

GOVERNMENT DEPARTMENTS AND AGENCIES, LEGAL ADVICE, EXPENDITURE

1964. Mrs C.L. Edwardes to the Minister representing the Minister for Racing and Gaming; Government Enterprises

For each department and agency within the Minister's portfolio, since 19 February 2001, will the Minister provide -

- (a) the total amount spent on legal advice;
- (b) the name of each provider of legal advice;
- (c) the amount paid to each provider of legal advice; and
- (d) the service for which the payments were made?

Mr E.S. RIPPER replied:

GOLD CORPORATION

For Gold Corporation and its subsidiaries this information is up until 30 September 2003

- (a) \$520,469.00
- (b)-(c)

Name	Amount
Baker & McKenzie	210,637.00
Blake Waldron	15,751.00
Freehills	288,441.00
Parker & Co	4,800.00
Van Zeller	840.00
Total	\$520,469.00
- (d)
  - Legal advice on proposed new business ventures.
  - Legal advice on general and ongoing business issues.
  - Legal advice on human resources and employment matters.

GOVERNMENT EMPLOYEES SUPERANNUATION BOARD;

In respect to the Government Employees Superannuation Board:

- (a) \$1 290 757.07 as at 28 October 2003
- (b)
  - Crown Solicitor's Office
  - Blake Dawson Waldron
  - Downings Legal
  - Michael Lurie and Associates
  - Deacons
  - Minter Ellison
  - Freehills
  - Phillips Fox
- (c)

Crown Solicitor's Office	\$15 491.15
Blake Dawson Waldron	\$1 210 077.74 (of which \$1 081 693.47 related to the management of Central Park, of which \$402 739.79 is recoverable from tenants)
Downings Legal	\$17 673.31
Michael Lurie and Associates	\$2 569.60
Deacons	\$14 794.16
Minter Ellison	\$9 916.54
Freehills	\$3 046.00
Phillips Fox	\$17 188.57
- (d)
  - Crown Solicitor's Office – legal advice generally on the interpretation of legislation governing the GESB
  - Blake Dawson Waldron – legal advice relating to the investment function of the Board and to the management of Central Park.
  - Downings Legal – legal advice relating to the investment function of the Board
  - Michael Lurie and Associates – legal advice relating to the investment function of the Board
  - Deacons – legal advice generally on compliance obligations

Minter Ellison – legal advice relating to corporate governance  
Freehills – legal advice relating to corporate governance  
Phillips Fox – legal advice on industrial relations issues

#### INSURANCE COMMISSION OF WA

- (a) Since 19 February 2001 and until 30 September 2003, a total of \$33,442,888.89, excluding legal services for the Bell Recovery Action, has been spent on all legal services. Of this total amount, \$21,670,138.93 was for legal services related to settling Motor Vehicle Personal Injury insurance claims in which both legal advice and legal services were provided up until 6 October 2003. A further \$11,542,902.65 relates to legal services and advice for settlement of insurance claims made with RiskCover. The remaining \$229,847.31 relates to general legal advice and services for a variety of matters including industrial advice; tender advice, and advice in relation to legislation up until 17 September 2003.

- (b)-(d) See tabled paper. A provides the name and amount paid to each provider of legal advice and the service for which the payments were made to the Insurance Commission in relation to general legal advice. [See paper No 1909.]

The legal advice from the Crown Solicitor's Office to the Insurance Commission of Western Australia is that by reason of section 10B of the Insurance Commission of Western Australia Act 1986, the Insurance Commission is precluded from divulging the requested information where the legal practitioner is acting as an agent. Section 10B of the Insurance Commission of Western Australia Act 1986 – "Confidential Information" states

- (1) Nothing in this Act entitles the Minister to have information in the possession of the Commission concerning the affairs of the Commission in a form that –
- (a) discloses the identity and affairs of any person who is or has been a customer of the Commission in the person's capacity as such a customer; or
  - (b) might enable the identity and affairs of any such person in that capacity to be ascertained.

"Customer" is defined in section 10B(3) as "a person who is or may become a current or former insured party of, or a claimant against, the Commission and an agent, broker or attorney appointed or engaged by the Commission."

The amounts spent on legal services and advice for settlement of insurance claims on behalf of the Insurance Commission of Western Australia's Motor Vehicle (Third Party) Personal Injury Division and RiskCover Division are where legal practitioners acted as agents of the Insurance Commission of Western Australia.

#### LOTTERYWEST

Information is up until 30 September 2003

- (a) Total amount spent on legal fee including expense reimbursement \$275,385.55
- (b) Corrs Chambers Westgarth and Wray & Associates
- (c) Corrs Chambers Westgarth - \$248,757.80  
Wray & Associates - \$26,627.75
- (d) Corrs Chambers Westgarth Services :
  - providing continuing legal advice
  - development of new Retailer Agreement
  - conveyancing of property purchase
  - review of significant supplier contact
  - managing intellectual property dispute
  - drafting and registration of deeds associated with community grants
  - litigation advice related to false lottery claims and disputed prizesWray & Associates services :
  - advice on trade marks
  - registration of trade marks
  - renewal of trade marks

#### RACING AND GAMING DEPARTMENT OF

The following information is current as at 24 October 2003:

Department of Racing, Gaming and Liquor

- a) \$9,742.
- b) Department of Justice.
- c) \$9,742.
- d) Professional services.

Burswood Park Board

- a) \$5,940.
- b) Watts & Woodhouse, Solicitors and Legal Consultants.
- c) \$5,940, Watts & Woodhouse.
- d) Professional services.

Totalisator Agency Board

- a) \$543,395.
- b) Minter Ellison; Wray and Associates.
- c) Minter Ellison - \$506,019.  
Wray & Associates - \$37,376.
- d) Professional services.

Western Australian Greyhound Racing Association

- a) \$15,843.
- b) Watts & Woodhouse, Solicitors and Legal Consultants.
- c) \$15,843, Watts & Woodhouse.
- d) Professional services.

WATER CORPORATION

- (a) \$6,457,879 – for the period 19 February 2001 to 9 October 2003
- (b) Freehills, Phillips Fox, Blake Dawson Waldron, Corrs Chambers Westgarth.
- (c) 

Blake Dawson Waldron	\$22,569
Corrs Chambers Westgarth	\$152,540
Freehills	\$5,738,141
Phillips Fox	\$544,629
- (d) Legal advice and assistance to support the Water Corporation's capital investment program and operations, and to represent the Corporation in litigation.