

s 22

From: Kathryn Haigh
Sent: Thursday, 18 July 2019 5:36 PM
To: s 22
Cc: s 22
Subject: RE: For consideration and approval - Engagement of Ric Walters in connection with AAT matter [SEC=OFFICIAL]

Security Classification: OFFICIAL

OFFICIAL

Thanks

I agree s 22

s 22

Thanks
Kathryn

Kathryn Haigh | National Manager, Legal & Policy | AUSTRAC | s 22

OFFICIAL

From: s 22
Sent: Wednesday, 17 July 2019 5:24 PM
To: Kathryn Haigh s 22
Cc: s 22
Subject: For consideration and approval - Engagement of Ric Walters in connection with AAT matter [SEC=OFFICIAL]

OFFICIAL

Hi Kathryn

Further to our conversation about the AAT industry contribution levy dispute yesterday, I have spoken to Ric Walters about the prospect of assisting AUSTRAC with the dispute. In summary:

s 22

s 22

Kind regards

s 22

s 22 | Senior Legal Officer
Legal and Policy Branch

P: s 22
E: s 22

 @AUSTRAC W: www.austrac.gov.au



OFFICIAL

Released under Freedom of Information Act 1982 on 25/02/2020

s 22

From: s 22
Sent: Monday, 5 August 2019 9:10 AM
To: s 22 ; Ben Skaines
Subject: RE: Spending proposal to procure Ric Walter's service as a consultant [SEC=OFFICIAL]

Security Classification:
OFFICIAL

OFFICIAL

s 22

s 22 | Senior Legal Officer, Legal and Policy Branch | AUSTRAC | s 22

OFFICIAL

From: s 22
Sent: Monday, 5 August 2019 9:07 AM
To: Ben Skaines s 22
Cc: s 22
Subject: RE: Spending proposal to procure Ric Walter's service as a consultant [SEC=OFFICIAL]

OFFICIAL

s 22

OFFICIAL

From: Ben Skaines s 22
Sent: Monday, 5 August 2019 9:00 AM
To: s 22
Cc: s 22
Subject: RE: Spending proposal to procure Ric Walter's service as a consultant [SEC=OFFICIAL]

OFFICIAL

Hi s 22

My branch has such a small budget, and this was not planned at the budget development stage. However, given he is going to be providing expertise that was gained from working within the Finance area it does make sense. The cost code is s 22.

Ben

OFFICIAL

From: S 22
Sent: Thursday, 1 August 2019 9:26 AM
To: Ben Skaines S 22
Cc: S 22
Subject: Spending proposal to procure Ric Walter's service as a consultant [SEC=OFFICIAL]

OFFICIAL

Dear Ben

As previously flagged with you, S 22 it would be very helpful to have Ric Walters available to assist with AUSTRAC's defence of the TNTC appeal in relation to the IC levy dispute, given his familiarity with the IC levy scheme and ability to give authoritative evidence.

We are in the process of undertaking the necessary procurement steps to bring Ric on board as a consultant for this purpose. I was wondering whether your area would pay for Ric's fees S 22

S 22

Please advise whether Finance would pay for procurement of Ric's service? If so, please advise the cost centre code and S 22 will prepare the spending proposal for your approval.

Kind regards

S 22 | Director Legal / Principal Legal Officer, Legal and Policy Branch | AUSTRAC | S 22

OFFICIAL

Released under Freedom of Information Act 1982 on 25/02/2020



**Low Value Spending Proposal -
 \$10,000 - \$80,000 (GST inclusive)**

This Low Value Spending Proposal should be used for a procurement valued between \$10,000 and \$80,000 (GST inclusive).

This spending proposal is seeking the delegate's approval to engage Ric Walters to assist AUSTRAC with the conduct of the Administrative Appeals Tribunal proceeding *The Northern Trust Company v the CEO, AUSTRAC*.

Ben Skaines

National Manager, Strategic Planning, Finance and Performance

Business Area	Finance
Reference Number	AC1712
Contract Manager	s 22

Proposal Details

Background Information	<p>AUSTRAC is the respondent in the Administrative Appeals Tribunal matter 2019/2741 – <i>The Northern Trust Company v Chief Executive Officer, AUSTRAC</i>. The question in this dispute, in summary, is whether AUSTRAC assessed the Northern Trust Company's liability to pay the industry contribution levy at an unfairly high amount.</p> <p>s 22</p> <p>to be successful in this dispute, it will be necessary for it to identify a witness who has expert knowledge of the industry contribution levy. s 22</p> <p>Ric Walters, formerly AUSTRAC's Chief Finance Officer, does have the necessary knowledge and expertise to perform this role. s 22</p>	<p>Provide appropriate background information that is necessary for the Relevant Delegate to review the course of action you are recommending. For example, what is the business need and why is the procurement required.</p>
------------------------	--	--

Released under Freedom of Information Act 1982 on 25/02/2020

S 22

§ 22

Released under Freedom of Information Act 1982 on 25/02/2020

§ 22

Released under Freedom of Information Act 1982 on 25/02/2020

§ 22

Released under Freedom of Information Act 1982 on 25/02/2020

Recommendation

I recommend that you approve this spending proposal.

Recommending Officer	
Name: s 22	Signature: s 22
Title: Senior Legal Officer	Business Area: Legal
Date: 15.08.2019.....	

AUSTRAC Procurement and Contracting Team

APCU has reviewed this spending proposal based on the information provided by the Business Area and has assessed it as either compliant or not compliant with the *Commonwealth Procurement Rules*.

This procurement has been assessed as:	
<input checked="" type="radio"/> Compliant	<input type="radio"/> Not Compliant
Name: s 22	Signature: s 22
Title: Manager, Procurement & Contracts	Date: 13 August 2019
Comments (if applicable): This Spending Proposal has been assessed as complaint noting the reasons for the direct approach have been documented and the Department of Finance consultancy test has been undertaken to confirm this consultancy. We encourage all personnel to ensure any conflicts of interest are adequately recorded in a Conflict of Interest Declaration form.	

Approval of Proposal to Spend Relevant Money

To check financial delegations please refer to the [AUSTRAC Financial Delegations](#)

Approval of Proposal to Spend Relevant Money in accordance with the PGPA Act
I, the undersigned, as Relevant Delegate for this proposal to spend relevant moneys, attest that: <ol style="list-style-type: none"> I am the appropriate delegate of the Chief Executive Officer of the Australian Transaction and Reporting Centre for the approval of such payments; I have made all reasonable enquiries to satisfy myself that there is sufficient appropriation to meet this commitment and that the expenditure is: <ul style="list-style-type: none"> not inconsistent with the policies of the AUSTRAC and the Commonwealth; and will be a 'proper use' of relevant money. The approval complies with the APS Code of Conduct, particularly in relation to avoiding conflicts of interest.

- APPROVED
- NOT APPROVED
- FURTHER CLARIFICATION REQUIRED

Signature	
Relevant Delegate	Ben Skaines
	National Manager, Strategic Planning, Finance and Performance

Date

15/8/2019

Released under Freedom of Information Act 1982 on 25/02/2020