# The Car Transport Usage Assessment Report for Mr Chris Hayes MP has been annotated by Mr Chris Hayes MP as follows:

On 26 February 2017, I unfortunately had a motorcycle accident while travelling to Canberra. I sustained serious injuries, including a broken arm, several broken ribs, lacerated spleen and liver damage, and substantial knee and leg injuries. As a result, I spent several weeks in Canberra Hospital and undertook months of recovery. As you can appreciate, without the use of my arm and my leg in a brace, as well as being on strong medication, I was unable to drive my private plated vehicle.

In early April 2017 I returned to work in a limited capacity. My office is located in Cabramatta, NSW and I live in Leumeah, NSW and as my staff member, Section 47F , lives in Raby in the Campbelltown region and nearby my home, I asked her to drive me to and from the office and appointments. As used her own car, I considered it appropriate that she claimed MVA for this period of time.

The following is a breakdown of travel undertaken:

#### Monday 3 April 2017

- 9.00am drove from her home in Raby to collect me from my home in Leumeah
- 9.15am<sup>section</sup> drove me to my office in Cabramatta
- 2.00pm I was driven from my office in Cabramatta to my home in Leumeah
- 2.40pm<sup>section</sup> returned to my office in Cabramatta

#### Tuesday 4 April 2017

- 9.50am drove from her home in Raby to collect me from my home in Leumeah
- 10.00am I was then driven to the official opening of University of Wollongong Sydney Campus, 33 Moore Street, Liverpool
- 12.00pm then drove to my office in Cabramatta
- 4.00pm I was driven from my office in Cabramatta to my home in Leumeah
- 5.00pm returned to her home in Raby

#### Wednesday 5 April 2017

I was unwell and wasn't able to travel to my office so I asked to drop off paperwork from my office to my home

- 4.00pm drove from the office in Cabramatta to my home in Leumeah
- 4.50pm<sup>Section</sup> then drove back to her home in Raby

#### Thursday 6 April 2017

Once again, I wasn't well enough to attend the office and asked are to come to my home to collect paperwork delivered the previous day

- 4.10pm drove from the office in Cabramatta to my home in Leumeah
- 4.55pm<sup>section</sup> then drove back to her home in Raby

#### Monday 10 April 2017

8.55am<sup>section</sup> drove from her home in Raby to collect me from my home in Leumeah

9.05am I was driven from my home in Leumeah to my office in Cabramatta

My wife collected me that day from my office in Cabramatta for a medical appointment

#### Wednesday 26 April 2017

My wife drove me to a medical appointment and then onto my office at Cabramatta

- 4.30pm drove me from my office inCabramatta to a TV interview with Vietface, Hume Highway, Lansvale
- 6.40pm drove me from the TV interview at Lansvale to my home in Leumeah
- 7.20pm drove back to her home in Raby

#### Thursday 27 April 2017

- 9.30am drove from her home in Raby to collect me from my home in Leumeah
- 9.50am drove me from my home in Leumeah to Mainsbridge School Anzac Day Ceremony & morning tea, 118 Flowerdale Road, Liverpool
- 11.30am drove me from Mainsbridge School to my office in Cabramatta
- 3.00pm drove me to an appointment with Mr & Mrs Mclaughlan, Jane Jarvis Way, Macquarie Links
- 5.00pm drove me from Macquarie Links to my home in Leumeah
- 5.20pm drove back to her home in Raby

#### Friday 28 April 2017

My wife drove me to a medical appointment and then onto my office in Cabramatta

- 1.30 pm drove me to a radio interview with Muslim Radio, 40 Hector Street, Chester Hill
- 3.00pm drove me from the radio interview at Chester Hill to my office in Cabramatta

4.30pm drove me from my office in Cabramatta to my home in Leumeah 5.30pm<sup>47F</sup> drove back to her home in Raby

### Thursday 4 May 2017

8.50am drove from her home in Raby to collect me from my home in Leumeah 9.00am drove me to a TV interview with SBTN, 1 Mona Street, Bankstown

11.00am<sup>Section</sup> drove me from SBTN to my office in Cabramatta

4.50pm 47F drove me from my office in Cabramatta to my home in Leumeah drove back to her home in Raby



### **Assessment Report**

### Car transport usage - Chris Hayes MP

### **Assessment Summary**

Date:

Mr Chris Hayes MP accessed Car Transport within his electorate by directing an employee to access their MVA.

Refer matter to IPEA Travel Reporting and Administration team/ to address administratively.

AGREED'

Section 22 A/g Assurance Director

### Issue

Mr Hayes' employee, submitted a Motor Vehicle Allowance (MVA) claim (Attachment A) that included trips between the suburbs of Raby, Cabramatta and Leumeah. According to data held by IPEA and M&PS, and the electorate office is in Cabramatta. The MVA claim, assuming that the employee is transporting the member to and from the electoral office, is in effect a form of 'car-with-driver' service for which there is no provision within the work resources framework.

### Assessment

Mr. Hayes access to car-with-driver service

Mr Hayes certified the travel detailed in Section 47F MVA claim, including travel assumed to be between his home and the electorate office. In signing the claim, the member is certifying that...the above travel by the most efficient/direct route...was directed by me for official purposes.

From information provided by Section 47F and the location information in the claim, it is reasonable to assume that some of the travel in the claim is for the purposes of providing car transport for the member. There is no provision in the work resources framework for parliamentarians to direct their staff to provide a 'car-with-driver' service at Commonwealth expense.

For travel by car within the electorate, Mr. Hayes is provided with a private-plated vehicle at Australian Government expense.

### Advice provided by IPEA

On April 28 2017, Section 47F called the IPEA Staff Help Desk in relation to an MVA claim. She was advised to detail each leg of travel on the MVA claim. This conversation was documented in vFire record 111-5260 (Attachment B).

In addition to the communication documented in VFire record, the IPEA Staff Help Desk advisor informed me he discussed with Section 47F whether an MVA claim for travel that involved transporting an employing member between their home and electorate office was permitted. Mr informed her that travel at the direction of the member was allowed. This advice is appropriate as staff are entitled to submit a claim if the employing member directed the travel. It is the members' obligation to certify that they directed their staff in accordance with the rules. The advice did not address whether it is within the rules for a member to direct staff to provide a 'carwith-driver' service to the member paid by employee MVA, which it is not.

#### Motor Vehicle Allowance Claim

MVA claim detailed 33 legs constituting 14 'trips' from 3 April to 4 May 2017. Eight trips involved travel between locations assumed to be and Mr Hayes' residence.

It will be necessary for the section 47F and Mr Hayes to identify which legs of the trips are for official purposes that the staff member was directed to attend and which travel was for the purposes of providing the member car transport, for which there is no entitlement.

#### FOR OFFICIAL USE ONLY

Independent Parliamentary
Expenses Authority

Section 47F	cannot claim MVA for travel between her home and place of work. The MVA claim form
states that '	MVA cannot be claimed for the purpose of travel between accommodation and the
workplace'.	

### Resolution

This matter has been referred to the IPEA Travel Reporting and Administration Team. They are assessing administrative options to address the issues raised in the Assurance Unit's assessment. Possible action discussed includes, communicating with the member and his staff and repayment of trips expenses identified as being outside of the work expenses framework.

## Background

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18 May 2017, Section 22 Director - Travel Advice and Administration) referred MVA claim to the IPEA Assurance Unit for further assessment.

Mr Chris Hayes MP's Parliamentary Positions

Mr Hayes is the member for Fowler, NSW and the Chief Opposition Whip. He currently serves on several official parliamentary committees. Mr Hayes resides in Leumeah, NSW. His electorate office is in Cabramatta.

Mr. Hayes car transport work resources

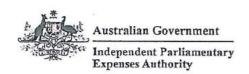
Mr. Hayes has access to car transport at Australian Government expense as a member of parliament, an opposition office holder and member of an official parliamentary committee.

Mr. Hayes' access to car transport, when travelling from his home or electorate office is limited to travel to/from the nearest airport or railway station for parliamentary business<sup>1</sup>. This does not apply when Mr. Hayes travels for official purposes relating to his role as an opposition office holder or committee member.

Mr. Hayes is provided with a private-plated vehicle at Australian Government expense. He may use this vehicle for electorate, parliamentary or official business as well as family and private purposes.

Section 47F			
0			
Section 22			
31 May 2017			

<sup>1</sup> http://maps.finance.gov.au/entitlements handbooks/senators-and-members/Part Four Travel - 4.3 Entitlements to Travel by Car.asp





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### TRAVELLING and/or MOTOR VEHICLE ALLOWANCE CLAIM

Staff employed under the Members of Parliament (Staff) Act 1984

- Note: . This form must be completed for all Travelling Allowance and Motor Vehicle Allowance claims.
  - Travelling Allowance and/or MVA claims must be authorised within 60 days of the completion of the travel.
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mployer name			or returning your completed form mail to: forms@ipea.gov.au Independent Parliamentary Expenses		
Chris Hayes MP					
mployee name ection 47F			Authority One Canberra Avenue FORREST ACT 2603		
Vork base	State/Territory	Enquiries:	Independent Parliamentary Expenses Authority		
Cabramatta	NSW	Email: Phone:	enquiries@ipea.gov.au (02) 6215 3000		

All fields must be completed to ensure timely payment of claims (incomplete forms may cause delay to payment). TRAVEL DETAILS · Clearly identify each 'leg' of travel including those where TA is not being claimed. Accommodation arrangements · Non-consecutive nights must be identified by a separate line for each night/group of nights. Accommodation type Receipts for Note: If kilometres claimed are not supplied, MVA will be paid for kms on the most direct route(s) calculated by Independent Parliamentary Expenses commercial (other Authority. than in Canberra) Adjustment to commercial rate Departure details Arrival details necessary (directed to stay with Mode of transport MVA kms No. of Specific location From Date Time (include flight Time per leg consecutive stayed Senator/Member) -(Town/Suburb) (Town/Suburb) number if flown) if applicable nights (Town/Suburb) if 'Yes' attach receipts 4.4.17 Raby 🖳 9.50am Car Leumeah 10.00am | 8 Yes L No L Yes 🗀 4.4.17 Leumeah 10.00am Car Liverpool 10.30am 21 No [ 4.4.17 Livernool 12.00pm Car Cabramatta 12.15px 6 No [ Yes [ 4.4.17 Cabramatta 💥 Car 125 4.00pm 5.00pm Yes [ No [ Leumeah Car Raby 🐺 Leumeah 5.00pm 5.20pm Yes [ No [ Yes T No I MOTOR VEHICLE ALLOWANCE (MVA) DETAILS Vehicle registration MVA cannot be claimed for the purpose of travel between accommodation and the workplace. Vehicle make Vehicle model MVA is taxable but is not taxed at time of payment if less than 5.000 kms are paid per financial year. DAPSSI. Mazda Mazda 3 MVA can only be claimed if the vehicle is owned by the employee or privately hired by the employee. I certify that I have been directed to travel by the most efficient/direct route on official business by my employing Senator or Member. Signal Section 47F I certify that the above details are correct. 10/5/17 I understand that knowingly giving false or misleading information is a serious offence under the Criminal Code Act 1995. I have read and understood the Privacy Collection Notice (see below). I certify that the above travel by the most efficient/direct route is/was directed by me for official purposes. SERVICE STORY BY Signat SENIATION OF MICHELIN I certify that where accommodation adjustments are claimed above, the employee was directed to stay at the same commercial accommodation as the employing Senator or Member. I understand that knowingly giving false or misleading information is a serious offence under the Criminal Code Act 1995. Printed name I have read and understood the Privacy Collection Notice (see below).

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Form 54 Mar 2017 Page 1 of 1

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   No further claims will be paid if acquittals are outstanding beyond 28 days.

Employer name		Options fo	r returning your completed form
Chris Hayes MP		or Post to:	mail to: <u>forms@ipea.gov.au</u> Independent Parliamentary Expenses
Employee name Section 47F			Authority One Canberra Avenue FORREST ACT 2603
Work base	State/Territory	Enquiries:	Independent Parliamentary Expenses Authority
Cabramatta	NSW	Email: Phone:	enquiries@ipea.gov.au (02) 6215 3000
(avmont)			

All fields must be completed to ensure timely payment of claims (incomplete forms may cause delay to payment). TRAVELLING ALL BLANCE Clearly identify each 'leg' of travel including those where TA is not being claimed. Accommodation arrangements · Non-consecutive nights must be identified by a separate line for each night/group of nights. Note: If kilometres claimed are not supplied, MVA will be paid for kms on the most direct route(s) calculated by Independent Parliamentary Expenses Accommodation type Receipts for Authority. commercial (other than in Canberra) Adjustment to Departure details Arrival details commercial rate Mode of transport necessary MVA kms No. of Specific location Date (directed to stay with Time (include flight (Town/Suburb) Time per leg consecutive staved (Town/Suburb) Senator/Member) number if flown) if applicable nights (Town/Suburb) if 'Yes' attach receipts 3.4.17 Raby \* 9.00am Car Leumeah 9.15am Yes [ No L 3.4.17 Leaumeah 9.15am Car Cabramatta \*\* 9.50am 25 Yes 🗌 No 3.4.17 Cabramatta \*\* 2.00pm Car Leumeah 2.35pm 25 Yes 🗌 No. 3.4.17 Leumeah 2.40pm Car Cabramatta 3.15pm Yes No [ Yes 🗌 No 🗌 Yes 🗍 No [ MOTOR VEHICLE ALLOWANCE (MVA) DETAILS Vehicle registration Vehicle make MVA cannot be claimed for the purpose of travel between accommodation and the workplace. Vehicle model MVA is taxable but is not taxed at time of payment if less than 5,000 kms are paid per financial year, DAP88L Mazda Mazda 3 MVA can only be claimed if the vehicle is owned by the employee or privately hired by the employee. I certify that I have been directed to travel by the most efficient/direct route on official business by my employing Senator or Member. CERTIFICATION BY I certify that the above details are correct. Signature Section 47F MELOYE I understand that knowingly giving false or misleading information is a serious offence under the Criminal Code Act 1995. 10/5/1- I have read and understood the Privacy Collection Notice (see below). I certify that the above travel by the most efficient/direct route is/was directed by me for official purposes. I certify that where accommodation adjustments are claimed above, the employee was directed to stay at the same commercial EMATOR OR WENTERS Signature accommodation as the employing Senator or Member. 10/5/17 I understand that knowingly giving false or misleading information is a serious offence under the Criminal Code Act 1995. I have read and understood the Privacy Collection Notice (see below). Printed name

Leumeah

10.4.17

Form 54 Mar 2017 Page 1 of 1

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9.05am

Car

Employer name		Options for returning your completed form Scan and Email to: forms@ipea.gov.au				
Chris Hayes MP		or Post to:	Independent Parliamentary Expenses			
mployee name section 47F			Authority One Canberra Avenue FORREST ACT 2603			
Vork base	State/Territory	Enquiries:	Independent Parliamentary Expenses Authority			
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9.40am

25

Cabramatta \*

Privacy Collection Notice — Consistent with the Privacy Act 1988, the Independent Parliamentary Expenses Authority (IPEA) uses the personal information provided in this form to facilitate the administration and monitoring of work expenses for Parliamentarians and their employees under the parliamentary work expense framework. Details of the related expenditure may be tabled in Parliament, published on the IPEA website, or provided to the Special Minister of State, the Department of Finance, relevant service providers, or publicly, as authorised by law. Further details on the collection, storage and use of personal information is available in the full Privacy Notice at <a href="https://www.ipea.gov.au/privacy.html">www.ipea.gov.au/privacy.html</a>

Yes

No

## EMS#: 401979

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### TRAVELLING and/or MOTOR VEHICLE ALLOWANCE CLAIM

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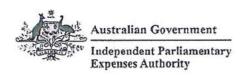
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Chris Hayes MP					
Employee name Section 47F		District Control of Co	Authority One Canberra Avenue FORREST ACT 2603		
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Privacy Collection Notice — Consistent with the Privacy Act 1988, the Independent Parliamentary Expenses Authority (IPEA) uses the personal information provided in the expenses for Parliamentarians and their employees under the parliamentary work expense framework. Details of the related expenditure may be tabled in Parliament, public State, the Department of Finance, relevant service providers, or publicly, as authorised by law. Further details on the collection, storage and use of personal information is av	shed on the IPEA website, or provided to the Special Minister of





Form 54 Mar 2017

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Chris Hayes MP		or Post to:	Independent Parliamentary Expenses Authority	and the same	
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TRAVELLING and/or Mo	OTOR VEHICLE	ALLOWANCE	CLAIM
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Chris Hayes MP		or Post to:	mail to: forms@ipea.gov,au Independent Parliamentary Expenses	
mployee name tion 47F			Authority One Canberra Avenue FORREST ACT 2603	
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Cabramatta	NSW	Email: Phone:	enquiries@ipea.gov.au (02) 6215 3000	
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All fields must be completed to ensure timely payment of claims (incomplete forms may cause delay to payment). TRAVELLING ALLOWANCE · Clearly identify each 'leg' of travel including those where TA is not being claimed. Accommodation arrangements · Non-consecutive nights must be identified by a separate line for each night/group of nights. Note: If kilometres claimed are not supplied, MVA will be paid for kms on the most direct route(s) calculated by Independent Parliamentary Expenses Accommodation type Receipts for Authority. commercial (other than in Canberra) Adjustment to Departure details Arrival details commercial rate necessary Mode of transport From MVA kms No. of Specific location Date (directed to stay with Time (include flight (Town/Suburb) Time per leg if applicable consecutive stayed (Town/Suburb) Senator/Member) number if flown) nights (Town/Suburb) if 'Yes' attach receipts Raby 9.30am Car Leumeah 9.45am 8 Yes [ 27.4.17 Leumeah 9.50am Car Liverpool 10.20am 22

27.4.17 27.4.17 27.4.17	Liverpool  Cabramatta *  Macquaric Links				Cabramatta * Macquarie Lini Leumeah		6 18 10					Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes	No L
27.4.17	Leumea		5.20pm	Car	Raby 🔆	5.35pm	8					Yes 🗌	No [
Vehicle registration  DAP88L		The same of the sa	chicle make		Vehicle model Mazda 3	<ul> <li>MVA is taxable</li> </ul>	e claimed for the purpose of trave but is not taxed at time of payn be claimed if the vehicle is owne	nent if less than 5,000 kms	are naid	per financial	year,		
CERTIFICATION E	Y	• lunder	stand that kno	wingly gi	ted to travel by the most efficie are correct. ving false or misleading informa e Privacy Collection Notice (see	nt/direct route on of	ficial business by my employ	ing Senator or Member.		atur Section 4	F10000	(0)	510
CERMFICATION B SEMATOR OR ME OR AUTHORISED	MISER	I certify     I certify	y that the above y that where a	e travel b	by the most efficient/direct rout dation adjustments are claimed lying Senator or Member.	e is/was directed hy	me for official purposes. was directed to stay at the	same commercial	Sign	aturi			5/17



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## TRAVELLING and/or MOTOR VEHICLE ALLOWANCE CLAIM

Staff employed under the Members of Parliament (Staff) Act 1984

- Note: This form must be completed for all Travelling Allowance and Motor Vehicle Allowance claims.
  - Travelling Allowance and/or MVA claims must be authorised within 60 days of the completion of the travel. Claims authorised on or after the last day of travel will not be advanced.
  - · Travelling Allowance and/or MVA advances should be acquitted as soon as possible

Employer name		Options for returning your completed form Scan and Email to: forms@ipea.gov.au						
Chris Hayes MP		or Post to:	Independent Parliamentary Expenses					
Employee name Section 47F			Authority One Canberra Avenue FORREST ACT 2603					
Work base	State/Territory	Enquiries:	Independent Parliamentary Expenses Authority					
Cabramatta	NSW	Email: Phone:	enquiries@ipea.gov.au (02) 6215 3000					
aumont!								

No further claims will be paid if acquittals are outstanding beyond 28 days.							abramatta	W	4 1	Email: Phone:	enquiries@ipea.gov.au (02) 6215 3000					
All fields must be	completed to	o ensure tin	Committee of the Commit	COSTACIONES CONTRACTOR DE C	lete forms may cause	delay to payr	ment).				L:		10127 01	.10 0000		
Clearly identify ea     Non-consecutive if kilometres of	nights must be in	dentified by a s	separate line for		_		Accommodation type Receipts for									
Authority.		eparture de		s on the most direct ro	ute(s) calculated by Independent	ral details					commercial (other than in Canberra)		Adjustment to commercial rate necessary (directed to stay with Senator/Member) – if 'Yes' attach receipts			
Date	From (Town/Suburb)		Time	Mode of transport (include flight number if flown)	To (Town/Suburb)	Time MVA kms per leg if applicable		consecutive	Specific location stayed (Town/Suburb)	Commi					The state of the s	
4.5.17	Raby 🕌		8.50am	Car	Leumeah	9.00am	8								Yes 🗌	No 🗆
4.5.17	Leumeah		9.00am	Car	Bankstown	9.50am	32								Yes 🗌	No 🗆
4.5.17	Bankstown		11.00am	Car	Cabramatta *	11.20am	12								Yes 🗌	No []
4.5.17	Cabramatta 来 Leumcah		4.50pm	Саг	Leumeah	6.15pm	25								Yes 🗍	No 🗆
4.5.17			6.15pm	Car	Raby 米	6.30pm	8								Yes 🗌	No 🗌
		V-10 F 5													Yes 🗌	No 🗔
Vehicle regist		Missing to the Assessed	ehicle make	Ve	ehicle model	<ul> <li>MVA cannot b</li> </ul>	e claimed for the	e purpose of tra	vel between accommod	ation an	nd the wo	orkplace.				
DAP88L Mazda			THE RESERVE OF THE PARTY OF THE	Mazda 3		<ul> <li>MVA is taxabl</li> </ul>	e but is not taxed	d at time of payr	ment if less than 5,000 led by the employee or p	kms are	paid pe	r financial v	ear.			
CERTIFICATION 8 EMPLOYEE	and a	I under     I have	rstand that kno read and unde	e details are correct wingly giving false of rstood the Privacy C	by the most efficient/dia misleading information ollection Notice (see belo	rect route on o is a serious off ow).	fficial business ence under the	by my emplo	ying Senator or Mem			Section 47F			(0 /	15/17
CERTIFICATION B SENATOR OF WIS OR AUTHORISED	MILET	I certife accomme	y that where ac imodation as th rstand that kno	commodation adjus ne employing Senato wingly giving false or	efficient/direct route is/t tments are claimed abov r or Member. misleading information i bllection Notice (see belo	e, the employe is a serious off	e was directed	to stay at the			Signatu	d name	10	zh čis		5/17