

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Group: 2**

**Program: 1.1**

**Question No. BE15/090**

**Senator Collins asked the following written question from the 27 and 28 May 2015 hearing:**

1. What is the purpose of the consolidation of the AGS into the Department? Can you confirm that the Government is not proceeding with the Commission of Audit recommendation regarding the AGS?
2. Are there any plans to reduce headcount in either AGS or AGD as a consequence of the consolidation?
3. How have current AGS staff been integrated into APS employment arrangements? Have any staff lost pay or entitlements as a result of the consolidation?

**The answer to the honourable senator's questions is as follows:**

1. The purpose of consolidation of AGS into the Attorney-General's Department is to strengthen the Department's capacity to support the Attorney-General as First Law Officer and chief legal adviser to Cabinet by providing a comprehensive source of authoritative advice on key Commonwealth legal and legal policy issues, and to ensure the best and most efficient allocation of resources and functions within the Attorney-General's portfolio.

The Government has carefully considered the structure of AGS and reached a decision to consolidate all of AGS into the Attorney-General's Department. This was not the recommendation of the National Commission of Audit. The National Commission of Audit was a report to the Government, not a decision of the Government.

2. All AGS staff have been transferred to AGD.
3. The *Judiciary Amendment Act 2015* supports the ongoing application of the AGS Enterprise Agreement until a new AGD Enterprise Agreement is made. This means continuation of existing remuneration arrangements and conditions of service on consolidation. The legislation also preserves transferring AGS employees' accrued entitlement to benefits, including for the purposes of long service leave.