

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2015 - 2016

Department/Agency: AOFM

Question: AET 2586-2589

Topic: Legal Costs

Reference: written - 19 February 2016

Senator: Ludwig, Joe

Question:

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

2586. List all legal costs incurred by the department or agency

2587. 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

2588. 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)

2589. How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

2586. For the period 19 September 2015 to 19 February 2016, total amount of \$11,228 was spent on legal costs as listed below.

Purpose	Provider	Cost
Enterprise bargaining agreement	Australian Government Solicitor	\$304
Subtotal		\$304
Advice on transmutation of stock	Herbert Smith Freehills	\$8,791
Review on divestment of RMBS portfolio	Herbert Smith Freehills	\$2,133
Subtotal		\$10,924
TOTAL		\$11,228

2587. For the period 19 September 2015 to 19 February 2016, the AOFM spent \$304 on legal services provided by the Australian Government Solicitor for advice on the enterprise bargaining agreement. For the same period the AOFM spent \$10,924 on legal services provided by a private legal firm, Herbert Smith Freehills Pty Ltd. This comprised advice related to divestment of holdings in Residential Mortgage Backed Securities and advice relating to transmutation of stock. All legal costs were done on a time and materials basis, at an agreed rate, and billed accordingly.

2588. Nil.

2589. Legal advice obtained from the Australian Government Solicitor was on a limited tender basis. Other legal advice was via the Legal Services Multi User Listing. The legal costs for all legal advice obtained by the AOFM was done on a time and materials basis at an agreed rate and billed accordingly.