

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

Portfolio

Question No. 111

Senator Humphries asked the following question at the hearing on 30 May 2013:

Commissioned reports

- a) How many Reports have been commissioned by the Government in your department/agency this financial year to date? Please provide details of each report including date commissioned, date report handed to Government, date of public release, Terms of Reference and Committee members.
- b) How much did each report cost/or is estimated to cost? How many departmental staff were involved in each report and at what level?
- c) What is the current status of each report? When is the Government intending to respond to these reports?

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

For 2012-13 financial year information up to 31 January 2013, please refer to QoN response 141 from the Additional Estimates round.

For the period 1 February 2013 to 31 May 2013 please see below.

The following portfolio agencies did not commission a report during the reporting period; Administrative Appeals Tribunal, Australian Crime Commission, Australian Commission for Law Enforcement Integrity, Australian Federal Police, Australian Customs and Border Protection Service, Australian Human Right Commission, Australian Institute of Criminology, Australian Law Reform Commission, Australian Security Intelligence Organisation, Australian Transaction Reports and Analysis Centre, Commonwealth Director of Public Prosecutions, CrimTrac, Family Court of Australia, Federal Circuit Court of Australia, Federal Court of Australia, High Court of Australia, Insolvency and Trustee Service Australia, Office of the Australian Information Commissioner, Office of Parliamentary Counsel.

Australian Government Solicitor (AGS) is a government business enterprise operating on a commercial and competitive basis in providing legal and related services to government and its agencies. AGS does not receive any Budget or other appropriations and its employees are engaged outside of the *Public Service Act 1999*. The question is therefore not applicable to AGS.

The National Native Title Tribunal (NNTT) will not be providing a response to this question, as from 1 July 2012 the NNTT is no longer a *Financial Management and Accountability Act 1997* Agency, and is funded to carry out its functions as a sub-program of the Federal Court of Australia's appropriation. On 12 March 2013 the *Courts and Tribunals Legislation Amendment (Administration) Act 2013* came into operation. On that day the Australian Public Service Commissioner signed a determination which transferred all staff employed by the Tribunal to the Federal Court of Australia under s.72 of the *Public Service Act 1999*, but those staff are designated staff assisting the Tribunal under the *Native Title Act 1993*.

Attorney-General's Department

Review of the *Freedom of Information Act 1982* and *Australian Information Commissioner Act 2010*.

- a) **Date Commissioned:** 29 October 2012.
Date report handed to Government: 1 July 2013.
Date of public release: 2 August 2013
Terms of Reference: Available at:
<http://www.ag.gov.au/Consultations/Pages/ReviewofFOIlaws.aspx>.
Members: Dr Allan Hawke AC is the author of the report.

- b) **Cost of report:** \$70,000 (including GST).
Departmental Staff involved and classification: The following staff of the Attorney-General's Department constituted the Secretariat for the review which led to the report, and each allocated some of their time to assist in preparing the report: 1 x EL2, 1 x EL1

- c) **Current status of report:** The report is being considered by the Attorney-General.
Government planning to respond to report: No decision has been made by the Government as to a response to the report.