



Office of  
**SENATOR THE HON NICK MINCHIN**  
Minister for Finance and Administration  
Leader of the Government in the Senate

24 NOV 2006

Mr Alistair Sands  
Secretary  
Senate Standing Committee on Finance and Public Administration  
Parliament House  
CANBERRA ACT 2600

Dear Mr ~~Sands~~ Mr Secretary

I am writing in regard to the Standing Committee on Finance and Public Administration (Committee) hearing into the *Medibank Private Sale Bill 2006* (the Bill), which was held on 3 November 2006.

At the hearing, Senator McLucas asked officials from the Department of Finance and Administration (Finance) to request that the Minister for Finance and Administration agree to release to the Committee the actual, or summaries of, legal advice procured by Finance since 1996 regarding the sale of Medibank Private Limited (MPL). In addition, Senator Murray asked Finance officials to confirm whether the Minister would be making a submission to the Committee on the Bill.

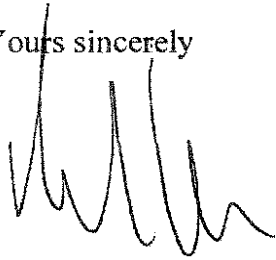
The Minister has asked that I respond on his behalf, to confirm that he does not intend releasing the legal information that Senator McLucas has requested. The Minister has also confirmed that he does not intend to make a submission to the Committee on the Bill.

The Minister has agreed to provide the Committee with the dates that the legal advice procured by Finance 'around the sale of MPL' were received by the Department. Essentially:

- In September 2002, Freehills was appointed as legal adviser to the MPL scoping study. Legal advice was provided throughout that process, including in the report presented to the Government on 24 December 2002.

- Ad hoc legal advice on issues 'around the sale' of MPL was received by Finance in January 2002 and February 2005.
- On 13 July 2006 Finance appointed Blake Dawson Waldron as the legal adviser to the MPL sale process. Legal advice has been provided to Finance since that time, including the legal advice, supported by Mr Tom Bathurst QC, which the Minister tabled in Parliament on 4 September 2006 (this advice is attached to this letter).

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Wawn', written in a cursive style.

**David Wawn**  
**Chief of Staff**