

NATIONAL PARTNERSHIP AGREEMENT ON THE DEVELOPMENT OF A TELEPHONE-BASED NATIONAL EMERGENCY WARNING SYSTEM



An agreement between

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

This Agreement facilitates the development and implementation of a telephone-based National Emergency Warning System that will enable the States and Territories to deliver warnings to landline telephones based on the service address and mobile telephones based on the billing address of the subscriber.

National Partnership Agreement on the Development of a Telephone-Based National Emergency Warning System

INTERGOVERNMENTAL AGREEMENT ON FEDERAL FINANCIAL
RELATIONS

PRELIMINARIES

1. This National Partnership agreement (the Agreement) is created subject to the provisions of the *Intergovernmental Agreement on Federal Financial Relations* and should be read in conjunction with that Agreement and subsidiary schedules.
2. The Parties are committed to addressing the issue of social inclusion, including responding to Indigenous disadvantage. That commitment is embodied in the objectives and outcomes of this Agreement. However, the Parties have also agreed other objectives and outcomes which the Parties will pursue through the broadest possible spectrum of government action. Consequently, this Agreement will be implemented consistently with the objectives and outcomes of all National Agreements and National Partnerships entered into by the Parties.
3. This Agreement has been established to give effect to the decision on 30 April 2009 by the Council of Australian Governments (COAG) to enhance Australia's disaster management arrangements through the development of a telephone-based National Emergency Warning System (NEWS) that will enable the States and Territories to deliver warnings to landline and mobile telephones based on the service and billing address of the subscriber respectively.
4. NEWS will be operated on an ongoing basis by the States and Territories (except Western Australia) and will help warn the public in the event of a major emergency, and will add to a range of mechanisms already used to deliver warnings including television and radio alerts, public address systems, doorknocking, sirens, signage and the internet.
5. Western Australia has developed a separate telephony-based emergency warning system known as State Alert.

PART 1 – FORMALITIES

Parties to this Agreement

6. In entering this Agreement, the Commonwealth and the States and Territories recognise that they have a mutual interest in enhancing Australia's disaster response arrangements and need to work cooperatively to achieve that outcome.
7. The Commonwealth, States and Territories have agreed that the Victorian Government will run the procurement process for the NEWS on their behalf.

Term of the Agreement

8. This Agreement will commence once the Commonwealth and at least Victoria signs the Agreement and will expire on 30 June 2010 or following the final payment by the Commonwealth when the full NEWS solution is in place in accordance with the contract with the service provider or earlier termination as agreed in writing by the Parties.

Enforceability of the Agreement

9. 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.

Delegations

10. The Commonwealth Attorney-General is authorised to certify on behalf of the Commonwealth that payments may be made by the Commonwealth to Victoria as set out in the payment schedule at Clauses 26 and 27.

PART 2 – OBJECTIVES, OUTCOMES AND OUTPUTS

Objective

11. The Parties commit to increase the safety of Australians by enhancing Australia's disaster response arrangements.

Outcomes

12. The Agreement will contribute to an enhanced suite of mechanisms in the States and Territories used to deliver warnings which will assist States and Territories in the management of and response to emergencies.

Outputs

13. The objectives and outcomes of this Agreement will be achieved by:
 - the selection, engagement and payment, by Victoria as lead State, of a service provider to develop the NEWS;
 - the development of a NEWS that meets the specifications set out in the contract between the State of Victoria and its service provider;

- the implementation of NEWS by Victoria, on behalf of all States and Territories, except Western Australia; and
- support to the States and Territories to educate the Australian public about telephone-based emergency warnings, and in particular the NEWS and how it will be used.

PART 3 – ROLES AND RESPONSIBILITIES OF EACH PARTY

14. To realise the objectives and commitments in this Agreement, each Party has specific roles and responsibilities, as outlined below.

Role of the Commonwealth

15. The Commonwealth will provide a financial contribution to Victoria:
- to meet the expenses incurred in the procurement and development of the NEWS; and
 - for support to the States and Territories to educate the public about telephone-based emergency warnings, and in particular the NEWS.
16. Beyond the provision of the funding, the Commonwealth does not accept any responsibility or liability for the development, ownership, or ongoing maintenance or operation of the NEWS, other than its responsibility to establish and maintain the Location Based Number Store (LBNS) (a secure central database of geo-coded telephone numbers) on which the operation of NEWS relies. An appropriate mechanism has been established to facilitate the relationship between the NEWS, State Alert and the LBNS.

Role of the States and Territories

17. As the lead State, Victoria will be responsible for:
- (a) procuring an appropriate service provider for the development of the NEWS on behalf of all States and Territories (except Western Australia) and ensuring appropriate mechanisms are established to govern the relationship between the participating States and Territories and the NEWS service provider for the operation of NEWS;
 - (b) the engagement of an advertising agency to develop national education and awareness tools on telephone-based warnings, in particular the NEWS, for print, television, radio and the internet, and the provision of those tools to all States and Territories; and
 - (c) providing reports to the Commonwealth Attorney-General's Department on progress in implementation as set out in Clause 21 of this Agreement.
18. All participating States and Territories will be responsible for the purchase of any media space utilised for the roll-out of the education and awareness tools.
19. All participating States and Territories will have responsibility for the ongoing operation and management of the NEWS.

PART 4 – PERFORMANCE REPORTING

20. As the lead state, Victoria will manage the procurement of the NEWS with a view to the service provider meeting the following milestones:
 - a NEWS testing environment: by 31 October 2009;
 - a NEWS interim solution: by 30 November 2009; and
 - a NEWS full solution: by 31 May 2010.
21. Victoria, as lead state, will report to the Commonwealth Attorney-General's Department on progress in implementation of the NEWS by 31 December 2009 and 30 June 2010.

PART 5 – FINANCIAL ARRANGEMENTS

Funding

22. The total Commonwealth contribution to the development and implementation of NEWS will not exceed \$15.65 million in 2009-10. The Commonwealth's funding contribution will not be reduced where the States and Territories secure funding from other activity partners through innovative and collaborative partnerships.
23. Having regard to the estimated cost of the project, States and Territories will not be required to pay a refund to the Commonwealth if the actual cost of the NEWS project is less than the agreed estimated cost.
24. The contractor engaged to develop and implement the NEWS contractually bears the risk if the project exceeds the agreed cost.
25. Any funds not used in payment to the service provider (Telstra), will be used to cover the costs incurred by Victoria in the procurement of the NEWS system and the engagement of the advertising agency to develop the national education and awareness tools.

Payment schedule

26. On signing of this Agreement, the Commonwealth will provide to Victoria 50 per cent of the 2009-10 funding allocated for the development and implementation of NEWS, and the \$650,000 allocated for the development of the national education and awareness tools.
27. The remaining 50 per cent will be paid when the NEWS full solution is available.
28. The Commonwealth will make payments to Victoria in line with this Agreement, and in accordance with the payment arrangements outlined in Schedule D of the *Intergovernmental Agreement on Federal Financial Relations*.

PART 6 – GOVERNANCE ARRANGEMENTS

Dispute resolution

29. Any Party may give notice to other Parties of a dispute under this Agreement.

30. If a dispute cannot be resolved it may be escalated to the relevant Ministers.
31. If a dispute cannot be resolved by the relevant Ministers, it may be referred by a Party to COAG for consideration.

Variation of the Agreement

32. The Agreement may be amended at any time by agreement in writing by all the Parties and under terms and conditions as agreed by all the Parties.
33. A Party to the Agreement may terminate their participation in the Agreement at any time by notifying all the other Parties in writing.

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

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Kevin Rudd MP
Prime Minister of the Commonwealth of Australia

November 2009

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

The Honourable Nathan Rees MP
Premier of the State of New South Wales

November 2009

Signed for and on behalf of the State of Queensland by

The Honourable Anna Bligh MP
Premier of the State of Queensland

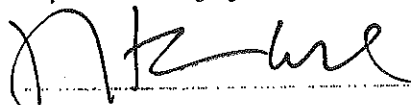
November 2009

Signed for and on behalf of the State of South Australia by

The Honourable Mike Rann MP
Premier of the State of South Australia

November 2009

Signed for and on behalf of the Australian Capital Territory by


Jon Stanhope MLA
Chief Minister of the Australian Capital Territory

November 2009

Signed for and on behalf of the State of Victoria by

The Honourable John Brumby MP
Premier of the State of Victoria

November 2009

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA
Premier of the State of Western Australia

November 2009

Signed for and on behalf of the State of Tasmania by

The Honourable David Bartlett MP
Premier of the State of Tasmania

November 2009

Signed for and on behalf of the Northern Territory by

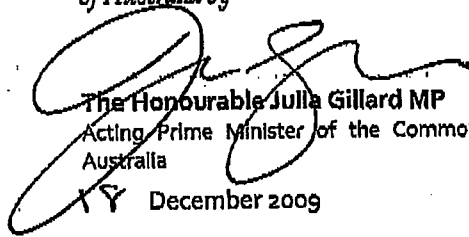
The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia

November 2009

National Partnership Agreement on the Development of a Telephone-Based National Emergency Warning System

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

Signed for and on behalf of the Commonwealth of Australia by


The Honourable Julia Gillard MP
Acting Prime Minister of the Commonwealth of Australia
17 December 2009

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

The Honourable Kristina Keneally MP
Premier of the State of New South Wales
December 2009

Signed for and on behalf of the State of Victoria by

The Honourable John Brumby MP
Premier of the State of Victoria
November 2009

Signed for and on behalf of the State of Queensland by

The Honourable Anna Bligh MP
Premier of the State of Queensland
November 2009

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA
Premier of the State of Western Australia
November 2009

Signed for and on behalf of the State of South Australia by

The Honourable Mike Rann MP
Premier of the State of South Australia
November 2009

Signed for and on behalf of the State of Tasmania by

The Honourable David Bartlett MP
Premier of the State of Tasmania
November 2009

Signed for and on behalf of the Australian Capital Territory by

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory
November 2009

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia
November 2009

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

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

The Honourable Kevin Rudd MP
Prime Minister of the Commonwealth of Australia
November 2009

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



The Honourable Kristina Keneally MP
Premier of the State of New South Wales
November 2009

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

The Honourable John Brumby MP
Premier of the State of Victoria
November 2009

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

The Honourable Anna Bligh MP
Premier of the State of Queensland
November 2009

*Signed for and on behalf of the
State of Western Australia by*

The Honourable Colin Barnett MLA
Premier of the State of Western Australia
November 2009

*Signed for and on behalf of the
State of South Australia by*

The Honourable Mike Rann MP
Premier of the State of South Australia
November 2009

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

The Honourable David Bartlett MP
Premier of the State of Tasmania
November 2009

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

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory
November 2009

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

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia
November 2009

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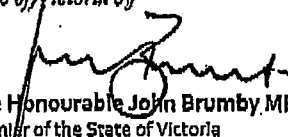
Signed for and on behalf of the Commonwealth of Australia by

The Honourable Kevin Rudd MP
Prime Minister of the Commonwealth of Australia
November 2009

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

The Honourable Nathan Rees MP
Premier of the State of New South Wales
November 2009

Signed for and on behalf of the State of Victoria by


The Honourable John Brumby MP
Premier of the State of Victoria
28 November 2009

Signed for and on behalf of the State of Queensland by

The Honourable Anna Bligh MP
Premier of the State of Queensland
November 2009

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA
Premier of the State of Western Australia
November 2009

Signed for and on behalf of the State of South Australia by

The Honourable Mike Rann MP
Premier of the State of South Australia
November 2009

Signed for and on behalf of the State of Tasmania by

The Honourable David Bartlett MP
Premier of the State of Tasmania
November 2009

Signed for and on behalf of the Australian Capital Territory by

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory
November 2009

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia
November 2009

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Premier of the State of New South Wales

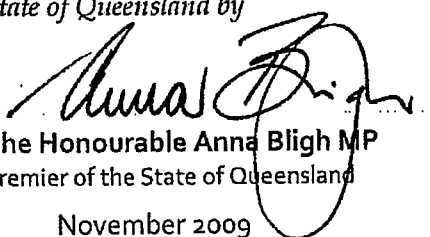
November 2009

Signed for and on behalf of the State of Victoria by

The Honourable John Brumby MP
Premier of the State of Victoria

November 2009

Signed for and on behalf of the State of Queensland by


The Honourable Anna Bligh MP
Premier of the State of Queensland

November 2009

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA
Premier of the State of Western Australia

November 2009

Signed for and on behalf of the State of South Australia by

The Honourable Mike Rann MP
Premier of the State of South Australia

November 2009

Signed for and on behalf of the State of Tasmania by

The Honourable David Bartlett MP
Premier of the State of Tasmania

November 2009

Signed for and on behalf of the Australian Capital Territory by

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory

November 2009

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia

November 2009

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The Honourable Kevin Rudd MP
Prime Minister of the Commonwealth of Australia
November 2009

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The Honourable Nathan Rees MP
Premier of the State of New South Wales
November 2009

Signed for and on behalf of the State of Victoria by

The Honourable John Brumby MP
Premier of the State of Victoria
November 2009

Signed for and on behalf of the State of Queensland by

The Honourable Anna Bligh MP
Premier of the State of Queensland
November 2009

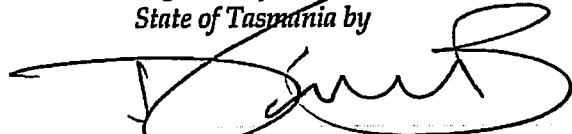
Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA
Premier of the State of Western Australia
November 2009

Signed for and on behalf of the State of South Australia by

The Honourable Mike Rann MP
Premier of the State of South Australia
November 2009

Signed for and on behalf of the State of Tasmania by



The Honourable David Bartlett MP
Premier of the State of Tasmania
November 2009

Signed for and on behalf of the Australian Capital Territory by

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory
November 2009

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia
November 2009

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The Honourable Kevin Rudd MP
Prime Minister of the Commonwealth of Australia

November 2009

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The Honourable Nathan Rees MP
Premier of the State of New South Wales

November 2009

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The Honourable Anna Bligh MP
Premier of the State of Queensland

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The Honourable Mike Rann MP
Premier of the State of South Australia

November 2009

Signed for and on behalf of the Australian Capital Territory by

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory

November 2009

Signed for and on behalf of the State of Victoria by

The Honourable John Brumby MP
Premier of the State of Victoria

November 2009

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA
Premier of the State of Western Australia

November 2009

Signed for and on behalf of the State of Tasmania by

The Honourable David Bartlett MP
Premier of the State of Tasmania

November 2009

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia

30 November 2009



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

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Kevin Rudd MP
Prime Minister of the Commonwealth of Australia
November 2009

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

The Honourable Nathan Rees MP
Premier of the State of New South Wales
November 2009


Signed for and on behalf of the State of Victoria by

The Honourable John Brumby MP
Premier of the State of Victoria
November 2009

Signed for and on behalf of the State of Queensland by

The Honourable Anna Bligh MP
Premier of the State of Queensland
November 2009

Signed for and on behalf of the State of Western Australia by


The Honourable Colin Barnett MLA
Premier of the State of Western Australia
June 2010

Signed for and on behalf of the State of South Australia by

The Honourable Mike Rann MP
Premier of the State of South Australia
November 2009

Signed for and on behalf of the State of Tasmania by

The Honourable David Bartlett MP
Premier of the State of Tasmania
November 2009

Signed for and on behalf of the Australian Capital Territory by

Jon Stanhope MLA
Chief Minister of the Australian Capital Territory
November 2009

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA
Chief Minister of the Northern Territory of Australia
November 2009