

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2012-2013

Finance and Deregulation Portfolio

Department/Agency: Department of Finance and Deregulation

Outcome/Program: General

Topic: Legal costs

Senator: Ryan

Question reference number: F82

Type of question: Written

Date set by the committee for the return of answer: Tuesday, 2 April 2013

Number of pages: 1

Question:

- a) What sum did each portfolio department and agency spend on legal services for this financial year to date within the department/agency? Please provide a list of each service and costs.
- b) What sum did each portfolio department and agency spend on legal services this financial year to date from the Australian Government Solicitor? Please provide a list of each service and costs.
- c) What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.
- d) What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.

Answer:

The Department of Finance and Deregulation (Finance) reports annually on its legal service expenditure, as required under the *Legal Services Direction 2005*. Finance's legal expenditure for the 2011-12 financial year is available at <http://www.finance.gov.au/publications/index.html>

- a)–d) It would involve an unreasonable diversion of resources to compile data on Finance's current financial year legal spend ahead of the mandated annual reporting to the Office of Legal Services Coordination.

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2012-2013

Finance and Deregulation Portfolio

Department/Agency: Australian Electoral Commission

Outcome/Program:

Topic: Legal costs

Senator: Ryan

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- c) What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.
- d) What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.

Answer:

- a) – d) It would involve an unreasonable diversion of resources to compile data on the AEC's current financial year legal spend ahead of the mandated annual reporting.

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2012-2013

Finance and Deregulation Portfolio

Department/Agency: ComSuper
Outcome/Program:
Topic: Legal costs

Senator: Ryan

Question reference number: F82

Type of question: Written

Date set by the committee for the return of answer: Tuesday, 2 April 2013

Number of pages: 2

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- a) What sum did each portfolio department and agency spend on legal services for this financial year to date within the department/agency? Please provide a list of each service and costs.
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- c) What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.
- d) What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.

Answer:

- a) ComSuper has spent \$933,573 on legal services within the agency, between 1 July 2012 and 31 January 2013. For privacy reasons a list of legal services with respect to specific disputes with members and costs is not provided.
- b) ComSuper has spent \$95,589 on legal services with the Australian Government Solicitor (AGS), between 1 July 2012 and 31 January 2013. There was a further \$146,928 spent on legal services from the AGS from the Administered Legal Expenditure from the Consolidated Revenue Fund (CRF). This was for ComSuper's administration of superannuation schemes that apply to current and former Australian Government civilian employees and Australian Defence Force (ADF) members. Legal advice is sought as

required by the *Legal Services Directions 2005* and principally in relation to disputes that arise with members concerning their superannuation benefits and entitlements and appeals to the Administrative Appeals Tribunal, the Superannuation Complaints Tribunal or the Federal Court. The total sum being spent on legal services from AGS was \$242,517.

- c) ComSuper has spent \$12,841 on legal services from external legal providers other than the AGS, between 1 July 2012 and 31 January 2013. There was a further \$31,410 spent on legal services from legal providers other than the AGS from the Administered Legal Expenditure from the CRF. The total sum being spent on legal services from private firms was \$44,250.
- d) Nil.

Senate Finance and Public Administration Legislation Committee
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Finance and Deregulation Portfolio

Department/Agency: Commonwealth Superannuation Corporation

Outcome/Program:

Topic: Legal costs

Senator: Ryan

Question reference number: F82

Type of question: Written

Date set by the committee for the return of answer: Tuesday, 2 April 2013

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Answer:

a)

Legal costs FYTD to 31 January 2013

Legal Service Provider	Subject matter of service	Cost of the arrangement
Allens Linklaters	Audit Letter Response	350
	Investment matter	3,132
	Regulatory issue	7,000
Australian Government Solicitor	FOI & privacy advice	4,097
Henry Davis York	Regulatory issues	44,571
	Advice on contracts	64,576

King & Wood Mallesons	Advice on lease	15,625
	Investment matters	112,264
	Military Super Member Statements – legal sign off	9,081
	Advice on Consultancy Agreement	4,652
	Advice on PSSap Pension Product	28,584
McArdle Legal	Audit Response letter	138
TOTAL		\$294,100

b) \$4,097

c) \$296,243

d) See response to a).

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Finance and Deregulation Portfolio

Department/Agency: Future Find Management Agency

Outcome/Program:

Topic: Legal costs

Senator: Ryan

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Answer:

- a) – d) Reports on legal services expenditure are provided on an annual basis as at 30 June of each year. Compiling this information separately would be an unreasonable diversion of resources.