

# Commonwealth–State Financial Relations and the Rudd Labor Government

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‘Never stand between a State Premier and a bucket of money.’  
—Paul Keating, State Premiers’ Conference, 31 October 1990.

Financial relations between the Commonwealth and the states have been contentious since the days of Federation, and will remain so given the nature of Australia’s political system and its separation of powers. The following paper will look at the history of Commonwealth-State financial relations in Australia and analyse the potential for reform. Also, given the change of government at the end of 2007, the paper will look at the flagged changes to Commonwealth-State financial relations.

## *Commonwealth Payments To and For the States*

The fundamentals of Commonwealth-State financial relations are set out in numerous sections of the Constitution. Section 87 provides that three quarters of revenue from duties of customs and excise be paid to the states, section 94 provides for surplus revenue of the Commonwealth to be delivered to the states, and section 105 gives the Commonwealth the ability to take over state debt. However, section 87 was only valid for the ten years after the establishment of the Commonwealth and was replaced with per capita payments in 1909–10 under the *Surplus Revenue Act 1910*. Likewise, payment of surplus revenue to the states under section 94 ceased in 1907–08 when a trust account for old age and invalid pensioners was established with this money.

Today the majority of federal-state financial relations occurs through section 96 whereby ‘the Parliament may grant financial assistance to any State on such terms and conditions as the Parliament thinks fit’. In practice section 96 payments can be separated into two types: conditional grants known as ‘specific purpose payments’ (SPPs), and unconditional grants known as ‘general purpose payments’ which are

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primarily made up of the revenue from the Goods and Services Tax (GST) and recorded in the Budget as general revenue assistance. The breakdown of these two types of payments can be seen in the Table 1.

**Table 1: Commonwealth Payments to the States, 2007–08**

\$million	NSW	Vic.	Qld	WA	SA	Tas.	ACT	NT	Total
Payments for specific purposes	10,287	7,227	6,272	3,931	2,480	820	476	543	32,036
General revenue assistance	11,942	9,259	8,549	4,068	3,917	1,665	846	2,207	42,453
Total payments to the States	22,229	16,486	14,822	7,999	6,396	2,485	1,322	2,750	74,489

Source: Final Budget Outcome 2007–08.<sup>1</sup>

In 2007–08 GST payments made up 99.7 per cent of general revenue assistance. The remaining 0.3 per cent consisted of the final compensation payments from the National Competition Policy which had been suspended since 2005–06, and compensation to Western Australia for the Rudd Government’s Budget decision to remove the exemption of condensate from crude oil excise.

The Commonwealth Grants Commission (CGC) controls the distribution of GST payments based on the principle of horizontal fiscal equalisation (HFE), which sets out that:

each State should be given the capacity to provide the average standard of State-type public services, assuming it does so at an average level of operational efficiency and makes an average effort to raise revenue from its own sources.<sup>2</sup>

Table 2 shows the effect HFE has on GST distribution as compared to per capita distribution. Also, even though since its inception the GST has been a tax collected by the Commonwealth and distributed to the states, the 2008–09 Budget was the first Budget to record it as a Commonwealth tax rather than a state government tax.<sup>3</sup>

SPPs make up the rest of Commonwealth funding to the states and come in three forms: payments ‘to’ the states, payments ‘through’ the states, and payments direct ‘to’ local governments. In 2007–08, payments to the states comprised 74.3 per cent of SPPs by value and consisted of funding that supplemented state responsibility areas such as health, education and roads. Payments through the states comprised 23.9 per cent of SPPs by value and included funding the states passed on to targeted recipients such as government schools, as well as financial assistance grants for local governments. Payments direct to local government comprised 1.7 per cent of SPPs by value and included funding for services such as disability and welfare services.<sup>4</sup>

**Table 2: Effect of Horizontal Fiscal Equalisation, 2007–08**

	GST pool distributed using GST relativities \$m	Equal per capita distribution of GST pool \$m	Redistribution <sup>(a)</sup> \$m	Estimated population million	Per capita redistribution \$
NSW	14,858.3	16,683.6	-1,825.3	6.9	-263.4
Vic.	11,275.4	12,517.6	-1,242.3	5.2	-239.0
Qld	10,089.9	10,031.2	58.6	4.2	14.1
WA	4,822.9	5,091.5	-268.5	2.1	-127.0
SA	4,577.6	3,790.6	787.1	1.6	500.0
Tas.	1,834.2	1,187.8	646.5	0.5	1,310.6
ACT	933.9	803.2	130.7	0.3	391.7
NT	2,222.1	508.8	1,713.3	0.2	8,108.1
Total	50,614.2	50,614.2	3,336.1	21.0	na

Note: (a) The total redistribution of \$3,336.1 million is the sum of positive (or negative) items in that column.

Source: Budget Paper No. 3, 2007–08.<sup>5</sup>

These three types of SPPs are also subjected to a variety of conditions. According to the 2005–06 Budget, conditions on SPPs can be categorised into four types:

general policy conditions (for example, the provision of free public hospital access for Medicare patients in return for funding under the Health Care Agreements);

requirements that payments be expended for a specific purpose only (for example, SPPs for schools may be spent on teacher salaries and curriculum development);

state maintenance of effort and matching funding arrangements (whereby states are required to maintain funding levels and/or match the Australian Government's funding contribution in a specified programme area); and

reporting of financial and performance information.<sup>6</sup>

An OECD working paper identifies an additional condition of due recognition, whereby the states are required to publicly acknowledge the Commonwealth's funding.<sup>7</sup>

### *The History of Commonwealth–State Financial Relations*

Commonwealth-State financial relations have changed considerably since the Constitution was written. Originally, states relied on general revenue assistance, distribution of Commonwealth surpluses and compensation for the loss of customs and excise duties. However, as mentioned previously, the latter two forms of funding ceased within 10 years of Federation and, more recently, general revenue assistance has diminished relatively as SPPs have increased in use.

The first SPP was delivered through the *Main Roads Development Act 1923*, which provided \$1 million to the states to be spent only on the development of main roads.

Although, prior to the Second World War, Commonwealth payments to the states were relatively minor and served the purpose of tiding states over difficult periods, assisting financially weaker states, or providing funds for purposes in which the Commonwealth and the states had a common interest. For the most part, the states had enough financial resources available to meet the majority of their own expenditures.<sup>8</sup>

Also in 1923, the Commonwealth and states entered into a ‘voluntary loan council’ arrangement to coordinate the timing and conditions of debt issues, and by 1927 this had been formalised into the statutory Australian Loan Council which approved all Commonwealth and State borrowings.<sup>9</sup>

During the Second World War the Commonwealth required additional funds and decided to increase the rate of income tax which, at the time, was being levied concurrently at different rates at the State and Commonwealth level. As section 51 gives the Commonwealth the power to make laws in relation to taxation, ‘but so as not to discriminate between States or parts of States’, federal income tax was limited by the various rates of income tax being imposed in the states; ‘its rates were in practice limited by the scope available for additional tax in the State with the highest rate of tax at each income level’.<sup>10</sup> Thus, the Commonwealth introduced a uniform income tax scheme, intended for the duration of the war and one year after, which came into operation in July 1942. The scheme was challenged by four states in the High Court the same year.

The challenge was unsuccessful, the High Court finding that the Commonwealth could enforce priority in the collection of its income tax and could make grants to the States under Section 96 of the Constitution on the condition that they vacated the field of income taxation.<sup>11</sup>

When the scheme remained in place after the war, Victoria went on to challenge the validity of the uniform taxation in October 1952 (although this was not pursued), and in December 1955 (with the support of the NSW Government from November 1956). In August 1957, the High Court ruled that the conditionality of the general revenue assistance was constitutionally valid.<sup>12</sup>

The Commonwealth Government also established a similar uniform entertainments tax in 1942 and compensated the five states that had previously levied entertainments taxes through grants conditional on those states no longer levying such taxes.

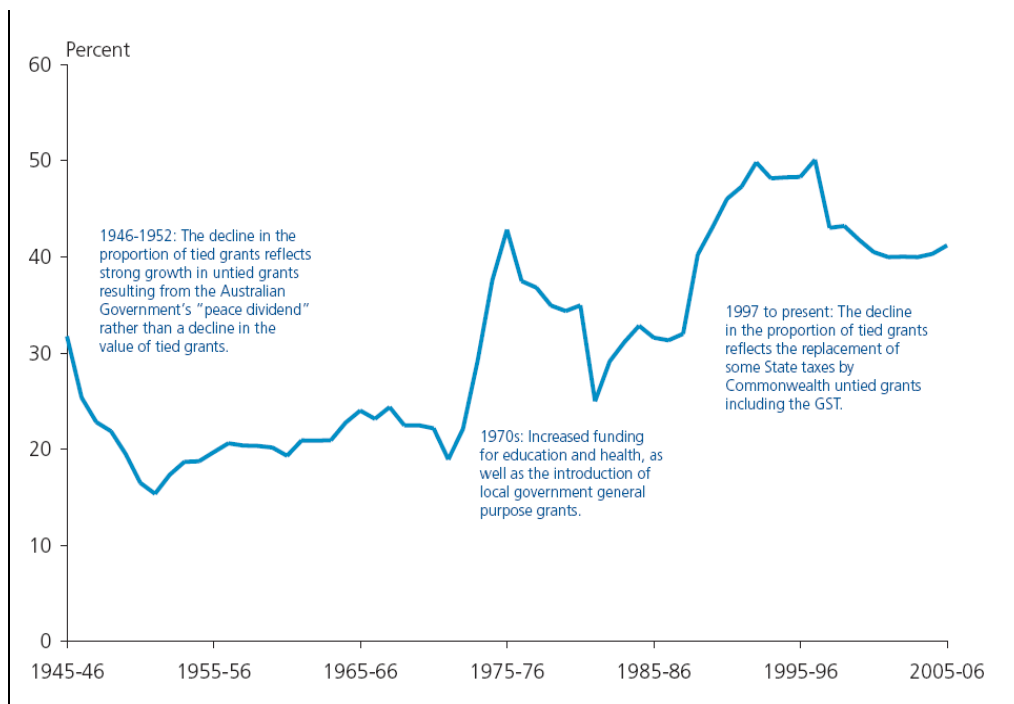
Under the Fraser Government from 1975, more power was attempted to be given back to the states through the New Federalism policy. Among other things, this enabled states to effectively levy their own income taxes through imposing a surcharge on personal income tax. However, this option was never taken up by the states as it was viewed by a number of states as a form of double taxation and would have been difficult for any one State to have applied unilaterally.<sup>13</sup>

As well as evolving use of general revenue assistance, the use of SPPs has also changed over time — particularly since the Whitlam Government, which deliberately used such payments to impose major policy change on states in the areas of health and education. In 1971–72, SPPs made up 29.7 per cent of payments made to the states.<sup>14</sup> By 1974–75, SPPs made up 45.2 per cent of payments made to the states.<sup>15</sup> SPPs were also a tool used extensively under the Howard Government to implement policy, particularly in the area of industrial relations. By 2006–07, the last complete financial year under the Howard Government, SPPs made up 41.9 per cent of payments to the states.<sup>16</sup>

In John Howard and Gough Whitlam we have seen two Prime Ministers who have not been enamoured with the Australian federal system and sought to change it. These governments have been important in pushing the Australian federal model to outcomes that seem to have more to do with the Commonwealth's determination to intrude in state matters, than with any state desire for the introduction of particular policies.<sup>17</sup>

Figure 1 shows the fluctuations in the proportion of specific purpose payments as a proportion of payments to the states from 1945–46 to 2005–06.

**Figure 1: Specific Purpose Payments as a Proportion of Total Grants to the States**



Source: Western Australia Department of Treasury and Finance, *Discussion paper on Commonwealth-State relations*, April 2006, p. 25

The proportional decline in SPPs under the Howard Government shown in the graph can mainly be attributed to the introduction of the GST and the subsequent increase in general revenue assistance. As part of the *Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations* in June 1999, states agreed to abolish certain inefficient taxes in exchange for the revenue from the GST delivered through general revenue assistance.<sup>18</sup> This meant that states would be less dependent on taxes they had identified on inefficiency and equity grounds, but also more dependent on Commonwealth funding.

While the distribution of GST revenue is more beneficial for the states, it also heightens the vertical fiscal imbalance (VFI) intrinsic to the Australian system.

VFI occurs because the revenue raising powers of the states are insufficient to meet their expenditure responsibilities. Meanwhile, the federal government raises more revenue than it spends on own purposes — therefore requiring grants to correct the imbalance.<sup>19</sup>

By the start of the 21st century, four of every ten dollars given by the Commonwealth to the states had conditions attached, and a large proportion of these grants was being made in policy areas that were not included in the original constitutional powers granted to the Commonwealth, such as health and education. Such a high level of conditionality is a major feature of the Australian federal model.<sup>20</sup>

By international standards, Australia has a very high level of VFI with the Commonwealth collecting 80 per cent of taxation revenue and responsible for 54 per cent of own-purpose spending, and the states collecting 16 per cent of taxation revenue but responsible for 40 per cent of own-purpose outlays.<sup>21</sup> Of the countries studied by Neil Warren for the New South Wales Government, Australian State governments have the second lowest level of fiscal autonomy.<sup>22</sup>

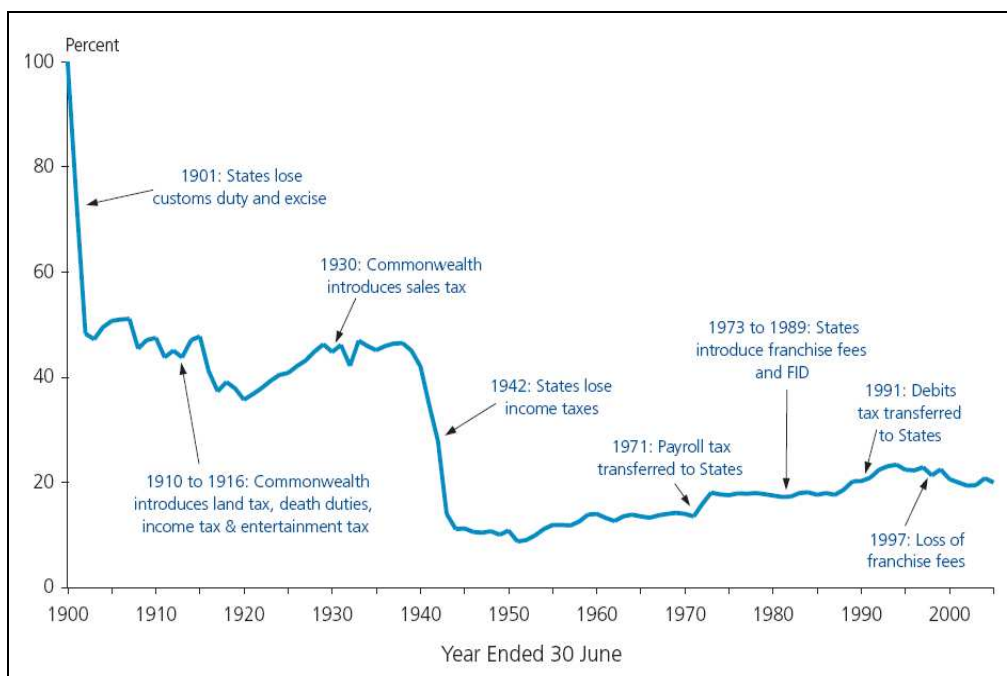
Figure 2 demonstrates this VFI by showing state revenues as a proportion of total state/federal revenue since 1901.

### *Potential for Reform*

The federal control of state finances is more complex than simple redistribution — it raises a variety of problems. Firstly, the nature of the system means that funding becomes a largely political tool for the Federal Government to wield power over the states. This is shown particularly in both the Whitlam and Howard governments.

Secondly, it causes tensions in the federal system which can undermine its functions. Twomey and Withers report that ‘most complaints about the operation of the federal system concerning duplication, buck-passing, excessive administrative burdens, lack of accountability and lack of coordination can be traced back to the use of specific purpose payments (SPPs) by the Commonwealth Government’.<sup>23</sup>

**Figure 2:**  
**State Own Source Revenues as a percentage of all State/Australian Government Revenues**



Source: Western Australia Department of Treasury and Finance, *Discussion paper on Commonwealth-State relations*, April 2006, p. 13

An OECD Working Paper found similar problems: ‘shared responsibilities can pose difficulties, including on how to avoid the inefficiencies which may emerge — as a result, usually, of a blurring of government responsibilities — from cost and blame-shifting among government levels, wasteful duplication of effort or under-provision of services, and a lack of effective policy co-ordination’.<sup>24</sup> Such blame shifting and blurring of government responsibilities can often be seen in the area of health funding.

Thirdly, the system is costly. Access Economics estimates that in 2004–05 inefficiencies in HFE cost the government \$215 million whilst taxing and spending inefficiencies in the current federalism model cost almost \$9 billion.<sup>25</sup>

However, there can be benefits to the Commonwealth Government controlling financial relations. The Federal Government can have a broader view of a program a state is trying to undertake and allocate funds more efficiently in light of the benefits available to other states — such as in funding for interstate highways. Secondly, SPPs can promote cooperative arrangements whereby national standards can be achieved — such as the potential national curriculum. Thirdly, the Commonwealth is able to achieve certain economies of scale and can be better suited to taking over certain policy areas — such as social security administration.<sup>26</sup>

Despite the pros and cons, it is widely recognised that there is room for improvement in Australia's Commonwealth-State financial relations. Twomey and Withers identify three key areas where reform is needed:

Reallocation of roles between the Commonwealth and State and Territory Governments to reduce duplication and clarify responsibilities.

Improvement in the mechanisms for inter-governmental co-operation.

Reform of federal-State financial relations, both in the operation of specific purpose payments and in the level of vertical fiscal imbalance.<sup>27</sup>

The OECD Working paper on fiscal relations across levels of government in Australia suggests similar areas for reform, as well as improving the inefficiency of current state taxes to reduce state dependency on federal funding — primarily by broadening the base of land property and payroll taxes and reducing the rate.<sup>28</sup>

In a Western Australia Treasury paper, the high level of VFI is identified as a crucial problem. The paper notes that while many commentators have dismissed VFI as inconsequential, in the absence of genuine collaboration VFI can be particularly problematic for a state such as WA where there is such scope for misalignment between national policy and local community needs.<sup>29</sup>

George Megalogenis, writing for the *Weekend Australian*, suggests that Federal Government take over health funding to combat VFI.

Canberra can take over the health system through the establishment of a single national fund from which the states and private providers draw to deliver health services on the ground. Or Canberra can run the public hospital system.

Take health away from the states and something interesting happens to federal-state financial relations. The states could pay for the remainder of their service obligations — education, roads, police and the like — out of their own disorganised tax bases.<sup>30</sup>

However, he does recognise that this is an option that probably won't be taken up any time soon.

Table 3, prepared for the NSW Farmers' Association, provides a comprehensive list of the areas that need to be evaluated when considering federal reform in Australia, which are also important when considering reforming federal financial relations.

### *Positions Prior to the Change of Government*

During 2007, prior to the election and subsequent change of government in November, the Australian Labor Party (ALP) campaigned with a policy of reforming Commonwealth-State relations. In fact, as far back as 2005 when Kevin Rudd was Shadow Minister for Foreign Affairs, Trade and International Security, he flagged reform of Australia's Federation model as integral to lasting national reform.



**Table 3: Evaluation Framework for Federal Reform in Australia**

Governance element/outcome	Evaluation principle
<b>A. Political power</b>	<b>A1.</b> Accountability/representativeness of leaders is ensured
	<b>A2.</b> Legitimacy deficits are addressed (inc. re: non-elected decision-makers)
	<b>A3.</b> National political identity/citizenship is strengthened
	<b>A4.</b> Regional political identity/citizenship is strengthened
<b>B. Policy responsibility and development</b>	<b>B1.</b> Roles and responsibilities are defined based on 'subsidiarity'
	<b>B2.</b> Resources and funding are allocated and available at appropriate spatial level(s) ('subsidiarity' in practice)
	<b>B3.</b> Greater policy coherence is achieved; collaboration and integration across and between governments is strengthened
	<b>B4.</b> Capacity for regionally diverse policy responses is negotiated and institutionalised
<b>C. Public administration</b>	<b>C1.</b> Complex policy issues are addressed (see also D)
	<b>C2.</b> Public service delivery is improved
	<b>C3.</b> Financial efficiencies of administration are improved
	<b>C4.</b> Transparency in revenues, outlays, transfers and financial responsibility is improved
<b>D. Citizen and expert engagement</b>	<b>D1.</b> Knowledge integration is supported and maximised
	<b>D2.</b> Participation (or capacity for participation) of citizens is improved; partnerships facilitated and strengthened
	<b>D3.</b> Socially inclusive participation is ensured
	<b>D4.</b> Equity and procedural fairness are ensured
<b>E. Long-term outcomes</b>	<b>E1.</b> Regulation, compliance and participation costs are reduced
	<b>E2.</b> 'Triple bottom line' sustainability is realised
	<b>E3.</b> Sustainable economic innovation is fostered
	<b>E4.</b> Long-term systemic and structural change is supported; communities' adaptive capacity for governance is improved

Source: *Federalism and regionalism in Australia*<sup>31</sup>

The challenge for a future Labor government will be to rebuild the Federation. And it is my argument that the Federation can be rebuilt based on the principles of co-operative (rather the coercive) Federalism. If Federal Labor succeeds in this enterprise, it will create a sustainable political and constitutional mechanism to deliver lasting reform to the nation; to implement a progressive policy agenda that is likely to endure beyond subsequent changes in the political cycle at either a Commonwealth or State level.<sup>32</sup>

This was in stark contrast to the nationalist position held by John Howard, who said in the same year:

I am, first and last, an Australian nationalist. When I think about all this country is and everything it can become, I have very little time for vestiges of state parochialism. This Government's approach to our Federation is quite simple. Our ideal position is that the States should meet their responsibilities and we will meet ours. And our first impulse is to seek state cooperation with States and Territories on national challenges where there is overlapping responsibility. But I have never been one to genuflect uncritically at the altar of States' rights.<sup>33</sup>

In May 2007, Rudd and the Shadow Minister for Federal/State Relations, Bob McMullan, announced the creation of the ALP Advisory Group on Federal-State Reform to provide ‘leadership and new direction of cooperation between Canberra and the States and territories so we can reduce duplication, conflict and work together’.<sup>34</sup>

The advisory group published a discussion paper on 31 July 2007, identifying the key issue as the use of SPPs and outlining options for their reform.

These options, which are not mutually exclusive, include: reducing the number of separate SPPs (of which there were more than 90 at the time the paper was written); consolidating groups of SPPs into broad-banded programs; clearly separating responsibilities; introducing a funder/provider model whereby the Commonwealth becomes the sole funding source for a program and purchases program output from the states; reducing conditionality, particularly where the conditions are unrelated to the purpose of the program; using output or outcome conditions; reducing reporting requirements and agreeing on data requirements; delivering Commonwealth funding through competitive bids; and/or introducing a broker model whereby the Commonwealth funds a case-manager to facilitate clients’ access to the array of services they need.<sup>35</sup>

Primarily, the paper supports the idea of cooperative federalism, rather than coercive federalism, to develop partnerships with the states and reduce the ‘blame game’.

John Howard called a press conference to respond to the paper the day it was released, labeling the policy a retreat and the decision to reduce conditionality, a mistake.

I interpret their new federalism policy as being a policy of retreat by the national government from the affairs of this nation at a time when more than ever the Australian people want the Federal Government to play a more and not less active role in the affairs of Australia. In 2007, the two great sentiments within the Australian community regarding governance are nationalism and localism. They want their national government solving problems, they’re not much fussed about theories of federalism or theories about blame games, they want outcomes, they want better results.

...

I mean, we raise revenue through various forms of taxation and we have a responsibility to the Australian people to see that it is properly spent and you don’t discharge that responsibility by simply handing it over to the states without strings attached. This is 2007, it’s not 1957.<sup>36</sup>

However, federal/state reform remained on the ALP agenda, and by September a 10-point plan had been created. This brought together policy in the areas of infrastructure, housing, preschool education, vocational education and training, a national curriculum, water, hospitals, frontline healthcare, aged care, and local

government — all designed to promote cooperation between the states and the Commonwealth government.

### *Developments Since the Change of Government*

While the new Labor Government has been busy with its many reforms, reviews and initiatives since it won the election on 24 November 2007, there has still been some development of Commonwealth-State relations.

Rudd called his first meeting of the Council of Australian Governments (COAG) on 20 December 2007.<sup>37</sup> Since then, COAG has met on 26 March 2008, 3 July 2008, 2 October 2008, 29 November 2008, and 5 February 2009. Prior to the change of government, the council had never met more than twice a year.<sup>38</sup> At the 26 March meeting, COAG agreed to finalise a new Intergovernmental Agreement on Commonwealth-State Financial Relations by the end of 2008.

In May, the government further signaled its intention for reform by using Budget Paper No. 3 (which traditionally outlines federal financial relations) to outline its new package on Commonwealth-state reform.

Defence Minister Joel Fitzgibbon came under some heat in July 2008 when he mentioned that as well as an Australian Republic, ‘further ideal reform would include the abolition of the states’. However, he did reiterate that ‘if successful, along with the funding initiatives which support them, the Prime Minister’s initiatives to reform Commonwealth-State relations may prove to be his greatest legacy’.<sup>39</sup>

Also in July, Treasurer Wayne Swan addressed the Institute of Public Administration and emphasised the importance of the proposed federal relations framework. ‘This new framework aims to strike a balance between the key drivers of a well functioning modern federation: between cooperation, on the one hand, and competition, on the other.’<sup>40</sup>

As the year progressed, however, the global financial crisis and its domestic impacts began to pressure government policy. This influenced Commonwealth-State relations in two ways. Firstly, the government reacted to the slowing economy by injecting more money into the states.

The government plans to outlay \$3.5 billion on the federal-state measures by June 30 next year, twice as much as it expects to spend in the entire 2009–10 fiscal year.

...

The government highlighted the creation of 133,000 jobs expected from the federal-state agreements, on top of the 75,000 jobs it said would be created from the \$10.4 billion fiscal stimulus announced last month, most of which is to be paid to pensioners and families next week.

It does stimulate the economy. It does create 133,000 jobs over five years but as importantly, for the long term, it lays the foundations for long-term economic reform,” Mr Swan said of the COAG agreement.<sup>41</sup>

This was on top of a surge in payments to the states in 2007–08 which saw total payments increase from 6.5 per cent of GDP to 6.7 per cent of GDP. Payments to the states as a proportion of GDP had been declining since a high of 7.2 per cent in 2002.<sup>42</sup>

This money designed to stimulate the economy was targeted at specific programs, but also included reward money for completion of certain targets.

A proportion of funding has also been reserved for reward payments which are going to go to the states and territories who meet agreed targets. For example, some short-term targets include increasing the proportion of the population who meet those healthy weight guidelines, while longer term targets include reducing the hazardous consumption of alcohol and reducing the daily smoking rates from 16.6 per cent to 10 per cent within 10 years. This is a fundamental change in the way that we conduct the business of health, investing now in our hospitals and acute services but also investing for the long term to ensure that we create incentives to become the healthiest country that we can be.<sup>43</sup>

Conversely, the revised budget figures released in the Mid-Year Economic and Fiscal Outlook (MYEFO) on 5 November 2008 showed revenues would be less than expected and some initiatives — including federal-state financial relations reform — would need to be rethought.

The global crisis has impacted dramatically on the Budget, as I said before, but we are running modest surpluses, and that's a good thing. Should things turn adverse internationally in a more dramatic way, that will have flow-on effects for surpluses.

But in terms of the choices that we make about future policy direction, I'll make a couple of points. Firstly, we are committed to pension reform. We've made that clear. But as regards what we can do, whether it comes to infrastructure, whether it comes to reform of federal-state relations or a whole host of other areas, there are tough decisions that must be taken.<sup>44</sup>

However, by the end of 2008 at the final COAG meeting of the year, a new Intergovernmental Agreement on Federal Financial Relations was agreed to to replace the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations agreed to at the introduction of the GST.

The new agreement was signed by the Prime Minister in January 2009 and, at the time of writing, legislation had been introduced into Parliament for a new federal financial framework with the states.

## **The New Federal Financial Relations Framework**

The new framework outlined *Budget Paper No. 3 2008–09* seeks to achieve the following goals:

Increased flexibility for resources to be allocated to areas where they will produce the best overall outcomes for the community;

Genuinely collaborative working arrangements, including clearly defined roles and responsibilities and fair and sustainable financial arrangements, to facilitate a long-term policy focus and reduce blame and cost shifting;

Stronger incentives for wide-ranging reforms;

Increased accountability of governments to the community; and

Reduced administration and compliance overheads.

These goals are to be achieved primarily through the reform of SPPs. The 90-plus current SPPs will be bundled into six new national SPPs in the areas of healthcare, early childhood development and schools, vocational education and training, disability services, and affordable housing. States will be required to spend a national SPP in the allocated area, but there will be no conditions on how it is spent within that area and there will be no matching requirements. This provides more opportunity for flexibility and competitive efficiencies between the states.

The framework also introduces three types of National Partnership payments which are designed 'to support the delivery of specified projects, to facilitate reforms or to reward those jurisdictions that deliver on national reforms'.<sup>45</sup> These payments have the potential to be beneficial for states, but could also just be a project in re-badging existing SPPs and the problems associated with them.

General revenue assistance will grow under the framework as royalty payments, Snowy Hydro Ltd tax compensation, and payments to ACT municipal services are reclassified from SPPs to general revenue assistance. This flags the potential growth in general revenue assistance as it becomes less synonymous with GST revenue and more applicable to any payments without conditions and with no compelling national objectives.

On Thursday 12 February 2009, the Federal Financial Relations Bill 2009 and the Federal Financial Relations (Consequential Amendments and Transitional Provisions) Bill 2009 was introduced into the House of Representatives, with the intention of applying from 1 January 2009.

## ***Conclusion***

Commonwealth-State financial relations will continue to be contentious because of the very nature of Federalism. However, the Rudd Government's proposed reforms do provide additional flexibility in the system. Ultimately, the success of Commonwealth-State relations will be dependent on the ability for Federal and State governments to cooperate and work together — which may at times be an impossible task. ▲

## End Notes

- <sup>1</sup> Australian Government, 'Part 3: Australia's Federal Relations', *Final Budget Outcome 2007–08*, Commonwealth of Australia, September 2008, p. 59.
- <sup>2</sup> Commonwealth Grants Commission, 'About CGC', [http://cgc.clients.squiz.net/about\\_cgc](http://cgc.clients.squiz.net/about_cgc), accessed on 21 January 2009.
- <sup>3</sup> Australian Government, 'Statement 5: Revenue', *Budget Paper No. 1: Budget Strategy and Outlook 2008–09*, Commonwealth of Australia, 13 May 2008, p. 26., [http://www.budget.gov.au/2008–09/content/bp1/downloads/bp1\\_bst5.pdf](http://www.budget.gov.au/2008–09/content/bp1/downloads/bp1_bst5.pdf), accessed 21 January 2009.
- <sup>4</sup> *ibid.*, p. 61.
- <sup>5</sup> Australian Government, 'GST revenue to the states', *Budget Paper No. 3: Federal Financial Relations 2007–08*, Commonwealth of Australia, 8 May 2007, p. 13, [http://www.budget.gov.au/2007-08/bp3/download/bp3\\_GST.pdf](http://www.budget.gov.au/2007-08/bp3/download/bp3_GST.pdf), accessed 21 January 2009.
- <sup>6</sup> Australian Government, 'Budget Paper No. 3: Federal Financial Relations 2005–06', *Budget 2005–06*, Commonwealth of Australia, 10 May 2005, p. 25, <http://www.budget.gov.au/2005%2D06/bp3/download/bp3.pdf>, accessed 16 August 2008.
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- <sup>8</sup> Australian Government, 'Commonwealth payments to or for the states 1972–73', *Australian Budget Papers 1972–73*, Commonwealth of Australia, August 1972, p. 99.
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- <sup>10</sup> Australian Government, 'Commonwealth payments to or for the states 1972–73', *Australian Budget Papers 1972–73*, Commonwealth of Australia, August 1972, p. 99.
- <sup>11</sup> *ibid.*, p. 100.
- <sup>12</sup> *ibid.*
- <sup>13</sup> D. James, 'Federal–State financial relations: the Deakin prophesy', *The vision in hindsight: Parliament and the Constitution*, paper no. 2, Research Paper no. 17 1999–2000, Parliamentary Library, Canberra, 2000, p. 16–17.
- <sup>14</sup> Australian Government, 'Commonwealth payments to or for the states 1972–73', *Australian Budget Papers 1972–73*, Commonwealth of Australia, August 1972, p. 92.
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