

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates 15-18 October 2012

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1.1 Domestic Policy

Topic: Status of National Legal Profession Reforms

Senator: Senator Payne

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Number of pages: 2

Question:

Senator PAYNE: Could you also indicate to us briefly the status of the national legal profession reforms? I understand that Queensland earlier this month indicated that they will not be participating. So what is their status now?

Dr de Brouwer: Senator, the Department of Finance actually monitor this very closely through the task force and the BRCWG work. They are a good source of answers to these questions.

Senator PAYNE: I know, but Senator Evans did promise me some estimates ago-and he has been very assiduous in committing to that promise-that I would be able to ask these questions here rather than trying to divide myself into 27 pieces across 12 committees.

Ms Cross: My recollection is that, when that reform last went to COAG, not all jurisdictions decided to participate. It was going ahead just on the basis of a subset of the states and territories, so I do not know whether we have any information with us, but I assume that it will continue to go ahead with those jurisdictions that remain interested and that, over time, others may choose to join.

Mr Hazlehurst: I am afraid I do not have anything further to add to that answer.

Senator PAYNE: Thank you very much. If you could take on notice then, in relation to that, which jurisdictions have indicated they will continue to participate and what the status of the scheme will be then. I assume you will not be calling it the "national professional legal reforms" by that point-it could be the "in part national".

Ms Cross: I will check this, but my recollection is that New South Wales and Victoria were interested, which meant that the vast bulk of the lawyers would be picked up by the reform, even though it was not in every jurisdiction. I will check that for you.

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Senator PAYNE: Does this have any effect on reward payments for the non-participating states, or is it outside the scope of the reward payments for the seamless national economy reforms?

Ms Cross: Again, I would have to check that for you.

Senator PAYNE: Would you please do that, Ms Cross? I will put the rest on notice.

Answer:

On 25 July 2012, COAG reiterated its decision from August 2011 that the legal reform would be taken forward in New South Wales, Victoria, Queensland and the Northern Territory, noting that the Queensland Government was still considering the proposed reform.

On 3 October 2012, the Queensland Government formally announced that it would not be participating in the proposed National Legal Profession scheme.

The legal reform is not part of the National Partnership Agreement to Deliver a Seamless National Economy and therefore there is no impact on reward payments under that Agreement.