

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
 Budget Estimates 2014
 3 June to 5 June 2014

Department/ Agency: Clean Energy Finance Corporation

Question: BET 2146

Topic: Legal Costs

Reference: Written 12 June 2014

Senator: Ludwig

Question:

2146. List all legal costs incurred by the department or agency since Additional Estimates in February, 2014

a) List the total cost for these items, broken down by source of legal advice, hours retained or taken to prepare the advice and the level of counsel used in preparing the advice, whether the advice was internal or external

b) List cost spend briefing Counsel, broken down by hours spend briefing, whether it was direct or indirect briefing, the gender ratio of Counsel, how each Counsel was engaged (departmental, ministerial)

c) How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

2146.

a)-b). Legal costs incurred by the Corporation since Additional Estimates in February 2014 are summarised below.

Internal Costs: \$421,358.06 and includes base salaries plus all on costs (e.g. other compensation including superannuation, annual and long-service leave, workers compensation etc) for 8.4 FTE legal staff. These staff form part of the deal teams and their costs with respect to individual advices are not tracked separately.

External Costs: A summary of external costs is outlined below.

Summary of External Legal Services Expenditure	
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• Total value of briefs to counsel (A)	\$71,944.22
• Total value of disbursements (excluding counsel) (B)	\$0.00
• Total value of professional fees paid (C)	\$154,944.06
Total External Legal Services Expenditure (A + B + C)	\$237,352.74

Counsel	
• Number of briefs to male counsel	2
• Number of briefs to female counsel	0
Total number of briefs to counsel	2

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• Number of direct briefs to male counsel	2
• Number of direct briefs to female counsel	0
Total number of direct briefs to counsel	2

• Total value of briefs to male counsel (including direct briefs) ²	\$71,944.22
• Total value of briefs to female counsel (including direct briefs) ²	\$0.00
Total value of briefs to counsel (A)³	\$71,944.22

Disbursements

Total value of disbursements (excluding counsel) (B)	\$0.00
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Professional Fees Paid

Baker & McKenzie	\$107,823.33
Clayton Utz Brisbane	\$15,900.00
Clayton Utz Canberra	\$2,750.00
Clayton Utz Sydney	\$5,018.65
DibbsBarker	\$1,187.24
HopgoodGanim	\$22,264.84

Total value of professional fees paid during the period (C)	\$154,944.06
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Notes:

1. Any disbursements would be immaterial and are included in the total Professional Fees cost.
 2. In addition to the external legal costs,
- c). All external advice which the CEFC is responsible for procuring is procured in accordance with the Legal Services Multi-Use List (LSMUL).

² Includes the value of direct briefs

³ Includes all expenditure on counsel