

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Human Services and agencies

Budget Estimates 2005-2006, 26 May 2005

Question: HS48

Outcome #, Output #

Topic: Australian Hearing

Hansard Page/Written Question on Notice: Written

SENATOR LUDWIG asked the Minister for Human Services, upon written notice, on 26 May 2005:

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

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details including the name of the firm, the project involved and the cost of the contract.

Answer:

1. Australian Hearing spent \$474,630 YTD May 05 on outsourced legal practitioners.
2. The budgeted amount for outsourced legal practitioners in 2004/2005 was \$456,380.
3. There was no amount spent in internal legal fees.
4. The agency does not have an in-house legal section.
5. Total projected expenditure on legal services for 2005/2006 is \$458,129.
6. Legal fees of more than \$10,000 were paid to Australian Government Solicitors and Corrs Chambers Westgarth Lawyers.
7. Legal services of more than \$10,000 were paid to Corrs Chambers Westgarth Lawyers of \$428,340 and Australian Government Solicitors of \$12,561. All other payments were of less than \$10,000 to individual organisations – Blake & Dawson; Wight & Strickland; Hitchcock & Associates; Spruson & Ferguson; Hamer & Hamer; Phelps Reid; Lands Property Information; AC Comino and Associates; Knight Frank Pty Ltd; Fishburn Watson; Yorkay Pty Ltd; Ken Lee Solicitor; and Landerer And Company.
8. The Commonwealth Procurement Guidelines came into effect on 1 January 2005. Australian Hearing has a contract with Corrs Chambers for provision of legal services as recommended by the Department of Health & Ageing in 2003. Fees are based on current government rates. Australian Hearing will review the use of a select tendering process in the 2005/06 year.
9. Legal services are paid on quote for work basis
10. N/A
11. Australian Hearing has a contract with Corrs Chambers for provision of legal services as recommended by the Department of Health & Ageing in 2003. Fees are based on current government rates.
12. The Commonwealth Procurement Guidelines came into effect on 1 January 2005. Australian Hearing has a contract with Corrs Chambers for provision of

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legal services as recommended by the Department of Health & Ageing in 2003.

13. Nil. All legal expenditure included in point 1.