

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Budget Estimates Hearing 25-29 May 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Indigenous Land Corporation
Outcome/Program: Outcome 2: Indigenous
Topic: Legal Advice

Senator: Senator Bridget McKenzie

Question reference number: 107

Type of question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 1

Question:

Mr Dillon: The legal advice that the ILC has was in relation to the first set of advice that we gave to government, which was based upon the McGrathNicol report and matters around that. It was writ large that the transaction was appropriate. The minister has actually requested that the ILC provide that advice to him. The ILC chair wrote to the Prime Minister almost two months ago that this seemed to be an extraordinary request because it potentially breaches the issue of legal privilege for us because we are potentially in litigation with former directors. To date we have had no acknowledgement and no response from the Prime Minister.

Senator McKENZIE: I am asking you to table that legal advice to this committee—not to the minister but to the Senate Finance and Public Administration Committee.

Mr Dillon: I would have to take advice on that.

Senator McKENZIE: Are you taking that on notice?

Mr Dillon: Yes, I will take it on notice.

Answer:

The ILC is unable to table the advice as its publication would constrain its capacity to effectively pursue all its legal options.