



11 October 2023

By email: foi+request-10681-d60b174f@righttoknow.org.au

Dear Karen

FREEDOM OF INFORMATION ACCESS APPLICATION

I refer to the access application you made under the *Freedom of Information Act 2016* (FOI Act) received by the ACT Government Solicitor (ACTGS) on 12 September 2023 in which you sought access to the following:

“1. Expenditure on Counsel/Barrister attendance at ACAT matters under the Construction Occupations (Licensing) Act 2004, from 1 July 2019 to 30 June 2023; and

2. Expenditure on expert witness attendance at ACAT matters under the Construction Occupations (Licensing) Act 2004 from 1 July 2019 to 30 June 2023; and

3. Expenditure on expert reports in regard to matters under the Construction Occupations (Licensing) Act 2004 from 1 July 2019 to 30 June 2023; and

4. Total expenditure in relation to all matters under the Construction Occupations (Licensing) Act 2004 from 1 July 2019 to 30 June 2023.”

Authority

I am an Information Officer appointed by the Solicitor-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Decision

The ACTGS has undertaken a search for information to respond to your request. I have decided it is in the public interest to provide you with the following information.

In relation to disputes before the ACT Civil and Administrative Tribunal (ACAT) associated with the *Construction Occupations (Licensing) Act 2004* (the ACT) the total expenditure on counsel and experts during the period from 1 July 2019 to 30 June 2023 was:

Counsel Expenditure (GST Exclusive)	Experts Expenditure (GST Exclusive)
\$305,365.26	\$456,899.15

Without significant manual review of each transaction, the ACTGS is not able to disaggregate whether the counsel or expert expense relates solely to an attendance in ACAT, or the provision of legal advice and expert opinion generally in matters.

In relation to total cost the legal services provided by the ACTGS in representing the Territory in disputes to the Act, these are provided from existing resources met by appropriation by Government for the provision of legal services.

Online publishing – disclosure log

Under section 28 of the Act, the Justice and Community Safety Directorate maintains an online record of access applications called a disclosure log. Your original access application and my decision in response to your access application will be published in the JACS disclosure log no later than 10 days after the decision. Your personal contact details will not be published. You may view the JACS' disclosure log at: <http://www.justice.act.gov.au/disclosure-log>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the JACS disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

The review of decision application form is available at:

https://www.ombudsman.act.gov.au/_data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.pdf

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

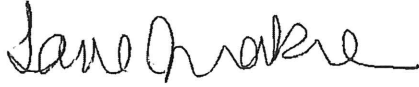
ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

Ph: (02) 6207 1740

<http://www.acat.act.gov.au/>

If you have any queries concerning the ACT Government Solicitor's processing of your request, or would like further information, please contact me on (02) 6207 0666 or email ACTGSO@act.gov.au.

Yours sincerely



Lana Junakovic
Information Officer

