

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

26 February 2014

Question: AET 2136

Topic: Legal Costs (ACNC)

Written: 5/03/2014

Senator LUDWIG asked:

List all legal costs incurred by the department or agency since 7 September 2013

- a. List the total cost for these items, broken down by source of legal advice, hours retained or taken to prepare the advice and the level of counsel used in preparing the advice, whether the advice was internal or external
- b. List cost spend briefing Counsel, broken down by hours spend briefing, whether it was direct or indirect briefing, the gender ratio of Counsel, how each Counsel was engaged (departmental, ministerial)
- c. How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

Since 7 September 2013 the ACNC has spent \$23,252.90 on legal costs.

a) A list of all costs incurred during this period is as follows:

Source of advice	Advice	Level of counsel	Hours retained	Advice	Cost
AGS	Advice on registration decision.	N/A	39 hours, 12 minutes	External	\$11,154.00
AGS	Seeking advance on legislative interpretation	N/A	4 hours	External	\$3,436.95
AGS	Advice on registration decision.	N/A	18 hours, 56 minutes	External	\$8,221.95
Mackey Lawyers	Employment advice	N/A	N/A	External	\$440

b) The ACNC has not briefed counsel in this period.

c) Need for legal advice is identified by ACNC lawyers. Advice from AGS was procured from the Australian Taxation Office's panel. Mackey Lawyers were direct sourced due to time constraints.