

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Sub Program All**

**Question No. 124**

**Senator Barnett asked the following question at the hearing on 8 February 2010:**

Regarding consultancies:

- a. Please provide an update to the figures provide at May 2009. Please identify the name of the consultancy, the duration and cost of the arrangement, and the method of procurement (ie open tender, direct source, etc). Please also include total value for all consultancies.
- b. How many consultancies are planned for this calendar year? Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not, why not? In each case please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.

**The answer to the honourable senator's question is as follows:**

- a) **Attachment A** sets out in detail the breakdown of consultancies for each agency, including the Department. Consultancies have been identified as either underway/completed or planned (refer to answer b) below). The total value for all consultancies underway/completed since November 2007 is \$60 377 869.

The list of consultancies provided in May 2009 has been expanded to include new consultancies that are underway, completed or planned. The number scheme used for the response in May 2009 (QoN 163) has been retained and expanded to cover the new consultancies.

All items listed, in May 2009 (QoN 163), were reviewed:

- Firstly, they were reassessed against the definition of consultancies set out in the Department of Finance and Deregulation's *Guidance on Procurement Publishing Obligations, Financial Management Guidance No. 15* (FMG 15). As a result some items have been reassessed as 'not a consultancy'. These items are included in Attachment A but are marked with strikethrough.
  - Other amendments to these consultancies reported in May 2009 such as date changes and contract values are also shown with strikethrough.
- b) 60 for all agencies in the portfolio.

Planned consultancies are included at **Attachment A** which sets out in detail the breakdown of consultancies for each agency, including the Department. Three planned consultancies have been published in Annual Procurement Plans (APPs). Reasons for not publishing consultancies in APPs are included in the comments column of the report provided at Attachment A.

The Department of Finance and Deregulation's guidance (FMG 15) sets out the principles relating to the publication of APPs. The guidance states that APPs must be published on Austender by 1 July each year but no earlier than 1 June. Agencies are unlikely to have finalised their APPs for 2010-11. In addition, APPs are generally limited to significant procurements unless the procurement would benefit from early notice.