



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-117

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	35
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: no-reply@act.gov.au
To: [CMTEDD FOI](#)
Subject: Freedom of Information request
Date: Thursday, 7 April 2022 2:16:37 PM

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Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:

First Name:

Last Name:

Business/Organisation:

Address:

Suburb:

Postcode:

State/Territory:

Phone/mobile:

Email address:



Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

Noting the answer provided to Question on Notice 629, all documents relating to the classification of Transport Canberra under the ABS GFS framework, including correspondence, briefings, and position/option papers.

I do not want to access the following documents in relation to my request::

Copies of documents above. Documents created before 1 July 2018, unless those documents were referenced in or attached to a document created after 1 July 2018.

Thank you.
Freedom of Information Coordinator



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2022-117



FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 7 April 2022, in which you sought access to:

All documents relating to the classification of Transport Canberra under the ABS GFS framework, including correspondence, briefings, and position/option papers.

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 10 May 2022 however following on from third party consultation the due date is now 1 June 2022.

Decision on access

Searches were completed for relevant documents and eleven documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to three documents relevant to your request and partial access to eight documents as I consider them to contain information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons in accordance with section 54(2) of the Act, and the documents released to you are provided as **Attachment B** to this letter.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act,
- the content of the documents that fall within the scope of your request,
- the views of relevant third parties following consultation, and
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lie. As part of this process, I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

Factors favouring disclosure in the public interest (Schedule 2.1):

(a) disclosure of the information could reasonably be expected to do any of the following:

(i) promote open discussion of public affairs and enhance the government's accountability

Disclosure of the communications between the ACT Government and the Australian Bureau of Statistics (ABS) on this matter may help to promote discussion of government business and enhance the government's accountability and continued commitment to open and transparent government and as such, I afford this factor some weight in my deliberations.

The FOI Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy. This concept is promoted through the objects of the FOI Act, and I consider that giving access to the information sought would support this intention of the FOI Act.

Factors favouring nondisclosure in the public interest (Schedule 2.2):

(a) *disclosure of the information could reasonably be expected to do any of the following:*

(ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004

(x) prejudice intergovernmental relations

(xii) prejudice an agency's ability to obtain confidential information

(xvi) prejudice a deliberative process of government

I consider that the protection of an individual's right to privacy, especially during dealings with the ACT Government is a significant factor as the parties involved have provided their contact information for the purposes of working with the ACT Government.

The Australian Public Service (APS) has a policy of redacting the names of non-Senior Executive Service (SES). I have considered the in-scope information relevant to your request and following third-party consultation, in addition to weighing the benefit of releasing the names of non-SES APS staff, I am of the opinion the protection of these individuals' personal details (such as name and contact details) outweighs the benefit which may be derived from releasing them.

I consider that these individuals are entitled to expect that their personal information supplied while informing the ACT Government of current requirements will be dealt with in a manner that protects their privacy. As such, I afford the above factor favouring nondisclosure significant weight.

Noting that some conversations in these documents formed part of a deliberative process of government, particularly as the preliminary determination may have potentially been different to the final determination, disclosure could reasonably be expected to impair the ability of ABS staff members to frankly exchange advice and opinion, and could hamper effective working relations, as well as prejudice future processes. This includes conversations involving other departments when collecting relevant information. I afford this factor for non-disclosure a moderate weighting.

The ABS collects information from various institutions including government bodies to provide the Australian Government and Public with high quality and reliable statistical information. This process can only happen with the good will and trust of the various Australian Institutions. Strict confidentiality provisions surround and protect the information collected by the ABS under the *Census and Statistics Act 1905*. Releasing the above-mentioned information may set a precedent that ABS collected information is not dealt with in line with legislation. This precedent could affect the ABS' relationship with other Departments and stakeholders. This potential degradation of trust results in both provisions (x), and (xii) being relevant, and factors favouring nondisclosure. The release of the information could affect the ABS intergovernmental relations and/or prejudice the ABS' ability to obtain confidential information from Departments. I agree with this contention and afford this factor for non-disclosure a moderate weighting.

Having applied the test outlined in section 17 of the Act and deciding that release of some information contained in the documents is not in the public interest to release, I have

chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Processing charges are applicable in this case as the number of pages being released to you is greater than the charging threshold of 50 however, I have waived fees associated with your access application under section 107(2)(e).

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 6 June 2022. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Stuart', written in a cursive style.

Katharine Stuart
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

1 June 2022



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST						Reference NO.
						CMTEDDFOI 2022-117
Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-3	Sector Classification of Transport Canberra		Full release	N/A	Yes
2	4-5	Email trail – ACT Treasury to ABS	9 Apr 2019	Partial release	Sch 2 s2.2 (a)(ii) Out of scope	Yes
3	6-25	GFS Guidance Note: Institutional Sectors	Undated	Full release	N/A	Yes
4	26-29	Email trail – ABS to ACT Treasury	10 Apr 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi) Out of scope	Yes
5	30-32	Classification of Canberra Metro and ACTION	Undated	Partial release	Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi)	Yes
6	33-36	Email trail – ACT Treasury to ABS	26 Apr 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi) Out of scope	Yes
7	37-43	Email trail – ACT Treasury to ABS	14 May 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi) Out of scope	Yes
8	44-49	Email trail – ACT Treasury to ABS	21 Jun 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi) Out of scope	Yes
9	50-63	Public Transport Agreement	Undated	Full release	N/A	Yes
10	64-69	Email trail - ACT Treasury to ABS	22 Oct 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi) Out of scope	Yes
11	70-79	Email trail – ABS to ACT Treasury	19 Dec 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xvi) Out of scope	Yes
Total No of Docs						
11						

Sector Classification of Transport Canberra

Purpose

To provide a rationale for the classification of the operational arm of Transport Canberra (including light rail and bus services) as a public non-financial corporation (PNFC) in accordance with the Australian Bureau of Statistics Government Finance Statistics Manual (the GFS Manual).

Background

Canberra's light rail Stage 1 from Gungahlin to the City is scheduled to commence services in April 2019. The Government will integrate bus and light rail services on a one ticket, one fare, one network approach to provide a safe, integrated and efficient transport system for the Territory.

To date, the bus service has been classified as a PNFC, with the light rail classified as a General Government Sector (GGS) business unit while under construction, both within the Transport Canberra and City Services Directorate (TCCS).

Analysis of the Sector Classification under the GFS Manual

Four types of institutional units are used for compiling the GFS Manual. Two of these institutional units, namely PNFC and GGS units, exist in the Government. Definitions, including their distinctive features, appear below.

A GGS unit is defined in paragraphs 2.36 and 2.38 of the GFS Manual as:

- assuming responsibilities for the provision of goods and services to the community or individual households primarily on a non-market basis;
- financing their activities primarily out of taxation or other compulsory transfers; and
- engaging primarily in non-market production.

Conversely, a PNFC unit is defined in paragraphs 2.30 to 2.32 as:

- capable of generating a profit or other financial gain for its owner;
- recognised by law as a separate entity from its owner; and
- created for the purpose of engaging in market production.

PNFCs¹

The main function of PNFCs is to provide goods and services which are predominantly market, non-regulatory and non-financial in nature, and financed through sales to consumers of these goods and services. The operational arm of **Transport Canberra** provides market, non-regulatory, non-financial services – sold to transport consumers.

Enterprises in the PNFC sector differ from those in the general government sector in that all or most of their production costs are recovered from consumers, rather than being financed from the general taxation revenue of government. Some enterprises, however, do receive subsidies to make up for shortfalls incurred as a result of government policy, for example, in the provision of 'community service obligations' at concessional rates. The operational arm of **Transport Canberra** falls into this latter category as it receives a community service obligation subsidy.

¹ <http://www.abs.gov.au/ausstats/abs@.nsf/PrimaryMainFeatures/5216.0?OpenDocument>

PNFCs vary in their degree of 'commercialisation', from those which are quite heavily reliant on parent governments for subsidies, such as rail and bus transport undertakings, to those which are net contributors to government revenue. Governments may exercise control over PNFCs by either owning more than 50% of the voting stock or otherwise controlling more than half the shareholders' voting power, or through legislation, decree or regulation which empowers the government to determine corporate policy or to appoint the directors. Examples of PNFCs are state rail authorities, and local bus and transport operations. The operational arm of **Transport Canberra** is reliant on the ACT Government for subsidies and the Government exercises control over the unit.

Most other state rail authority, bus and transport operations have a low degree of commercialisation. These organisations are provided funding by parent governments for 'community service obligations' in recognition of directions by the parent government that they provide services at non-commercial rates. The operational arm of **Transport Canberra** provides service at non-commercial rates as it does not seek to fully recover the cost of services from its consumers.

Decision Tree

A decision tree for determining which classification applies to an entity, based on international standards, is contained in the [CSM](#) and in IMF guidance, shown in [Attachment A](#). The operational arm of **Transport Canberra** is classified as a PNFC when this tree is applied.

Other Jurisdictions

ACT Treasury understands the following:

The Western Australian Public Transport Authority is a wholly owned public sector entity that is controlled by the State Government and confirmed fairly recently as being a PNFC.

V/Line provides public transport services to regional Victoria as a State Owned government business enterprise and as a PNFC under service agreements with Public Transport Victoria (PTV), which oversees all aspects of the day-to-day operation of train and coach services.

Queensland Rail Ltd is a PNFC, while Tasmanian Railway Pty Ltd (TasRail) is a PNFC providing mainly freight services.

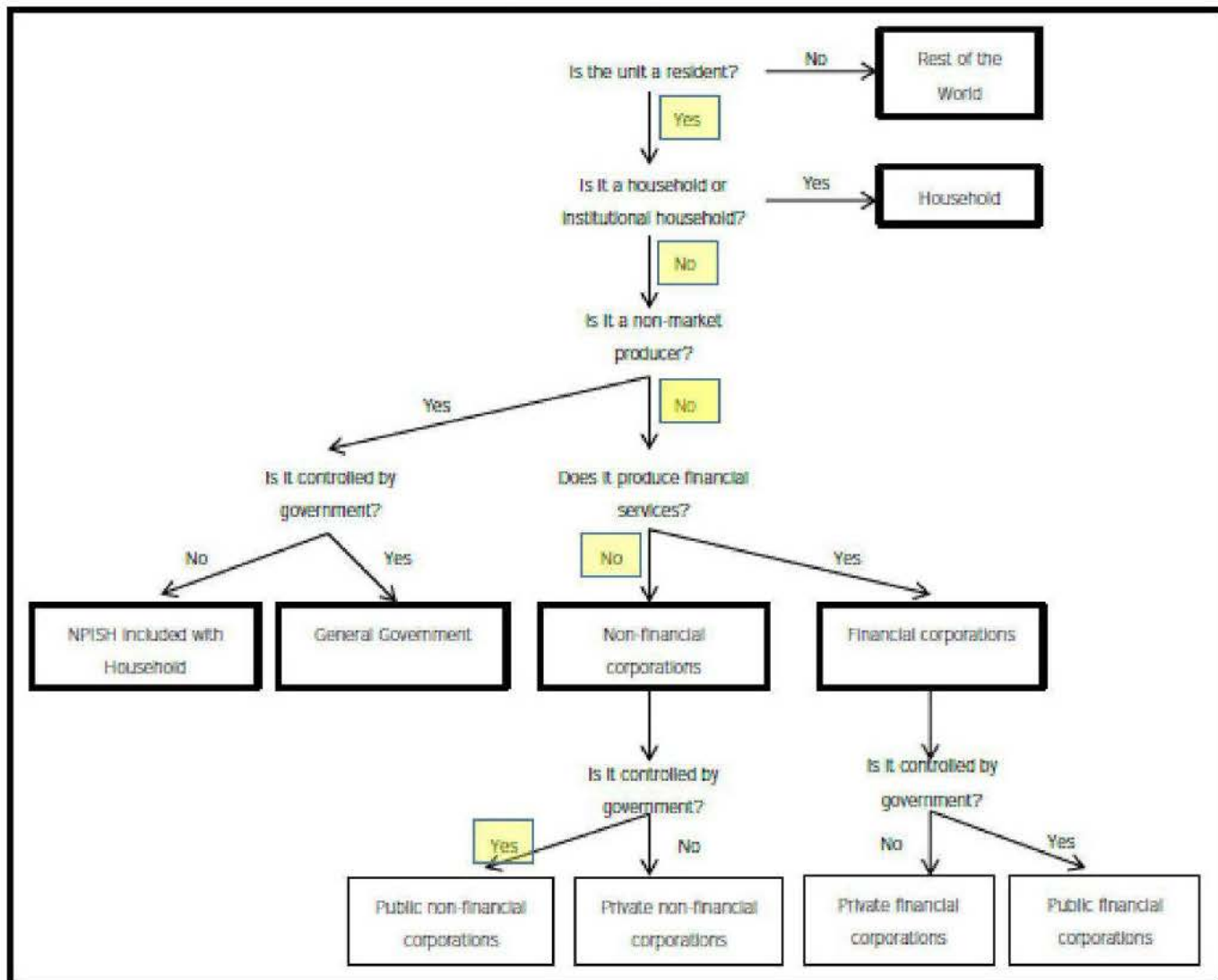
Recommendations

The operational arm of **Transport Canberra** (including bus and light rail services) should be classified as a PNFC.

Decision tree used to determine appropriate entity classification

4.50 The figure below shows the 2008 SNA allocation of types of institutional units to institutional sectors. The same allocation rules are followed in the ASNA; however, the NPISH sector is consolidated within the household sector in the Australian System of National Accounts.

Figure 4.2 ILLUSTRATIVE ALLOCATION OF INSTITUTIONAL UNITS TO INSTITUTIONAL SECTORS



Source: Chapter 4, Institutional unit and Sectors,
 Australian System of National Accounts: Concepts, Sources and Methods,

ABS Publication 5216.0, Australia, 2015

From: [Blount, Wilhelmina](#)
To: [Sch 2.2\(a\)\(ii\)](#) [Sch 2.2\(a\)\(ii\)](#); [@abs.gov.au](#) [Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#)
Cc: [Sch 2.2\(a\)\(ii\)](#); [Sch 2.2\(a\)\(ii\)](#); [Sch 2.2\(a\)\(ii\)](#); [Sch 2.2\(a\)\(ii\)](#); [Hall, Elizabeth](#); [Vigor, Catriona](#); [Bourke, Natasha](#); [Whybrow, Mark](#)
Subject: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]
Date: Tuesday, 9 April 2019 1:23:58 PM
Attachments: [image001.aif](#)
[Sector Classification of ACTION from PTE to GGS SECUNCLASSIFIED.msg](#)
[Sector Classification for Transport Canberra - light rail and bus service.docx](#)
[Sector Classification for Transport Canberra - Attachment A.DOCX](#)

Hello Chris

As discussed with you over the phone, [Out of scope](#)

Out of scope

[Out of scope](#), our intention is to classify the operational arm of Transport Canberra (which consists of both light rail and the bus service) as a public non-financial corporation, the rationale for which is contained in the attached word document.

Thank you for agreeing to review this as soon as possible and apologies for the delay in getting it to you.

Regards

Wil

Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch

Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au

Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#)

Sent: Tuesday, 2 April 2019 12:12 PM

To: Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>

Cc: [Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#); [Sch 2.2\(a\)\(ii\)](#)

[Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#); [Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#); [Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#)

[Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#); [Sch 2.2\(a\)\(ii\)](#) [@abs.gov.au](#)

Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact [Sch 2.2\(a\)\(ii\)](#) the Conceptual Manager ph [Sch 2.2\(a\)\(ii\)](#)

I've also cc'd in [Sch 2.2\(a\)\(ii\)](#) the Director of Public Finance as well as the Assistant Directors.

Regards

[Sch 2.2\(a\)\(ii\)](#)

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

(P) [Sch 2.2\(a\)\(ii\)](#)

(E) [Sch 2.2\(a\)\(ii\)](#) @abs.gov.au **(W)** www.abs.gov.au

The [ABS Privacy Policy](#) outlines how the ABS handles any personal information that you provide to us.

☐ "Blount, Wilhelmina" ---02/04/2019 10:46:06 AM---

From: "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
To: Sch 2.2(a)(ii) <[Sch2.2\(a\)\(ii\)@abs.gov.au](mailto:Sch2.2(a)(ii)@abs.gov.au)>,
Date: 02/04/2019 10:46 AM
Subject:

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Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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GFS Guidance Note: Institutional Sectors

Summary

1. The purpose of this note is to describe how units are classified into institutional sectors in macroeconomic statistics. This will assist the GFS community to understand sector classification. There are two relevant concepts, whether a unit is controlled by government and whether it operates as a market or non-market producer.

Background

2. In macroeconomic statistics the Australian economy is divided in five mutually exclusive institutional sectors. All institutional units are classified to one of these sectors:
 - a. the general government sector,
 - b. the non-financial corporations sector,
 - c. the financial corporations sector,
 - d. the household sector, and
 - e. the non-profit institutions serving households sector.
3. Government controlled units can be classified into three of the institutional sectors outlined above:
 - a. General Government (GG) units which make up the general government sector. GG units are non-market producers.
 - b. Public Financial Corporations (PFCs) which form part of the financial corporations sector. PFCs are market producers.
 - c. Public Non-Financial Corporations (PNFCs) which form part of the non-financial corporations sector. PNFCs are market producers.

Diagram 1. Institutions included in the public sector

General Government Sector	Non-Financial Corporations Sector	Financial Corporations Sector	Household Sector	Non-Profit Institutions Serving Households Sector
<ul style="list-style-type: none"> • Commonwealth • Jurisdiction (State/Territory) • Local 	Public Corporations	Public Corporations	Private	Private
	Private Corporations	Private Corporations		

 = total public sector

4. Before classifying an entity it is important to confirm it is a separate institutional unit in its own right as per the SNA08 attributes of institutional units. An institutional unit is defined as an economic entity that is capable, in its own right, of owning assets, incurring liabilities, and engaging in economic activities and in transactions with other entities. To be considered a separate institutional unit a unit must:
 - Have the ability to own goods or assets and exchange these in transactions with other institutional units; Be able to make economic decisions and engage in economic activity for which itself is held responsible and accountable at law;
 - Be able to incur liabilities on its own behalf, take on other obligations or future commitments, and to enter into contracts; and

- Be able to produce a complete set of accounts, including a balance sheet of assets, liabilities and net worth, an operating statement and a cash flow statement, or it would be possible and meaningful from both an economic and legal viewpoint to compile a complete set of accounts if required.

How to determine government control

5. A unit is considered under government control if its general corporate policy is determined by a government or another government controlled unit. The international GFS standard provides eight indicators used to assess government control. Although only one of the indicators may be sufficient to determine control, in other cases, a number of separate indicators may collectively indicate control. For further details on the indicators below see AGFS15 Box 2.1 in the Appendix.
 - a. Ownership of the majority of the voting interest
 - b. Control of the board or other governing body
 - c. Control of the appointment and removal of key personnel
 - d. Control of key committees of the entity
 - e. Golden shares and options
 - f. Regulation and control
 - g. Control by a dominant public sector customer or group of public sector customers
 - h. Control attached to borrowing from the government

How to determine whether a government controlled unit is a market or non-market producer

6. Government controlled units will be classified as market producers if they sell the majority of their output at economically significant prices.
7. Economically significant prices are prices that have a significant effect on the amounts that producers are willing to supply and on the amounts purchasers wish to buy. These prices normally result when:
 - a. The producer has an incentive to adjust supply either with the goal of making a profit in the long run or, at a minimum, covering capital and other costs; and
 - b. Consumers have the freedom to purchase or not purchase and make the choice on the basis of the prices charged.
8. The ABS considers three indicators to assist determining whether government controlled units are market or non-market producers; ie whether economically significant prices are charged for the majority of their products. Because the ABS adopts a principles based approach it examines all of the factors outlined below to determine whether a unit is, on-balance, judged to be a market or non-market producer.

Table 1. ABS indicators used to assess market v non-market producers

Question	Market indicators	Non-market indicators
A. Sales to Costs Ratio What proportion of total production costs are covered by total sales? ^{1, 2}	High proportion	Low proportion
B. Government Intervention What government interventions are in place to influence the supply of goods / services?	Low government influence	Strong government influence
C. Competition Does the producer compete with other providers and/or is the consumer's choice of provider influenced by government interventions?	Strong competition	Little or no competition
	...tend(s) to indicate unit is a market producer	...tend(s) to indicate unit is a non-market producer

¹Include any government subsidies received as part of sales where all providers receive the same subsidy incentive.

²Note that ABS does not provide a specific threshold for this question due to the principles based approach applied in Australia, see also para 8.

More details about the market v non-market indicators

A. Sales to Costs Ratio

9. The lower the proportion of total production costs (including subsidies) covered by total sales, the more likely the unit is likely to be a non-market producer and vice versa. There is no specified threshold for the sales to costs ratio due to the principles based approach used in Australia, and because other factors must be considered.

B. Level of government intervention to influence supply

10. The government intervention test refers to the extent of direct government determination of prices, nature and level of services provided and other types of government interventions that affect the supply and demand of products such as subsidies and regulations.

11. If the level of government intervention is unknown, the types of goods and services can indicate whether there is likely to be government intervention. Goods and services that are more likely to be non-market are:

- a. Public goods (and services) – These are items whose consumption is not decided by the individual consumer but by the society as a whole, and financed by taxation. A public good (or service) may be consumed without reducing the amount available for others, and cannot be withheld from those who do not pay for it. Examples include economic statistics and other information, law enforcement, national defence, parks, and other things for the use and benefit of all. No market exists for such goods, and they are provided to everyone by governments.
- b. Merit goods – These are goods or services provided free or subsidised for the benefit of the entire society by a government. In contrast to public goods, merit goods can be (and sometimes are) provided by the free market, but not in the right quantity because they would be under-provided if left to private enterprise. Further, consumption of merit goods reduces

the amount available for others. Examples include health services, education, work training programmes, public libraries, Citizen's Advice Bureaux and vaccinations for children.

C. Competition

12. If consumers of the products produced by a government controlled unit can acquire similar products from other producers then there is competition. Consumers' ability to acquire from competitors may be restricted in some cases by regulation or influenced by subsidies to the government controlled unit or taxes on its competitors. Competition exists if consumers' can choose different providers, regardless of similarities/differences in prices charged and/or level of service. Competitive markets are much less likely to exist for merit goods and services and are non-existent for public goods and services.

Decision Tree

13. To assist in applying these concepts in practice, Box 2.1 in AGFS15 provides a decision tree, this is reproduced in the Appendix below.

Differences between AGFS05 and AGFS15

14. The classification of market and non-market units is the same under AGFS05 and AGFS15.

Case Studies

Case study 1: Fictional Port Authority (FPA)

15. FPA operates a deep water port supporting export of various goods, offshore oil and gas supply vessels, cruise liners, recreational vessels, and is the main fuel and container receiving point for the region where it is located. As there are no other port operators operating in the region FPA has no competitors.
16. The proportion of total production costs covered by total sales (including related subsidies) has ranged between 95% and 150% over the last 5 years.
17. The following government interventions are in place to influence the supply of goods / services:
 - a. Subsidies ranging between 3% and 9% of total revenue have been provided over the last 5 years.
 - b. The Port Authorities Act in this jurisdiction provides that the roles and responsibilities of this port include:
 - i. To facilitate trade and to plan for growth and development of the port.
 - ii. To be responsible for the safe and efficient operation of the port.
 - iii. To use port assets for profit.
 - iv. To act in accordance with prudent commercial principles.

Classification

18. This Port Authority is a government controlled market provider of non-financial services and therefore a PNFC. This is because economically significant prices are charged as demonstrated by:
 - a. In this case the proportion of production costs covered by sales indicates likely economically significant prices (*sales to cost ratio*).
 - b. Government intervention in the form of subsidies to the Port Authority is relatively low and would not have a significant affect on the level of supply (*Government intervention does not significantly affect supply*).

- c. Although there is no competing port, potential port users can choose not to access the port if they consider the costs are too high choosing instead to transport their goods by road or rail. In that sense there is competition (*competition exists*).

Case study 2: Fictional Public Employee Transport Entity for Regions (PETER)

19. PETER was established under government legislation to provide transportation of government equipment, employees and contractors to remote places where telecommunications, navigation and security infrastructure is located. Government agencies, moving equipment and personnel, are the only clients of this service, as there are no other visitors to these isolated locations. There are no other entities providing the same transportation service.
20. The proportion of total production costs covered by total sales (including related subsidies has ranged between 95% and 120% over the last 5 years.
21. The government interventions in place that influence the supply of goods / services are:
 - a. PETER was established under government legislation to provide specific remote location transportation services for government equipment and workers.
 - b. A 10 year service agreement is in place between PETER and the government agency responsible for remote telecommunications and security facilities for the provision of transport of telecommunication and security equipment and personnel. That agreement is PETER's only income source.
22. PETER does not compete with other providers as there are no other competitors from the private sector for the provision of these services. The only role of this unit is to provide transportation for these government workers to these places.
23. PETER operates on a cost recovery basis and is a non-profit entity.
24. PETER subcontracts the majority of activity through a competitive tender process. Although these subcontractors are selected via a competitive process there is no other entity which competes against PETER for the provision of these specialised transport services, so this does not affect classification.
25. PETER is a government controlled non-market provider and therefore a GG unit. Economically significant prices are not charged as demonstrated by:
 - a. Although PETER, on average, recovers its costs through sales, the prices charged do not affect the level of supply and demand. (*In this case the sales to cost ratio is not a strong indicator.*)
 - b. Government intervention absolutely controls the level of supply because:
 - i. PETER was established, under government legislation, for the purpose of providing specific transportation services for government equipment and employees
 - ii. Agencies do not choose this transport provider on the basis of price, therefore the price is considered not economically significant. (*Government intervention influences supply*)
 - c. The unit does not compete with any other providers and there was no commercial tender process to select PETER as the preferred transport provider (*lack of competition*).
26. Note that government units with transport functions are usually classified as PNFCs. However a PNFC classification is not appropriate where the unit does not undertake market activities. This case study illustrates the need to consider all of the tests.

Case study 3: Sewerage Treatment Effluent Water and Reservoir Trust (STEWRT)

27. STEWRT provides water and sewerage treatment for a specific region. In that jurisdiction, the water industry is regulated by an independent regulator to promote competition and ensure consumers have access to water and sewerage at reasonable prices.
28. STEWRT is fully owned by a local government authority but managed by a board appointed by the mayor.
29. There is also a privately owned water and sewerage provider providing the same service in this region.
30. The proportion of total production costs covered by total sales (including related subsidies) has ranged between 95% and 105% over the last 5 years.
31. The following government interventions are in place to influence the supply of goods / services:
 - a. government makes payments to both STEWRT and its private sector competitor to subsidise water prices, and
 - b. the independent regulator imposes price regulation.
32. STEWRT does compete with other providers as consumers have the choice of one other sewerage and water provider in this region.

Classification

33. STEWRT is a government controlled market provider of non-financial services, and therefore PNFC. This is primarily because economically significant prices are charged as indicated by the following:
 - a. In this case the proportion of production costs covered by sales indicates the possibility of economically significant prices (*sales to cost ratio*).
 - b. Although there are significant government interventions in place, these affect both (all) sewerage and water providers in this region, therefore STEWRT has no supply advantage due to the level of government intervention. This indicator does not impact on the classification. (*Government intervention does not provide a supply advantage*)
 - c. Consumers have the choice of two sewerage and water providers in this region, therefore these producers compete for customers. The prices each charge will have a bearing on customer choice. The competing providers offer the similar services and consequently their price is considered economically significant. (*Competition exists*)

Case study 4: Traumatized Officers Non-wage Income scheme (TONI)

34. TONI is a workers' compensation insurer, regulator and scheme manager for emergency services and other government uniformed personnel in a single jurisdiction. This insurance provides financial compensation in the form of wage replacement and medical benefits to officers who have suffered an injury at work. TONI also acts as a regulator by enforcing compliance with relevant work health and safety standards. It does not set premiums though. Government entities can opt-out of TONI and choose different insurance suppliers, there are multiple competitors. Under legislation, it is compulsory for government entities and private firms to ensure employees have workers' compensation cover.
35. The proportion of total production costs covered by total sales has ranged between 92% and 143% over the last 5 years.
36. The following government interventions are in place to influence the supply of goods / services:

- a. Workers' compensation premiums are determined by each insurance provider independently. All insurers must meet guidelines issued by a Safety Commissioner and outlined in the legislation.
- b. Subsidies ranging between 2% and 7% of total revenue have been provided over the last 5 years. These subsidies are provided only to TONI to maintain its viability in a competitive market.
- c. The TONI Act in this jurisdiction provides that the roles and responsibilities of this insurer include:
 - i. To provide workers' compensation insurance to government with entities who have not opted out of TONI.
 - ii. To be the regulator by enforcing compliance with work health and safety standards for employees in emergency services and other uniformed roles.
 - iii. To act in accordance with prudent commercial principles.

Classification

- 37. Because TONI is a government controlled unit which provides market based financial services it is classified as a PFC. Even though the TONI undertakes regulatory work, it is a market provider because it provides the majority of its outputs at economically significant prices. This is demonstrated by the following:
 - a. In this case the proportion of production costs covered by sales indicates the possibility that economically significant prices are being charged (sales to cost ratio).
 - b. Government intervention in the form of price controls and subsidies to the Insurance unit is relatively low and would not have a significant affect on the level of supply (Government intervention does not significantly affect supply).
 - c. Government entities can opt-out of TONI and choose rival suppliers hence there is significant competition (competition *exists*).
- 38. Note: Government units with regulatory functions are usually classified as GG units. However where they also undertake market activities a judgement is made as to which comprises the major activity. For TONI its most significant functions are market based. This case study illustrates need to consider all of the tests.

Appendix

SNA08 – Chapter 4- Institutional units and sectors

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1. Institutional units

- 4.2 An institutional unit is an economic entity that is capable, in its own right, of owning assets, incurring liabilities and engaging in economic activities and in transactions with other entities. The main attributes of institutional units may be described as follows:
- a. An institutional unit is entitled to own goods or assets in its own right; it is therefore able to exchange the ownership of goods or assets in transactions with other institutional units;
 - b. It is able to take economic decisions and engage in economic activities for which it is itself held to be directly responsible and accountable at law; c. It is able to incur liabilities on its own behalf, to take on other obligations or future commitments and to enter into contracts;
 - d. Either a complete set of accounts, including a balance sheet of assets and liabilities, exists for the unit, or it would be possible and meaningful, from an economic viewpoint, to compile a complete set of accounts if they were to be required.

AGFS1S - Part D - Institutional Sectors

- 2.46. An institutional sector groups together similar kinds of institutional units according to the nature of the economic activity they undertake. The Australian economy is divided into five mutually exclusive sectors, which are described in Table 2.1 below. Of these five institutional sectors that together make up the total economy, only some units in the first three sectors listed in Table 2.1 are part of the total public sector and therefore in scope for GFS.

Table 2.1 - The institutional sectors of the Australian economy

Sector	Description	Types of institutional units that can be classified to this sector
General Government	Unique kinds of legal entities established by political processes that have legislative, judicial or executive authority over other institutional units within a given area.	General government units; Non-profit institutions
Non-financial corporations	All resident corporations and notional institutional units mainly engaged in the production of market goods and/or non-financial services and holding companies with mainly non-financial corporations as subsidiaries. Also included are NPIs that mainly engage in market production of goods and non-financial services, and investment funds investing in predominantly non-financial assets such as infrastructure and property.	Corporations; Non-profit institutions

Financial corporations	All resident corporations and notional institutional units mainly engaged in financial intermediation and provision of auxiliary financial services. Holding companies with mainly financial corporations as subsidiaries are also included, as are market NPIs that mainly engage in financial intermediation or production of auxiliary financial services.	Corporations; Non-profit institutions
Households	A group of persons who share the same living accommodation, who pool some (or all) of their income and wealth and who consume certain types of goods and services collectively, mainly housing and food.	Households
Non-profit institutions serving households (NPISH)	All resident non-market operators providing goods and services to households free or at prices that are not economically significant. Included here are NPIs that are mainly financed from household member subscriptions and produce benefits primarily for the household members and NPIs created for philanthropic purposes which are financed mainly from donations or government grants.	Non-profit institutions

Source: Columns 1 and 2 are based on paragraph 2.50 to 2.61, International Monetary Fund Government Finance Statistics Manual, 2014.

The institutional sector classification

2.47. The *institutional sector classification* (INST) used in Australia's GFS system is a standard classification which defines institutional sectors that are also included in the SECCA. The INST is shown in Table 2.2 below:

Table 2.2 - The institutional sector classification (INST)

INST	Descriptor
100	Public non-financial corporations
200	Public financial corporations
300	General government

Public non-financial corporations sector (INST 100)

- 2.48 *Non-financial corporations* (INST 100) are defined in paragraph 2.114 of the IMF GFSM 2014 as all resident corporations whose principal activity is the production of non-financial goods and / or non-financial services at economically significant prices. These are known as market producers (see paragraphs 2.58 to 2.63 of this manual for the definition). Non-financial services are any services that do not qualify as financial intermediation or auxiliary financial services.
- 2.49 All resident non-financial corporations controlled by general government units or other public corporations are part of the public non-financial corporations sector. Public non-financial corporations include corporations such as state water corporations and port authorities. This category could also include public non-profit institutions engaging in market production (such as hospitals, schools, or colleges) if they are separate institutional units and charge economically significant prices (see paragraph 2.59 of this manual for the definition).

Public financial corporations sector (INST 200)

- 2.50 Financial corporations (INST 200) are defined in paragraph 2.115 of the IMF GFSM as all resident corporations that are principally engaged in providing financial services (including insurance and pension fund services) to other institutional units. These are known as market producers (see paragraphs 2.58 to 2.63 of this manual for the definition). All resident financial corporations controlled by general government units or other public corporations are part of the public financial corporations subsector. In the GFS system, the public financial corporations sector includes:
- Public deposit-taking corporations (central bank and public deposit-taking corporations except the central bank); and
 - Other public financial corporations.
- 2.51 Financial corporations include three types named financial intermediaries, financial auxiliaries, and captive financial institutions and money lenders. Paragraph 2.54 of the IMF GFSM 2014 identifies these as:
- Financial intermediaries - institutional units which incur liabilities on their own account for the purpose of acquiring financial assets by engaging in financial transactions on the market. The assets and liabilities of financial intermediaries are transformed or repackaged with respect to maturity, scale, risk, and the like, in the financial intermediation process. The financial intermediation process channels funds between third parties with a surplus of funds and those with a demand for funds. A financial intermediary not only acts as an agent for these other institutional units, but places itself at risk by acquiring financial assets and incurring liabilities on its own account. Financial intermediation is limited to acquiring assets and incurring liabilities with the general public or specified and relatively large groups thereof. Where the activity is limited to small groups, no intermediation takes place. Financial intermediaries include deposit-taking corporations, insurance corporations, and pension funds.
 - Financial auxiliaries - financial corporations that are principally engaged in activities associated with transactions in financial assets and liabilities or with providing the regulatory context for these transactions but in circumstances that do not involve the auxiliary taking ownership of the financial assets and liabilities being transacted. They include brokers, managers of pension funds, mutual funds, etc. (but not the funds they manage), foreign exchange bureau, and central supervisory authorities.

- Captive financial institutions and money lenders - institutional units providing financial services other than insurance, where most of their assets or liabilities are not available on open financial markets. These entities transact within only a limited group of units (such as with subsidiaries) or subsidiaries of the same holding corporations or entities that provide loans from own funds provided by only one sponsor. Captive insurance corporations are the exception and are classified as insurance corporations.

2.52. Public financial corporations include institutions that undertake a central bank role, including monetary policy development, issuing national currency, acting as custodian of international reserves, and providing banking services to government. In Australia, the Reserve Bank of Australia has responsibility for monetary policy, issuing bank note currency, holding Australia's international reserves, holding reserve deposits and providing banking services to the Commonwealth. The Reserve Bank of Australia is Australia's central bank and is therefore included as a public financial corporation for GFS purposes. Also treated as public financial corporations are various housing finance schemes established by state Governments to assist first home buyers.

Central borrowing authorities

- 2.53. A central borrowing authority (CBA) would be a resident artificial subsidiary unit (see paragraphs 2.50 and 2.51 of this manual for the definition) established by government if its purpose was to borrow funds on the market and lend only to other general government units. Because such CBAs merely facilitate government borrowing, they would not qualify as separate institutional units and would be classified to the parent government unit in the general government sector.
- 2.54. In Australia, CBAs have been established by some state and territory governments primarily to provide finance for public corporations, quasi-corporations and other units owned or controlled by the government, and to arrange investment of their surplus funds. Although the CBAs' lending is often confined to the public sector in their jurisdiction, in Australia they also engage in financial intermediation activity for investment purposes and participate in the financial management activities of the parent government. Therefore, the CBAs of each Australian state and territory government are treated as public financial corporations and not as artificial subsidiaries in the general government sector. The exception is the Australian Capital Territory's CBA which does not qualify as a separate institutional unit and is treated as part of the general government sector.

General government sector (INST 300)

- 2.55. The *general government (GG) sector* (INST 300) is defined in paragraph 2.58 of the IMF GFSM 2014 as consisting of resident institutional units that fulfil the functions of government as their primary activity. These institutional units perform the principal economic functions of government, in addition to fulfilling their political responsibilities and their role of economic regulator. The GG sector consists of all the government units at the national level of government (in Australia this consists of the Commonwealth Government and control not further defined units), each state and territory government, and all local government authorities and NPIs engaged in non-market production that are controlled by government units.
- 2.56. The GG sector includes courts, government departments, and the Governor General's Office. Excluded from the GG sector are government owned corporations and quasi-corporations (see paragraphs 2.32 and 2.33 of this manual for definition) engaged in market production. However, paragraph 2.59 of the IMF GFSM 2014 states that unincorporated enterprises owned by government units that are not quasi-corporations remain integral parts of those units, so they

must be included in the GG sector. For further information on general government units, see paragraphs 2.43 to 2.49 of this manual.

Part E - Allocating institutional units to sectors

2.57 Using the concepts covered in this chapter of residence and institutional units, the following decision tree in Diagram 2.1 assists compilers of GFS to apply the appropriate sector classification to entities. The concepts of government control and market versus non-market production, which are used to allocate units to sectors, are also discussed in this section. The decision tree should be followed from the top and should answer the sequential questions asked to indicate whether the unit should be classified to the Rest of the World (ROW), Households, Non-profit Institutions Serving Households (NPISH), the General Government, Public Non-Financial Corporation or Public Financial Corporation sectors.

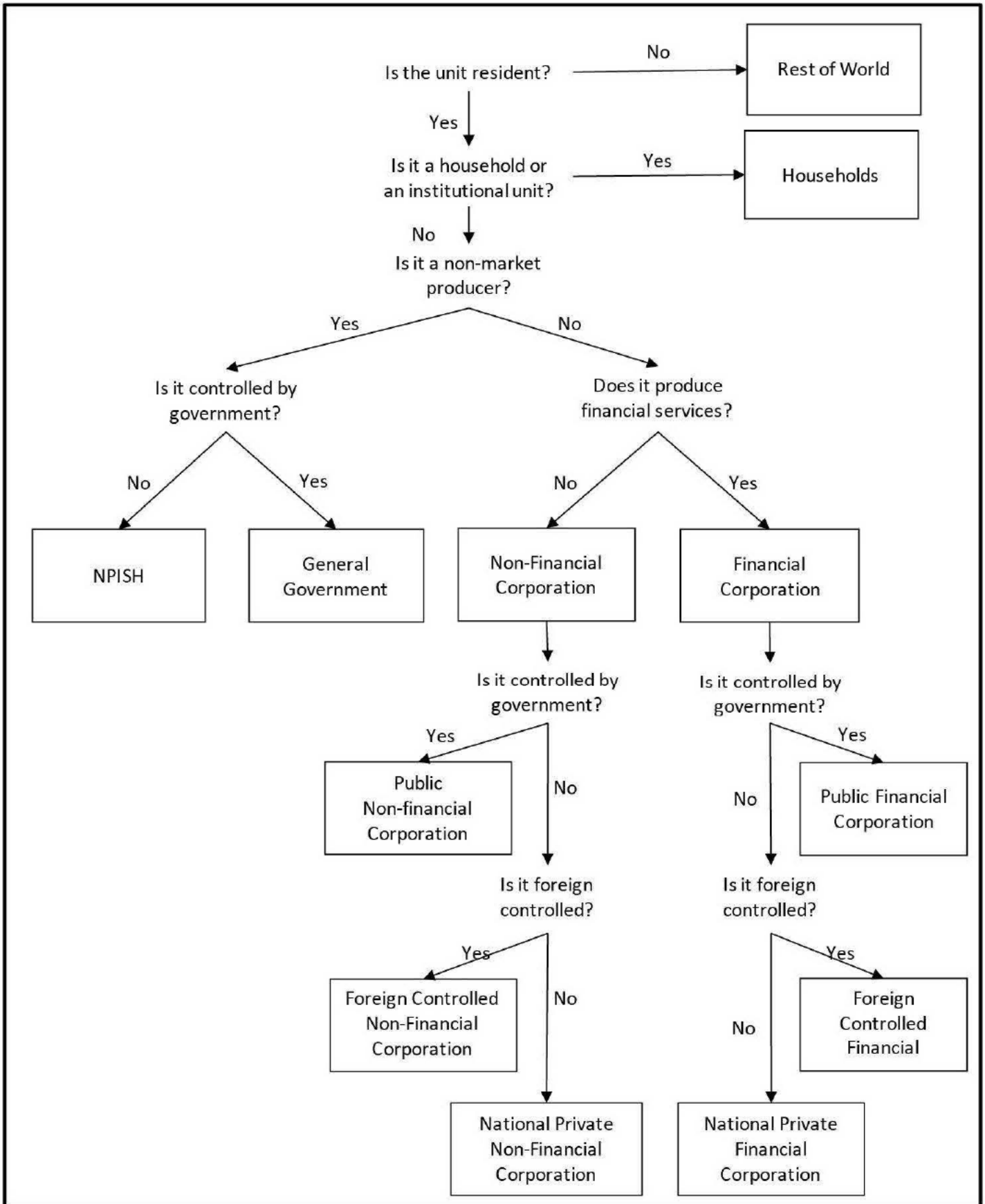


Diagram 2.1- Decision tree for sector classification of public entities

Market and non-market producers

2.58. To determine if a public sector unit is a public corporation or general government unit, it is necessary to classify it as a market producer (public corporation) or non-market producer (general government). The following indicators are useful when determining whether a government entity is a market or non-market producer. Note that macro-economic statistics are compiled using a principles based framework in Australia. Therefore these indicators are not ranked or weighted as they would be under a rules based approach. Usually two or three of the indicators are used collectively to classify units, although in some cases a single indicator could be sufficient to determine the type of producer. These indicators are designed to consider both the producer's and consumer's point of view to assess whether economically significant prices are being charged:

- What proportion of total production costs (including subsidies) are covered by total sales?
- What government interventions are in place to influence the supply of goods / services?
- Does the producer compete with other providers and/or is the consumer's choice of provider influenced by government interventions?

Market producer

2.59 A market producer is defined in paragraph 2.65 of the IMF GFSM 2014 as an institutional unit that provides all or most of its output to others at prices that are economically significant. Paragraph 2.66 of the IMF GFSM 2014 defines economically significant prices as prices that have a significant effect on the amounts that producers are willing to supply and on the amounts purchasers wish to buy. These prices normally result when:

- The producer has an incentive to adjust supply either with the goal of making a profit in the long run or, at a minimum, covering capital and other costs; and
- Consumers have the freedom to purchase or not purchase and make the choice on the basis of the prices charged.

2.60 A comparison between the receipts from sales and the costs of production of goods and / or services sold of an institutional unit over a number of years is recommended in paragraph 2.73 of the IMF GFSM 2014 to determine whether prices charged for the production of goods and / or services can be considered to be economically significant. This will assist to determine whether the institutional unit should be classified as a market or a non-market producer. In this context, the proportion of production costs covered by sales is a strong indicator of whether the unit is a market or non-market producer. It is generally expected that market producers will cover their production costs through sales. Therefore, the lower the ratio the more likely it is that the unit is a non-market producer, conversely the higher the ratio the higher the likelihood that the unit is a market producer. Further to the production costs to sales ratio, prices are considered economically significant if consumers are free to choose whether to buy, and how much to buy, on the basis of the prices charged.

2.61. The value of sales from sales of goods and services should be measured before any taxes applicable to the products are added (i.e. ETF 1121 to ETF 1124), less all payments received from government (i.e. *revenue from current grants and subsidies* (ETF 1141)) unless they would be granted to any producer undertaking the same activity (see paragraphs 2.73 and 2.74 of the IMF GFSM 2014). Own-account production is not considered to be part of sales in this context because this activity does not generate receipts from sales.

- 2.62 The costs of production include *superannuation expenses* (ETF 1211 to ETF 1213), *other employee expenses* (ETF 1221 to ETF 1229), *production tax expenses* (ETF 1231), *use of goods and services* (ETF 1233), *depreciation* (ETF 1241 or ETF 1242). Like for sales, the calculation of the costs of production exclude all costs associated with own-account capital formation (classified to the appropriate category within ETF 76). Subsidies receivable on production are not deducted from the costs of production.
- 2.63 Once it is determined that the institutional unit is indeed a market producer, then it can be further classified as either a non-financial corporation or a financial corporation based on the nature of its activity.

Non-market producer

- 2.64 A non-market producer is an institutional unit that provides all or most of its output to others for free or at prices that are not economically significant (see paragraph 2.59 of this manual for the definition). A comparison between the receipts from sales and the production costs of goods and / or services sold over a multi-year period needs to be undertaken to assist in identifying whether the unit in question should be classified as a non-market producer.
- 2.65 Paragraph 2.71 of the IMF GFSM 2014 states that corporations in receipt of substantial government financial support or other risk-reducing factors such as substantial government guarantees, respond to changes in the economic conditions differently from corporations without such advantages. This is because their budget constraints are softer, and so these types of entities are more likely to be classified as non-market producers.
- 2.66 Government owned entities supplying goods and services to government are treated as non-market producers if the entity is a dedicated provider of ancillary services. Paragraph 2.45 of the IMF GFSM 2014 defines an ancillary activity as a supporting activity providing services within an enterprise in order to create the conditions within which the principal or secondary activities can be carried out. Ancillary services include keeping records, managing and paying employees, cleaning, maintenance, transportation, and security. Ancillary activities produce mainly services, but in exceptional cases they may sometimes produce goods that do not become a physical part of the marketable products produced by an enterprise. Entities providing ancillary services generally do not satisfy the criteria to be an institutional unit.
- 2.67 It can often be assumed that the producer is not a market producer if the unit provides the goods and services in the absence of competition with private producers, and when the choice of supplier to government is not based on price. This is true regardless of whether the supplier is the only supplier, and whether the government is the only customer of the supplier.

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Box 2.1 - Government control of corporations

In GFS, control is defined as the ability to determine the general corporate policy of the corporation. To determine if a corporation is controlled by the government, the following eight indicators of control should be considered:

- Ownership of the majority of the voting interest - owning a majority of shares will normally constitute control when decisions are made on a one-share one-vote basis. The shares may be held directly or indirectly, and the shares owned by all other public entities should be aggregated. If decisions are not made on a one-share one-vote basis, the classification should be based on whether the shares owned by other public entities provide a majority voice.
- Control of the board or other governing body - the ability to appoint or remove a majority of the board or other governing body as a result of existing legislation, regulation, contractual, or other arrangements will likely constitute control. Even the right to veto proposed appointments can be seen as a form of control if it influences the choices that can be made. If another body is responsible for appointing the directors, it is necessary to examine its composition for public influence. If a government appoints the first set of directors but does not control the appointment of replacement directors, the body would then be part of the public sector until the initial appointments had expired.
- Control of the appointment and removal of key personnel - if control of the board or other governing body is weak, the appointment of key executives, such as the chief executive, chairperson and finance director, may be decisive. Non-executive directors may also be relevant if they sit on key committees such as the remuneration committee determining the pay of senior staff.
- Control of key committees of the entity - subcommittees of the board or other governing body could determine the key operating and financial policies of the entity. Majority public sector membership on these subcommittees could constitute control. Such membership can be established under the constitution or other enabling instrument of the corporation.
- Golden shares and options - a government may own a "golden share," particularly in a corporation that has been privatised. In some cases, this share gives the government some residual rights to protect the interests of the public by, for example, preventing the company selling off some categories of assets or appointing a special director who has strong powers in certain circumstances. A golden share is not of itself indicative of control. If, however, the powers covered by the golden share do confer on the government the ability to determine the general corporate policy of the entity in particular circumstances and those circumstances currently existed, then the entity should be in the public sector from the date in question. The existence of a share purchase option available to a government unit or a public corporation in certain circumstances may also be similar in concept to the golden share arrangement discussed above. It is necessary to consider whether, if the circumstance in which the option may be exercised exists, the volume of shares that may be purchased under the option and the consequences of such exercise means that the government has "the ability to determine the general corporate policy of the entity" by exercising that option. An entity's status in general should be based on the government's existing ability to determine corporate policy exercised under normal conditions rather than in exceptional economic or other circumstances such as wars, civil disorders, or natural disasters.
- Regulation and control - the borderline between regulation that applies to all entities within a class or industry group and the control of an individual corporation can be difficult to judge. There are many examples of government involvement through regulation, particularly in areas such as monopolies and privatised utilities. It is possible for regulatory involvement to exist in important areas, such as in price setting, without the entity ceding control of its general corporate policy. Choosing to enter into or continue to operate in a highly regulated environment suggests that the entity is not subject to

control. When regulation is so tight as to effectively dictate how the entity performs its business, then it could be a form of control. If an entity retains unilateral discretion as to whether it will take funding from, interact commercially with, or otherwise deal with a public sector entity, the entity has the ultimate ability to determine its own corporate policy and is not controlled by the public sector entity.

- Control by a dominant public sector customer or group of public sector customers - if all of the sales of a corporation are to a single public sector customer or a group of public sector customers, there is clear scope for dominant influence. The presence of a minority private sector customer and/or open competition from private producers to supply goods and services to the public sector usually implies an element of independent decision-making by the corporation so that the entity would not be considered controlled. In general, if there is clear evidence that the corporation could not choose to deal with non-public sector clients because of the public sector influence, then public control is implied.
- Control attached to borrowing from the government - lenders often impose controls as conditions of making loans. If the government imposed controls through lending or issuing guarantees that are more than would be typical when a healthy private sector entity borrows from a bank, control may be indicated. Similarly, control may be implied if only the government was prepared to lend to the corporation.

Although a single indicator could be sufficient to establish control, in other cases, a number of separate indicators may collectively indicate control.

Source: Based on Box 2.2, International Monetary Fund Government Finance Statistics Manual, 2014.

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Australian System of National Accounts 2015 (ASNA15)

Institutional units and sectors

- 2.3 In 2008 SNA, the basic unit for which economic activity is recorded is the institutional unit. An institutional unit is an economic entity that is capable, in its own right, of owning assets, incurring liabilities and engaging in economic activities and transactions with other entities. In the Australian system, the legal entity unit is closest to the 2008 SNA concept of the institutional unit. However, in the ASNA, the unit used is the enterprise, which can be a single legal entity or a group of related legal entities that belong to the same institutional subsector. Four main types of institutional units are recognised in 2008 SNA and the ASNA: households, non-profit institutions, government units and corporations (including quasi-corporations).
- 2.4 Institutional units are grouped into institutional sectors according to their characteristics and institutional role. All households are allocated to the household sector. Corporations and quasi corporations are allocated to the non-financial corporations sector or the financial corporations sector according to whether their predominant function is production of goods and non-financial services or production of financial services, respectively. Government units are all allocated to the general government sector. The allocation of non profit institutions depends on the nature of their operations. Those mainly engaged in market production are allocated to the relevant corporate sector. Those mainly engaged in non-market production are allocated to the general government sector if they are controlled and mainly financed by government; otherwise, they are allocated to the non-profit institutions serving households (NPISH) sector. In the ASNA, the NPISH sector is included in the household sector.

...

INSTITUTIONAL UNITS

Institutional units

4.1 In any economy, economic activity is undertaken by a variety of transactors. Corporations (both financial and non-financial), government units, households and non-profit institutions all engage in economic activity, but their economic objectives, functions and behaviour differ. For example:

- Corporations are created for the purpose of producing goods or services for the market at economically significant prices, usually as a source of profits for the units that own them. They undertake either production or accumulation (or both) but do not undertake final consumption. They are divided between those mainly providing financial services and those mainly providing goods and nonfinancial services.
- Non-profit institutions (NPIs) are created for the purpose of producing or distributing goods or services but not for the purpose of generating income or profits for the units that control or finance them. They are diverse in nature with some behaving like corporations, some are effectively part of general government and some undertake activities similar to general government but are independent of it.
- Government units organise and finance the provision of non-market goods and services to individual households and the community at large, mainly financed out of taxation revenue. They are also concerned with the distribution and redistribution of income and wealth in accordance with government policies. They undertake production (but mainly of a different type from corporations), accumulation and final consumption on behalf of the population.
- Households are primarily consumer units, although they may also engage in production (i.e. the operation of unincorporated enterprises and non-profit institutions serving households) and accumulation.

...

Market output

9.5 Market output is output that is sold at economically significant prices or otherwise disposed of on the market, or output that is intended for sale or disposal on the market. Market output includes the value of goods or services bartered, supplied by one establishment to another in the same institutional unit for use in intermediate consumption, used for payments in kind, or margins on the supply of goods and services (including transport and financial services). Market output also includes the value of changes in inventories of finished goods and work-in-progress intended for disposal on the market.

...

Non-market output

9.11 Non-market output consists of goods and services produced by non-profit institutions serving households (NPISH) or general government units and supplied free, or at prices that are not economically significant, to other institutional units or to the community as a whole. For general government output, economically significant prices may not be charged to users. The reasons are that the consumption of the goods or services cannot be monitored or controlled, as is the case with public administration and defence, or that governments make policy decisions not to charge

the full cost, as with education and health services. Likewise, NPISH often do not fully charge for their services because such institutions are formed to provide services to members or the needy.

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The market sector

19.26 The market sector comprises sixteen industries under the Australian and New Zealand Standard Industrial Classification, 2006 (ANZSIC06); that is, from ANZSIC06 Divisions A to N, plus Divisions R and S. The detailed industries included in the market sector are as follows:

ANZSIC

Division Industry

A Agriculture, Forestry and Fishing

B Mining

C Manufacturing

D Electricity, Gas, Water and Waste Services

E Construction

F Wholesale Trade

G Retail Trade

H Accommodation and Food Services

I Transport, Postal and Warehousing

J Information, Media and Telecommunications

K Financial and Insurance Services

L Rental, Hiring and Real Estate Services

M Professional, Scientific and Technical Services

N Administrative and Support Services

R Arts and Recreation Services

S Other Services

19.27 Under the Australian and New Zealand Standard Industrial Classification 1993 (ANZSIC93), the *market sector* consisted of twelve industries (Divisions A to K and P). Coinciding with the implementation of ANZSIC 2006, the ABS expanded the scope of the *market sector* to include four new services industries (Divisions L, M, N and S see above). The expanded definition improves relevance in two key respects: it reflects the growing influence of services industries in the economy; and improves economic coverage.

19.28 While the new definition of market sector results in much improved coverage of the total Australian economy, the time span available for constructing meaningful productivity indicators is shortened. Productivity measures for the expanded coverage commence in 1994-95, when suitable output measures for the newly added industries become available. Prior to 1994-95, volume estimates of gross value added in Divisions L, M, N and S were derived (in part) using input indicators (such as hours worked).

19.29 Since the 2009-10 issue of ASNA, the ABS MFP statistics have been presented in line with the new definition of the *market sector*. As such, these productivity measures are based on significant changes in coverage, and do not represent updated estimates to past releases. The current estimates are not directly comparable to those published in past releases due to significant changes in coverage. Twelve selected industries

19.30 The time span available for constructing meaningful productivity indicators is shortened while the expanded definition of the market sector results in much improved coverage of the total

Australian economy. To accommodate user requirements for longer time series of MFP statistics, ABS continues to compile aggregate MFP statistics for the group of twelve selected ANZSIC06 industries (divisions A to K and R). Commencing 1973-74, this aggregate is the nearest approximation to the earlier definition of the market sector grouping under ANZSIC93, and is useful for analysing productivity performance from the perspective of a longer time series.

19.31 Both the market sector and twelve selected industries include all institutional sectors, as well as general government attributable to those industries. Conceptually, there is a strong justification for netting out the general government component of each industry because general-government activity is mainly not marketed. It has not been removed because of the difficulty of excluding general government components from outputs and inputs. In any case, general-government activity only accounts for a very small portion of most market-sector industries. The non-market sector

19.32 The industries included in the 'non-market sector' are:

- Public Administration and Safety;
- Education and Training;
- Health Care and Social Assistance; and
- Ownership of Dwellings.

19.33 The production of these government-dominated industries largely comprises those goods and services which fall within the production boundary of the national accounts but are not for sale, or not sold at full market prices. Examples are the provision of government services which relate to the community as a whole, or for which no charge (or a purely nominal charge) is made. Ownership of dwellings is excluded from the market sector because no employment is associated with it.⁷¹ As at 2010-11, the market sector represented approximately 80 per cent of total chain volume gross value added at basic prices. By comparison, the twelve selected industries aggregate represented approximately 60 per cent.

19.34 Aggregate measures of labour productivity (gross value added per hour worked) are published for the total of all industries (including the non-market sector); for the market sector; and for twelve selected industries. Indexes of gross value added per hour worked are also available for each individual industry, including those industries in the market sector.

Public Finance Section
Australian Bureau of Statistics
August 2017

From: Sch 2.2(a)(ii)
To: Bourke, Natasha
Cc: Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii) ; Vigor, Catriona; Sch 2.2(a)(ii); Hall, Elizabeth; Sch 2.2(a)(ii); Whybrow, Mark; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) ; Sch 2.2(a)(ii)
Subject: Re: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]
Date: Wednesday, 10 April 2019 6:18:55 PM
Attachments: gravcol.gif
Guidance Note Institutional Sectors - 06 Published 30 August 2017.docx

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

There are also a number of other questions that need additional information to answer. The ABS uses 3 indicators to determine whether a unit is a market producer(PNFC) or a non-market producer (GG). The attached guidance note outlines these indicators and the method used by the ABS to make a judgement.

(See attached file: Guidance Note Institutional Sectors - 06 Published 30 August 2017.docx)

If you have any questions please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

(P) Sch 2.2(a)(ii)

(E) Sch 2.2(a)(ii)@abs.gov.au (W) www.abs.gov.au

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Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au;
Cc: Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>; "Vigor, Catriona" <Catriona.Vigor@act.gov.au>; "Bourke, Natasha" <Natasha.Bourke@act.gov.au>; "Whybrow, Mark" <Mark.Whybrow@act.gov.au>
Date: 09/04/2019 01:24 PM
Subject: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hello Chris

As discussed with you over the phone,

Out of scope

Out of scope our intention is to classify the operational arm of Transport Canberra (which consists of both light rail and the bus service) as a public non-financial corporation, the rationale for which is contained in the attached word document.

Thank you for agreeing to review this as soon as possible and apologies for the delay in getting it to you.

Regards

Wil

Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>

Sent: Tuesday, 2 April 2019 12:12 PM

To: Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>

Cc: [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>

Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact [Sch 2.2(a)(ii)] the Conceptual Manager ph [Sch 2.2(a)(ii)] .

I've also cc'd in [Sch 2.2(a)(ii)] the Director of Public Finance as well as the Assistant Directors.

Regards

[Sch 2.2(a)(ii)]

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

(P) (Sch 2.2(a)(ii))

(E) (Sch 2.2(a)(ii)) [@abs.gov.au](mailto:her@abs.gov.au) (W) www.abs.gov.au

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Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
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ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
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Out of scope

Out of scope

Classification of Canberra Metro and ACTION

Background

The Capital Metro Agency (CMA) was established in 2013-14 to manage all aspects in relation to planning, design and delivery of the Capital Metro (light rail) project. The construction and ongoing operation of this project commenced in 2015-16 as a Public Private Partnership (PPP) where the private sector has been engaged to design, finance, construct, maintain and operate the infrastructure assets with the Government making service payments over the life of the contract.

The Capital Metro Agency ceased in 2015-16 and its functions were transferred to the Transport Canberra and City Services Directorate (TCCS). Both the CMA and TCCS are classified as General Government (GG) units. This was considered appropriate during the construction phase of the light rail project with the transfer of the Capital Metro aspects from TCCS to be moved to the PNFC once the project became operational.

The light rail project became operational on 20 April 2019. This first stage of light rail connects Gungahlin through Dickson to the City and covers 13 stops along a 12 kilometre track.

ACTION delivers bus services of approximately 2,555 kms per day of bus routes in line with the ACT Government's vision to provide a convenient, efficient, affordable, reliable and integrated public transport system. ACTION is currently classified as a Public Non-Financial Corporation (PNFC).

Proposal

The ACT considers on balance, that the Capital Metro aspect of TCCS should be classified as a PNFC and combined with the existing ACTION unit. TCCS would largely maintain the policy and administrative oversight of transport related activities and city services functions. TCCS would remain a GG unit. The existing ACTION entity would be renamed and acquire the Capital Metro functions from TCCS. The assets, liabilities, revenue and expenses associated with the PPP would also transfer to the PNFC.

For ease of reporting arrangements and to align with the existing budget process, it is proposed that this arrangement commence on 1 July 2019.

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Consideration of ABS Assessment Indicators

Indicator 1 – Sales to Costs Ratio

Based on the current estimates period and following the proposed transfer of the Canberra Metro function to the existing ACTION unit, a significant portion of production costs are covered by total sales as demonstrated below at Table 1.

For ACTION these sales include a total of \$494.9 million in funds received from TCCS over four years. TCCS receive these funds through controlled recurrent payments appropriation and on pass them to ACTION. These amounts are sales in nature as they are directly linked to a number of accountability (performance) indicators reported by TCCS. For example, the number of passenger boardings, service reliability and operating to scheduled times. They are also related to revenue for the provision of agreed services.

The full amount of light rail revenue indicated below would be similar in nature. Controlled recurrent payments appropriation would be received by TCCS and on passed to the renamed public transport entity. The renamed public transport entity would on pass these funds to the service provider of Canberra Metro under the PPP arrangement (as availability payments). Contractual performance measures, similar to those above for ACTION exist between the Territory and the provider of Canberra Metro. This includes abatement for non-performance under the contract.

In relation to economically significant prices, ACTION incurs costs and bears commercial risks in the delivery of services, and generates revenue from the sale of these services providing most of these services at economically significant prices and operating in an environment with a significant degree of competition and consumer choice.

Table 1: Sales to Cost Ratio – ACTION and Light Rail

	2018-19	2019-20	2020-20	2021-22
	\$'000	\$'000	\$'000	\$'000
ACTION				
Revenue	148,566	160,728	173,888	177,652
Expense	165,187	172,347	185,508	189,376
<i>Ratio</i>	90%	93%	94%	94%
Light Rail				
Revenue	54,872	53,113	44,447	44,958
Expense	66,524	67,192	58,526	59,037
<i>Ratio</i>	82%	79%	76%	76%
Total following Light Rail merge with ACTION				
Revenue	203,438	213,841	218,335	222,610
Expense	231,711	239,539	244,034	248,413
<i>Ratio</i>	88%	89%	89%	90%

Indicator 2 – Level of Government Intervention

ACTION and Light Rail would both be considered as under some level of government control. The renamed public transport unit would be an administrative unit of TCCS, although with a separate reporting entity in the PNFC for financial statement preparation purposes.

There are no shares in ACTION and currently there is not a governing board. Ongoing operational and management decisions are undertaken by ACTION and the provider of Canberra Metro. Transport policy functions are currently undertaken by TCCS, a GG unit under the responsible transport Minister.

Indicator 3 – Competition

The renamed public transport unit would operate in an environment with other choices such as uber services, taxis, hire cars and ride share services.

From: [Bourke, Natasha](#)
To: Sch 2.2(a)(ii)
Cc: Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii); Vigor, Catriona; Sch 2.2(a)(ii); Hall, Elizabeth; Sch 2.2(a)(ii); Whybrow, Mark; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii) [Sch 2.2(a)(ii)]; Kobayashi, Midori; Blount, Wilhelmina; Whybrow, Mark
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]
Date: Friday, 26 April 2019 9:51:00 AM
Attachments: [Classification of Canberra Metro and ACTIONv3.docx](#)
[image001.gif](#)

Hi Chris,

Thanks for speaking with Wil and I on this matter and clarifying the considerations required. Please see attached a paper outlining the responses to your queries and consideration of the three key questions for classification.

Could you please let me know approximately when you think you will have a chance to get back to us on this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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Subject: Re: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

There are also a number of other questions that need additional information to answer. The ABS uses 3 indicators to determine whether a unit is a market producer (PNFC) or a non-market producer (GG). The attached guidance note outlines these indicators and the method used by the ABS to make a judgement.

(See attached file: Guidance Note Institutional Sectors - 06 Published 30 August 2017.docx)

If you have any questions please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | Australian Bureau of Statistics

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Date: 09/04/2019 01:24 PM
Subject: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hello Chris

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Out of scope

Out of scope our intention is to classify the operational arm of Transport Canberra (which consists of both light rail and the bus service) as a public non-financial corporation, the rationale for which is contained in the attached word document.

Thank you for agreeing to review this as soon as possible and apologies for the delay in getting it to you.

Regards

Wil

Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [Sch 2.2(a)(ii)]@abs.gov.au
Sent: Tuesday, 2 April 2019 12:12 PM
To: Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>
Cc: [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au
Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact [Sch 2.2(a)(ii)] the Conceptual Manager ph [Sch 2.2(a)(ii)]

I've also cc'd in [Sch 2.2(a)(ii)] the Director of Public Finance as well as the Assistant Directors.

Regards
[Sch 2.2(a)(ii)]

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

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Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
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To: Bourke, Natasha
Cc: Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii); Vigor, Catriona; Sch 2.2(a)(ii); EAD-Public Finance WDB; Hall, Elizabeth; Sch 2.2(a)(ii); Sch 2.2(a)(ii); Whybrow, Mark; Sch 2.2(a)(ii)@abs.gov.au; Kobayashi, Midori; Sch 2.2(a)(ii); Blount, Wilhelmina
Subject: RE: Sector classification of Transport Canberra [DLM=For-Official-Use-Only]
Date: Tuesday, 14 May 2019 11:31:16 AM
Attachments: graycol.gif

Hi Natasha,

Thank you for the update.

We support this approach given the context of tight timeframes for the upcoming budget. We'll take the sectorisation review forward in 4-6 weeks when there is additional capacity at both ends to work through the considerations.

Regards,

Sch 2.2(a)(ii)
Director (acting)
Public Finance | Finance & Wealth Branch | Australian Bureau of Statistics
(P) Sch 2.2(a)(ii) | (E) Sch 2.2(a)(ii)@abs.gov.au | (W) www.abs.gov.au

"Bourke, Natasha" ---14/05/2019 07:34:23 AM---

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To: Sch 2.2(a)(ii)@abs.gov.au
Cc: Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; "Vigor, Catriona" <Catriona.Vigor@act.gov.au>; Sch 2.2(a)(ii)@abs.gov.au; "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; "Whybrow, Mark" <Mark.Whybrow@act.gov.au>; Sch 2.2(a)(ii)@abs.gov.au; Sch 2.2(a)(ii)@abs.gov.au; "Kobayashi, Midori" <Midori.Kobayashi@act.gov.au>; Sch 2.2(a)(ii)@abs.gov.au; "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>; "EAD-Public Finance WDB" <EAD-Public_Finance_WDB@abs.gov.au>
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Hi Dane,

Thank you for sending through this information.

I would like to take this opportunity to formalise in writing our immediate approach going forward on this topic.

As discussed during our telephone conversation, we have not yet reclassified either the ACTION or light rail units.

We are of the view that light rail should be merged with the existing ACTION unit in the PNFC. We will represent this view in our upcoming 2019-20 Budget with an effective date of 1 July 2019. Given the light rail function is now operational, we will need to reflect a single transport entity for the purpose of our budget estimates.

Following completion of our budget process (in approximately four weeks' time) we are eager to discuss this matter further between the ABS and stakeholders from the ACT Government at Executive level to work towards a final determination for the purpose of 2019-20 actual reporting.

We will be in contact in the near future (including after our budget process).

Kind regards,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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Cc: Sch 2.2(a)(ii) [REDACTED]@abs.gov.au; Sch 2.2(a)(ii) [REDACTED]@abs.gov.au; Vigor, Catriona

<Catriona.Vigor@act.gov.au> Sch 2.2(a)(ii) [REDACTED]@abs.gov.au; Hall, Elizabeth

<Elizabeth.Hall@act.gov.au>; Sch 2.2(a)(ii) [REDACTED]@abs.gov.au; Sch 2.2(a)(ii) [REDACTED]

[REDACTED]@abs.gov.au; Whybrow, Mark <Mark.Whybrow@act.gov.au>; Sch 2.2(a)(ii) [REDACTED]@abs.gov.au;

Kobayashi, Midori <Midori.Kobayashi@act.gov.au>; Sch 2.2(a)(ii) [REDACTED]@abs.gov.au; Blount,

Wilhelmina <Wilhelmina.Blount@act.gov.au>; EAD-Public Finance WDB <EAD-

Public_Finance_WDB@abs.gov.au>

Subject: RE: Sector classification of Transport Canberra [DLM=For-Official-Use-Only]

Hi Natasha,

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Regards,

Sch 2.2(a)(x)

Assistant Director

Public Finance | Finance & Wealth Branch | Australian Bureau of Statistics

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Date: 26/04/2019 09:51 AM
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hi Chris,

Thanks for speaking with Wil and I on this matter and clarifying the considerations required.

Please see attached a paper outlining the responses to your queries and consideration of the three key questions for classification.

Could you please let me know approximately when you think you will have a chance to get back to us on this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

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<Catriona.Vigor@act.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <@abs.gov.au>, "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>

<Elizabeth.Hall@act.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <@abs.gov.au>, "Whybrow, Mark" <Mark.Whybrow@act.gov.au>

<Mark.Whybrow@act.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <@abs.gov.au>

<@abs.gov.au>

Subject: Re: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

There are also a number of other questions that need additional information to answer. The ABS uses 3 indicators to determine whether a unit is a market producer(PNFC) or a non-market producer (GG). The attached guidance note outlines these indicators and the method used by the ABS to make a judgement.

(See attached file: Guidance Note Institutional Sectors - 06 Published 30 August 2017.docx)

If you have any questions please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

(P) Sch 2.2(a)(ii)

(E) Sch 2.2(a)(ii) @abs.gov.au (W) www.abs.gov.au

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"Blount, Wilhelmina" ---09/04/2019 01:24:04 PM---

From: "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
To: Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au;
Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au;
Cc: Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au;
Catriona" <Catriona.Vigor@act.gov.au>, "Bourke, Natasha" <Natasha.Bourke@act.gov.au>, "Whybrow, Mark" <Mark.Whybrow@act.gov.au>
Date: 09/04/2019 01:24 PM
Subject: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hello Chris

As discussed with you over the phone, **Out of scope**

Out of scope our intention is to classify the operational arm of Transport Canberra (which consists of both light rail and the bus service) as a public non-financial corporation, the rationale for which is contained in the attached word document.

Thank you for agreeing to review this as soon as possible and apologies for the delay in getting it to you.

Regards

Wil

Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>
Sent: Tuesday, 2 April 2019 12:12 PM
To: Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>
Cc: [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>; [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>
Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact [Sch 2.2(a)(ii)] the Conceptual Manager ph [Sch 2.2(a)(ii)] .

I've also cc'd in [Sch 2.2(a)(ii)] the Director of Public Finance as well as the Assistant Directors.

Regards
[Sch 2.2(a)(ii)]

Data Analyst

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To: [Sch 2.2(a)(ii)] <[redacted]@abs.gov.au>,
Date: 02/04/2019 10:46 AM
Subject:



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Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
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From: [Bourke, Natasha](#)
To: [Sch 2.2\(a\)\(ii\)](#)
Cc: [Vigor, Catriona](#); [Sch 2.2\(a\)\(ii\)](#); [Hall, Elizabeth](#); [Sch 2.2\(a\)\(ii\)](#); [Sch 2.2\(a\)\(ii\)](#); [Whybrow, Mark](#); [Kobayashi, Midori](#); [Sch 2.2\(a\)\(ii\)](#)
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]
Date: Friday, 21 June 2019 1:41:00 PM
Attachments: [image001.gif](#)

Hi Chris,

Thank you for getting back to us on this.

As discussed during our telephone hook-up on the leasing standard, we are also after a contact in the ABS at the Executive level in relation to this matter as an ongoing contact point. We will of course keep everyone in the loop with any correspondence going forward, who would be the best person for this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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From: [Sch 2.2\(a\)\(ii\)](#) <[Sch 2.2\(a\)\(ii\)](#)@abs.gov.au>

Sent: Thursday, 20 June 2019 1:36 PM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: Vigor, Catriona <Catriona.Vigor@act.gov.au>; [Sch 2.2\(a\)\(ii\)](#) <[Sch 2.2\(a\)\(ii\)](#)@abs.gov.au>; Hall,

Elizabeth <Elizabeth.Hall@act.gov.au>; [Sch 2.2\(a\)\(ii\)](#) <[Sch 2.2\(a\)\(ii\)](#)@abs.gov.au>; [Sch 2.2\(a\)\(ii\)](#)

<[Sch 2.2\(a\)\(ii\)](#)@abs.gov.au>; Whybrow, Mark <Mark.Whybrow@act.gov.au>; Kobayashi,

Midori <Midori.Kobayashi@act.gov.au>; [Sch 2.2\(a\)\(ii\)](#) <[Sch 2.2\(a\)\(ii\)](#)@abs.gov.au>

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Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

If you have any questions, please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

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(E) Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au) (W) www.abs.gov.au

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From: "Bourke, Natasha" <Natasha.Bourke@act.gov.au>
To: Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au),
Cc: Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Vigor, Catriona" <Catriona.Vigor@act.gov.au>, Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>, Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Whybrow, Mark" <Mark.Whybrow@act.gov.au>, Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Kobayashi, Midori" <Midori.Kobayashi@act.gov.au>, "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>, "Whybrow, Mark" <Mark.Whybrow@act.gov.au>
Date: 26/04/2019 09:51 AM
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hi Chris,

Thanks for speaking with Wil and I on this matter and clarifying the considerations required.

Please see attached a paper outlining the responses to your queries and consideration of the three key questions for classification.

Could you please let me know approximately when you think you will have a chance to get back to us on this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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From: [Sch 2.2(a)(ii)]@abs.gov.au

Sent: Wednesday, 10 April 2019 6:19 PM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: [Sch 2.2(a)(i)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; Vigor, Catriona

<Catriona.Vigor@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au; Hall, Elizabeth

<Elizabeth.Hall@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au; Whybrow, Mark

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[Sch 2.2(a)(ii)]

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Regards

Wil

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Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
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Cc: Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au
Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact Graeme Messer the Conceptual Manager ph 07 3222 6083.

I've also cc'd in Rebecca Farrow ph 07 3222 6045 the Director of Public Finance as well as the Assistant Directors.

Regards

Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

(P) (07) 3222 6441

(E) Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au) **(W)** www.abs.gov.au

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Date: 02/04/2019 10:46 AM

Subject:

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Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch

Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au

Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate

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Public Transport Agreement

between

the Chief Minister, Treasury and Economic
Development Directorate (CMTEDD)

and

Transport Canberra Operation (TCO)

and

the Transport Canberra and City Services Directorate
(TCCSD)

Table of Contents

Table of Contents	2
1. Recitals.....	3
2. Definitions and Interpretation.....	3
3. Purpose of this Agreement	5
4. Term	5
5. Relationship of parties	5
6. Public Transport Vision and Goals	5
7. Public Transport services delivery and network development	6
8. Funding principles	7
9. Funding Arrangement.....	7
10. Community Service Obligations	7
11. In-kind contributions	7
12. Prices.....	8
13. Payment, Acquittal and Audit process.....	8
14. Assets	8
15. Accountability Indicators	8
16. Reporting.....	8
17. Terminations	9
18. Force majeure.....	9
19. Dispute Resolution.....	10
20. GST and Other Taxes.....	10
21. Confidential Information.....	10
23. Good faith	11
24. General.....	11
Annex A.....	12

This Agreement is made on [date]

between the Chief Minister, Treasury and Economic Development Directorate (**CMTEDD**)

and

Transport Canberra Operations (**TCO**)

and

the Transport Canberra and City Services Directorate (**TCCSD**)

1. Recitals

1.1 Transport Canberra Operations (TCO) delivers public transport services throughout the Territory in the form of convenient, efficient, affordable, reliable and integrated public transport for the community.

1.2 Public transport services managed, or delivered, by TCO include; scheduled light rail services, route bus services, school bus services, flexible bus services, special needs transport and management of the ACT rural school bus contract.

1.3 The parties have a shared commitment to the delivery of high quality public transport services in the Territory and have agreed that Transport Canberra Operations will receive fare subsidies from CMTEDD and other funding from Government through TCCSD, while operating, to the extent possible, on a commercial basis.

1.4 The parties are giving effect to that intention by entering into this Agreement.

2. Definitions and Interpretation

ACT Budget Papers means the Budget Outlook and Budget Statements documents published on the ACT Treasury web pages for public reference in relation to the Territory's budget.

ACTION means the public trading enterprise that preceded the formation of Transport Canberra Operations

Annex A means the part of this Agreement which may be updated as the Government vision, goals and policies relating to public transport may change.

Annex B means the part of this Agreement which is updated for each Financial Year and that contains an outline of the budget and performance plan, in relation to the Territory funding contribution, that has been developed and approved by the Director General responsible for the operation, management and funding of Transport Canberra Operations.

Commencement Date means [date] or the date that this agreement is signed by the last party, whichever is later.

Confidential Information means the kind of information that:

- (a) is or relates to documents, submissions, consultations, policies, strategies, practices and procedures of any party to this Agreement which are by their nature confidential;
- (b) is notified (whether in writing or not) by one party to the other as being confidential; or
- (c) is Personal Information

but does not include information that:

- (d) is or becomes public knowledge other than by breach of Agreement;
- (e) is required by law to be disclosed; or
- (f) has been notified in writing to one party to another as not being confidential.

Director-General will have the same meaning as provided under the Public Sector Management Act 1994 (ACT).

Dispute means a difference or dispute that cannot readily be resolved between the parties in relation to financial management, service delivery or performance.

Executive will have the same meaning as provided under the Public Sector Management Act 1994 (ACT).

Financial Year means the period of 12 months beginning 1 July in each year.

Force Majeure Event means any of the following causes:

- (a) act of God, earthquake, cyclone, fire, explosion, flood, landslide, lightning, storm, tempest, drought or meteor;
- (b) war (declared or undeclared), invasion, act of a foreign enemy, hostilities between nations, civil insurrection or military usurped power;
- (c) act of public enemy, sabotage, malicious damage, terrorism or civil unrest;
- (d) ionising radiation or contamination by radioactivity from any nuclear waste or from combustion of nuclear fuel;
- (e) confiscation, nationalisation, requisition, expropriation, prohibition, embargo, restraint or damage to property by, or under order of, any government or government authority;
- (f) any other cause which is not reasonably within the control of the party.

Funding Arrangement means the funding that is specified in annual ACT Budget Papers and approved as part of an Appropriation Act for the period identified in clause 1.1 of Annex B.

GST means the goods and services tax imposed under the GST Act.

GST Act means the *A New Tax System (Goods and Services Tax) Act 1999*.

Minister for Transport means

Period means the Budget period spanning four Financial Years relevant to each Funding Arrangement that is put in place by the ACT Government.

Priorities are the strategic and operational priorities to be pursued by Transport Canberra Operations in a particular Financial Year as are identified in ACT Budget Papers and/or this Agreement.

Relevant Standards means standards as may be agreed between two or more of the parties from time to time.

Public Passenger Services Legislation means the *Road Transport (Public Passenger Services) Act 2001* and the *Road Transport (Public Passenger Services) Regulation 2002*

Rail Safety Legislation means the *Rail Safety National Law (ACT) Act 2014*

Services means the services set out in Section 7 of the Agreement or as otherwise agree in writing between the parties to this Agreement.

Tax Invoice has the same meaning as in the GST Act.

Territory means:

- (a) When used in a geographical sense, the Australian capital Territory; and
- (b) When used in any other sense, the body politic established by section 7 of the *Australian (Self Government) Act 1988* (Cth).

3. Purpose of this Agreement

3.1 The main purpose of this Agreement is to provide for:

- (a) a public transport system that is convenient, efficient, affordable, reliable and integrated and linked to the Vision and Goals outlined below; and
- (b) a flexible and responsive framework in which the parties may manage this Agreement and the future delivery of public transport services.

4. Term

4.1 This Agreement commences on the Commencement Date and continues in force unless and until

- (a) it is terminated in accordance with clause 17; or
- (b) the operations of one of the parties is discontinued or changed substantially in relation to its core functions.

5. Relationship of parties

5.1. Role delineation

5.1.1 In relation to public transport services, CMTEDD will provide advice to Government on ways to manage the ACT Budget and finances to best effect in delivering Government priorities and policies; in doing so, it will liaise with both TCO and TCCSD about matters relevant to the Services under this Agreement.

5.1.2 In relation to public transport services, the Strategic Policy Branch of TCCSD will provide advice to Government on transport planning and reform including ways to evolve its vision, strategies, policies and programs relating to public transport services in the Territory.

5.1.3 TCO may provide advice, through TCCSD Executives, to Government on ways to improve public transport outcomes and will deliver agreed public transport services, consistent the ACT Government's vision for a public transport system that is convenient, efficient, affordable, reliable and integrated and linked to the goals outlined at the start of this agreement.

5.2 Obligations

5.2.1 TCO will provide the Services to a level which at least meets Relevant Standards.

5.3 Commitment to collaborative working relationship.

5.3.1 The parties acknowledge that they will work collaboratively together towards fulfilling the Vision and Goals outlined by Government, with the Territory payments to be used in accordance with relevant law and towards services, as outlined in this Agreement.

6. Provision of Services for Government

6.1 Consistent with the vision set out in Annex A, during the budget year, the Government will support Transport Canberra Operations, through the Transport Canberra and City Services

Directorate, to deliver bus and light rail services. These services will keep Canberra moving and help Canberrans stay engaged within their local communities.

6.2 The light rail service and the rapid bus routes are helping to enable short commutes between connected centres and helping to renew and revitalise the City’s urban centres. Although community choice exists to use other public transport services such as hire cars, taxis, uber rides, ride share services, bike hire services, chartered bus services and tourist bus services. Under this agreement, public bus and light rail services are to be provided by Transport Canberra Operations for use by all in the community.

6.3 The below table illustrates the relationship between Transport Canberra Operations and ACT Government goals.

Government Goal	Desired Outcomes	Services
Better transport to keep Canberra moving Strengthening services for our city and suburbs	Improved customer experience with public transport and increased patronage Transport service reliability Delivery of high quality transport services to meet social needs Improved efficiency of public transport	Bus services Community and special needs bus services Light rail services

7. Public Transport services delivery and network development

7.1 Under this agreement, Transport Canberra Operations agrees to deliver the following Community and Special Needs Services to achieve these outcomes:

- a) Flexible bus services – a Service to help Canberra residents, such as seniors with mobility issues get from their home to local community locations;
- b) Aboriginal and Torres Strait Islander Bus service – a Service which provides opportunities for Aboriginal and Torres Strait Islanders to connect with their communities and culture in the ACT and surrounding regions;
- c) Special Needs Transport – a Service which takes eligible students with a disability to and from the closest appropriate school setting;
- d) School bus services – Services delivered in accordance with the School Services Bus Policy that, at the date of this agreement, caps the maximum number dedicated Schools Services at 120 in each of the morning and afternoon on school days; and
- e) Subject to network capacity, charter services being Services for special events and ACT public school excursions on a fee for service basis.

7.2 The ACT Government's *Active Travel Framework* outlines how the public transport services are evolving to better support people to use modes of transport, such as walking, cycling and riding at least part of a journey. These transport modes offer health benefits and help reduce congestion on roads and community reliance on vehicles and expansive car parks.

7.3 The Government's *Light Rail Network Masterplan* outlines how this network will be developed over coming years across seven corridors, with the objective of making Canberra 'an even more sustainable, modern and liveable city'. It dovetails with the *Public Transport Improvement Plan* that sets out how the TCCS Directorate, working with Transport Canberra operations, Major Projects Canberra and other relevant directorates, will deliver on the Government's vision for a quality public transport system. This plan recognises the importance of a smart, fully integrated public transport system in supporting social inclusion, driving economic development, maintaining liveability and reducing congestion. Improvements recently adopted under the plan were the introduction of a one fare, one ticket, one network approach to integrating the ACTION bus and light rail services.

8. Funding principles

8.1 Transport Canberra Operations delivers public transport services, in the form of bus and light rail services, through the ACT with a commercial focus on responding to community demand for public transport, usually on a fee for service basis, unless part of a community service obligation funded by Government. It agrees to assist in delivering the ACT Government's vision of a convenient, efficient, affordable, reliable and integrated public transport system for the community. It agrees to manage payment for provision of scheduled Light Rail Services, provide Route Bus Services, School Bus Services, Flexible Bus Services, Aboriginal and Torres Strait Islanders Bus Service and Special Needs Transport Services as well as managing the ACT Rural School Bus Services Contract.

9. Funding Arrangement

9.1 Transport Canberra Operations agrees to incur costs and manage commercial risks in the delivery of public transport services, to set fare levels in accordance with the *Road Transport (Public Passenger Services) Act 2001*, and to generate revenue from the sale of some other services it provides at economically significant prices and operating in an environment with a significant degree of competition and consumer choice.

10. Community Service Obligations

10.1 The ACT Government will provide Transport Canberra Operations during the budget year with a subsidy, in exchange for delivering a range of community service obligations. Further this agreement acknowledges Transport Canberra Operations will be supplemented from directorates for specific programs and subsidised schemes. Specifics of the 2019-20 related community service obligations and the light rail availability payments to flow through to the Public-Private partner delivering light rail services are set out in [Annex B](#).

11. In-kind contributions

11.1 Transport Canberra and City Services agrees to provide corporate support services, e.g. governance and human resources support, as an in-kind contribution to the operations of Transport Canberra Operations, such that these may be more cost efficiently delivered in a collective manner across the two entities.

12. Prices

12.1 Transport Canberra Operations agrees to report during the budget year on pricing information and receivables as these may change, including:

- a) full fare pricing; and
- b) all concession fares.

13. Payments and audit

13.1 Transport Canberra Operations will track its expenditure of Government funding and report, at the close of the budget year in its audited Financial Statements, on whether all funds were spent in accordance with the intended purpose.

13.2 Transport Canberra Operations will provide backing information when requesting a drawdown of funds to enable Treasury in CMTEDD to ascertain whether the funds being sought are consistent with the agreed funding levels, buffer levels and with agreed purposes.

13.3 Transport Canberra Operations will operate through a bank account/s that is separate to the Transport Canberra and City Services Directorate.

13.4 TCO will be subject to an annual Audit conducted by the ACT Audit Office. This audit will be conducted in accordance with the *Financial Management Act 1996*, Australian Accounting Standards and other mandatory financial reporting requirements.

13.5 TCO will also provide to Treasury in CMTEDD an unaudited monthly financial report to indicate how it is tracking against budget.

14. Assets

14.1 TCO brings significant assets and service provision capacity to the arrangement including a bus fleet of over 400 buses and leased assets associated with light rail services.

14.2 The parties agree to share information between each other relating to assets owned, under development, or being used for delivery of the Services being performed under this Agreement. This includes information (if available) relating to type, value, location, ownership, condition, useful life and associated budgets and expenditure on purchases, upgrades, depreciation, repairs and maintenance and/or disposals.

14.3 TCCSD provides funding to TCO to assist in maintaining its assets to a standard consistent with the Government's vision and expectations, as outlined both in Annex A and Annex B.

15. Accountability Indicators

15.1 Transport Canberra Operations agrees to meet, during the budget year, the accountability indicators set out in Annex B and to report on its performance in relation to each indicator yearly, via the relevant Minister, to the ACT Legislative Assembly.

16. Reporting

16.1 Transport Canberra Operations agrees to provide quarterly updates on progress with initiatives indicated in Annex B, as well as to report on an exception basis relating to critical incidents and major issues as they may arise to the Directorate.

16.2 TCO agrees to provide the below standard reports as part of normal operations;

Report	Timeframe	Primary Recipient
Monthly Financial Performance	Monthly	TCCSD - Executive
Input for the Chief Minister's Brief	Weekly (as needed)	TCCSD – Ministerial
Patronage Update	Quarterly	Minister for Transport
Workbook	Monthly (Sep – Jun)	Treasury
Management Discussion and Analysis	Quarterly	Treasury
Australian Bureau of Statistics Reporting Requirements	As advised by the Australian Bureau of Statistics (ABS)	ABS and Treasury
Agency endorsed Financial Statements	Annually – generally in October	Legislative Assembly

16.3 TCO will provide supporting information about concession travel by eligible passengers, particularly pensioners and student concession passengers when it provides an invoice for such Services delivered as a community service obligation, consistent with arrangements set out in Annex B.

17. Terminations

17.1 Any party may terminate this Agreement, at any time:

- a) by 30 days written notice to the other parties, if there is a breach by another party, where that breach:
 - a. if capable of being remedied, is not remedied within 30 days from the date of notice by that party requiring the breach be remedied; or
 - b. is not capable of being remedied; or
- b) by twelve months written notice for any reason.

17.2 All parties may agree together to terminate this agreement, at any time.

17.3 This Agreement may also be terminated should there be a serious or ongoing failure to provide Services to Relevant Standards, or to act in accordance with this Agreement. In such a case, the party claimed to be in breach may be given 30 days of notice, by another party to this Agreement, of the need to remedy that breach (if such a breach is capable of remedy) within a reasonable timeframe (e.g. at least 14 day) from the date of the written notice, or (if not capable of remedy), then termination may take effect on expiry of that notice.

17.4 If the Agreement is terminated, relevant Ministers or Executives may take steps to change the rights, responsibilities, obligations and/or payments from what had been in this Agreement.

18. Force majeure

18.1 The parties' obligations under this agreement (other than the obligation to pay money) are suspended to the extent, and for the time during which those obligations are unable to be performed, due to a Force Majeure Event.

18.2 As soon as reasonably practicable after a Force Majeure Event ceases to exist, the party(ies) affected by that event must resume meeting expectations (whether for Services, reports, payments or advice) under this Agreement.

19. Dispute Resolution

19.1 Except as otherwise provided in this agreement, if a difference or dispute (Dispute) arises in relation to this Agreement and the parties have not otherwise been able to resolve it, then any party may give written notice to the others that a Dispute exists, which specifies details of the Dispute. The parties agree that, following the issue of that notice, they will endeavour to resolve the dispute by negotiations, including if needed by referring the Dispute to persons who have authority to intervene and direct some form of resolution.

20. GST and Other Taxes

20.1 Definitions

20.1.1 Expressions in this clause which are not defined in this Agreement, but which are defined in the GST Act have the same meaning as the GST Act.

20.2 Obligations

Transport Canberra Operations will be liable to pay Goods and Services Tax, Payroll Tax, Income Tax and other taxes as may be required by the relevant law.

20.3 Payments are exclusive of GST

20.3.1 Unless otherwise expressly stated, all amounts, prices, values or sums payable or to be provided under this agreement are exclusive of GST.

20.4 GST on Taxable Supply

20.4.1 If GST is payable on any supply made under this agreement:

- (a) the recipient of the taxable supply must pay to the supplier an amount equal to the GST payable on the taxable supply, in addition to and at the same time as payment for the taxable supply is required to be made under this Agreement; and
- (b) the supplier must give the recipient a Tax invoice for the taxable supply.

21. Confidential Information

21.1 Except as provided in this Agreement, or under ACT Government law and policies, the parties agree not to disclose Confidential information to any person without the prior consent of the party that provided the information, except to the extent that the Confidential Information is:

- (a) required or authorised to be disclosed by law;
- (b) disclosed to the ACT Government solicitors, auditors, insurers or advisers;
- (c) generally available to the public; and
- (d) in the possession of a party without restriction in relation to disclosure.

21.2 Each party will take all reasonable measures to

- (a) protect Confidential Information against loss, unauthorised access, use, modification, disclosure or other misuse in accordance with reasonable procedures for that purposes; and
- (b) only provide authorised personnel with access to the Confidential Information.²²
Intellectual property

21.3 Ownership of all Contract material vests on its creation with the party creating it.

22. Good faith

22.1 The parties acknowledge and agree that, in exercising any right, obligation or function, or in giving any approval or consent, or in deciding whether or not to agree to any proposed course of action set out in the Agreement, each party will:

- (a) act reasonably and in good faith towards the other in relation to carrying out their obligations under this Agreement, and in law;
- (b) provide all assistance reasonably required to enable each party to promptly carry out the obligations under this Agreement.

23. General

23.1 Each party must promptly do whatever the other party(ies) require of it to give effect to this document and to perform its obligations under it.

23.2 This Agreement and its Annexure(s) comprise the entire agreement between the parties in relation to the subject matter of this Agreement and it supersedes any priori representations, negotiations, writings or memoranda and agreements.

23.3 This Agreement may be varied by the parties prior to expiration of the Agreement, with Annex A intended to be updated whenever agreed as necessary; and Annex B intended to be updated annually.

23.4 This Agreement is governed by and construed in accordance with the law for the time, being in force in the Territory.

Annex A

1. Government vision and goals

1.1 *Canberra: a Statement of Ambition* sets out the ACT Government's vision for Canberra as a compact and competitive City of Choice, talent and ambition: open to all. The ambition will be achieved by attracting and retaining talented people, continuing to open and diversify the local economy, delivering better metropolitan infrastructure and embracing digital opportunities.

1.2 The ACT Government has a vision of a convenient, efficient, affordable, reliable and integrated public transport system for the community. It is developing an integrated transport network that provides a range of options for moving people around our growing city, in a way that will connect and integrates transport modes including walking, cycling, autonomous cars, buses, on demand travel, park and ride options and light ride. This will translate into more ways to travel to workplaces, local schools and shops.

1.3 Through its funding for public transport services, the Government is particularly supporting access to affordable public transport for low income Canberrans, students and the elderly. Additionally, the Government is committed to ensuring that mobility impaired members of the community may access a flexible bus service that is booked for travel during certain hours. Over coming years, the Government will be providing funds for the bus fleet to be modernised and become fully compliant with standards under the *Disability Discrimination Act 1992* by 2022.

1.4 The Government also supports the provision of special services during festivals and at certain times of the year so that higher frequency or different routes are available compared to those generally offered as part of the network and its timetabling. The Transport Canberra Operations will facilitate the operation of the additional services with the associated cost being recovered from the responsible event organiser, where appropriate.

Annex B

1. Financial Year

1.1 The Financial Year relevant to the latest update of this agreement is **2019-20**.

2. Context and Priorities for the Financial Year

2.1 At the end of April 2019, a new integrated transport network service commenced operations to provide more buses, more often, across the ACT in a way that links new light rail services and bus services required for school students and inter-town commuters cost-effectively.

2.2 TCO will monitor and advise on how the new service is meeting community needs and expectations, with advice going through to the responsible executives and the relevant Minister(s).

2.3 TCO will also implement the initiatives outlined below.

3. Value of the agreement for 2019-20

3.1 {DRAFT} The ACT 2019-20 Budget made provision for payments to Transport Canberra Operations through TCCSD from the ACT Government as follows:

	2019-20 Annual Budget \$'000	2020-21 Estimate \$'000	2021-22 Estimate \$'000	2022-23 Estimate \$'000
801302 - Service Payments from GGS	116,882	130,033	133,387	135,080
806213 - User Charges - ACT Government	8,711	8,950	9,239	9,539
Total	125,593	138,983	142,626	144,619

Note: This table has been updated since passage of the Appropriation Bill for 2019-20 Budget, including for transfers that may yet to be reflected in instruments and tabled.

4. Accountability indicators for the budget year

4.1 Transport Canberra Operations will report to the Government, through the Transport Canberra and City Services Directorate, on performance against each of the following indicators and/or targets:

1. 99.5 per cent of Light Rail Passenger Services available in 2019-20;
2. Run 99.6 per cent of bus services to completion in 2019-20;
3. Public transport passenger boardings of 19.9 million in 2019-20;
4. Run 75 per cent of buses on time in 2019-20.

4.2 In addition, Transport Canberra Operations will report on the extent of services and number and type of routes delivered consistent with this agreement.

TCO may amend the mix of express and non express bus and other services provided in order to maximise network efficiency, meet changing customer demand and pursue a reasonable return on its investment of resources.

4.3 Transport Canberra Operations will manage the services availability agreement for the City to Gungahlin light rail corridor along the 12 kilometre route, with 13 stops (presently) including the terminus at each end of the route.

5. Subsidy and Concession payment amounts

5.1 The Government has set a target ratio for the Government subsidy payable to Transport Canberra Operations in 2019-20, being 72 per cent per bus passenger boarding; and 100 percent per light rail passenger boarding.

5.2 Part of this forms a general subsidy budgeted for community services obligations, and the other part represents amounts budgeted for concessions that enable pensioners and students to receive discounted (or free) travel in off-peak periods. The 2019-20 budgeted amount for concessions is based on 2018-19 actuals with adjustments for expected fare increases and/or expect growth in concession users. The concession budget is forecast for a few years based on ongoing concession commitments, indexation and any budget initiatives.

5.3 The amount to be paid for pensioner and student concessions is the difference between the full fare and the concession fare, multiplied by the actual passenger numbers that have travelled. TCO will issue an invoice, generally monthly, for recouping this difference in fares. On approval, the amounts are then drawn down as being a payment for services.

6. Capital Initiatives in 2019-20

6.1 The Government is investing capital into initiatives for:

Building a better city – Integrated bus and light rail ticketing – \$0.6 million capital in 2019-20

Building a better city – New Bus depot at Woden - \$20 million capital in 2019-20

Future Bus Network – \$21.8 million in 2019-20

Better buses to support the new bus network – \$6.4 million capital in 2019-20

7. Expense Initiatives in 2019-20

7.1 The Government is providing expense funding into an initiative for:

Supporting social inclusion through the Flexible Bus Service – \$0.9 million expenditure in 2019-20.

From: [Bourke, Natasha](#)
To: [Dane Mead](#)
Cc: [Vigor, Catriona](#); [Sch 2.2\(a\)](#); [Hall, Elizabeth](#); [Graeme Messer](#); [Jane White](#); [Whybrow, Mark](#); [Kobayashi, Midori](#); [Rowena Zackeresen](#); [Blount, Wilhelmina](#)
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]
Date: Tuesday, 22 October 2019 4:18:00 PM
Attachments: [image001.gif](#)
[Draft Public Transport Agreement.docx](#)

Hi Dane,

Apologies for the delay in providing this information to you for consideration of the sector classification of light rail.

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Additional information (based on end of 2018-19 year results)

- The ACT Public Bus and Rail network services 60 public transport routes across the ACT.
- Passenger boarding numbers were 20.1 million in 2018-19 across both public bus and light services.
- In addition, the SNT network provides transport to and from ACT public schools for 346 students with disabilities and 26 Introductory English Class students using 41 buses and eight taxis each school day. The service delivers to 45 specialised and mainstream schools Canberra wide.
- The Flexible Bus Service (using the SNT fleet in the middle of the day) provided 15,589 passenger movements in 2018-19.

Fare prices

At the beginning of each calendar year, Transport Canberra revises its fares in line with inflation. The fares over the last twelve months have been as follows:

Paper tickets

Bus or vending machine:	Previous fare	Fare as at 5 Jan 2019
Adult Single	\$4.90	\$5.00
Adult Daily	\$9.40	\$9.60
Concession Single	\$2.40	\$2.50
Concession Daily	\$4.70	\$4.80

MyWay fares –

Adult (full fare)	Previous fare	Fare as at 5 Jan 2019
Peak	\$3.14	\$3.22
Off-peak	\$2.49	\$2.55
Weekday cap	\$9.40 ¹	\$9.60 ¹
Weekend/public holiday cap	\$5.73 ¹	\$5.87 ¹
Concession	Previous fare	Fare as at 5 Jan 2019
Peak	\$1.57	\$1.61
Off-peak	free ¹	free ^{1,2}

Weekday cap	\$4.70 ¹	\$4.80 ¹
Weekend/public holiday cap	n/a ¹	\$2.17 ³
Student	Previous fare	Fare as at 5 Jan 2019
Tertiary	\$1.57	\$1.61
School student – school days	\$1.19	\$1.22
School student – non school days	\$1.57	\$1.61
Weekday cap	\$4.70 ¹	\$4.80 ¹
Weekend/public holiday cap	\$2.12 ¹	\$2.17 ¹

¹ When users tap on and off correctly.

² Free off-peak travel for seniors and concession card holders using MyWay cards will continue until further notice. Published fare is \$0.89.

³ Cap applies only if free off-peak travel is withdrawn.

Kind regards,

Natasha Bourke | Senior Director – Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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From: [Sch 2.2(a)(ii)]@abs.gov.au]

Sent: Monday, 24 June 2019 10:23 AM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: Vigor, Catriona <Catriona.Vigor@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au]; Hall, Elizabeth <Elizabeth.Hall@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au]; [Sch 2.2(a)(ii)]@abs.gov.au]; Whybrow, Mark <Mark.Whybrow@act.gov.au>; Kobayashi, Midori <Midori.Kobayashi@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au]

Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha,

I can be the executive level contact point from the ABS for this particular matter as I've been across the correspondence to date.

Other than the information requested from Chris we're also available to meet over the next week or two if it's easier to talk through details via teleconference.

Regards,

[Sch 2.2(a)(ii)]
 Assistant Director
 Public Finance | Finance & Wealth Branch | Australian Bureau of Statistics
 (P) [Sch 2.2(a)(ii)] | (E) [Sch 2.2(a)(ii)]@abs.gov.au | (W) www.abs.gov.au

"Bourke, Natasha" ---21/06/2019 01:41:46 PM---

From: "Bourke, Natasha" <Natasha.Bourke@act.gov.au>
 To: [Sch 2.2(a)(ii)]@abs.gov.au]
 Cc: "Vigor, Catriona" <Catriona.Vigor@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au]; "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au]; "Whybrow, Mark" <Mark.Whybrow@act.gov.au>; "Kobayashi, Midori" <Midori.Kobayashi@act.gov.au>; [Sch 2.2(a)(ii)]@abs.gov.au]
 Date: 21/06/2019 01:41 PM
 Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hi Chris,

Thank you for getting back to us on this.

As discussed during our telephone hook-up on the leasing standard, we are also after a contact in the ABS at the Executive level in relation to this matter as an ongoing contact point. We will of course keep everyone in the loop with any correspondence going forward, who would be the best person for this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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From: Sch 2.2(a)(ii) <[REDACTED]@abs.gov.au>

Sent: Thursday, 20 June 2019 1:36 PM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: Vigor, Catriona <Catriona.Vigor@act.gov.au>; Sch 2.2(a)(ii) <[REDACTED]@abs.gov.au>; Hall, Elizabeth <Elizabeth.Hall@act.gov.au>;

Sch 2.2(a)(ii) <[REDACTED]@abs.gov.au>; Sch 2.2(a)(ii) <[REDACTED]@abs.gov.au>; Whybrow, Mark <Mark.Whybrow@act.gov.au>;

Kobayashi, Midori <Midori.Kobayashi@act.gov.au>; Sch 2.2(a)(ii) <[REDACTED]@abs.gov.au>

Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

If you have any questions, please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)

Data Analyst

(P) (07) 3222 6441

(E) abs.gov.au (W) www.abs.gov.au

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"Bourke, Natasha" ---26/04/2019 09:51:34 AM---

From: "Bourke, Natasha" <Natasha.Bourke@act.gov.au>
 To: Sch 2.2(a)(ii) <abs.gov.au>, abs.gov.au, Sch 2.2(a)(ii) <abs.gov.au>, Vigor, Catriona <Catriona.Vigor@act.gov.au>
 Cc: Sch 2.2(a)(ii) <abs.gov.au>, Hall, Elizabeth <Elizabeth.Hall@act.gov.au>, Sch 2.2(a)(ii) <abs.gov.au>, Whybrow, Mark <Mark.Whybrow@act.gov.au>, Sch 2.2(a)(ii) <abs.gov.au>, Sch 2.2(a)(ii) <abs.gov.au>, Kobayashi, Midori <Midori.Kobayashi@act.gov.au>, Blount, Wineimina <Wineimina.blount@act.gov.au>, Whybrow, Mark <Mark.Whybrow@act.gov.au>
 Date: 26/04/2019 09:51 AM
 Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hi Chris,

Thanks for speaking with Wil and I on this matter and clarifying the considerations required.

Please see attached a paper outlining the responses to your queries and consideration of the three key questions for classification.

Could you please let me know approximately when you think you will have a chance to get back to us on this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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From: Sch 2.2(a)(ii) <abs.gov.au>
 Sent: Wednesday, 10 April 2019 6:19 PM
 To: Bourke, Natasha <Natasha.Bourke@act.gov.au>
 Cc: Sch 2.2(a)(ii) <abs.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>; Vigor, Catriona <Catriona.Vigor@act.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>; Hall, Elizabeth <Elizabeth.Hall@act.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>; Whybrow, Mark <Mark.Whybrow@act.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>; Sch 2.2(a)(ii) <abs.gov.au>
 Subject: Re: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

There are also a number of other questions that need additional information to answer. The ABS uses 3 indicators to determine whether a unit is a market producer (PNFC) or a non-market producer (GG). The attached guidance note outlines these indicators and the method used by the ABS to make a judgement.

(See attached file: *Guidance Note Institutional Sectors - 06 Published 30 August 2017.docx*)

If you have any questions please don't hesitate to contact me.

Regards
Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | Australian Bureau of Statistics

(P) (07) 3222 6441

(E) Sch 2.2(a)(ii) @abs.gov.au (W) www.abs.gov.au

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"Blount, Wilhelmina" ---09/04/2019 01:24:04 PM---

From: "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
To: Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au;
Cc: Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au;
<@abs.gov.au>; "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>; "Vigor, Catriona" <Catriona.Vigor@act.gov.au>; "Bourke, Natasha" <Natasha.Bourke@act.gov.au>; "Whybrow, Mark" <Mark.Whybrow@act.gov.au>
Date: 09/04/2019 01:24 PM
Subject: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hello Chris

As discussed with you over the phone,

Out of scope

Out of scope our intention is to classify the operational arm of Transport Canberra (which consists of both light rail and the bus service) as a public non-financial corporation, the rationale for which is contained in the attached word document.

Thank you for agreeing to review this as soon as possible and apologies for the delay in getting it to you.

Regards

Wil

Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Sch 2.2(a)(ii) @abs.gov.au
Sent: Tuesday, 2 April 2019 12:12 PM
To: Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>
Cc: Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au
Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact Sch 2.2(a)(ii) the Conceptual Manager ph Sch 2.2(a)(ii)

I've also cc'd in Sch 2.2(a)(ii) the Director of Public Finance as well as the Assistant Directors.

Regards
Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | Australian Bureau of Statistics

(P) (07) 3222 6441

(E) Sch 2.2(a)(ii) [@abs.gov.au](mailto:abs.gov.au) (W) www.abs.gov.au

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☐ "Blount, Wilhelmina" ---02/04/2019 10:46:06 AM---

From: "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
To: Sch 2.2(a)(ii) [@abs.gov.au](mailto:abs.gov.au),
Date: 02/04/2019 10:46 AM
Subject:

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Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
Finance and Budget Group | Chief Minister, Treasury and Economic Development Directorate
ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

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Out of scope

From: Sch 2.2(a)(ii)
To: Bourke, Natasha
Cc: Vigor, Catriona; Hall, Elizabeth; Whybrow, Mark; Kobayashi, Midori; Blount, Wilhelmina; Sch 2.2(a)(ii); Sch 2.2(a)(ii); Sch 2.2(a)(ii)
Subject: Re: Sector classification of Transport Canberra [DLM=For-Official-Use-Only]
Date: Thursday, 19 December 2019 12:50:36 PM
Attachments: 0D634539.qif

Hi Natasha,

Thank you for engaging with the ABS on the sectorisation of Transport Canberra Operations, in line with the integration of the light rail and bus services. We appreciate you sending us the detailed information to enable us to be able to make a determination on this unit's sectorisation for ACT Treasury.

After assessing the current institutional sectorisation of Transport Canberra Operations we have determined that integration of the new light rail has not fundamentally changed the economic substance of the unit's operations and therefore we are satisfied to retain the Public Non-financial Corporation sector classification.

Of particular note, the light rail has increased patronage and the efficiency of the public transport network in Canberra, with ABS also noting the strategic indicator (2.2 Business performance) for the unit to continue reducing the reliance on government subsidies per passenger boarding as a percentage of operating costs.

This decision will maintain consistency with the way ACTION is currently reported and will not alter the historical time series in GFS data.

We appreciate the help and advice you have provided to us in making this decision.

If you wish to discuss this decision further or have any questions, please feel free to contact me or one of the ACT Treasury GFS support team members (Sch 2.2(a)(ii)).

Kind regards,

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

Director

Public Finance | Finance & Wealth Branch | **Australian Bureau of Statistics**

(P) Sch 2.2(a)(ii)

(E) Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au) (W) www.abs.gov.au

I work Monday to Thursday

Sch 2.2(a)(ii)

Director

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(E) Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au) (W) www.abs.gov.au

I work Monday to Thursday

From: "Bourke, Natasha" <Natasha.Bourke@act.gov.au>
To: "Sch 2.2(a)(ii) @abs.gov.au"
Cc: "Vigor, Catriona" <Catriona.Vigor@act.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au", "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au", "Sch 2.2(a)(ii) @abs.gov.au", "Whybrow, Mark" <Mark.Whybrow@act.gov.au>, "Kobayashi, Midori" <Midori.Kobayashi@act.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au", "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
Date: 22/10/2019 03:19 PM
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Dane,

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Additional information (based on end of 2018-19 year results)

- The ACT Public Bus and Rail network services 60 public transport routes across the ACT.
- Passenger boarding numbers were 20.1 million in 2018-19 across both public bus and light services.
- In addition, the SNT network provides transport to and from ACT public schools for 346 students with disabilities and 26 Introductory English Class students using 41 buses and eight taxis each school day. The service delivers to 45 specialised and mainstream schools Canberra wide.
- The Flexible Bus Service (using the SNT fleet in the middle of the day) provided 15,589 passenger movements in 2018-19.

Fare prices

At the beginning of each calendar year, Transport Canberra revises its fares in line with inflation. The fares over the last twelve months have been as follows:

Paper tickets

Bus or vending machine:	Previous fare	Fare as at 5 Jan 2019
Adult Single	\$4.90	\$5.00
Adult Daily	\$9.40	\$9.60
Concession Single	\$2.40	\$2.50
Concession Daily	\$4.70	\$4.80

MyWay fares –

Adult (full fare)	Previous fare	Fare as at 5 Jan 2019
-------------------	---------------	-----------------------

Peak	\$3.14	\$3.22
Off-peak	\$2.49	\$2.55
Weekday cap	\$9.40 ¹	\$9.60 ¹
Weekend/public holiday cap	\$5.73 ¹	\$5.87 ¹

Concession	Previous fare	Fare as at 5 Jan 2019
Peak	\$1.57	\$1.61
Off-peak	free ¹	free ^{1 2}
Weekday cap	\$4.70 ¹	\$4.80 ¹
Weekend/public holiday cap	n/a ¹	\$2.17 ³

Student	Previous fare	Fare as at 5 Jan 2019
Tertiary	\$1.57	\$1.61
School student – school days	\$1.19	\$1.22
School student – non school days	\$1.57	\$1.61
Weekday cap	\$4.70 ¹	\$4.80 ¹
Weekend/public holiday cap	\$2.12 ¹	\$2.17 ¹

¹ When users tap on and off correctly.

² Free off-peak travel for seniors and concession card holders using MyWay cards will continue until further notice. Published fare is \$0.89.

³ Cap applies only if free off-peak travel is withdrawn.

Kind regards,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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From: [redacted] Sch 2.2(a)(ii) @abs.gov.au

Sent: Monday, 24 June 2019 10:23 AM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: Vigor, Catriona <Catriona.Vigor@act.gov.au>; [redacted] Sch 2.2(a)(ii) @abs.gov.au; Hall, Elizabeth <Elizabeth.Hall@act.gov.au>; [redacted] Sch 2.2(a)(ii) @abs.gov.au; [redacted] Sch 2.2(a)(ii) @abs.gov.au; Whybrow, Mark <Mark.Whybrow@act.gov.au>; Kobayashi, Midori <Midori.Kobayashi@act.gov.au>; [redacted] Sch 2.2(a)(ii) @abs.gov.au

Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha,

I can be the executive level contact point from the ABS for this particular matter as I've been across the correspondence to date.

Other than the information requested from Chris we're also available to meet over the next week or two if it's easier to talk through details via teleconference.

Regards,

[redacted] Sch 2.2(a)(ii)

Assistant Director

Public Finance | Finance & Wealth Branch | Australian Bureau of Statistics

(P) [redacted] Sch 2.2(a)(ii) | (E) [redacted] Sch 2.2(a)(ii) @abs.gov.au | (W) www.abs.gov.au

[redacted] "Bourke, Natasha" ---21/06/2019 01:41:46 PM---

From: "Bourke, Natasha" <Natasha.Bourke@act.gov.au>

To: Sch 2.2(a)(ii) @abs.gov.au
Cc: "Vigor, Catriona" <Catriona.Vigor@act.gov.au> Sch 2.2(a)(ii) @abs.gov.au, "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au> Sch 2.2(a)(ii) @abs.gov.au, Sch 2.2(a)(ii) @abs.gov.au, "Whybrow, Mark" <Mark.Whybrow@act.gov.au>, "Kobayashi, Midori" <Midori.Kobayashi@act.gov.au> Sch 2.2(a)(ii) @abs.gov.au
Date: 21/06/2019 01:41 PM
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hi Chris,

Thank you for getting back to us on this.

As discussed during our telephone hook-up on the leasing standard, we are also after a contact in the ABS at the Executive level in relation to this matter as an ongoing contact point. We will of course keep everyone in the loop with any correspondence going forward, who would be the best person for this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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From: Sch 2.2(a)(ii) @abs.gov.au

Sent: Thursday, 20 June 2019 1:36 PM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: Vigor, Catriona <Catriona.Vigor@act.gov.au>; Sch 2.2(a)(ii) @abs.gov.au; Hall, Elizabeth <Elizabeth.Hall@act.gov.au>; Sch 2.2(a)(ii) @abs.gov.au; Sch 2.2(a)(ii) @abs.gov.au; Whybrow, Mark <Mark.Whybrow@act.gov.au>; Kobayashi, Midori <Midori.Kobayashi@act.gov.au>; Sch 2.2(a)(ii) @abs.gov.au

Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

If you have any questions, please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)


Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

(P) Sch 2.2(a)(ii)

(E) Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au) (W) www.abs.gov.au

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 "Bourke, Natasha" ---26/04/2019 09:51:34 AM---

From: "Bourke, Natasha" <Natasha.Bourke@act.gov.au>
To: Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au),
Cc: Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Vigor, Catriona" <Catriona.Vigor@act.gov.au>, Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>, Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Whybrow, Mark" <Mark.Whybrow@act.gov.au>, Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), Sch 2.2(a)(ii) [@abs.gov.au](mailto:Sch 2.2(a)(ii)@abs.gov.au), "Kobayashi, Midori" <Midori.Kobayashi@act.gov.au>, "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>, "Whybrow, Mark" <Mark.Whybrow@act.gov.au>
Date: 26/04/2019 09:51 AM
Subject: RE: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hi Chris,

Thanks for speaking with Wil and I on this matter and clarifying the considerations required.

Please see attached a paper outlining the responses to your queries and consideration of the three key questions for classification.

Could you please let me know approximately when you think you will have a chance to get back to us on this?

With thanks,

Natasha Bourke | Senior Director - Budget Coordination and Reporting Branch | **Chief Minister, Treasury and Economic Development Directorate**

Phone: 6207 0133 | Fax: 6207 0298 |

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From: [Sch 2.2(a)(i)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au)

Sent: Wednesday, 10 April 2019 6:19 PM

To: Bourke, Natasha <Natasha.Bourke@act.gov.au>

Cc: [Sch 2.2(a)(i)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au); [Sch 2.2(a)(ii)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au); Vigor, Catriona <Catriona.Vigor@act.gov.au>; [Sch 2.2(a)(ii)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au); Hall, Elizabeth <Elizabeth.Hall@act.gov.au>; [Sch 2.2(a)(ii)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au); Whybrow, Mark <Mark.Whybrow@act.gov.au>; [Sch 2.2(a)(ii)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au); [Sch 2.2(a)(ii)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au); [Sch 2.2(a)(ii)] [\[redacted\]@abs.gov.au](mailto:[redacted]@abs.gov.au)

Subject: Re: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

Hi Natasha

Sch 2.2(a)(x), Sch 2.2(a)(xii), Sch 2.2(a)(xvi)

There are also a number of other questions that need additional information to answer. The ABS uses 3 indicators to determine whether a unit is a market producer (PNFC) or a non-market producer (GG). The attached guidance note outlines these indicators and the method used by the ABS to make a judgement.

(See attached file: Guidance Note Institutional Sectors - 06 Published 30 August

2017.docx)

If you have any questions please don't hesitate to contact me.

Regards

Sch 2.2(a)(ii)

Data Analyst

Public Finance | Finance and Wealth Branch | Australian Bureau of Statistics

(P) Sch 2.2(a)(ii)

(E) Sch 2.2(a)(ii)@abs.gov.au (W) www.abs.gov.au

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☐ "Blount, Wilhelmina" ---09/04/2019 01:24:04 PM---

From: "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
To: "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>
Cc: "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Sch 2.2(a)(ii) @abs.gov.au" <Sch 2.2(a)(ii)@abs.gov.au>, "Hall, Elizabeth" <Elizabeth.Hall@act.gov.au>, "Vigor, Catriona" <Catriona.Vigor@act.gov.au>, "Bourke, Natasha" <Natasha.Bourke@act.gov.au>, "Whybrow, Mark" <Mark.Whybrow@act.gov.au>
Date: 09/04/2019 01:24 PM
Subject: Sector classification of Transport Canberra [SEC=UNCLASSIFIED]

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Hello Chris

As discussed with you over the phone, **Out of scope**

Out of scope

Out of scope our intention is to classify the operational arm of Transport Canberra (which consists of both light rail and the bus service) as a public non-financial corporation, the rationale for which is contained in the attached word document.

Thank you for agreeing to review this as soon as possible and apologies for the delay in getting it to you.

Regards

Wil

Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | Fax 6207 0298 | Email wilhelmina.blount@act.gov.au

From: [Sch 2.2(a)(ii)]@abs.gov.au
Sent: Tuesday, 2 April 2019 12:12 PM
To: Blount, Wilhelmina <Wilhelmina.Blount@act.gov.au>
Cc: [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au; [Sch 2.2(a)(ii)]@abs.gov.au
Subject: Re: [SEC=UNCLASSIFIED]

Hi Wilhelmina

Thanks for getting in touch regarding the ACTION Buses and Capital Metro sector classifications.

Please contact [Sch 2.2(a)(ii)] the Conceptual Manager ph [Sch 2.2(a)(ii)].

I've also cc'd in [Sch 2.2(a)(ii)] the Director of Public Finance as well as the Assistant Directors.

Regards

[Sch 2.2(a)(ii)]

Data Analyst

Public Finance | Finance and Wealth Branch | **Australian Bureau of Statistics**

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From: "Blount, Wilhelmina" <Wilhelmina.Blount@act.gov.au>
To: [Sch 2.2(a)(ii)]@abs.gov.au,
Date: 02/04/2019 10:46 AM
Subject:

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Wilhelmina Blount | Executive Branch Manager | Development and Infrastructure Policy Branch
Phone 02 6207 0835 | **Fax** 6207 0298 | **Email** wilhelmina.blount@act.gov.au
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ACT Government | Level 1, Nara Centre Cnr Constitution Ave and London Cct Canberra ACT 2601
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