

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates, 31 May to 2 June 2005

Question: Bud 43

Topic: SCT – Legal Service Expenditure

Hansard Page: Written



Senator Ludwig asked:

1. What amount did the Agency spend during the financial year 2004/2005 on outsourced legal practitioners (including private firms, individuals, the Australian Government Solicitor, and any others)?
2. What was the budgeted amount for outsourced legal practitioners in 2004/2005?
3. What amount did the Agency spend on internal legal services? (Provide an estimate if exact amount is unavailable.)
4. Does the Agency have an in-house legal section? If so, what was the 2004/2005 actual cost of this section? What was the budgeted amount for this section in 2004/2005? What is the budget amount for this section in 2005/2006?
5. What is the total projected expenditure on legal services for 2005/2006 for the Agency?
6. Which organisations or individuals were contracted to provide legal services to the Agency in 2004/2005?
7. In each instance, how much was each organisation or individual paid for these services?
8. Does the Agency use an open tendering or select tendering process (as described in the Commonwealth Procurement Guidelines, p 42) when procuring legal services?
9. If a select tendering process is used: (a) which method of select tendering is used and (b) which firms or individuals are currently eligible to tender for legal services?
10. If a multi-use list is used: (a) which firms or individuals are currently on that list and (b) when was the list last opened for applications?
11. In 2004/2005 did the Agency obtain any legal services using a direct sourcing procurement process? If so, provide details including the name of the provider, the work involved and the cost?
12. In 2004/2005 did the Agency procure any legal services under the thresholds required for 'covered procurements' (within the meaning of 8.6 of the Commonwealth Procurement Guidelines)? If so, provide details including the name of the provider, the work involved and the cost.
13. In 2004/05 did the Agency contract any legal firms to provide services other than legal services (such as consulting, conduct of policy reviews etc)? If so, provide details including the name of the firm, the project involved and the cost of the contract.

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Answers:

1. \$61,400
2. \$15,000
3. Nil
4. The agency has an in-house legal section
 - (a) \$147,000
 - (b) \$140,000
 - (c) \$160,000
5. \$60,000
6.
 - Australian Government Solicitor
 - AJ Dever P/L (D Mortimor)
 - Barristers & Clerking Services P/L
 - GJ McNaughton P/L
7.

- Australian Government Solicitor	\$40,504.82
- AJ Dever P/L	\$ 2,363.64
- Barristers & Clerking Services P/L	\$16,867.27
- GJ McNaughton P/L	<u>\$ 1,676.36</u>
TOTAL	\$61,432.09

In addition to the above a Federal Court ordered costs against the Tribunal of \$12,290.15

8. Open or select tendering processes as set out in the guidelines do not apply to the legal services obtained by the Tribunal because the procurement threshold is less than \$80,000 and, also, the services so obtained fall within the exemption No 1 and No 8 of Appendix B.
9. Not applicable to Tribunal
10. Not applicable to Tribunal
11. Not applicable to Tribunal
12. Not applicable, as the legal services procured are within the exemptions in Appendix B
13. No