

# Attorney General's rate for Legal Representation as at 1 August 2021

## Fact Sheet

### The Attorney General's rates

The Attorney General's rates for legal representation (also referred to as **AG's rates** or **Attorney's rates**) are rates set by the Attorney General which are payable to legal representatives (Solicitors, Junior and Senior Counsel) engaged by and on behalf of Government departments and agencies and public officials. Agencies can negotiate lower rates where appropriate having regard to the matter, the experience of the practitioner/counsel and the need to keep legal costs to government reasonable.

The AG's rates in respect of Senior Counsel governed by [C2018-06](#) apply to all government departments and agencies unless approval has been granted by the Attorney General to apply higher rates in accordance with Premier's Memorandum 2009-17.

### When do the Attorney General's rates apply?

The AG's rates apply to Senior Counsel approved under [C2018-06](#).

In respect of Junior Counsel and Solicitors the rates apply to matters such as:

- Ex gratia representation as approved by the Attorney General under [PM19-01](#); and
- costs associated with certificates under the *Suitor's Fund Act* and with the *Costs in Criminal Cases Act*.

The AG's rates include all overheads, secretarial, legal and administrative assistance but not out of pocket disbursements and are GST exclusive.

### What are the current Attorney's rates?

On 28 July 2021, the Australian Bureau of Statistics announced the annual inflation rate rose over the year to 30 June 2021. Accordingly, the Attorney General decided the AG's rates would be raised at the rates announced on 1 August 2021. The AG's rates will be reviewed mid-August 2022.

### The current rates are:

**Solicitor - \$306.21 per hour with a daily maximum of \$3,062 plus GST**

**Junior Counsel - \$306.21 per hour with a daily maximum of \$2,297 plus GST**

**Senior Counsel - \$506.54 per hour with a daily maximum of \$5,065 plus GST**

The daily maximum for Solicitors and Senior Counsel is based on a **10 hour day**. The daily maximum for Junior Counsel is based on a **7.5 hour day**. There is no entitlement to the maximum daily rate.

### Do the AG's rates apply to Panel firms?

Where external legal representatives are engaged under the NSW Government Legal Services Panel, the terms of the Treasury Managed Fund Panel (**TMF**), the Health Panel or the Legal Representation Office (**LRO**), rates for these solicitors have been set under the relevant Panel agreements.

### What are the Crown Solicitor's Rates?

The AG's rates for Solicitors do not apply to the Crown Solicitor or the Crown Solicitor's Office. The Crown Solicitor's Rates are the rates for engagement for Junior Counsel set by the NSW Crown Solicitor. For consistency, the Crown Solicitor has applied the Attorney's rates as the maximum payable to Junior Counsel in all matters.

**The AG's Rates will be reviewed mid 2022.**

For more information visit the [AG's rates info page](#)