

# NATIONAL PARTNERSHIP AGREEMENT ON SPECIFIED PROJECTS

An agreement between

- the Commonwealth of Australia and
- the States and Territories, being:
  - ◆ New South Wales;
  - ◆ Victoria;
  - ◆ Queensland;
  - ◆ Western Australia;
  - ◆ South Australia;
  - ◆ Tasmania;
  - ◆ the Australian Capital Territory; and
  - ◆ the Northern Territory.

This Agreement will contribute to the delivery of specified projects in key government sectors.

# National Partnership Agreement on Specified Projects

## OVERVIEW

### Rationale

1. This National Partnership Agreement (the Agreement) has been developed to consolidate and replace previous stand-alone agreements with a total value of less than \$60 million.
2. Consolidation under this Agreement does not change funding levels, funding profiles or expiry dates for individual projects, but does reduce the frequency and detail of performance reporting required to demonstrate that agreed outputs have been met prior to payments being made. Accordingly, the frequency of payments is also reduced.
3. The outcome of this Agreement is a reduction in the overall reporting burden for all parties and recognition of the sovereignty of all governments. It recognises that States and Territories ('the States') meet high levels of public accountability through their own Parliaments and audit arrangements. This will give the States the flexibility to deliver projects and reforms within their jurisdictions, while remaining accountable for the funding. The outputs and where relevant, outcomes, of individual projects are set out in Schedules to this Agreement ('Schedules').

### Reporting arrangements

4. Unless otherwise specified:
  - (a) for each Schedule, the States will report annually against the agreed performance milestones and/or benchmarks set out in the Schedule; and
  - (b) reports will be required by no later than 30 April each year.
5. Where a milestone is met in advance of the due date, subject to the relevant performance report demonstrating the milestone has been met, the Commonwealth may make the associated payment earlier than scheduled provided it falls within the same financial year.
6. Reporting will be limited to that which is required to demonstrate that agreed outputs, as measured by achievement against performance milestones and/or benchmarks, have been met. Where appropriate, reporting will be limited to single-line reporting.
7. The States have the flexibility to determine how best to meet the reporting requirements of this Agreement and can make use of any appropriate data sources, including existing State reporting mechanisms such as performance audit reports from Auditors-General.

### Financial contributions

8. The Commonwealth will provide financial contributions to the States in accordance with the Schedules to this Agreement. Unless otherwise specified, annual payments will be made in arrears subject to the performance report demonstrating the relevant milestones have been met.
9. The Commonwealth's funding contributions will not be reduced where the States secure funding from other activity partners through innovative and collaborative partnerships.

## FORMALITIES

10. This Agreement is created subject to the provisions of the Intergovernmental Agreement on Federal Financial Relations (IGA FFR) and should be read in conjunction with that Agreement and its Schedules.
11. General arrangements that apply to all projects are set out in the body of this Agreement. Specific arrangements for individual projects are set out in the Schedules to this Agreement.
12. On commencement of each Schedule, any previous relevant stand-alone agreement will expire and will be replaced by the relevant Schedule for the remainder of the project.

## Parties to this Agreement

13. This Agreement is between the Commonwealth of Australia (the Commonwealth) and the States.

## Term of the Agreement

14. This Agreement will commence as soon as the Commonwealth and one other Party sign it and will expire when all the Schedules expire, unless terminated earlier in writing.

## ROLES AND RESPONSIBILITIES

15. Under this Agreement, the Parties have specific roles and responsibilities, as outlined below. Any additional roles specific to individual projects will be outlined in the Schedules to this Agreement.
16. The Commonwealth agrees to be accountable for providing a financial contribution to the States to support the implementation of this Agreement, as set out in Schedules to this Agreement.
17. The States agree to be accountable for the following roles and responsibilities:
  - (c) delivering on outputs and outcomes agreed for the States to implement, as set out in Schedules to this Agreement; and
  - (d) reporting on the delivery of outputs and outcomes as set out in the Schedules to this Agreement.
18. All Parties will meet the requirements of Schedule E, Clause 26 of the IGA FFR, by ensuring prior agreement is reached on the nature and content of any events, announcements, promotional material or publicity relating to activities under this Agreement, and that the roles of both Parties will be acknowledged and recognised appropriately.

## GOVERNANCE

### Project management risk

19. Unless otherwise specified in the Schedules to this Agreement, the States will not be required to pay a refund to the Commonwealth if the actual cost of the project is less than the agreed estimated cost of the project. Similarly, the States bear all risk should the costs of a project exceed the agreed estimated costs. The Parties acknowledge this arrangement provides the maximum incentive for the States to deliver projects cost effectively and efficiently.

## Enforceability of the Agreement

20. The Parties do not intend any of the provisions of this Agreement to be legally enforceable. However, that does not lessen the Parties' commitment to this Agreement.

## Variation of the Agreement

21. The body of this Agreement may be amended at any time by agreement in writing by all the Parties.
22. Schedules to this Agreement may be amended or added at any time by agreement in writing by all relevant Commonwealth and State portfolio ministers.
23. A Party to the Agreement may terminate their participation in the Agreement, including all relevant schedules, or participation in a Schedule, at any time by notifying all the other Parties in writing.

## Delegations

24. The relevant Commonwealth portfolio minister is authorised to agree and amend Schedules to this Agreement and to certify that performance milestones and/or benchmarks set out in relevant Schedules have been achieved, so that payments may be made.
25. Respective State and Territory portfolio ministers are authorised to agree and amend Schedules to this Agreement.
26. Commonwealth ministers may delegate the assessment of project-based performance benchmarks or milestones and the authorisation of related project payments to senior Commonwealth officials, having regard to the financial and policy risks associated with those payments.

## Dispute resolution

27. Any Party may give notice to other Parties of a dispute under this Agreement.
28. Officials of relevant Parties will attempt to resolve any dispute in the first instance.
29. If a dispute cannot be resolved by officials, it may be escalated to the relevant portfolio ministers and if necessary, the relevant Ministerial Council.

The Parties have confirmed their commitment to this agreement as follows:

**Signed** *for and on behalf of the Commonwealth of Australia by*

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**The Honourable Tony Abbott MP**

Prime Minister of the Commonwealth of Australia

June 2014

**Signed** *for and on behalf of the State of New South Wales by*

**Signed** *for and on behalf of the State of Victoria by*

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**The Honourable Mike Baird MP**

Premier of the State of New South Wales

June 2014

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Premier of the State of Victoria

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Premier of the State of Queensland

June 2014

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Premier of the State of South Australia

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**The Honourable Will Hodgman MP**

Premier of the State of Tasmania

June 2014

**Signed** *for and on behalf of the Australian Capital Territory by*

**Signed** *for and on behalf of the Northern Territory by*

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Chief Minister of the Australian Capital Territory

June 2014

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Chief Minister of the Northern Territory

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Capital Territory by*

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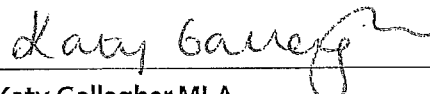
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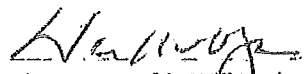
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