

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

Output 1.2

Question No. 304

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

Can it be confirmed as a matter of policy applying to all Commonwealth agencies that such legal assistance should only be considered 'to the extent that the employee is not indemnified or insured...' as set out in DoFA Finance Circular 1997/19; if so, in how many cases in each of the last five years has financial assistance been granted to Commonwealth officers where such indemnity or insurance cover existed.

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

Finance Circular 1997/19, issued by the Department of Finance and Administration, applies in circumstances different from those contemplated by Appendix E of the Directions. The Circular applies only to non-Commonwealth officials.

The interpretation and application of Finance Circular 1997/19 are matters for the Minister for Finance and Administration.