

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 1.2

Question No. 300

Senator Bishop asked the following question at the hearing on 31 October 2005:

With reference to Appendix E of the Legal Services directions applying to 'Assistance to Commonwealth Employees for Legal Proceedings' effective 1 September 1999, (a) are those directions advisory or mandatory in their application to all Commonwealth agencies, and (b) in which agencies are these directions encapsulated in other internal instructions and guidelines.

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

- (a) The Legal Services Directions are a legislative instrument. Compliance with them is mandatory for all *Financial Management and Accountability Act 1997* agencies. Some provisions also apply to other Commonwealth entities.
- (b) Responsibility for compliance with the Directions rests with Chief Executives of agencies (see paragraph 11 of the Directions). It is for Chief Executives to determine the most effective ways of ensuring compliance by their agencies. The Department does not keep records of the internal instructions and guidelines in place in each agency, given that the Directions apply to those agencies of their own force.