



**Government  
of South Australia**

TRS19D1094

Hon Stephen Mullighan MP  
Member for Lee  
Unit 1, 62 Semaphore Road  
SEMAPHORE SA 5019

**Treasurer**  
Level 8  
State Administration Centre  
200 Victoria Square  
Adelaide SA 5000  
GPO Box 2264  
Adelaide SA 5001  
DX 56203 Victoria Square  
Tel 08 8226 1866  
treasurer.dtf@sa.gov.au

[lee@parliament.sa.gov.au](mailto:lee@parliament.sa.gov.au)

  
Dear Mr Mullighan

**APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991***

I refer to your applications made under the *Freedom of Information Act 1991* (FOI Act), dated 9 May 2019.

Your application seeks access to:

*"All minutes, briefings and correspondence titled 'Emergency Services Levy Concession' as described on the Objective document management system, between 12 July 2018 and 9 May 2019."*

The legislative prescribed timeframe to determine this application has expired and is now deemed to have refused you access to all documents relevant to your application. I refer to my letter dated 26 May 2019 where I sought additional time to make my determination.

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. A total of 4 documents were identified as answering the terms of your application.

I grant you access in full to 2 documents; copies of which are enclosed.  
I grant you access in part to 1 document; a copy of which is enclosed.  
I refuse you access in full to 1 document.

**Documents released in full**

Documents 1 and 3

## **Document released in part**

Document 2 is a briefing prepared by the Department of Treasury and Finance seeking the Treasurer's approval for *ex gratia* relief, for the difference between the invoices reflecting the dollar value of the emergency services levy concessions provided to levy payers and the amount paid by the Department of Human Services.

Clause 12(1) of Schedule 1 to the FOI Act states that a document is exempt from release if 'it contains matter the disclosure of which would constitute an offence against an Act'.

This document also contains information that was obtained in relation to the administration or enforcement of the *Emergency Services Funding Act 1998* (the ESLF Act), the release of which would be an offence in accordance with Part 3, Subdivision 6, Clause 221 of the ESLF Act.

I have therefore determined this document is partially exempt pursuant to clause 12(1).

### ***Clause 221 of the ESLF Act – Prohibition of certain disclosures by relevant persons***

*A relevant person must not disclose information obtained under or in relation to the administration or enforcement of this Division, except as permitted by this Subdivision.*

## **Document refused in full**

Document 4 is a Parliamentary Briefing Note (PBN) prepared specifically for use in Parliament. Its disclosure would infringe Parliamentary privilege. I have therefore determined this document exempt in full, pursuant to clause 17(c) of Schedule 1 to the FOI Act.

## **Exemptions**

### ***Clause 12 – Secrecy Provisions***

*(1) A document is an exempt document if it contains matter the disclosure of which would constitute an offence against an Act.*

### ***Clause 17 – Documents subject to contempt etc***

*A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown—*

*(c) infringe the privilege of Parliament*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, Section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, Section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on 8226 9769.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rob Lucas', is positioned above the typed name.

**Hon Rob Lucas MLC**  
*Principal Officer*

8 September 2019

**RELEASE**

**Lees, Sue (DTF)**

**From:** Lambetis, Athena (DTF)  
**Sent:** Tuesday, 9 April 2019 9:36 AM  
**To:** Borlase, Trish (DTF)  
**Cc:** Lees, Sue (DTF)  
**Subject:** FW: URGENT FOLLOW UP - RE: RV19D00004 - Emergency Services Levy Concessions

FYI - update from RevSA/BAP on the status of the response to the ESL concessions matter.

**From:** Perryman, Darren (DTF) <Darren.Perryman@sa.gov.au>  
**Sent:** Tuesday, 9 April 2019 9:10 AM  
**To:** Lambetis, Athena (DTF) <Athena.Lambetis@sa.gov.au>  
**Cc:** Holmes, Julie (DTF) <Julie.Holmes@sa.gov.au>  
**Subject:** FW: URGENT FOLLOW UP - RE: RV19D00004 - Emergency Services Levy Concessions

FYI

**Darren Perryman**

Manager, Revenue Accounting Services | RevenueSA

GPO Box 1353 ADELAIDE SA 5001

t 822 62857 | e darren.perryman@sa.gov.au | w revenue.sa.gov.au

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**From:** Raymond, Greg (DTF) <[Greg.Raymond@sa.gov.au](mailto:Greg.Raymond@sa.gov.au)>  
**Sent:** Monday, 8 April 2019 8:32 PM  
**To:** Perryman, Darren (DTF) <[Darren.Perryman@sa.gov.au](mailto:Darren.Perryman@sa.gov.au)>  
**Subject:** RE: URGENT FOLLOW UP - RE: RV19D00004 - Emergency Services Levy Concessions

Hi Darren – will try and get it approved tomorrow/Wednesday

Greg Raymond  
8429 3193

**From:** Perryman, Darren (DTF)  
**Sent:** Friday, 5 April 2019 5:48 PM  
**To:** Raymond, Greg (DTF) <[Greg.Raymond@sa.gov.au](mailto:Greg.Raymond@sa.gov.au)>  
**Subject:** FW: URGENT FOLLOW UP - RE: RV19D00004 - Emergency Services Levy Concessions  
**Importance:** High

Where are we in relation to the minute that was to be reviewed by yourselves prior to submission for approval?

**Darren Perryman**  
Manager, Revenue Accounting Services | RevenueSA

GPO Box 1353 ADELAIDE SA 5001  
t 822 62857 | e [darren.perryman@sa.gov.au](mailto:darren.perryman@sa.gov.au) | w [revenuesa.sa.gov.au](http://revenuesa.sa.gov.au)

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**From:** Holmes, Julie (DTF) <[Julie.Holmes@sa.gov.au](mailto:Julie.Holmes@sa.gov.au)>  
**Sent:** Friday, 5 April 2019 2:22 PM

**To:** Perryman, Darren (DTF) <Darren.Perryman@sa.gov.au>  
**Subject:** FW: URGENT FOLLOW UP - RE: RV19D00004 - Emergency Services Levy Concessions  
**Importance:** High

Hi Darren  
Can you please follow up with Greg's team.

Thanks

**From:** Lambetis, Athena (DTF)  
**Sent:** Thursday, 4 April 2019 11:57 AM  
**To:** Holmes, Julie (DTF) <Julie.Holmes@sa.gov.au>  
**Cc:** Perryman, Darren (DTF) <Darren.Perryman@sa.gov.au>; Barry, Diane (DTF) <Diane.Barry@sa.gov.au>; Borlase, Trish (DTF) <Trish.Borlase@sa.gov.au>  
**Subject:** URGENT FOLLOW UP - RE: RV19D00004 - Emergency Services Levy Concessions  
**Importance:** High

Hi Julie,

I'm in the process of clearing my mailbox and came across the below emails. Trish advised that she is still awaiting a response from BAP, after following up with them on numerous occasions.

So I thought I'd quickly touch base with you to see whether you are possibly across what is happening with this response, given the original request date was in mid-January?

**Kind regards,**

**Athena Lambetis**  
Ministerial Liaison Officer (Finance) | Office of the Treasurer

State Administration Centre, Level 8, 200 Victoria Square ADELAIDE SA 5000  
t 8204 1492 | e [athena.lambetis@sa.gov.au](mailto:athena.lambetis@sa.gov.au) | w [treasury.sa.gov.au](http://treasury.sa.gov.au)



Government of South Australia  
Department of Treasury  
and Finance



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---

**From:** Holmes, Julie (DTF) <[Julie.Holmes@sa.gov.au](mailto:Julie.Holmes@sa.gov.au)>  
**Sent:** Wednesday, 16 January 2019 9:15 AM  
**To:** Borlase, Trish (DTF) <[Trish.Borlase@sa.gov.au](mailto:Trish.Borlase@sa.gov.au)>; DTF:BAP Admin <[BBAdmin@sa.gov.au](mailto:BBAdmin@sa.gov.au)>  
**Cc:** Lambetis, Athena (DTF) <[Athena.Lambetis@sa.gov.au](mailto:Athena.Lambetis@sa.gov.au)>; Perryman, Darren (DTF) <[Darren.Perryman@sa.gov.au](mailto:Darren.Perryman@sa.gov.au)>; Barry, Diane (DTF) <[Diane.Barry@sa.gov.au](mailto:Diane.Barry@sa.gov.au)>  
**Subject:** RE: RV19D00004 - Emergency Services Levy Concessions

Hi Trish

Thanks for the email, we will follow up and provide a response.

Regards  
Julie

---

**From:** Borlase, Trish (DTF)  
**Sent:** Tuesday, 15 January 2019 4:27 PM  
**To:** DTF:BAP Admin <[BBAdmin@sa.gov.au](mailto:BBAdmin@sa.gov.au)>  
**Cc:** Holmes, Julie (DTF) <[Julie.Holmes@sa.gov.au](mailto:Julie.Holmes@sa.gov.au)>; Lambetis, Athena (DTF) <[Athena.Lambetis@sa.gov.au](mailto:Athena.Lambetis@sa.gov.au)>  
**Subject:** FW: RV19D00004 - Emergency Services Levy Concessions

Good afternoon

Could you please review the attached correspondence and advise the following which have been raised by the Treasurer through his adviser

- Who is the Treasurer providing the ex gratia relief to – the individuals or DHS?
- Is there an actual flow of funds involved here and is any additional approval required?
- Since the change for the 2018-19 where is the budget line in DTF? What is the process if any under/over expenditure required (ie from DTF to CESF)?
- What is the budget for this concession line in 2018-19 and how is it tracking so far? Can it accommodate this payment if a payment to CESF is required?

Thank you

Regards



**Trish Borlase**

Ministerial Liaison Officer (Treasury & Public Sector) – Treasurer's Office

State Administration Centre, Level 8, 200 Victoria Square ADELAIDE SA 5000  
t 8204 1493 | e [trish.borlase@sa.gov.au](mailto:trish.borlase@sa.gov.au) | w [treasury.sa.gov.au](http://treasury.sa.gov.au)



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**From:** DTF:RevenueSA Ministerial Correspondence

**Sent:** 9 January, 2019 9:32 AM

**To:** DTF:Treasurer <[treasurer.dtf@sa.gov.au](mailto:treasurer.dtf@sa.gov.au)>

**Cc:** Lambetis, Athena (DTF) <[Athena.Lambetis@sa.gov.au](mailto:Athena.Lambetis@sa.gov.au)>; Hocking, Stuart (DTF) <[Stuart.Hocking@sa.gov.au](mailto:Stuart.Hocking@sa.gov.au)>

**Subject:** RV19D00004 - Emergency Services Levy Concessions

Good morning

Please see attached a minute for the Treasurer's consideration and signature.

Kind regards  
Susan


**Susan Shanahan**

Compliance Services Officer, Grade IV, Executive Support | RevenueSA

GPO Box 2149, ADELAIDE SA 5001

t 822 63764 | e [susan.shanahan@sa.gov.au](mailto:susan.shanahan@sa.gov.au) | w [revenue.sa.gov.au](http://revenue.sa.gov.au)

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## Borlase, Trish (DTF)

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**From:** Raymond, Greg (DTF)  
**Sent:** Friday, 12 April 2019 3:42 PM  
**To:** Borlase, Trish (DTF)  
**Cc:** DTF:BAP Admin; Pribanic, Tammie (DTF)  
**Subject:** RE: RV19D00004 - Emergency Services Levy Concessions  
**Attachments:** RV19D00004 - Emergency Services Levy Concessions.pdf

Hi Trish

Please find attached answers to question raised in relation to the above minute from Revenue SA about ESL ex-gratia relief.

- Who is the Treasurer providing the ex gratia relief to – the individuals or DHS?

Ex-gratia relief is being provided to the individuals (taxpayers). Each applicable taxpayer received a pensioner concession of \$46 on their ESL bill in a prior year that they were ultimately deemed not eligible for based on updated advice from DHS provided after the ESL bill was issued.

Provision of the ex-gratia relief will avoid the need for the taxpayer to repay the concession that they incorrectly received. No actual payment is being made to the taxpayer.

If the ex-gratia relief isn't approved there may be limited chance to recover the funds given the cohort of clients that the relief has been provided to. There would also be costs involved in the recovery process that would need to be considered.

- Is there an actual flow of funds involved here and is any additional approval required?

If approved, Revenue SA will pay the amount into the Community Emergency Services Fund. This will result in a build-up of cash in the Community Emergency Services Fund because there is no corresponding change in expenditure authority.

Under TI 14, all ex-gratia payments require the approval of the Minister. These approvals are being collectively sought in this minute.

Once the ex-gratia payment is approved, the funds can be transferred from the existing budget under previously approved delegation arrangements.

- Since the change for the 2018-19 where is the budget line in DTF? What is the process if any under/over expenditure required (i.e. from DTF to CESF)?

The concessions budget is in the Administered items for DTF – see extract below from 2018-19 Budget.

In the case of an overpayment to the CESF during a year, it is proposed RevenueSA will make an offset to the following year's budget and so pay a lower overall amount to the CESF that year. Underpayments would be corrected when they are identified.

- What is the budget for this concession line in 2018-19 and how is it tracking so far? Can it accommodate this payment if a payment to CESF is required?

The budget as at MYBR was \$6.4 million. The latest figure from the billing data is currently about \$6.1 million, which would imply it can accommodate the payment.

**Administered items for the Department of Treasury and Finance**  
**Treasury and Finance Administered Items Account**  
**Statement of cash flows**

	2018-19 Budget	2017-18 Estimated Result	2017-18 Budget	2016-17 Actual
	\$000	\$000	\$000	\$000
<b>Operating activities</b>				
<b>Cash outflows</b>				
<b>Employee benefit payments</b>				
Past service superannuation payments .....	406 300	426 000	426 000	457 900
Police superannuation, guaranteed minimum retirement benefit .....	1 000	—	1 000	—
<b>Payments for supplies and services</b>				
Adelaide Festival Centre Trust Loan Forgiveness .....	—	—	—	1 332
National Tax Equivalent Program .....	60	60	60	2
Repayment of unclaimed monies .....	350	950	360	312
State share of GST administration costs .....	41 400	44 000	44 200	48 100
<b>Interest paid</b>				
Interest paid on deposit accounts and other monies .....	27 405	20 727	24 523	22 671
Interest on borrowings .....	295 870	246 075	245 572	218 392
<b>Grants, subsidies and transfers</b>				
Adelaide Oval Sublease Fee .....	600	400	400	200
Adelaide Venue Management Corporation .....	19 516	19 516	19 516	17 361
Building Indemnity Insurance .....	891	3 713	1 356	2 309
Charitable and Social Welfare Fund .....	4 000	4 000	4 000	4 000
Community Development Fund .....	20 000	20 000	20 000	20 000
Community Support Grants and Donations <sup>9)</sup> .....	250	2 349	172	1 484
Community Wastewater Management Schemes (benefits to households in goods and services) .....	4 312	4 207	4 207	4 104
Consumer Advocacy and Research Fund .....	284	277	277	276
Contingency provisions — employee entitlements .....	219 519	19 849	68 537	4 173
Contingency provisions — investing contingencies .....	18 436	9 188	114 327	6 700
Contingency provisions — supplies and services .....	153 677	258 290	397 522	97 880
Contribution to Racing SA .....	18 100	17 700	—	—
Department of Human Services .....	4 355	4 345	4 345	3 845
Department for Environment and Water .....	543	530	530	476
Department for Energy and Mining .....	10 432	—	—	—
Department of Treasury and Finance .....	365	356	356	348
Department of the Premier and Cabinet .....	—	10 127	10 127	9 711
Emergency Services Agencies Funding .....	2 800	—	—	—
Emergency services levy — land and business regulations .....	276	276	276	276
Emergency services levy — pensioner concessions .....	6 634	—	—	—
Emergency services levy remissions <sup>10)</sup> .....	117 006	24 297	24 909	24 569
Essential Services Commission of South Australia .....	421	576	524	680
Fire damage and insurance costs (SAICORP Fund No. 2) .....	4 400	—	7 000	—
Future Jobs Fund .....	22 126	7 488	25 000	—
ForestrySA .....	—	4 534	4 681	6 145
Gamblers Rehabilitation Fund .....	2 000	2 000	2 000	2 000

Greg Raymond  
8429 3193

From: DTF:BAP Admin  
 Sent: Friday, 8 March 2019 1:20 PM  
 To: Raymond, Greg (DTF) <Greg.Raymond@sa.gov.au>  
 Subject: RE: RV19D00004 - Emergency Services Levy Concessions

This is what Trish just sent through. I asked to provide the original email sent to us.

It appears as though it was only sent to the BBAAdmin box in the initial instance but I can't seem to find it on Objective.

---

**From:** Raymond, Greg (DTF)  
**Sent:** Friday, March 8, 2019 1:15 PM  
**To:** DTF:BAP Admin <[BBAdmin@sa.gov.au](mailto:BBAdmin@sa.gov.au)>  
**Subject:** RE: RV19D00004 - Emergency Services Levy Concessions

Vaguely. I thought it was done but guessing not if it has come up?

Greg Raymond  
8429 3193

---

**From:** DTF:BAP Admin  
**Sent:** Friday, 8 March 2019 12:56 PM  
**To:** Raymond, Greg (DTF) <[Greg.Raymond@sa.gov.au](mailto:Greg.Raymond@sa.gov.au)>  
**Subject:** RV19D00004 - Emergency Services Levy Concessions

Hi Greg  
Do you recall seeing this?  
Miranda

---

**From:** Borlase, Trish (DTF)  
**Sent:** Wednesday, January 30, 2019 11:45 AM  
**To:** DTF:BAP Admin <[BBAdmin@sa.gov.au](mailto:BBAdmin@sa.gov.au)>  
**Subject:** FW: RV19D00004 - Emergency Services Levy Concessions

---

**From:** Borlase, Trish (DTF)  
**Sent:** Tuesday, 15 January 2019 4:26 PM  
**To:** DTF:BAP Admin <[BBAdmin@sa.gov.au](mailto:BBAdmin@sa.gov.au)>  
**Cc:** Holmes, Julie (DTF) <[Julie.Holmes@sa.gov.au](mailto:Julie.Holmes@sa.gov.au)>; Lambetis, Athena (DTF) <[Athena.Lambetis@sa.gov.au](mailto:Athena.Lambetis@sa.gov.au)>  
**Subject:** FW: RV19D00004 - Emergency Services Levy Concessions

Good afternoon

Could you please review the attached correspondence and advise the following which have been raised by the Treasurer through his adviser

- Who is the Treasurer providing the ex gratia relief to – the individuals or DHS?
- Is there an actual flow of funds involved here and is any additional approval required?
- Since the change for the 2018-19 where is the budget line in DTF? What is the process if any under/over expenditure required (ie from DTF to CESF)?
- What is the budget for this concession line in 2018-19 and how is it tracking so far? Can it accommodate this payment if a payment to CESF is required?

Thank you

Regards

**Trish Borlase**

Ministerial Liaison Officer (Treasury & Public Sector) – Treasurer’s Office

State Administration Centre, Level 8, 200 Victoria Square ADELAIDE SA 5000

t 8204 1493 | e [trish.borlase@sa.gov.au](mailto:trish.borlase@sa.gov.au) | w [treasury.sa.gov.au](http://treasury.sa.gov.au)

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**From:** DTF:RevenueSA Ministerial Correspondence

**Sent:** 9 January, 2019 9:32 AM

**To:** DTF:Treasurer <[treasurer.dtf@sa.gov.au](mailto:treasurer.dtf@sa.gov.au)>

**Cc:** Lambetis, Athena (DTF) <[Athena.Lambetis@sa.gov.au](mailto:Athena.Lambetis@sa.gov.au)>; Hocking, Stuart (DTF) <[Stuart.Hocking@sa.gov.au](mailto:Stuart.Hocking@sa.gov.au)>

**Subject:** RV19D00004 - Emergency Services Levy Concessions

Good morning

Please see attached a minute for the Treasurer’s consideration and signature.

Kind regards

Susan

**Susan Shanahan**

Compliance Services Officer, Grade IV, Executive Support | RevenueSA

GPO Box 2149, ADELAIDE SA 5001

t 822 63764 | e [susan.shanahan@sa.gov.au](mailto:susan.shanahan@sa.gov.au) | w [revenuesa.sa.gov.au](http://revenuesa.sa.gov.au)

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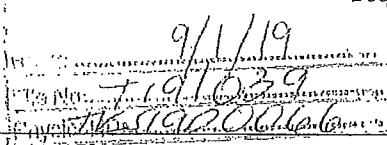
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**RELEASE IN PART**

MINUTES *forming* ENCLOSURE to

File: REV17/0126  
Doc No RV19D00004

TO: TREASURER



RE: EMERGENCY SERVICES LEVY CONCESSIONS

Timing: ROUTINE - For your determination and signature.

Recommendations/Issues: It is recommended that you:

- approve *ex gratia* relief of [REDACTED] being the shortfall of funds to be paid to the Community Emergency Services Fund as at 30 June 2018, resulting from the Department of Human Services' reconciliation of the eligibility of a number of ESL levy payers for the Emergency Services Levy concession remission.

*Ex gratia* relief: Approved/Not-Approved

Treasurer

21/4/2019

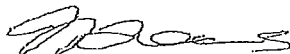
**Key Points:**

- RevenueSA administers the Emergency Services Levy ("ESL"), however all applications for a remission for concession card holders ("concessions") are processed by the Department of Human Services ("DHS").
- RevenueSA relies on DHS to confirm levy payer records and to validate their eligibility with Centrelink. This is because RevenueSA does not have access to Centrelink data which would enable RevenueSA to process concession applications directly.
- DHS forward RevenueSA weekly data files advising of the levy payers approved to receive concessions through a secure data file transfer.
- Eligible pensioners and concession card holders are entitled to a concession of up to \$46 on the fixed property ESL relating to the principal place of residence of the eligible homeowner.
- In December 2016, the former Director, Concessions and Support Services, DHS, advised RevenueSA that DHS was in the process of reconciling the eligibility of levy payer's receiving the \$46 concession.
- The reconciliation resulted from DHS's Auditor General's Supplementary Report for the year ended 30 June 2015, where it was identified that DHS had been providing concessions to persons who were not eligible.
- Providing a concession to an ineligible levy payer means that the same persons were also inappropriately receiving an ESL general remission which reduces their ESL account. At that time, the ESL general remission eligibility criteria was restricted by the former Government, also only being available to pensioner and concession card holders.



- Following the conclusion of each financial quarter, RevenueSA provides DHS with a secure data file containing all households provided with concessions for that quarterly period. DHS would reimburse RevenueSA the amount of the concessions that RevenueSA had provided levy payers on their Notice of Emergency Services Levy Assessment, so that these amounts could be forwarded to the Community Emergency Services Fund
- RevenueSA's main ESL invoicing for the 2016-17 financial year was from early August 2016 to late September 2016.
- In October 2016, RevenueSA issued DHS an invoice to recoup the funds for the concession card holders invoiced during the July to September 2016 period (the "September Quarter Invoice"). The September Quarter Invoice was for [REDACTED] and contained [REDACTED] customer records.
- In December 2016, DHS withheld paying the September Quarter Invoice and advised that they were in the process of reconciling the ESL data that was forwarded with the invoice. DHS advised that they would pay for the customers that they could "100% match" at the time. Therefore, by the time DHS contacted RevenueSA, these levy payers had received their Notices of Emergency Services Levy Assessment that included the benefit of the concession, based on RevenueSA relying on DHS data which was inaccurate.
- DHS completed their reconciliation of the September Quarter Invoice and advised that they would pay for [REDACTED] eligible customers with the total amount payable being [REDACTED]. The remaining [REDACTED] customers with a total amount payable of [REDACTED] remained outstanding.
- Similar processes occurred to recoup the funds for the concession card holders invoiced during the October to December 2016 period (the "December Quarter Invoice") and the January to March 2017 period (the "March Quarter Invoice"). The December Quarter Invoice was for [REDACTED] and contained [REDACTED] customer records. DHS advised that they would pay for [REDACTED] eligible customers with the total amount payable being [REDACTED] leaving [REDACTED] outstanding for [REDACTED] customers. The March Quarter Invoice was for [REDACTED] for [REDACTED] customers and DHS paid [REDACTED] for [REDACTED] customers, leaving [REDACTED] outstanding for [REDACTED] customers.
- On 31 January 2017, a meeting was held between representatives from RevenueSA, DHS and the DTF Budget Branch. During this meeting, it was determined that it would be inappropriate to back date the removal of the concessions as the majority of levy payers had either passed away, moved into a nursing home or other care facility. Further, it seemed inequitable to backdate the removal of concessions where RevenueSA had relied on incorrect DHS information when providing the concessions. Accordingly, it was considered that the best option was to seek approval for *ex gratia* relief.
- RevenueSA wrote to the levy payers identified by DHS as no longer being eligible, advising that their concession and remission would be removed for the 2017-18 financial year. This gave levy payers the opportunity to apply to DHS for the concession should they be of the view that they remain eligible.
- The total amount not paid by DHS equalled [REDACTED]. However, since this date, a number of levy payers have reapplied for the concession, leaving [REDACTED] unpaid as at 30 June 2018.

- To address some of the issues in the reconciliation process, RevenueSA and DHS established a new Annual Reconciliation process that takes place at the start of each financial year (early July). The process involves RevenueSA sending a list of all potentially eligible levy payers contained in the RevenueSA system RIO to DHS for validation of the levy payer's eligibility before RevenueSA starts the ESL invoicing process.
- DHS then compares RevenueSA's list to their own database and within three weeks advise RevenueSA which levy payers do not have a current concession on record. RevenueSA then ceases the levy payer's concession in RIO, prior to invoicing the levy payer (early August).
- The annual reconciliation process has successfully occurred for both the 2017-18 and 2018-19 financial years.
- RevenueSA no longer applies the concession to accounts of levy payers that are not included in the records received from DHS. Other than where a concession has been provided on a property that has been sold and settled, for which a Certificate of Amount Payable has been obtained and payment made showing the ESL liability reduced by the concession during the above mentioned Annual Reconciliation process period.
- The manual reconciliation process has been a difficult and time consuming process. RevenueSA and DHS are currently working towards the transfer of electronic files between the agencies to automate the updating of records where levy payers are no longer eligible for the concession. RevenueSA will then be able to add an end date into RIO to ensure that the levy payer does not receive a concession incorrectly for following financial years. It is envisaged that this process will be automated to go-live for the 2019-20 financial year.
- Up until the 2018-19 financial year, funds to pay the concessions were provided to DHS who then transferred the money to RevenueSA on receipt of the invoice reflecting the dollar value of the concessions provided to levy payers. Once the invoice was paid RevenueSA transferred the money to the Community Emergency Services Fund as part of the government contribution to the fund. From the 2018-19 financial year this process changed, now RevenueSA recoups the concession amounts directly from Treasury.
- This Office recommends that you approve *ex gratia* relief of [REDACTED] being the difference between the invoices reflecting the dollar value of the concessions provided to levy payers and the amount paid by DHS. The *ex gratia* relief will ensure that the Fund is not short on the resources that it requires to provide essential emergency services.



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COMMISSIONER OF STATE TAXATION

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