

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 01

Topic: Consultancies for Departmental Restructure

Hansard Page: pp. 13-15 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you take on notice when the decision was made to retain the Nous consulting group, whether it was done by public tender or by appointment, an overview of the work they were involved in, costings submitted, bills paid, outstanding moneys yet to be paid and details of any ongoing role that that particular group might have over the next 12 months, or similar groups doing the same type of work, if they should be replaced, in lieu of Nous Consulting.

Senator MARK BISHOP—Could you also take on notice whether you can add any detail to expenses involved in the restructuring, broken up on consultancies, departmental hours, planning, seminars and the like.

Mr Yuile—I understand what you are getting at and we will do our best because there are things like the staff survey which is a discrete activity we undertake every couple of years, so that is easier enough to deliver, similarly, for the work of the Nous Group in working with our business areas. Some of that discussion—I am thinking ahead—and preparation for change would take place in the course of ordinary divisional and branch meetings. It is not as though we can undertake a special activity.

Senator MARK BISHOP—Mr Yuile, where you can provide exact figures and give an indicative answer or a generalised comment, with a caveat that normally this work might be allocated elsewhere, do so. I just want to get a picture of what you did, who was involved, what it cost and what the future will involve—if any.

Answer:

Engagement of Nous Group

The decision to engage the Nous Group was made on 17 November 2004. They were appointed following consideration of other possible service providers.

Nous Group was involved in facilitating the strategic planning process for the Department for the coming year, assisting with the development and implementation of changes to the overall departmental structure and assisting Divisions with their business planning process for 2005-06 under the new structure.

The Nous Group assignment concluded on 18 May 2005. There are no current plans to re-engage the Nous Group. However, the Department is preparing to issue a Request for Tender to establish a panel of providers for strategic planning-type projects.

Total costs of the Nous Group work were \$276,984 (GST-inclusive). This was in accordance with cost estimates provided. There are no outstanding invoices.

Costs of Departmental Restructuring

The costs of Departmental restructuring are difficult to quantify precisely because they have been integrated with normal business planning processes. Costs included some of the time provided by the Nous Group (of the order of 50% of the time provided). There were also a range of meetings held with staff within their organisational units and through normal consultative arrangements (including through the Departmental Consultative Committee). Accommodation changes have been kept to a minimum pending reconfiguration of premises required to accommodate increased staff numbers and to maintain occupational health and safety standards. Stationery charges were insignificant because most changes were confined to documents based on electronic templates.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 02

Topic: Department Staffing - May 2005

Hansard Page: p. 22 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you take on notice and provide the Committee with a table showing the total staffing for the Department by Group and, if possible, by Branch, broken down by level and location, at the start of this financial year and at the current time, including ongoing and non-ongoing FTEs?

Answer:

Attachment A provides data for 30 June 2004 against the Executive and five organisational Groups then applying. **Attachment B** provides data for 31 May 2005 against the Department's new divisional structure.

Notes:

- Changes to the organisational structure within the year mean it is not possible to provide data on a comparable basis.
- Data are full-time equivalent figures so will differ from the Annual Report data which is provided on a head-count basis.
- Data excludes Holders of Public Office.
- At 30 June 2004, Graduate APS employees were mostly funded through the Corporate Group but were allocated to work across other Groups.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 03

Topic: Break-up of Staffing Costs

Hansard Page: pp.23-24 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you give me a table, Mr Ash, of your total revenue from ordinary activities, total staff numbers and FTEs for the last five years and then break up that total revenue for each year into the various line items?

Answer:

The information requested, sourced from the last four Annual Reports of the Department, is shown in the table below:

Department of Transport and Regional Services
Statement of Financial Performance 1999-2004

	1999-00	2000-01	2001-02	2002-03	2003-04
	\$'000	\$'000	\$'000	\$'000	\$'000
Revenues from ordinary activities					
Revenues from Government	187,205	190,697	213,008	229,264	222,826
Good and Services	7,963	7,244	10,203	10,720	15,299
Interest Revenue	2,068	3,485	2,211	797	0
Revenue from sale of assets	2,944	3,636	3,367	3,632	626
Other Revenues	1,772	6,218	4,952	2,407	2,971
Revenues from ordinary activities	201,952	211,280	233,741	246,820	241,722
Expenses from ordinary activities (excluding borrowing costs expense)					
Employee Expenses	64,856	68,775	76,597	83,938	82,116
<i>Wages and salaries</i>	50,237	50,097	60,428	63,199	58,038
<i>Superannuation</i>	7,428	8,107	8,799	9,930	11,138
<i>Leave and other entitlements</i>	2,995	3,590	3,485	5,708	9,277
<i>Separation and redundancies</i>	1,278	3,473	1,664	1,695	374
<i>Other employee expenses</i>	2,918	3,508	1,973	3,004	2,691
<i>Workers' compensation premiums</i>	0	0	248	402	598
Supplier Expenses ⁽¹⁾	81,712	86,221	93,153	110,245	113,681
<i>Goods from external entities</i>	na	na	2,546	3,051	6,657
<i>Services from related entities</i>	na	na	18,509	23,372	11,910
<i>Services from external entities</i>	na	na	64,576	75,269	87,002
<i>Operating lease rentals</i>	na	na	7,523	8,553	8,112
Depreciation and Amortisation	12,644	11,953	11,231	12,803	14,044
<i>Buildings</i>	2,681	2,371	2,270	2,690	2,679
<i>Leasehold improvements</i>	0	496	839	1,050	1,312
<i>Intangibles - computer software</i>	656	755	1,111	1,965	2,847
<i>Other infrastructure, plant and equipment</i>	9,307	8,331	7,011	7,098	7,206
Write Down of Assets	3,707	16,299	1,366	2,960	117
Value of assets sold	6,308	2,463	3,745	3,483	27,454
Other Expenses	8,192	10,733	12,791	13,178	63,580
Expenses from ordinary activities (excluding borrowing costs expense)	177,419	196,444	198,883	226,607	300,992
Borrowing costs expense	30	154	147	125	133
Net surplus/(deficit) from ordinary activities	24,503	14,682	34,711	20,088	-59,403
Staff Numbers (as at 30 June) ⁽²⁾					
Department	879	861	970	923	901
IOTs ⁽³⁾	na	121	118	111	107
Total	879	982	1088	1034	1008

- (1) A disaggregation of supplier expenses for the period 1999-2001 is not available in the form subsequently reported in the Department's annual financial statements.
- (2) Data includes full-time, part-time and non-ongoing staff but excludes inoperative and casual staff as reported in the Department's annual reports.
- (3) Separate data for IOT employees is not available in the 1999-2000 annual report.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 04

Topic: Numbers of Staff Covered by AWAs and the Certified Agreement

Hansard Page: p.25/26 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

How many staff are covered by AWAs in the department and how many are on the collective [certified] agreement? Can you provide on notice a breakdown of the take-up rate of AWAs by gender and by classification?

Answer:

As at 23 May 2005, 129 staff in the Department were covered by an AWA and 1,022 staff were covered by the Department's certified agreement. The breakdown of the take-up rate of AWAs by gender and by classification is shown in the table below:

Classification	Females			Males			Total		
	AWA	CA	Total	AWA	CA	Total	AWA	CA	Total
APS1	0	1	1	0	0	0	0	1	1
APS2	2	24	26	2	19	21	4	43	47
APS3	2	35	37	0	14	14	2	49	51
APS4	2	83	85	1	39	40	3	122	125
APS5	2	89	91	4	68	72	6	157	163
APS6	5	113	118	6	137	143	11	250	261
EL1	7	109	116	15	146	161	22	255	277
EL2	9	34	43	37	111	148	46	145	191
SEB1	6	0	6	20	0	20	26	0	26
SEB2	2	0	2	5	0	5	7	0	7
SEB3	0	0	0	2	0	2	2	0	2
Total	37	488	525	92	534	626	129	1022	1151

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 05

Topic: Staff on AWAs Paid Higher than their Classification under the CA

Hansard Page: p. 26 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

You said there were some staff on AWAs paid more than the pay band for their classification under the certified agreement. Do you have an indicative figure of that?

Answer:

A total of 30 staff on AWAs are paid more than the pay band for their classification under the Department's certified agreement.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 06

Topic: Numbers of Staff on Long Term ARA

Hansard Page: p. 27 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

You have agreed to take on notice that question of how many staff on AWAs are paid more than the pay band for the classification under the certified agreement. Can you also do that for those purely under certified agreement? Say I am classified as a level 8 under a certified agreement and I am reclassified as a level 9 or whatever for a particular time or particular job or particular task. Can you provide me with details of the numbers in that group so I can do a comparison with AWAs?

Answer:

As at 23 May 2005, a total of 29 staff covered by the Department's certified agreement, were in receipt of an Additional Responsibility Allowance (ARA) of more than 3 months duration.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 07

Topic: Performance-Based Pay

Hansard Page: p. 28 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you provide me with a table showing the number of staff, the number under certified agreements, the number under AWAs and the number under AWAs that have performance-based pay.

Answer:

Information concerning the number of staff, the number under certified agreements, the number under AWAs is shown in the answer to question CORP 04. As at 23 May 2005, a total of 44 staff were on AWAs that have provision for a possible performance bonus. A breakdown by classification and gender is shown below:

Classification	Female	Male	Total
APS6	0	1	1
EL2	4	4	8
SEB1	6	20	26
SEB2	2	5	7
SEB3	0	2	2
Total	12	32	44

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 08

Topic: Breakdown of Leave

Hansard Page: p. 28 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you break that down to how much is annual leave and how much is long service leave?

Answer:

The question was subsequently answered on page 29 of Hansard:

“**Mr Ash**—If you have a look at note 10B, you can see that it breaks the provisioning up. You will notice that the first line is salaries and wages. In 2003, we have a provision of about \$2½ million. That is an example of when a pay period actually hit the next day. So, effectively, we have the full day period being accrued at the end of the financial year. The leave is on the next line. That is both long service leave and rec leave. There is no specific break-up between the two. If you move to the bottom of the table, you will see a split between current and non-current.

Senator MARK BISHOP—Yes.

Mr Ash—Broadly speaking, current would be regarded as recreation leave and non-current would be regarded as long service leave. It is not materially different, but there would be a bit of both on either side. They would not be significant components.”

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 09

Topic: Long Service Leave

Hansard Page: p 30 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you take on notice and provide in writing the legislative instrument that regulates long service leave for staff in the Department? Can you provide a copy of that instrument? And can you, in your answer, draw my attention to the relevant clauses that prevent the Department from mandating staff to take long service leave after it falls due.

Answer:

The legislative instrument that regulate long service leave for staff in the Department are the *Long Service Leave (Commonwealth Employees) Act 1976* (the Act) and the Long Service Leave (Commonwealth Employees) Regulations 1957 (the Regulations).

A copy of the Act and Regulations are **attached**.

There is no provision in either the Act or the Regulations that allows the Department to mandate that staff take long service leave after it falls due.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 10

Topic: "Cashing in" LSL

Hansard Page: p. 31 (Monday, 23/5/05)

Output: Corporate Services

Senator Heffernan asked:

Why wouldn't you let people cash it [long service leave] when it is due?

Answer:

The *Long Service Leave (Commonwealth Employees) Act 1976* (the Act) provides only for long service leave to be taken as leave during employment, and for payment in lieu of long service leave when an employee ceases to be an employee of the Australian Public Service as defined by the Act. The Act makes no provision for payment (cashing in) of long service leave entitlements by employees during their employment by the Australian Public Service.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 11

Topic: Recruitment

Hansard Page: p. 31 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

Can you take on notice how many staff have been recruited to the Department this financial year until 30 April 2005?

Answer:

From 1 July 2004 to 30 April 2005, the Department recruited 282 ongoing staff.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 12

Topic: New Staff

Hansard Page: p. 32 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

In the last 12 months the [staffing] figure has gone from 836 to 1,088. Can you take on notice the number that came from within the service and those who came from without?

Answer:

Of the 282 ongoing staff recruited to the Department over the period 1 July 2004 until 20 April 2005, 189 were appointed from outside of the service and 93 were either transferred or promoted from within the service.

Note that these are gross recruitment figures. The total number recruited is greater than the overall increase in staff for the period, reflecting that staff also left the Department during this period.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 13

Topic: Staff Exit Arrangements

Hansard Page: p. 32 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

What arrangements do exist?

What is the take-up rate—20 per cent, 30 per cent?

Answer:

There is a voluntary staff exit survey made available on the Department's intranet site. All exiting employees are encouraged to complete this form.

The take-up rate in the 2004-05 financial year to the end of April is 14 per cent.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 14

Topic: Consultancies

Hansard Page: pp. 32-33 (Monday, 23/5/05)

Output: Corporate Services

Senator Bishop asked:

If you can provide that [a copy of the response to Senator Carr's question] and if you have updated figures, that would be of interest.

Can you also provide a breakdown of consultant's costs for all consultancies over the last three years (2002-03, 2003-04, 2004-05) and their variance to Budget, if any, and a projection for next year.

Answer:

Attached is a copy of the Department's response of 8 April 2005 to Senator Carr's question on consultancies, providing details of consultancies up to 16 March 2005 (**Attachment A**). The Department has also provided details of consultancies engaged from 16 March 2005 to 23 May 2005 with a contract price of \$10 000 or more (**Attachment B**).

Details of all consultancies with a contract value of \$2,000 or more (\$10,000 from 1 January 2005) are available through AusTender at www.tenders.gov.au/federal/index.shtml

The information recorded in AusTender includes a short description of each contract, the provider of the goods or services, the value of the contract and the selection process.

Further, in conjunction with the publication of the Department's Annual Reports, information about consultancies let in that financial year and the total value of payments made to consultants each year, regardless of when the consultancy was let, is published on the Department's website, (www.dotars.gov.au). Annual Reports list each consultancy let during the year with a value of \$10,000 or more, and provide details of the consultant's identity, the purpose of the consultancy, the contract price and method of selection.

The Department does not budget to the level of individual expenditure classes, such as consultancies. Accordingly, it is not possible to provide a projection for 2005-06.

To provide information regarding the variance of consultancy costs from Budget over the last three years would involve a significant diversion of resources. Under the circumstances, the Department does not consider that the additional work is justified.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CORP 15

Topic: Employee Accreditation

Hansard: Not applicable – post hearing additional written question

Output: Corporate Services

Senator Ludwig asked:

The questions for all Departments and Agencies under your Portfolio. It's a follow-up to a question we asked in December.

Regarding the employees that Department or Agency has identified as having:

- a) fluency
- b) accredited translator
- c) accredited interpreter

Of these employees, please indicate what the Department is doing in order to make full use of its employees skills in this regard, and please provide a breakdown of this between employees whose accreditation was paid for by the Department and those whose were not?

Answer:

The Department does not maintain comprehensive data in relation to the skills of staff in languages other than English, nor the accredited language skills of staff to either translator or interpreter standard.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 16

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

What amount did the Department/Agency spend during the financial year 2004/2005 on outsourced legal practitioners (including private firms, individuals, the Australian Government Solicitor, and any others)?

Answer:

During the financial year 2004/2005, the Department spent \$3,019,004 on outsourced legal practitioners from its Departmental budget allocation for legal services. A further \$351,174 was spent from administered programme funding.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 17

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

What was the budgeted amount for outsourced legal practitioners in 2004/2005?

Answer:

The Department's budgeted allocation for outsourced legal practitioners, to be funded from its Departmental appropriation, in 2004/2005 is \$2, 978, 655.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 18

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

What amount did the Department/Agency spent on internal legal services? (Provide an estimate if exact amount is unavailable.)

Answer:

The Department spent \$958, 692 on internal legal services in 2004/2005 financial year.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 19

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

Does the Department/Agency have an in-house legal section? If so, what was the 2004/2005 actual cost of this section? What was the budgeted amount for this section in 2004/2005? What is the budget amount for this section in 2005/2006?

Answer:

The Department has an in-house legal section which spent \$958,692 on internal legal services in 2004/2005. The legal section budget for 2004/2005 for services provided in-house was \$1,113,110. For 2005/2006, the projected budget is \$1,333,709. The legal section also has additional funding for the procurement of external legal services from the legal services panel.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 20

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

What is the total projected expenditure on legal services for 2005/2006 for the Department/Agency?

Answer:

The total projected expenditure on legal services for 2005/2006 for Departmental operations is \$3.75 million. Based on 2004/2005 expenditure, it is anticipated that around \$350,000 will be spent on legal services from administered funds.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 21

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

What organisations or individuals were contracted to provide legal services to the Department/Agency in 2004/2005?

Answer:

The following legal firms/individuals were contracted to provide legal services to the Department in 2004/2005:-

- Clayton Utz;
- Australian Government Solicitor;
- Minter Ellison;
- Blake Dawson Waldron;
- Corrs Chambers Westgarth;
- Phillips Fox;
- Church and Grace;
- Attorney-General's Department; and
- Mallesons Stephen Jaques.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 22

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

In each instance, how much was each organisation or individual paid for these services?

Answer:

How much is paid to each organisation depends on a number of factors including the extent and duration of each individual matter and can range in price. A total figure of what was paid to each organisation during 2004/2005 for legal services is provided below:-

• Clayton Utz	\$154,037
• Australian Government Solicitor	\$1,608,004
• Minter Ellison	\$287,264
• Blake Dawson Waldron	\$277,642
• Corrs Chambers Westgarth	\$598,170
• Phillips Fox	\$323,812
• Church and Grace	\$129,899
• Attorney-General's Department	\$6,266
• Mallesons Stephen Jaques	\$8,942

TOTAL **\$3,394,036**

The difference between the total figure shown above and those provided in relation to the earlier question on overall expenditure is attributable to accrual accounting timing differences.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 23

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

Does the Department/Agency use an open tendering or select tendering process (as described in the Commonwealth Procurement Guidelines, p 42) when procuring legal services?

Answer:

External legal services are procured using a legal services panel established by the Department in 2003.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 24

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

If a select tendering process is used: (a) which method of select tendering is used and (b) which firms or individuals are currently eligible to tender for legal services?

Answer:

Not applicable as the Department has a legal services panel.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 25

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

If a multi-use list is used: (a) which firms or individuals are currently on that list and (b) when was the list last opened for applications?

Answer:

The Department has a Legal Services panel which currently comprises:-

- Australian Government Solicitor;
- Clayton Utz;
- Phillips Fox;
- Minters Ellison;
- Blake Dawson Waldron; and
- Corrs Chambers Westgarth.

The panel was established following a restricted tender in July 2003.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 26

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

In 2004/2005, did the Department/Agency obtain any legal services using a direct sourcing procurement process? If so, provide details including the name of the provider, the work involved and the cost?

Answer:

On rare occasions the Department will use a provider other than from its legal services panel if particular skills or experience are required at a particular location. Services provided other than through the legal services panel are:-

- Church and Grace \$129,899

This work relates to asbestos litigation, in particular, in relation to railways.

- Attorney-General's Department \$6,266

This work relates to constitutional law and national security issues, cabinet work and public international law and is referred to the Attorney-General's Department as the work is tied areas of Commonwealth legal work as stated in Legal Services Directions.

- Mallesons Stephen Jaques \$8,942

This work involves one debt recovery matter.

TOTAL \$145,107

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 27

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

In 2004/2005 did the Department/Agency procure any legal services under the thresholds required for ‘covered procurements’ (within the meaning of 8.6 of the Commonwealth Procurement Guidelines)? If so, provide details including the name of the provider, the work involved and the cost.

Answer:

In 2004/2005, the Department did not procure any legal services under the thresholds required for ‘covered procurements’.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CORP 28

Topic: Legal Service Expenditure

Hansard Page: Not applicable – additional post hearing written question

Output: Corporate Services

Senator Ludwig asked:

In 2004/2005, did the Department/Agency contract any legal firms to provide services other than legal services (such as consulting, conduct of policy reviews etc)? If so, provide details including the name of the firm, the project involved and the cost of the contract.

Answer:

In 2004/2005, the Department did not contract any legal firms to provide services other than legal services. It should be noted, however, that at times firms are involved in work related to policy development as part of the legal services they provide.