

1. I am not a pensioner and at the moment I am working less than 20 paid (but quite a few more unpaid) hours per week in my very small law practice. I am quite well off and will continue to be so while I work. I am just 70 years of age and my intention is to continue to work for another 2 – 5 years.
2. I applied for the Seniors Card a couple of years ago. Its main utility to me is the access to the Seniors concession fares (now embodied in the Gold Opal card).
3. I am and have been a reasonably significant taxpayer and don't mind that being the case so long as I continue to work. By the time I retire I will have a moderate amount of super jointly with my wife who works with me (by moderate I mean about the amount which would disentitle me from obtaining any sort of pension but not a great deal more). I understand from IPART's proposals that I would not be entitled to a Gold Opal card if they are implemented.
4. If this proposal has effect, I will pay up to \$9 a day for public transport at a time when my income will have diminished considerably. I do not now get any benefit from the government that a James Packer or Malcolm Turnbull gets. It is quite likely that when I do retire I will have the benefit of a tax-free income from money on which I have already paid tax. Since most of my contributions have been in the last 7 years, I have received very little benefit from tax concessions on the income earned by my fund. My super fund may (but it seems likely that it will not) get a tax concession on its income after I retire.
5. In one very real economic sense my wife and I are doing the government a great service by continuing to work. We pay taxes on our work for the reduced hours (in our case, there are many unpaid hours) we pay a Medicare levy, rates on our house and get no other concession than this single nod to many years as taxpayers.
6. The proposed changes to the Opal Card are, I think unfair. A major rationale for the change is that other concessional cardholders pay a considerable amount more for their public transport and this proposal will introduce equity by bringing older persons' payments for public transport in line with the other concessional cardholders. This is cart before the horse rubbish. A much better equity argument is to the opposite effect – that just because one group of concessional cardholders are treated poorly, those who are treated fairly should be also treated poorly is a terrible argument. Rather, the other concession card holders should be given Gold Opal Cards.
7. If this concession is now treated as part of a problem with the economics of public transport then the logical answer is to require that it be treated for what it is – a State government social welfare payment (that State governments of every colour have been happy to maintain) – and take it off the accounts of Transport NSW. Instead, the actual cost of the concession should be paid to Transport NSW by the department/s responsible for social welfare so that it carries the item in their accounts, rather than it being an expensive line item in a place where it does not

belong, the accounts of Transport NSW. Then we can argue the merits of the case as a social welfare payment.

8. Of course, in reality, the likelihood is that by dressing this up as some sort of – albeit phoney – equity issue between groups within our community, what may be the real agenda is to disguise a debate about what assistance the State government should give to its elder citizens by treating it as an argument about how to improve the finances of Transport NSW. It creates a public argument between groups in society about the price of a box of potatoes when the box is full of oranges.

9. I freely admit never having done the exercise, but intuitively I sense that when a Tribunal such as IPART examines an issue, if big business is involved, big business get pretty much what they want. Electricity pricing and tariffs come to mind. Using the blind created by a government hysterically venting about the “evils” of a carbon tax, the networks were allowed – by IPART – to future proof their networks at the cost of the consumer. It yet remains to see what benefit the consumer actually sees for the money now going into the energy companies’ hands, especially if local energy storage solutions become commonplace and, like the panels that recharge them, become ever cheaper and economically viable. Think Elon Musk. On the other hand the little battler is never going to be able to muster the resources, and the political clout that is omnipresent when big businesses’ interests are being considered. Say what you will, but human nature will reasonably assume that a Tribunal such as IPART will not recommend that which is known to be totally unpalatable, and certainly not that which cannot be sold, to politicians who have it in their power to undo the decisions. There is a sense that this suggestion falls into that class of case where IPART see a way of bringing additional income to public transport by imposing a greater cost burden on those who are least capable of bearing it and endeavour to sell it without any regard whatever to the fact that it is in effect a social payment, not one founded and determined in some sort economic rigour.

10. IPART should actually stand back from this issue and have no part of it. They should not be a stalking horse for a government keen on reducing its expenditure by taxing (or increasing the price of services) the least well-off. It should deal with it in two lines: “IPART notes that the Opal Gold Card provides a concession to Seniors Card holders no matter what the income of the cardholder other than that such cardholders may not work more than 20 paid hours each week. This is a significant cost to the public transport system. Whether government wishes any change to what is, in effect a social welfare allowance is a matter that should be discussed elsewhere.”