property for a time) then this would be classified a residual benefit.

Entertainment

This is one of the most complex areas of tax law. Depending on the type of entertainment provided and the circumstances in which the benefit was provided, the entertainment could be one of a number of types of fringe benefit discussed in this attachment. However at this stage we are only asking you to determine whether you potentially paid an expense which could be classified as entertainment.

Meal Entertainment Fringe Benefits

A meal entertainment fringe benefit consists of entertainment where food and drink is provided, travel and accommodation in connection with the entertainment is also included.

The taxable value can be calculated as follows:

- Election to use the 50/50 split method or
- "12 week register method"
- If no election is made, the actual expenditure is used

We will generally calculate the Fringe Benefit Tax implication under the 50/50 method and the actual method to determine which gives the best FBT result.

Generally sustenance expenses are not meal entertainment fringe benefits. These include:

- Staff amenities
- Morning and afternoon tea items
- Deductible travel away from home relating to local or overseas travel

- Eligible in-house meals
- Food and drinks provided at a seminar

We only require you to provide details that would give rise to a fringe benefit; however, it also gives us the opportunity to determine whether items of entertainment are tax deductible. Giving us more details about these transactions will aid us in completing your year-end tax returns.

To help us determine the FBT consequences please provide us with the following details:

- How many employees, family members or clients were involved?
- The situation - was it on the employer's premises, was the employee travelling on business etc?
- The amount of the expenditure involved and whether any of this expense was reimbursed.

Residual Fringe Benefits

Essentially, any other benefits you may have provided to employees in respect to their employment are covered by residual fringe benefits. Examples of residual fringe benefits are free or discounted services, such as travel or performance of work, the use of property and the provision of insurance coverage. The provision of vehicles other than cars, (e.g. hire taxis, rental cars, trucks and motor cycles) also fall under this category.

The taxable value of an in-house residual fringe benefit provided under a salary packaging arrangement is the amount the employee would have been required to pay to purchase the benefit from the provider under an arm's length transaction (market or fair value). An "in-house" fringe benefit arises where the employer sells identical goods or services as part of its business.

Please contact us if you wish to discuss any potential residual benefits you may be providing to employees.

Exempt Benefits

The FBT legislation has various exemptions relating to every category of fringe benefits. They are not all covered here, however please note the following tax deductible, but FBT exempt, items an employer may provide to an employee, called "eligible work related items" provided it is used primarily in the employee's employment.

The "eligible work related items" include:

- Mobile phones
- Protective clothing
- Briefcases
- Calculators
- Tools of trade
- Computer software
- Portable electronic devices
- Laptop computers
- Portable printers

An above item is not an eligible work related item if, earlier in the FBT year, an expense payment benefit or a property benefit for the employee has been made in relation to another item that has substantially identical functions to one purchased later, unless it is a replacement item.

An eligible work related item cannot be provided to an associate of the employee.

Contributions to Worker Entitlement Funds

A worker entitlement fund is a trust fund for employee long service leave, sick leave or redundancy payments. These funds are also referred to as redundancy trusts or redundancy funds.

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Contributions are exempt benefits if:

- The payment is made into an approved worker entitlement fund;
- Payment is made under an industrial agreement, and
- The payment is either for leave, redundancy or the reasonable administrative expenses of the fund.

If you are an employer who makes payments to a worker entitlement fund, you need to ensure that the fund is an approved fund.

Paying into an approved fund will ensure you do not pay FBT on the amounts paid into the funds.

Fringe Benefits Provided by an Arranger or Facilitator

As long as there is a relationship between the employee and employer, a fringe benefit can be provided by another person (an arranger) under arrangements between the arranger and the employer (or associate of the employer). In these cases there will be a fringe benefit provided to the employee or associate of the employee.

In addition, if another person provides a benefit to an employee or associate of an employee and the employer or associate:

- Participates in or facilitates the provision or receipt of the benefit; or
- Participates in or facilitates or promotes a scheme or plan involving the provision of the benefit, and
- The employer or associate knows or ought reasonably to know that the other person is doing so, a fringe benefit will also arise.

In this latter case, there does not need to be an existing relationship between the employer and the provider, other than by the participation or facilitation of the provision or receipt of the benefit.

This situation can easily arise where your suppliers or customers provide benefits to your staff. The only way to avoid this situation imposing a fringe benefit on you as the employer is to prohibit the acceptance of these benefits and to enforce that policy. If there is no such policy, the Commissioner considers that the employer is agreeing to the provision of the benefit and it is therefore provided under an arrangement.

Example

Harry's Homewares Pty Ltd runs a large home wares store; Harry's employs a number of sales and administrative staff. A nearby gym approaches the manager of the store and offers to provide a 50% discount on membership to employees if the company will forward an advertising email to its employees.

In this example a benefit is probably being provided as, by forwarding the email, Harry's has facilitated the provision of the benefit.