

Dear **s 47F** and colleagues

Thanks for our conversation this morning about this matter. s 42

s 42

Would you kindly provide an estimate for s 42 at your earliest convenience.

We note that the times we suggested were not suitable to your team, so if you are able to suggest some alternatives we will do our best to fit in with you.

Kind regards

**S 47F**

Deputy General Counsel, General Counsel Branch

Level 4, B Block, Treasury Building, Parkes Place West, PARKES ACT 2600  
GPO Box 3176 CANBERRA ACT 2601

ts 47F (preferred)

m: s 47F

**www.apsc.gov.au**



The Australian Public Service Commission acknowledges the Traditional Owners of the lands, waters and seas that we live and work on and thank them for their continued custodianship. We pay our respects to Elders, past present and emerging.

**From:** s 47F  
**Sent:** Wednesday, 5 June 2024 10:38 AM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** RE: s 42 [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege, ACCESS=Personal-Privacy]

Dear s 47F

Thank you for the email below.

Unfortunately we are not available between 3-4pm today, but have good availability tomorrow for a meeting. We would be grateful if you could let us know the times that would be suitable for a meeting tomorrow and we'll send you a Teams invitation. s 42

We estimate that s 42 will costs approximately \$7,700 inclusive of GST.

Kind regards,

s 47F

s 47F

Clayton Utz

s 47F

s 47F

| [claytonutz.com](https://claytonutz.com)

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## Tax Invoice

CLAYTON UTZ

5 July 2024

Australian Public Service Commission

s 22

B Block

Treasury Building

Parkes Place West

PARKES ACT 2600

ABN 99 470 863 260

Clayton Utz  
Level 10 NewActon Nishi  
2 Phillip Law Street  
Canberra ACT 2601  
Australia

T s 47F  
E s 47F

www.claytonutz.com  
ABN 35 740 217 343

Attention: Melanie McIntyre, General Counsel  
Matter Name: s 42  
Your Reference: s 42 PO 4500171283  
Our Reference: 81038008.001  
Responsible Principal: s 47F  
Invoice Number: 4257910

For our professional services (see attached)

7,000.00

GST

700.00

Total Amount Due

(AUD) 7,700.00

*Clayton Utz***Payment to be made to the following account:**

Bank: s 47G  
Account Name: s 47G  
BSB: s 47G  
Account Number: s 47G  
Reference: s 47G  
Please email your payment confirmation to s 47G quoting our reference/invoice number 4257910

Swift Code: s 47G

*Our banking details are unlikely to change. Please verify any changes with your Clayton Utz contact on a prior known number.*

Any proposed transfer from a Trust to an Office account shown on this bill will be made after the expiration of 7 days from the date you are given the bill unless in the meantime you have objected to the transfer.

Where we receive funds to meet an obligation incurred on your behalf to a third party we will deposit those funds into our Office account, and pay the third party as soon as practicable after receipt.

If you dispute our legal costs and we cannot satisfactorily resolve your concern with you, you are notified of the following avenues open to you under the Legal Profession Act, 2006 (ACT) ('the Act'). You may apply to have our costs assessed under section 294A of the Act where you make such application within 12 months after the day we give you this bill or we make a request for payment of costs. Unless you are a sophisticated client or a third party payer (both as defined in the Act) who would be a sophisticated client if you were a client of our firm ('Sophisticated Client'), you may seek a costs review outside the time limit, if the Supreme Court of the ACT ('Supreme Court') determines that it is just and fair to do so. If you are a Sophisticated Client, our Business Terms however require you instead to make any application to have our costs assessed within 4 months of the bill receipt or payment. If the amount payable in this bill is claimed under a costs agreement, under section 286(2) of the Act mediation may be used to resolve any dispute over an amount we claim to be payable. You have a right under section 288 of the Act to apply to the Supreme Court for an order to set aside our costs agreement or a provision of it on the basis that it is not fair or reasonable, where you make such application within 6 years or such other time as the law permits.

The current interest rate charged in accordance with our costs agreement on unpaid bills is the rate applying from time to time under schedule 2, part 2.2 of the Court Procedures Rules 2006 (ACT) in respect of unpaid judgments in the Supreme Court.

Time Summary - Professional Services

CLAYTON UTZ

Our Reference: 235155\_81038008.001\_251  
Your Reference: PO 4500171283\_s 42  
Invoice Number: 4257910

Name	Position	Hours	Hourly Rate	Value	Billed (AUD)
s 47F		s 47G, s 45			876.06
					525.64
					2,368.50
					3,229.80
					7,000.00

Time Detail - Professional Services

CLAYTON UTZ

Our Reference: 235155\_81038008.001\_251  
Your Reference: PO 4500171283\_s 42  
Invoice Number: 4257910

#	Date	Name	Hours	Hourly Rate	Value	Billed (AUD)
s 47G, s 47F, s 42, s 45						87.61
						43.80
						230.70
						394.23
						696.62
						553.68
						115.35
						43.80
						43.80
						87.61
						43.80
						131.41

Time Detail - Professional Services

CLAYTON UTZ

Our Reference: 235155\_81038008.001\_251  
Your Reference: PO 4500171283\_s 42  
Invoice Number: 4257910

#	Date	Name	Hours	Hourly Rate	Value	Billed (AUD)
s 47G, s 47F, s 42, s 45						87.61
						1,614.90
						1,044.93
						438.33
						350.42
						348.31
						115.35
						87.61
						23.07
						278.64

Time Detail - Professional Services

CLAYTON UTZ

Our Reference: 235155\_81038008.001\_251  
Your Reference: PO 4500171283\_s 42  
Invoice Number: 4257910

#	Date	Name	Hours	Hourly Rate	Value	Billed (AUD)
s 47G, s 47F, s 42, s 45						138.42
						7,000.00



Number of FOI requests APSC invoked s 37(1)(c) of the FOI Act 1982 to refuse information for the period of 1 July 2020 till 31 July 2025 inclusive:

- Nil requests refused on the basis of section 37(1)(c) of the FOI Act for the period of 1 July 2020 till 31 July 2025 inclusive.

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Please note this document has been created under section 17 of the FOI Act, as the data you sought was not readily available in discrete form within the Commission.

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**From:** McIntyre, Melanie  
**Sent:** Wednesday, 5 June 2024 12:26 PM  
**To:** s 47F  
**Cc:** Finance; s 47F  
**Subject:** SPENDING APPROVAL : s 42 [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege, ACCESS=Personal-Privacy]

**OFFICIAL: Sensitive**  
**Legal privilege/Personal privacy**

Hi s 47F

Including finance team for visibility and budget purposes.

Work order with an expiry date of **30 September 2024**

*I, Melanie McIntyre, approve the commitment of relevant money in accordance with the Public Governance, Performance and Accountability Act 2013 (PGPA Act) section 23(3) to Clayton Utz for the provision of advice regarding s 42 for \$7,700 (GST inc). In doing so, I confirm the following:*

- *I am a delegate for the purposes of section 23 of the PGPA ACT and hold the appropriate financial delegation;*
- *I have taken into account obligations under Appendix F of the Legal Services Directions 2017 to consider pro bono legal work when selecting an external legal services provider including:*
  - *the amount and kind of pro bono legal work the provider has undertaken or will undertake;*
  - *whether the provider has signed up to the National Pro Bono Aspirational Target of the Australian Pro Bono Centre; and*
- *I am satisfied that the selected provider is able to provide the required legal services to an appropriate standard and represents value for money.*

*For this expense, the **GL code is 45540** and **cost centre is 3908**, and there are sufficient funds available to cover this cost.'*

Kind regards  
Mel

**Melanie McIntyre (she/her)**  
General Counsel

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**Australian Public Service Commission**

Level 4, B Block, Treasury Building, Parkes Place West, PARKES ACT 2600  
GPO Box 3176 CANBERRA ACT 2601

t: s 47F m: s 47F w: [www.apsc.gov.au](http://www.apsc.gov.au)

*The APSC supports flexible working arrangements. If you receive an email from me outside of regular business hours, I am sending it at a time that suits me. I am not expecting you to read or reply until regular business hours.*



Executive Assistant: s 47F t: s 47F e: s 47F

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