

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates, 31 May to 2 June 2005

Question: Bud 39

Topic: APRA – 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

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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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Answer:

1. \$3.687 M
2. \$2.4 M
3. Refer to Q 4
- 4
- (a). Yes
- (b) \$ 3.799 M
- (c) \$3.807 M
- (d) \$4.711 M
5. \$7.3m

6.-7.

2004-05	Amount in \$
AUSTRALIAN GOVERNMENT SOLICITOR	1,410,633.37
BAKER AND MCKENZIE	7,674.91
BARRISTERS' CLERKING SERVICES	31,346.36
G J MCNAUGHT PTY LTD	125,941.61
GEOFFREY A FLICK S C	27,090.00
JAMES STEVENSON	99,688.65
JUSTIN GLEESON SC	7,600.00
LENNON AND HYLAND	5,565.45
LEO A TSAKNIS	66,987.47
LEO GREY	9,772.75
MCGRATH NICOL AND PARTNERS	670,262.82
MELLOR OLSSON	598.00
MICHAEL A WIGNEY	847.27
MICHAEL DRYSDALE BARRISTER	5,400.00
PETER BRAHAM	17,045.46
PETER LENNON BARRISTER	10,545.46
PIZZEYS PATENT AND TRADEMARK ATTORNEYS	1,648.00
ROBERT DICK	14,882.73
SPARKE HELMORE	1,121,417.56
STEPHEN GAGELER SC	3,878.18
WENTWORTH CHAMBERS	14,363.96

8. Yes, by open tender.

9.

- (a) N/A
- (b) N/A

10. N/A

11. No

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12. Yes. As APRA is a *Commonwealth Authorities and Companies Act 1997* agency, the procurement threshold is \$400,000. Details of procurements under this amount are:

2004-05		Amount in \$
AUSTRALIAN GOVERNMENT SOLICITOR	LEGAL ADVICE	299,018
BAKER AND MCKENZIE	LEGAL ADVICE	7,675
BARRISTERS' CLERKING SERVICES	LEGAL ADVICE	31,346.36
G J MCNAUGHT PTY LTD	LEGAL ADVICE	125,941.61
GEOFFREY A FLICK S C	LEGAL ADVICE	27,090
JAMES STEVENSON	LEGAL ADVICE	99,689
JUSTIN GLEESON SC	LEGAL ADVICE	7,600
LENNON AND HYLAND (G J HYLAND P/L)	LEGAL ADVICE	5,565
LEO A TSAKNIS	LEGAL ADVICE	66,987
LEO GREY	LEGAL ADVICE	9,773
MELLOR OLSSON	LEGAL ADVICE	598.00
MICHAEL A WIGNEY	LEGAL ADVICE	847.27
MICHAEL DRYSDALE BARRISTER-AT-LAW	LEGAL ADVICE	5,400
PETER BRAHAM	LEGAL ADVICE	17,045
PETER LENNON BARRISTERS CLERK	LEGAL ADVICE	10,545
PIZZEYS PATENT AND TRADEMARK ATTORNEYS	LEGAL ADVICE	1,648.00
ROBERT DICK	LEGAL ADVICE	14,883
STEPHEN GAGELER SC	LEGAL ADVICE	3,878
WENTWORTH CHAMBERS	LEGAL ADVICE	14,364

13. Yes. Clayton Utz conducted a probity review of a public tender process at a cost of \$33,799.