

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2015 - 2016

Department/Agency: ACNC

Question: AET 2582-2585

Topic: Legal Costs

Reference: written - 19 February 2016

Senator: Ludwig, Joe & Wong, Penny

Question:

Since the change of Prime Minister on 14 September, 2015:

2582. List all legal costs incurred by the department or agency

2583. 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

2584. List cost spend briefing Counsel, broken down by hours spent briefing, whether it was direct or indirect briefing, the gender ratio of Counsel, how each Counsel was engaged (departmental, ministerial)

2585. How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

AET 2582: Total legal costs incurred by the ACNC from 14 September 2015 to 29 February 2016 for external legal advice: \$36,392.13

Total legal costs incurred for internal legal advice: \$257,431. This cost represents four FTE lawyers and one lawyer at part time hours (0.87 FTE).

AET 2583: See table below. We are unable to provide an estimate of hours spent preparing internal legal advice. The Legal staff referred to in AET 2582 were fully engaged in internal advice to the Agency or briefing for external advice.

AET 2584: See table below. We are unable to provide a break down of hours spent briefing. The Legal staff referred to in AET 2582 were fully engaged in internal advice to the Agency or briefing for external advice.

AET 2585: See table below.

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Cost	\$1,944.21	\$4,779.16	\$10,397.73	\$8,836.30	\$9,886.37	\$548.36
Source of legal advice	Clayton Utz	Greens List Barristers	List A Barristers	Greens List Barristers	List A Barristers	Disbursements: travel costs
Hours	Flat rate	23h:15m	15h:25m	44h50m	14h30m	
Level of counsel; Direct/indirect; Gender	Various – partner; special counsel; lawyer	Junior Counsel Direct F	Queens Counsel Direct F	Junior Counsel Direct F	Queens Counsel Direct F	
Internal/External	External	External	External	External	External	External
How procured	LSMUL Technical specialist	Technical specialist	Technical specialist	Technical specialist	Technical specialist	
Method of identifying legal advice	No technical expertise in-house	Technical legal issue requiring counsel expertise	Technical legal issue requiring counsel expertise	Administrative Appeals Tribunal proceedings	Administrative Appeals Tribunal proceedings	