



NSW Legislative Council Hansard (Proof)

Transport Administration Amendment (Travel Concession) Bill

Extract from NSW Legislative Council Hansard and Papers Wednesday 20 September 2006 (Proof).

Second Reading

The Hon. TONY KELLY (Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs) [11.14 a.m.], on behalf of the Hon. Eric Roosendaal: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

NSW has the most generous transport concessions in Australia, with approximately \$800 million provided annually to ensure more categories of concession beneficiary are provided with concession transport options than any other jurisdiction.

New metropolitan bus contracts are expanding those options for people living in areas serviced by private buses. All private bus services in the Sydney Metropolitan Area now offer concession fares previously only available on Government services and the Government is now ensuring that similar arrangements are in place in outer metropolitan areas such as the Central Coast, Wollongong, and the Blue Mountains.

With the NSW concession scheme receiving such significant funding, the Government has to target resources to ensure those most in need receive the assistance they require.

This Government does not consider that full fee paying overseas students should attract funding priority for such transport assistance. It should be noted that the previous Liberal Government also considered that they should not be a priority for available funding.

In obtaining their visas before the travel to Australia to study, full fee-paying international students attest that they are fully self-sufficient and able to meet their own living expenses while in Australia.

These students then pay thousands of dollars to the Federal Government to pay for their degree. The Federal Government certainly does not consider them a priority for financial assistance because they are not eligible for benefits such as Newstart Allowance, Austudy or free and subsidised health services under Medicare.

NSW taxpayers should not be expected to foot the bill for providing overseas full fee paying students with half-fare travel on public transport.

However, this is exactly what will have to happen if the Government is required to overturn its existing policy to comply with a ruling by the NSW Administrative Decisions Tribunal. The Tribunal found that it is discriminatory to refuse to provide half-fare transport concessions to full fee-paying overseas students, notwithstanding that this policy has been in place for more than fifteen years and that similar arrangements exist in Victoria.

To extend tertiary student half-fare concessions to full fee-paying overseas students is estimated to cost NSW taxpayers \$13 million per year, not to mention administrative costs and the possibility of retrospective reimbursement to those claiming to be discriminated against.

This money should be directed to providing increased transport options to those in the community with greater need—such as pensioners, isolated families, veterans, or people on low incomes.

That is why the Government is proposing this small amendment to the Transport Administration Act—to enable it to continue to determine its own transport concessions policy, including the targeting of its limited concession resources.

The Transport Administration Amendment (Travel Concession) Bill 2006 seeks:

- _ To enable the making of regulations that prescribe the classes of persons who are not entitled to subsidised travel under any scheme administered by the Director General of the Ministry of Transport and approved by the Government, or to a free or concessional travel pass issued by a government transport authority.
- _ To preserve existing eligibility criteria in relation to full fee-paying overseas students and enable Government

to continue to target its concession resources to those it considers most in need; and

_ To provide for transitional arrangements so that current eligibility criteria in respect of full fee paying overseas students continues to apply while necessary regulations are made.

These are minor legislative amendments involving changes to s.39 and s.88 of the Act which will mean that Government policy concerning who is not eligible for transport concessions can be written into law and thus not be subject to the provisions of the Anti Discrimination Act.

The amendment simply preserves the status quo and is a necessary step to ensure the Government can continue to effectively target concession funding as it sees fit.

The Government has received advice that this will not have a detrimental effect on the numbers of international students coming to Australia and, specifically, to NSW. Indeed, evidence indicates that the non-availability of transport concessions did not stop NSW from experiencing an 11% increase in numbers of overseas students from 2004 to 2005.

While we of course welcome overseas students to NSW, the Government does not intend to provide them with taxpayer funded public transport assistance that could be better directed elsewhere.

I commend the Bill to the House.