

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2011-2012

Finance and Deregulation Portfolio

Department/Agency: Australian Electoral Commission

Outcome/Program: 1/1.2

Topic: Legal costs

Senator: Ryan

Question reference number: F118

Type of question: Written

Date set by the committee for the return of answer: Friday, 8 July 2011

Number of pages: 2

Question:

Senator Ryan asked the Australian Electoral Commission (AEC) about legal costs incurred by the AEC, in particular:

- a) What was the cost of legal action taken against the AEC in 2009-10?
- b) How many of the legal actions taken against the AEC were related to industrial elections related to unions in 09-10?
- c) How many of the legal actions taken against the AEC were related to industrial elections related to employer organisations in 09-10?
- d) What was the cost of legal action taken against the AEC in 2010-11?
- e) How many of the legal actions taken against the AEC were related to industrial elections related to unions in 10-11?
- f) How many of the legal actions taken against the AEC were related to industrial elections related to employer organisations in 10-11?

Answer:

The AEC has advised that the following legal costs were incurred:

- a) In 2009-10 the AEC incurred a total of \$205,266 in external legal costs. None of these costs related to matters initiated by the AEC.
- b) The AEC was involved in four matters before the Federal Court of Australia in 2009-10. Two matters involved the Health Services Union (No. 1 Branch). One matter involved the Australian Salaried Medical Officers Federation. The final matter involved the Australian Licensed Aircraft Engineers' Association.
- c) See the answer for (b).

- d) As at 15 June 2011, the AEC has incurred a total of \$565,947.99 in external legal costs for the 2010-11 financial year. None of these costs related to matters initiated by the AEC.
- e) As at 15 June 2011, the AEC had been involved in three matters before the Federal Court of Australia relating to industrial elections - Purvinas and the Australian Licensed Aircraft Engineers' Association; Nimmo and the Australian Education Union; Kelly and the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Branch of the Australian Municipal, Administrative, Clerical and Services Union (No 2).
- f) See the answer for (e).