



ATTORNEY-GENERAL
THE HON. ELISE ARCHER MP

**Guidelines for debt collection by
Solicitor-General Litigation Section**

1. The Attorney-General has directed the Solicitor-General to undertake the State's civil litigation.¹ The Litigation Section of the Solicitor-General's office ('SGO') undertakes those functions.
2. In accordance with Treasurer's Instruction FC-17 (Engagement of Legal Practitioners) Accountable Authorities under the *Financial Management Act 2016* must refer all requests for civil litigation services to the SGO.
3. This guideline applies to debt collection matters for amounts of \$10,000.00 or less ('debt collection matters'). It is intended to ensure that the Crown maintains control of its legal proceedings, ensures value for money and that external legal firms who are instructed to take recovery proceedings on behalf of the Crown do so as model litigants.
4. An Agency may, in the first instance, refer debt collection matters to a debt collection agency, without instructing the SGO.
5. Where the debt collection agency is unable to recover a debt referred to it by an Agency, it must not commence, or instruct solicitors to commence, legal proceedings. Should legal proceedings be required to recover the debt, the referring Agency must either: refer the matter to the SGO (Litigation); or direct the debt collection agency to do so.

Queries

6. Any queries about the scope, or effect of these guidelines, should be referred to the SGO.

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¹ Direction to the Solicitor-General dated 20 February 2021, under the *Solicitor-General Act 1983*, s 7(b).