

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Supplementary Budget Estimates 2016 - 2017**

**Prime Minister and Cabinet Portfolio**

**Department/Agency:** Department of the Prime Minister and Cabinet  
**Outcome/Program:** Outcome 2: Indigenous  
**Topic:** ABA Grant

**Senator:** Siewert, Rachel

**Question reference number:** 230

**Type of question:** Written Question on Notice

**Date set by the committee for the return of answer:** 2 December 2016

**Number of pages:** 1

**Question:**

Is it the case that the Minister's decision to overturn a previously approved and publicly announced ABA grant to the Machado Joseph Disease (MJD) Foundation was found to be invalid by the Federal Court?

- Is it the case that the Commonwealth is appealing that decision?
- What have been the legal costs to date to the Commonwealth in relation to this matter?
- What are the projected costs of any future appeal?

**Answer:**

The Federal Court held that the Minister for Indigenous Affairs, Senator the Hon Nigel Scullion's decision was invalid.

The Commonwealth has appealed the decision of the Federal Court because the decision has raised an important question of legal principle affecting the administration of the ABA. It is necessary to resolve this question.

As the matter is still before the Court it is not appropriate to publicly release details of legal costs.