

FEDERAL FINANCIAL RELATIONS (NATIONAL PARTNERSHIP PAYMENTS) DETERMINATION NO. 43 (JANUARY 2012)

I, WAYNE MAXWELL SWAN, Treasurer, make this Determination under section 16 of the *Federal Financial Relations Act 2009*.

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WAYNE MAXWELL SWAN

Dated: 5 January 2012

PART 1 — PRELIMINARY

Name of Determination

1. This determination is the *Federal Financial Relations (National Partnership payments) Determination No. 43 (January 2012)*.

Commencement

2. This determination commences on the day on which this determination is made.

Definitions

3. The following definitions are used throughout this determination:

Act means the *Federal Financial Relations Act 2009*.

COAG Reform Fund means the COAG Reform Fund established by section 5 of the *COAG Reform Fund Act 2008*.

Drawing right means a drawing right issued under section 27 of the *Financial Management and Accountability Act 1997*.

Intergovernmental Agreement means the *Intergovernmental Agreement on Federal Financial Relations* that took effect on 1 January 2009. The *Intergovernmental Agreement* provides an overarching framework for financial transfers between the Commonwealth and the States and related collaboration on policy development and service delivery.

State includes the Australian Capital Territory and the Northern Territory.

Exemption from section 42 (disallowance) of the *Legislative Instruments Act 2003*

4. Subsection 16(5) of the Act provides that this determination is a legislative instrument, but section 42 (disallowance) of the *Legislative Instruments Act 2003* does not apply to this determination.

PART 2 — PURPOSE

Provision of financial assistance

5. This determination is made, in accordance with section 16 of the Act, for the purpose of providing grants of financial assistance to a State to:

- (a) support the delivery by the State of specified outputs or projects;
- (b) facilitate reforms by the State; or
- (c) reward the State for nationally significant reforms.

Terms and conditions

6. Subsection 16(2) of the Act requires that an amount determined under subsection 16(1) must be credited to the COAG Reform Fund. The *COAG Reform Fund Act 2008* established the COAG Reform Fund and specifies that it is a Special Account for the purposes of the *Financial Management and Accountability Act 1997*.

7. Subsection 7(2) of the *COAG Reform Fund Act 2008* requires that the terms and conditions on which financial assistance is granted through the COAG Reform Fund are to be set out in a written agreement between the Commonwealth and the State.

8. ‘Schedule D — Payment Arrangements’ to the *Intergovernmental Agreement* provides that the Commonwealth will make National Partnership payments to the States to support the delivery of specified outputs or projects, to facilitate reforms or to reward those jurisdictions that deliver on nationally significant reforms.

9. National Partnerships will clearly set out the payment profile in respect of each State.

10. Where the achievement of pre-determined milestones or performance benchmarks is required before a payment is made to a State:

- (a) in the case of payments to reward nationally significant reforms, the relevant Commonwealth Minister or delegate will make a determination as to whether the incentive payment will be paid following receipt of a recommendation from the COAG Reform Council as to whether a pre-determined performance benchmark has been achieved; and
- (b) in the case of payments to facilitate reform and to support the delivery of specified outputs or projects, the relevant Commonwealth Minister or delegate will make a determination, based upon expenditure and

performance reporting arrangements set out in the National Partnership, as to whether the facilitation or project payment will be paid.

11. Where the achievement of a performance benchmark is not required before a payment is made to a State, payments will be scheduled in accordance with the payment profile set out in the National Partnership.

PART 2 — NATIONAL PARTNERSHIP PAYMENTS

Determination

12. In accordance with subsection 16(1) of the Act, the amounts specified in Table 1 are to be paid to the States specified in that table for the purpose of making a grant of financial assistance to:

- (a) support the delivery by the States of specified outputs or projects;
- (b) facilitate reforms by the States; or
- (c) reward the States for nationally significant reforms.

Table 1: National Partnership payments for payment on 9 January 2012

State	Amount of National Partnership payments
New South Wales	\$175,687,738.73
Victoria	\$110,823,618.82
Queensland	\$190,591,125.70
Western Australia	\$90,565,614.92
South Australia	\$55,667,741.85
Tasmania	\$21,554,163.13
Australian Capital Territory	\$7,049,715.52
Northern Territory	\$22,935,004.33
Total	\$674,874,723.00

13. These amounts will be credited to the COAG Reform Fund before being paid to the States on 9 January 2012.

14. Schedule 1 to this determination provides further information on these payments.

Drawing rights limits

15. Subsection 16(3) of the Act provides that the total amount credited to the COAG Reform Fund for the purpose of making National Partnership payments in the financial year starting on 1 July 2011 must not exceed \$18,000,000,000.00.

16. The amounts specified in Table 2 are the total amounts determined in the 2011-12 financial year in respect of National Partnership payments under section 16 of the Act, including this determination.

Table 2: Total cumulative payments of National Partnership payments in 2011-12

State	Amount of National Partnership payments
New South Wales	\$1,605,839,097.32
Victoria	\$1,241,941,677.27
Queensland	\$1,436,453,737.64
Western Australia	\$672,877,159.36
South Australia	\$560,949,435.03
Tasmania	\$202,406,541.87
Australian Capital Territory	\$43,847,784.37
Northern Territory	\$423,890,484.17
Total	\$6,188,205,917.03
General drawing rights limit for 2011-12	\$18,000,000,000.00
Remaining drawing rights limit for 2011-12	\$11,811,794,082.97

17. The total amount determined for National Partnership payments to date in the 2011-12 financial year does not exceed the general drawing rights limit.

SCHEDULE 1

AMOUNTS OF NATIONAL PARTNERSHIP PAYMENTS FOR PAYMENT ON 9 JANUARY 2012 (\$)

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
Healthcare									
National Partnership payments									
Essential vaccines - vaccines purchase	7,793,502.03	8,701,572.55	4,669,999.29	3,508,784.20	1,988,823.47	1,296,561.24	438,744.56	325,300.00	28,723,287.34
<i>Health services</i>									
Vaccine preventable diseases surveillance	-	333,000.00	-	-	-	-	-	-	333,000.00
Victorian cytology service	-	642,000.00	-	-	-	-	-	-	642,000.00
Indigenous early childhood development	2,870,000.00	-	-	-	-	-	-	2,240,500.00	5,110,500.00
Total Healthcare National Partnership payments	10,663,502.03	9,676,572.55	4,669,999.29	3,508,784.20	1,988,823.47	1,296,561.24	438,744.56	2,565,800.00	34,808,787.34
Education									
National Partnership payments									
Early childhood education -									
Universal access to early education	-	-	45,144,000.00	14,850,000.00	10,098,000.00	2,970,000.00	1,782,000.00	2,970,000.00	77,814,000.00
Trade training centres in schools	10,874,172.82	-	-	-	1,503,145.20	2,419,164.40	-	-	14,796,482.42
National quality agenda for early childhood education and care	-	-	-	-	1,498,000.00	-	-	492,000.00	1,990,000.00
Indigenous early childhood development - children and family centres	-	-	-	3,880,000.00	-	416,000.00	560,000.00	-	4,856,000.00
Productivity places program	13,430,000.00	-	8,224,000.00	4,188,000.00	3,081,000.00	1,245,000.00	711,000.00	444,000.00	31,323,000.00
Defence industry school pathways programs	-	-	-	-	1,336,041.00	-	-	-	1,336,041.00
National solar schools plan	2,559,384.00	5,140,355.42	2,193,225.19	2,101,915.05	819,122.73	197,498.27	344,500.00	1,088,173.49	14,444,174.15
Total Education National Partnership payments	26,863,556.82	5,140,355.42	55,561,225.19	25,019,915.05	18,335,308.93	7,247,662.67	3,397,500.00	4,994,173.49	146,559,697.57
Community services									
National Partnership payments									
Certain concessions for pensioners and seniors card holders	7,377,583.00	5,274,250.00	3,683,000.00	1,854,583.00	2,098,333.00	673,583.00	149,917.00	102,667.00	21,213,916.00
Closing the gap - Northern Territory									
Remote policing	-	-	-	-	-	-	-	3,925,667.00	3,925,667.00
Home and community care	36,275,709.72	27,517,974.52	29,801,925.92	11,680,850.33	10,381,102.02	3,552,227.22	1,549,734.96	608,800.84	121,368,325.53
Home and community care services for veterans	-	2,235,333.33	-	857,500.00	-	-	-	-	3,092,833.33
National reciprocal transport concessions	551,719.00	152,854.00	353,530.00	37,866.00	34,158.00	10,533.00	15,819.00	6,776.00	1,163,255.00
Total Community services National Partnership payments	44,205,011.72	35,180,411.85	33,838,455.92	14,430,799.33	12,513,593.02	4,236,343.22	1,715,470.96	4,643,910.84	150,763,996.86
Housing									
National Partnership payments									
First Home Owners Boost	605,500.00	2,853,600.00	273,000.00	(10,500.00)	56,000.00	21,000.00	210,000.00	-	4,008,600.00
Homelessness	2,873,000.00	2,159,000.00	2,781,000.00	1,380,000.00	833,000.00	215,000.00	200,000.00	517,000.00	10,958,000.00
Remote Indigenous housing	-	-	26,313,000.00	-	-	-	-	-	26,313,000.00
Total Housing National Partnership payments	3,478,500.00	5,012,600.00	29,367,000.00	1,369,500.00	889,000.00	236,000.00	410,000.00	517,000.00	41,279,600.00

AMOUNTS OF NATIONAL PARTNERSHIP PAYMENTS FOR PAYMENT ON 9 JANUARY 2012 (\$) (CONTINUED)

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
Infrastructure									
National Partnership payments									
Nation building program									
Investment									
Rail	21,091,870.00	536,782.00	-	-	-	1,067,495.00	-	-	22,696,147.00
Road	50,313,464.00	38,735,848.00	52,669,532.00	38,353,829.00	16,013,000.00	2,881,457.00	-	8,687,322.00	207,654,452.00
Black spot projects	-	-	-	1,964,841.00	690,812.00	-	-	250,000.00	2,905,653.00
Off-Network Projects - Rail	-	-	-	-	-	368,683.00	-	-	368,683.00
Off-Network Projects - Road	246,126.00	1,454,227.00	-	41,046.00	-	(44,082.00)	-	-	1,697,317.00
Heavy vehicle safety	123,722.00	175,822.00	-	110,356.00	137,500.00	-	-	-	547,400.00
Total Infrastructure National Partnership payments	71,775,182.00	40,902,679.00	52,669,532.00	40,470,072.00	16,841,312.00	4,273,553.00	-	8,937,322.00	235,869,652.00
Environmental services									
National Partnership payments									
Caring for our country	863,800.00	-	-	-	-	-	-	-	863,800.00
Great Artesian Basin sustainability initiative	2,188,186.16	-	2,826,000.00	-	-	-	-	-	5,014,186.16
Renewable remote power generation	-	-	-	170,000.00	6,289.00	-	-	314,798.00	491,087.00
Plant disease and eradication	-	-	1,537,913.30	-	-	-	-	-	1,537,913.30
Water for the Future - National Water Security Plan for Cities and Towns	-	4,000,000.00	-	-	-	-	-	-	4,000,000.00
Water for the Future - Sustainable Rural Water Use and Infrastructure	-	-	-	-	-	2,805,043.00	-	-	2,805,043.00
Total Environmental services National Partnership payments	3,051,986.16	4,000,000.00	4,363,913.30	170,000.00	6,289.00	2,805,043.00	-	314,798.00	14,712,029.46
Other State services									
National Partnership payments									
Digital regions initiative	250,000.00	-	-	-	627,592.00	-	-	-	877,592.00
Legal aid	15,400,000.00	10,911,000.00	10,121,000.00	4,895,000.00	3,858,000.00	1,459,000.00	1,088,000.00	962,000.00	48,694,000.00
Trial of drought reform measures in WA	-	-	-	701,544.34	-	-	-	-	701,544.34
Total Other State services National Partnership payments	15,650,000.00	10,911,000.00	10,121,000.00	5,596,544.34	4,485,592.00	1,459,000.00	1,088,000.00	962,000.00	50,273,136.34
Contingent payments									
National Partnership payments									
Exceptional circumstances assistance	-	-	-	-	607,823.43	-	-	-	607,823.43
Total Contingent payments National Partnership payments	-	-	-	-	607,823.43	-	-	-	607,823.43
Total National Partnership payments	175,687,738.73	110,823,618.82	190,591,125.70	90,565,614.92	55,667,741.85	21,554,163.13	7,049,715.52	22,935,004.33	674,874,723.00