7 July 2021

Dear

Thank you for your request of 14 June 2021, made under the Official Information Act 1982 (OIA). You requested:

> *… an annual summary of the total number of FBT exemptions granted to work-related vehicles (ideally with a breakdown of the types of vehicles) over the last 10 years.*

I am unable to provide this information, as exemptions are not 'granted' to work-related vehicles. Fringe benefit tax (FBT) liability is self-assessed by employers, who are not required to provide a breakdown per vehicle to Inland Revenue. Therefore, your request is refused under section 18(g) of the OIA, as the information is not held.

If a motor vehicle is made available to an employee, a motor vehicle fringe benefit does not arise on a particular day in relation to that vehicle if it is a work-related vehicle at all times during the day. An employer self-assesses whether the vehicle meets the legislative requirements to qualify as a work-related vehicle and needs to retain sufficient evidence to support their conclusion.

Inland Revenue's Interpretation Statement 17/07, Fringe Benefit Tax – Motor Vehicles (IS 17/07) published on our website on 29 Aug 2017 explains how fringe benefit tax applies to motor vehicles, including outlining the work-related vehicle exemption.

You can read the document on the Inland Revenue website: https://www.taxtechnical.ird.govt.nz/interpretation-statements/is-1707-fringe-benefit-tax-motor-vehicles.

Right of review

If you disagree with my decision on your OIA request, you can ask an Inland Revenue review officer to review my decision. To ask for an internal review, please email the Commissioner of Inland Revenue at: CommissionersCorrespondence@ird.govt.nz.

Alternatively, under section 28(3) of the OIA, you have the right to ask the Ombudsman to investigate and review my decision. You can contact the office of the Ombudsman at: info@ombudsman.parliament.nz.

Thank you for your request.

Yours sincerely

Geoff Leggett
Principal Policy Advisor
Policy and Regulatory Stewardship