

PART I

ALL PORTFOLIOS ARE REQUESTED TO COMPLETE PART I.

If you cannot answer a question, please indicate whether the question is NOT APPLICABLE or if INFORMATION IS NOT AVAILABLE.

Section 1: Contact details

1.1 Portfolio

1.2 Reporting and financial arrangements are governed by:
(Please indicate with a 'X' whether one or more of the following Acts apply)

	YES	NO
<i>Financial Management and Accountability Act 1997</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Commonwealth Authorities and Companies Act 1997</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Other

1.3 Contact Officer

Position

Phone

Fax

Email

Address

This section asks about your portfolio’s total revenues, charges and expenses (but not including the revenues, charges and expenses of agencies that will be completing separate responses to this questionnaire - see Attachment A). All portfolios should com

Section 2: Portfolio revenues, charges and expenses

(Please indicate with a 'X' which response applies)

2.1 Has your portfolio charged any cost recovery fees, levies or other charges in the last five financial years?

YES	NO
X	

Relevant charges include any fees, levies, taxes (including some customs and excise duties earmarked for specific purposes) or other charges which arise from the services, programs or business activities of your portfolio, and which are collected by your portfolio, or by another agency on your behalf. For example, application fees, processing charges, consultancy fees, publication sales, special industry duties, excises or levies other than general taxation.

2.2 Were any of the appropriations allocated to your portfolio in the last five financial years linked (hypothecated) to revenue collected from fees, levies or charges (for example, levies paid to the Consolidated Revenue Fund but earmarked for allocation to your portfolio)? (Whether the revenue was collected by your portfolio or by another agency on your behalf).

YES	NO
	X

2.3 Has your portfolio considered introducing any cost recovery arrangements in the past that were not implemented?
(Please attach any relevant reviews, analysis or other information.)

YES	NO
	X

2.4 Is your portfolio considering introducing any cost recovery arrangements in the future?
(Please attach any relevant reviews, analysis or other information.)

YES	NO
	X

If you answered NO to questions 2.1 and 2.2, you need not answer any further questions. Thank you for your cooperation. Please return the questionnaire to the Commission (see front sheet for instructions).

If you answered YES to EITHER question 2.1 OR question 2.2 OR both, please complete section 3 below, and Part II on the following worksheet.

Section 3: Portfolio revenues and expenses

Please do not include the revenues and expenses in this section of agencies that will be completing separate responses to this questionnaire (see Attachment A).

	YES	NO
3.1 Does your portfolio classify revenues and expenses as agency and administered? <i>Agency revenues and expenses are those controlled by the department/agency (for example, employee and administrative expenses). Administered revenues and expenses are those which are controlled by Government and managed or oversighted by the department/a</i>	X	

If your portfolio classifies revenues and expenses as 'agency' and 'administered' then please fill in both tables below. If your portfolio does not classify revenues and expenses as 'agency' and 'administered' then please p all revenues and expenses in

AGENCY portfolio revenues and expenses (Please use \$'000)

	1995-96	1996-97	1997-98	1998-99	1999-2000
Agency revenue from cost recovery (a)					
3.2 Cost recovery revenue retained by your portfolio *	162,120	157,132	137,052	68,488	46,893
3.3 Cost recovery revenue paid to CRF and appropriated to your portfolio (or another agency for a specific purpose (ie. annotated, hypothecated or earmarked revenues)	0	0	0	0	0
3.4 Cost recovery revenue paid to CRF and not specifically appropriated to your portfolio (or another agency)	0	0	0	0	0
3.5 Total agency revenue from cost recovery	162,120	157,132	137,052	68,488	46,893
Agency revenue from other sources					
3.6 Other appropriations	0	0	0	0	0
3.7 Other sources (eg. asset sales, dividends, interest, funding from other government agencies)	38,680	6,857	6,180	2,968	5,124
3.8 Total agency revenue from other sources	38,680	6,857	6,180	2,968	5,124
3.9 Total portfolio agency revenue	200,800	163,989	143,232	71,456	52,017
3.10 Total agency expenses	285,216	271,826	295,661	183,920	206,205

CRF Consolidated Revenue Fund

(a) Include all revenue from fees, levies, excises and other charges which arise from the services or activities of your portfolio, and which is paid to your portfolio, to another agency or to the Consolidated Revenue Fund.

* Years 1995-96 to 1998-99 include the Australian Government Solicitor. The AGS separated from the Dept on 1/9/1998.

ADMINISTERED portfolio revenues and expenses (Please use \$'000)

	1995-96	1996-97	1997-98	1998-99	1999-2000
Administered revenue from cost recovery (a)					
3.11 Cost recovery revenue retained by your portfolio	0	0	0	0	0
3.12 Cost recovery revenue paid to CRF and appropriated to your portfolio (or another agency for a specific purpose (ie. annotated, hypothecated or earmarked revenues)	0	0	0	0	0
3.13 Cost recovery revenue paid to CRF and not specifically appropriated to your portfolio (or another agency) *	217,985	14,421	18,629	29,303	32,889
3.14 Total administered revenue from cost recovery	217,985	14,421	18,629	29,303	32,889
Administered revenue from other sources					
3.15 Other appropriations	0	0	0	0	0
3.16 Other sources (eg. asset sales, dividends, interest, funding from other government agencies)	6,496	6,427	4,509	1,873	10,397
3.17 Total administered revenue from other sources	6,496	6,427	4,509	1,873	10,397
3.18 Total portfolio administered revenue	224,481	20,848	23,138	31,176	43,286
3.19 Total administered expenses	224,481	20,848	23,138	31,176	43,286

CRF Consolidated Revenue Fund

(a) Include all revenue from fees, levies, excises and other charges which arise from the services or activities of your portfolio, and which is paid to your portfolio, to another agency or to the Consolidated Revenue Fund.

* The Australian Securities and Investments Commission ceased to be part of the portfolio after 1995-96

End of Part I. Please complete Part II, which is on a separate worksheet.

PART II

If your portfolio operated any cost recovery arrangements in 1999-2000, please complete this part. Please fill out a separate form for each sub-unit, cost recovery program or activity, or output or outcome for which you are reporting. Similar cost recovery arrangements may be reported in groups.

PART II(a)

Name of sub-unit, agency, program or activity, output or outcome

Office of International Law and Office of Legislative Drafting

Section 4: Cost recovery arrangements in 1999-2000

Descriptive material

4.1	Nature of cost recovery arrangement (eg. licence fee, service charge, hypothecated excise tax or levy etc)	Fee for service
4.2	Basic description of arrangements: (Please attach any relevant documents.)	Department and agencies seek legal advice or assistance in drafting regulations
4.3	Who pays the cost recovery charges?	Clients who obtain the service
4.4	Who benefits from the program or activity, output or outcome?	Clients by acting on the legal advice provided to them
4.5	Do you attempt to measure these benefits? If YES, how?	No
4.6	Are there alternate providers or substitutes for this program or activity, output or outcome? (Please describe)	Yes. Private legal firms in-house staff
4.7	When was this cost recovery arrangement introduced?	1992-93

Name of sub-unit, agency, program or activity, output or outcome

Australian Protective Service

Descriptive material

4.1	Nature of cost recovery arrangement (eg. licence fee, service charge, hypothecated excise tax or levy etc)	Fee for service
4.2	Basic description of arrangements: (Please attach any relevant documents.)	Provision of protective security services to diplomatic and consular missions, visiting dignitaries and holders of high office, other agencies and clients.
4.3	Who pays the cost recovery charges?	Clients who obtain the service
4.4	Who benefits from the program or activity, output or outcome?	Government in meeting its international obligations, and clients who obtain services
4.5	Do you attempt to measure these benefits? If YES, how?	No
4.6	Are there alternate providers or substitutes for this program or activity, output or outcome? (Please describe)	Core national protective security services are provided only by the Australian Protective Service
4.7	When was this cost recovery arrangement introduced?	1988

PART II(b)

Name of sub-unit, agency, program or

Program or activity, output or outcome cost recovery arrangements in 1999-2000 (continued)

(Please use \$'000)

Program or activity, output or outcome revenues		
4.8	Cost recovery revenue paid to CRF earmarked for appropriation to same portfolio	\$ <input type="text" value="0"/>
4.9	Cost recovery revenue paid to CRF earmarked for appropriation to a third party	\$ <input type="text" value="0"/>
4.10	Cost recovery revenue paid to CRF and not earmarked for particular appropriation	\$ <input type="text" value="0"/>
4.11	Cost recovery revenue paid to CRF (subtotal)	\$ <input type="text" value="0"/>
4.12	Cost recovery not paid into CRF	\$ <input type="text" value="1055"/>
4.13	Total cost recovery revenue	\$ <input type="text" value="1055"/>
4.14	Appropriations not related to cost recovery	\$ <input type="text" value="0"/>
4.15	Other sources (please specify)	\$ <input type="text" value="0"/>
4.16	Total program or activity, output or outcome revenues	\$ <input type="text" value="1055"/>
Program or activity, output or outcome expenses		
4.17	Direct expenses	\$ <input type="text" value=""/>
4.18	Indirect expenses (including corporate overheads)	\$ <input type="text" value=""/>
4.19	Third party expenses (a)	\$ <input type="text" value=""/>
4.20	Total program or activity, output or outcome expenses	\$ <input type="text" value="0"/>
Administration costs		
4.21	What costs are associated with administering the cost recovery arrangements?	\$ <input type="text" value="0"/>

Costs cannot be separately identified

CRF Consolidated Revenue Fund. Direct costs are those directly related to a particular program. Indirect costs include indirect agency overheads and general running costs. (a) Include third party costs where third parties are involved in a program or acti

Name of sub-unit, agency, program or activity, output or outcome

Program or activity, output or outcome cost recovery arrangements in 1999-2000 (continued)

(Please use \$'000)

Program or activity, output or outcome revenues		
4.8	Cost recovery revenue paid to CRF earmarked for appropriation to same portfolio	\$ <input type="text" value="0"/>
4.9	Cost recovery revenue paid to CRF earmarked for appropriation to a third party	\$ <input type="text" value="0"/>
4.10	Cost recovery revenue paid to CRF and not earmarked for particular appropriation	\$ <input type="text" value="0"/>
4.11	Cost recovery revenue paid to CRF (subtotal)	\$ <input type="text" value="0"/>
4.12	Cost recovery not paid into CRF	\$ <input type="text" value="63461"/>
4.13	Total cost recovery revenue	\$ <input type="text" value="63461"/>
4.14	Appropriations not related to cost recovery	\$ <input type="text" value="0"/>
4.15	Other sources (please specify)	\$ <input type="text" value="0"/>
4.16	Total program or activity, output or outcome revenues	\$ <input type="text" value="63461"/>
Program or activity, output or outcome expenses		
4.17	Direct expenses	\$ <input type="text" value=""/>
4.18	Indirect expenses (including corporate overheads)	\$ <input type="text" value=""/>
4.19	Third party expenses (a)	\$ <input type="text" value=""/>
4.20	Total program or activity, output or outcome expenses	\$ <input type="text" value="62474"/>
Administration costs		
4.21	What costs are associated with administering the cost recovery arrangements?	\$ <input type="text" value=""/>

Direct and indirect cost split are not available

CRF Consolidated Revenue Fund. Direct costs are those directly related to a particular program. Indirect costs include indirect agency overheads and general running costs. (a) Include third party costs where third parties are involved in a program or acti

PART II(c)

Name of sub-unit, agency, program or activity, output or outcome

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Section 5: Institutional arrangements

<p>5.1 What was the rationale for introducing these cost recovery arrangements? (Please attach sources, eg. legislative objects clauses, press releases, second reading speeches.)</p>	<p>Government policy on user pays arrangements for certain legal services</p>
<p>5.2 What was the legal basis for establishing these cost recovery arrangements: (Please name and attach relevant documents.)</p> <p>Legislation (eg. s.31 of the Financial Management and Accountability Act, tax or levy acts)</p> <p>Subordinate legislation (eg. regulations, standards)</p> <p>Co-regulation or quasi-regulation</p> <p>Commonwealth/State/Territory agreement</p> <p>Voluntary arrangements (eg. codes of practice)</p> <p>Other</p>	<p>Section 31 of the Financial Management and Accountability Act</p>
<p>5.3 Who was consulted about introducing these cost recovery arrangements? (Please name relevant bodies and describe the consultation arrangements.)</p> <p>Commonwealth government (DOFA etc)</p> <p>Other governments (state, territory, local)</p> <p>Industry</p> <p>Consumers</p> <p>Other</p>	<p>Government departments and agencies</p>
<p>5.4 What guidelines were consulted when establishing these cost recovery arrangements? (Please attach source of information, guidelines etc.)</p>	<p>No guidelines were used. Regard was had to the Government's policy on user pays.</p>
<p>5.5 Which agency is responsible for the following activities? (Please name relevant agency)</p> <p>Policy setting</p> <p>Price setting</p> <p>Administration</p> <p>Revenue collection</p>	<p>Government</p> <p>Attorney-General's Department</p> <p>Attorney-General's Department</p> <p>Attorney-General's Department</p>
<p>5.6 Is there any ongoing consultation about these cost recovery arrangements? With whom? (Please name relevant bodies.)</p> <p>Commonwealth government (DOFA etc)</p> <p>Other governments (state, territory, local)</p> <p>Industry</p> <p>Consumers</p> <p>Other</p>	<p>No</p>
<p>5.7 Please describe these consultation arrangements.</p>	

Productivity Commission Cost Recovery Inquiry: Questionnaire

5.8 Have the cost recovery arrangements been formally reviewed? What was the outcome? (Please attach copy of review)

The fee schedule is reviewed in accordance with movements in the market

Productivity Commission Cost Recovery Inquiry: Questionnaire

Name of sub-unit, agency, program or activity, output or outcome	Australian Protective Service
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Section 5: Institutional arrangements

5.1	What was the rationale for introducing these cost recovery arrangements? (Please attach sources, eg. legislative objects clauses, press releases, second reading speeches.)	Government policy decision on cost recovery arrangements for protective security services provided by the APS.
5.2	What was the legal basis for establishing these cost recovery arrangements: (Please name and attach relevant documents.)	Section 20 of the Financial Management and Accountability Act
	Legislation (eg. s.31 of the Financial Management and Accountability Act, tax or levy acts)	
	Subordinate legislation (eg. regulations, standards)	
	Co-regulation or quasi-regulation	
	Commonwealth/State/Territory agreement	
	Voluntary arrangements (eg. codes of practice)	
	Other	
5.3	Who was consulted about introducing these cost recovery arrangements? (Please name relevant bodies and describe the consultation arrangements.)	Relevant Government departments and agencies
	Commonwealth government (DOFA etc)	
	Other governments (state, territory, local)	
	Industry	
	Consumers	
	Other	
5.4	What guidelines were consulted when establishing these cost recovery arrangements? (Please attach source of information, guidelines etc.)	No guidelines were used. Regard was had to the Government's policy on cost recovery.
5.5	Which agency is responsible for the following activities? (Please name relevant agency)	
	Policy setting	Government
	Price setting	Attorney-General's Department
	Administration	Attorney-General's Department
	Revenue collection	Attorney-General's Department
5.6	Is there any ongoing consultation about these cost recovery arrangements? With whom? (Please name relevant bodies.)	No
	Commonwealth government (DOFA etc)	
	Other governments (state, territory, local)	
	Industry	
	Consumers	
	Other	
5.7	Please describe these consultation arrangements.	
5.8	Have the cost recovery arrangements been formally reviewed? What was the outcome? (Please attach copy of review)	Fees are reviewed annually in accordance with cost movements or are negotiated in accordance with market conditions in settling service level contracts.

PART II(d)

Name of sub-unit, agency, program or activity, output or outcome

Office of International Law and Office of Legislative Drafting

Section 6: Price setting arrangements

6.1 How are these cost recovery charges determined? (Please attach any relevant documents)

(i) How are charges set? (eg. by formula in legislation or based on 'market prices')

Based on costs and market prices

(ii) Are charges directly related to the costs of particular activities, outcomes or outputs, or charged on some other basis? (eg. levies on users' turnover, profits or assets)

Based on cost of service

6.2 If charges are directly related to the costs of particular activities, outputs or outcomes:

(i) What costs do charges aim to recover? (eg. only direct costs or indirect costs such as overheads)

All costs

(ii) What proportion of these costs do charges aim to recover? (%)

100%

(iii) Does the charging regime require assets to be valued? (eg. to allow the calculation of user cost of capital or return on assets)

Yes

(iv) If 'YES' to (iii), on what basis are assets valued? (eg. historic, replacement, deprival or replacement cost)

Deprival

(v) Do charges include a user cost of capital?

Yes

(vi) If 'YES' to (iv), how is it calculated?

12% on net assets as set by the Department of Finance and Administration

(vii) Do charges include return on assets? (eg. profit)

No

(viii) If 'YES' to (vii), on what basis?

(ix) Do charges discriminate between types of users?

No

(x) If 'YES' to (ix), on what basis?

(xi) Do charges allow for access and equity considerations (eg. waivers, discounts)?

Not applicable

(xii) If 'YES' to (xi), on what basis?

(xiii) Other (Please describe other significant features)

6.3 How are indirect costs allocated for cost recovery arrangements? (eg. activity based costing, according to share of direct costs or other rule.)

Share of direct costs

6.4 Are there any price controls on these charges?

No

6.5 How often is the level of charges changed?

Aligned with changes to Australian Government Solicitor

6.6 What happens if revenue recovered is greater than costs incurred?

Retained by Department - amount is not material

Name of sub-unit, agency, program or activity, output or outcome	Australian Protective Service
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Section 6: Price setting arrangements

6.1 How are these cost recovery charges determined? (Please attach any relevant documents)	
(i) How are charges set? (eg. by formula in legislation or based on 'market prices')	Based on costs and market prices
(ii) Are charges directly related to the costs of particular activities, outcomes or outputs, or charged on some other basis? (eg. levies on users' turnover, profits or assets)	Based on cost of service
6.2 If charges are directly related to the costs of particular activities, outputs or outcomes:	
(i) What costs do charges aim to recover? (eg.	All costs
(ii) What proportion of these costs do charges aim to recover? (%)	100%
(iii) Does the charging regime require assets to be valued? (eg. to allow the calculation of user cost of capital or return on assets)	Yes
(iv) If 'YES' to (iii), on what basis are assets valued? (eg. historic, replacement, deprival or replacement cost)	Deprival
(v) Do charges include a user cost of capital?	No
(vi) If 'YES' to (iv), how is it calculated?	
(vii) Do charges include return on assets? (eg. profit)	Yes
(viii) If 'YES' to (vii), on what basis?	Negotiated dividend return to DoFA
(ix) Do charges discriminate between types of users?	No
(x) If 'YES' to (ix), on what basis?	
(xi) Do charges allow for access and equity considerations (eg. waivers, discounts)?	Not applicable
(xii) If 'YES' to (xi), on what basis?	
(xiii) Other (Please describe other significant features)	
6.3 How are indirect costs allocated for cost	Share of direct costs
6.4 Are there any price controls on these	No
6.5 How often is the level of charges changed?	Annually, generally
6.6 What happens if revenue recovered is	Retained by APS

End of Part II. Thank you for your cooperation. Please return the questionnaire and attachments to the Commission (see front sheet for instructions)