

# NATIONAL PARTNERSHIP AGREEMENT TO ESTABLISH A PROJECT OFFICE FOR HEAVY VEHICLE REGULATORY REFORM

Council of  
Australian  
Governments

An agreement between

- the **Commonwealth of Australia** and
- the **State of Queensland**

An agreement between the Commonwealth and the State of Queensland to establish a Project Office for the development of a national heavy vehicle regulatory system, including national law administered by a single national heavy vehicle regulator, to regulate all vehicles over 4.5 tonnes.

# National Partnership Agreement to Establish a Project Office for Heavy Vehicle Regulatory Reform

## INTERGOVERNMENTAL AGREEMENT

### PRELIMINARIES

1. This Agreement is created subject to the provisions of the *Intergovernmental Agreement on Federal Financial Relations* and should also be read in conjunction with that Agreement and subsidiary schedules.
2. The Commonwealth and all States and Territories agreed on 2 July 2009 that a National Heavy Vehicle Regulator will be established to regulate all vehicles over 4.5 tonnes. The regulator's aim will be improved safety and reduced costs and regulatory burden for Australian transport companies. Legislation will be introduced in each State and Territory parliament with a view to achieving national regulation by 30 December 2012.
3. This Agreement will provide funding towards establishing a Project Office to support implementation of a national heavy vehicle regulatory system (consisting of the national law, the National Heavy Vehicle Regulator Act, the national heavy vehicle regulator and the supporting administration, structures and systems that enable their operation). A further National Partnership Agreement will be considered at the end of 2010 to implement arrangements to create the national system. That Agreement will address funding arrangements, including for the Project Office for 2011-12 and 2012-13.

### PART 1 – FORMALITIES

#### Parties to this Agreement

4. In entering into this Agreement, the Commonwealth and Queensland recognise that they have a mutual interest and commitment to work cooperatively in establishing a Project Office to support implementation of a national heavy vehicle regulatory system.

#### Term of the Agreement

5. This Agreement commences as soon as it is signed by the Commonwealth and Queensland, and will terminate on 30 June 2011, or earlier as agreed in writing by the Parties.

## **PART 2 – OBJECTIVES, OUTCOMES AND OUTPUTS**

### **Objectives**

6. The Australian Transport Council (ATC) has the necessary administrative support to implement the national system.

### **Outcomes**

7. A Project Office established in mid 2010 to support implementation of the national system.

### **Outputs**

8. A Project Office, led by a Project Director, to deliver implementation activities according to the project plan and project budget agreed by the Standing Committee on Transport (SCOT).

## **PART 3 – ROLES AND RESPONSIBILITIES**

### **Role of the Commonwealth**

9. The Commonwealth will:
  - (a) contribute to the operating costs of the Project Office;
  - (b) work cooperatively with all governments to implement the national system; and
  - (c) provide input to Project Office activities to assist in implementing the national system.

### **Role of Queensland**

10. Queensland will:
  - (a) host the Project Office;
  - (b) appoint a Project Director;
  - (c) be responsible for managing the Project Director's performance;
  - (d) jointly with other governments, contribute to the operating costs of the Project Office;
  - (e) work cooperatively with all governments to implement the national system;
  - (f) jointly with other governments, provide input to Project Office activities to assist in implementing the national system;
  - (g) ensure that the Project Office reports consistently with Queensland's own governance and financial management requirements established in its laws; and
  - (h) advise the Commonwealth and the other States and Territories as soon as possible of any reason, issue and/or impediment that would affect, detract from or alter its role as the host jurisdiction.

## **PART 4 – FUNDING, PERFORMANCE MILESTONES AND REPORTING**

### **Funding**

11. SCOT has agreed a Budget for the Project Office of \$4.8 million in 2010-11, to be shared by the Commonwealth and all States and Territories. The maximum Commonwealth contribution to the Project Office will be \$1.7 million, paid in twelve equal monthly instalments, subject to achievement of performance milestones.

### **Performance Milestones**

12. Queensland undertakes to:
  - (a) establish the Project Office, including appointment of a Project Director, by 1 July 2010;
  - (b) appoint Project Office staff as soon as possible and no later than 1 October 2010;
  - (c) provide accommodation and corporate support, as per SCOT agreed 2010-11 budget;
  - (d) ensure delivery of Project Office activities consistent with Paragraph 10; and
  - (e) ensure that the Project Director reports to SCOT and ATC, through the overseeing SCOT sub-committees, on progress in implementing the national system according to SCOT and ATC meeting schedules up to 30 June 2011.

### **Reporting Arrangements**

13. Queensland will ensure that the Project Director reports to SCOT and the ATC, through the overseeing SCOT sub-committees, on its progress in implementing the national system in accordance with Schedule A to this Agreement.

## **PART 5 – GOVERNANCE ARRANGEMENTS**

### **Dispute resolution**

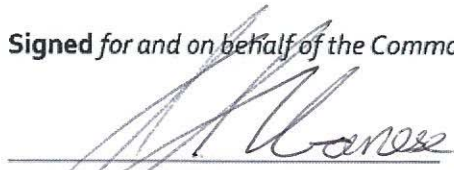
14. Any Party may give notice to other Parties of a dispute under this Agreement.
15. Officials of relevant Parties will attempt to resolve any dispute in the first instance.
16. If a dispute cannot be resolved by officials, it may be escalated to the relevant Ministers.
17. If a dispute cannot be resolved by the relevant Ministers, it may be referred by a Party to the Council of Australian Governments for consideration.

### **Variation of the Agreement**

18. The Agreement may be amended at any time by agreement in writing by all the Parties.
19. 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

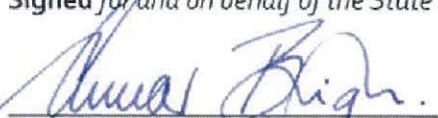


**The Honourable Anthony Albanese MP**

Minister for Infrastructure, Transport, Regional Development and Local Government

2010

Signed for and on behalf of the State of Queensland by



**The Honourable Anna Bligh MP**

Premier of the State of Queensland

2010

# Project Office Arrangements

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### Ministerial Oversight

- A1. The Council of Australian Governments (COAG) will receive progress reports on the reform from the Australian Transport Council (ATC) and will make key decisions at milestones in the implementation. The COAG Reform Council will monitor progress and implementation of the national system; the Commonwealth will liaise with it to ensure appropriate reporting.
- A2. The ATC has responsibility for implementing the reforms. It will provide national, strategic guidance and decision making on the reforms and will report to COAG on their progress.

### Executive Oversight

- A3. The Standing Committee on Transport (SCOT), consisting of transport agency chief executives, will report progress on the reforms to the ATC and seek the ATC's decision and guidance on key elements of the reforms.
- A4. The SCOT will provide national strategic policy decision-making for the implementation activities, based on the ATC's advice.
- A5. The Productivity and Efficiency Standing Sub-Committee (PESSC) of SCOT (of which all governments are members) will oversee the activities of the Project Director and Project Office.

### Guiding Principles for Implementing the National System

- A6. The Project Plan includes the following principles that will guide implementation of the national system:
  - (a) outcomes should aim for national best-practice across all regulatory activities and consider outcomes-based approaches;
  - (b) it must provide scope for ongoing improvements in all outcomes including compliance and enforcement and their direct contribution to safety;
  - (c) it should be based on good policy to achieve good long-term outcomes;
  - (d) delivery models should be cost-effective; and
  - (e) industry involvement at key stages to ensure success.