

CURRICULUM VITAE

PETER KIDD

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Date of Birth: 31 October, 1959

Nationality: Australian

Security clearance: Top Secret

Qualifications: Tertiary Education

1978 to 1981: LL B (Hons) - Adelaide University
1982: Graduate Diploma of Legal Practice - South
Australian Institute of Technology
1990: Corporate Accounting for Solicitors -
University of London
1990: Legal Accounting - Guildford University

Secondary Education

1977: Matriculated - Prince Alfred College (Adelaide)

Principal Areas of Practice: Complex and simple procurement, probity, large infrastructure projects, corporate and commercial, mergers and acquisitions, due diligence, legal policy development and training

Admissions: Supreme Court of South Australia
Supreme Court of England and Wales
Supreme Court of Victoria
Supreme Court of ACT
New Zealand

Extra Curricular Activities: Church, Community Agency Work, Cricket, Bridge

SUMMARY

Peter Kidd has extensive experience in working both in private practice and in inhouse positions and advising in relation to major business operations and establishing procurement processes and capabilities with government and business clients.

Until very recently Peter was a Senior Executive Lawyer with the Australian Government Solicitor. Responsibilities included:

- extensive contract management and training
- joint national practice leader of probity and tendering
- procurement and probity adviser to the Australian Rail Track Corporation on its national rail grinding project
- procurement and probity adviser to the market testing for Queensland's \$15bn Logan Renewal Initiative
- sale of Sydney Basin Airports
- numerous water related matters for the Department of Sustainability, Environment, Water, Population and Communities
- major infrastructure projects on Christmas Island and the Cocos (Keeling) Islands
- all international infrastructure projects undertaken by the Overseas Property Office within the Department of Foreign Affairs and Trade including the construction of new embassies in Bangkok (\$600m) and Jakarta (\$400m)
- major procurement and disposals (including T3 sale of Telstra)
- leading teams in complex national matters (including the \$1.4bn Headquarters Joint Operations Command Project - the first full scale PPP project undertaken by the Commonwealth)
- commercial disputes and
- Government policy and regulation.

Inhouse positions include:

- Austrade (Manager, Legal Services)
- Western Mining Corporation Limited
- CRA Limited
- Federal Airports Corporation (privatisation of Parafield and Adelaide Airports)
- Austereo Limited
- general counsel of the SA Synod of the Uniting Church in Australia (pro bono)

Private Practice roles include:

- Clifford Chance (London)
- Finlaysons
- Thomsons (formerly Thomson Playford)

Inhouse position with Western Mining Corporation Limited included responsibilities for:

- legal counsel responsible for gold, copper, talc and engineering
- major resources projects such as the Windarra Gold Mine and the establishment of the Harlequin whole of gold mining arrangements at Norseman in Western Australian Government Solicitor
- environmental law
- management of mining operations and
- fraud and corruption management.

CAREER HISTORY

Career Background:
2002 to 2013

Australian Government Solicitor

Currently a Senior Executive Lawyer with the Australian Government Solicitor. Responsible for providing corporate and commercial legal advice to Government and to Government Business Enterprises. Recent major projects include:

- procurement and probity adviser to the Australian Rail Track Corporation on its national rail grinding project
- procurement and probity adviser to Queensland's market testing for the \$15bn Logan Renewal Initiative
- extensive grants and funding work with NGOs and related organisations
- seconded as Manager, Legal Services for Austrade
- Defence Headquarters Joint Operation Command PPP Project
- sale of Sydney Basin Airports
- T3 Telstra
- numerous water related matters for the Department of Sustainability, Environment, Water, Population and Communities
- major infrastructure projects on Christmas Island and the Cocos (Keeling) Islands
- all international infrastructure projects undertaken by the Overseas Property Office within the Department of Foreign Affairs and Trade including the construction of new embassies in Bangkok (\$600m) and Jakarta (\$400m).

2001

South Australian Government

Contracted by the Government of South Australia to provide specialist high level management, legal and commercial advice to Supply SA, the division of the State Supply Board responsible for Government procurement.

2000 to 2001

Austereo

Contracted for 12 months by Austereo to provide specialist high level management, legal and commercial advice. Responsible for proactive legal and commercial advice in respect of procurement, new products and initiatives and marketing, compliance, advertising and promotions and intellectual property. Responsible for dealing with external lawyers, contract negotiation, risk management and communications.

City of Onkaparinga

1999 Contracted by the City of Onkaparinga to undertake a strategic review of the council's procurement policies, practices and processes and assist it to develop a fully compliant co-ordinated and centralised procurement system..

Pro Bono Legal Work

1999 to 2000 Undertook a role working as inhouse honorary legal counsel for the SA Synod of the Uniting Church in Australia. In this role I undertook a complete audit of the real property held by the church and in this process identified over 50 individual properties which the church held but had no record of or which the church thought it held but which were in fact owned by third parties or which were subject to other title difficulties.

Also responsible for undertaking an insurance audit, establishing a compliant asbestos register across over several hundred properties and for solving the real property title issues identified in the property audit referred to above.

Training

1999 to 2001 Contracted to the Chisholm Institute of Melbourne TAFE to provide *ad hoc* training in respect of contract law, procurement processes, associated oral and communication techniques and skills, risk management, competition policy and associated legislation.

Adelaide Darwin Rail Link

1998 to 1999 Contracted by Thomson Playford, solicitors (Adelaide) to provide specialist high level management, legal and commercial advice to its corporate and commercial team. Specifically contracted to provide specialist procurement legal advice in relation the successful bid by the Australia Pacific Transport Consortium for the Adelaide - Darwin Rail Link BOOT.

1997 to 1998

Federal Airports Corporation

Contracted by the Federal Airports Corporation to provide specialist legal and commercial management and advice in relation to the privatisation of its Airports. Responsible for the provision of team leadership required to ensure that the relevant Due Diligence deadlines were met and that the required outcomes were achieved within those deadlines. Responsible for the provision a bridge between the onsite commercial teams and the legal, corporate finance, financial and other advisers.

**1997
April**

Kinhill Engineers

Contracted by Thomsons, solicitors (Adelaide) to provide specialist high level due diligence and verification advice to its corporate and commercial team. Involved in the Part A acquisition of Kinhill Engineering by an international conglomerate.

1996

Attorney-General's Department

Contracted by the Attorney-General's Department in Canberra to provide high level legal and managerial advice and training in relation to a number of privatisations, corporatisations and commercialisations. Responsible for the provision of strategic legal, commercial and management advice in relation to corporate governance and Company Secretarial obligations, the Corporations Law and in relation to a large range of day to day legal and commercial matters. Responsible for the establishment of various multinational corporate structures in Singapore, Hong Kong and Tokyo.

1995

SA Water Privatisation

Contracted by the South Australian Solicitor General's Office Water to design and implement all relevant due diligence and verification procedures required in respect of the privatisation of SA Water. Involved in the training of lawyers in relation to the privatisation and due diligence processes.

1994

Western Mining Corporation Limited

Contracted as a corporate lawyer within the Perth Legal Department of Western Mining Corporation Limited, assuming responsibility for its gold, copper, talc and engineering operations. Company secretary of Norseman Gold Corporation Limited. Responsible for all levels of procurement, training and contract management regarding these operations.

1993

CRA Limited

Contracted as a corporate lawyer within the Melbourne Legal Department of CRA Limited. Responsible for the conduct of compliance reviews, effecting a partial reorganisation of CRA's Corporate "family tree", advising in relation to various tax structures which had been set in place in Indonesia and the Arbitration of a major dispute (subject to New York law) in relation to an international joint venture. I was also responsible for all applicable commercial, legal, regulatory, compliance and insurance issues.

1991 to 1992

Finlaysons

Upon my return from London in September, 1991 I commenced work as a solicitor with Finlaysons in Adelaide. In this role I was a senior associate within Finlaysons' corporate group with responsibilities for mergers and acquisitions, public floats and general commercial work.

1988 to 1991

Clifford Chance

In September, 1987 I moved to London and in January, 1988 commenced work within the corporate department of Clifford Chance. Clifford Chance was (and remains) the largest law firm in Europe comprising some 15 offices world wide and the experience that I received was both domestic to the United Kingdom and International. In my work at Clifford Chance I was mainly involved with major company secretarial matters and in mergers and acquisitions, joint ventures, rights issues, public offers and group reorganisations and, to a lesser extent, bids, financial services and flotations.

This work included an involvement with the UK Water Privatisation, the Polly Peck fund raisings and the £12.5bn UK Olympia & York Docklands Development.

1984 to 1987

Ian Low and Partners

In February 1984 I moved to Wudinna on the far west coast of South Australia to staff the west coast practice of the Adelaide based law firm Ian Low and Partners. In this role I was responsible for a general legal practice covering everything from wills and estates, to the sale and purchase of large farming properties to a range of civil, criminal and family law litigation.

1983

Randle and Co

I start my legal career with a small legal practice in Adelaide. In this role my work was general and varied and covered both commercial and litigious work.

Peter Kidd
Senior Executive Lawyer
Partner



Profile

In his work with government, Peter has been extensively involved in procurement and outsourcing matters as a legal and probity adviser as well as designing and establishing legal, procurement and probity processes with major Commonwealth and South Australian government departments and agencies.

Peter has worked in the private sector, in industry and with government and semi-government agencies over a 30 year career, which includes major state and national projects.

Contact

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Areas of law

Probity | Procurement | Contracts | General commercial | Corporate law | Mergers and acquisitions | Privatisations

Qualifications

Bachelor of Laws (Hons), Adelaide University, 1981

GDLP, South Australian Institute of Technology, 1982

Corporate Accounting, University of London, 1990

Certified trainer, Royal Melbourne Institute of Technology, 1996

Admissions

South Australia, 1982

England and Wales, 1990

Victoria, 1993

Australian Capital Territory, 2005

New Zealand, 2008

Security clearance

Top Secret

Key experience

Qld Department of Housing and Public Works: Procurement and probity adviser to the market testing for the \$15bn Logan Renewal Initiative

Torres Strait Regional Authority (TSRA): Procurement and legal adviser to its proposed procurement process for Torres Strait air charter services. Extensive work in reviewing models and modes of service delivery undertaken by both the TSRA and the Torres Strait Islander Regional Council to ensure that they provide good value and meet the expectations of the Torres Strait Islander community

Department of Environment: Reviewing models and modes of service delivery and project legal adviser on numerous water related matters including:

- Commonwealth's \$2bn investment in the Northern Victoria Irrigation Renewal Project
- Commonwealth's establishment of a range of bioregional watertable assessments of existing and proposed coal seam gas extraction projects across Australia and
- establishment of the Commonwealth's national water buyback platform.

Attorney-General's Department: Procurement and legal adviser to the procurement processes being undertaken by AGD's Territories and Native Title Division for its Indian Ocean Territories including:

- construction of new port facilities for the Cocos (Keeling) Islands
- provision of airport management services for Christmas Island and the Cocos (Keeling) Islands
- provision of port management services for Christmas Island and the Cocos (Keeling) Islands
- provision of asbestos removal and fixing services for Christmas Island and the Cocos (Keeling) Islands
- procurement of generators for Indian Ocean Power Authority
- construction of an electrical workshop for Indian Ocean Power Authority and
- provision of renewable energy advisory services for Christmas Island.

Families, Housing, Community Services and Indigenous Affairs: Procurement and legal adviser to FaHCSIA's Adelaide office in relation to its Municipal Services Provider Selection Process in the Anangu Pitjantjatjara Yankunytjatjara lands in remote South Australia.

Department of Defence – Headquarters Joint Operation Command PPP project: Procurement and legal adviser Defence's \$1.5 billion project; the first public-private partnership to be undertaken by the Commonwealth

Australian Federal Police: Procurement and legal adviser in relation to the market testing for the design and construction of the Majura Road Forensic Facility

National Archives of Australia: Procurement and legal adviser to the \$600m National Archives Preservation Centre Project.

IP Australia: Procurement and legal adviser to the procurement process for a new case management ICT system

Department of the Prime Minister and Cabinet: Procurement and legal adviser to the market testing for the construction and fit-out of a new premises at 3-5 National Circuit, Canberra.

Department of the Prime Minister and Cabinet: Procurement and legal adviser to the market testing processes undertaken in respect of APEC 2007.

Department of the Prime Minister and Cabinet: Procurement and legal adviser to the market testing processes undertaken in respect of the Pacific Islands Forum in 2009.

Department of the Prime Minister and Cabinet: Procurement and legal adviser to the establishment of the COAG reform council; and a number of major ICT procurement projects, including PM&C's recent market testing processes for the Commonwealth's whole of Government core ICT services and telephony management services.

Attorney-General's Department: Procurement and legal adviser to the establishment of the Commonwealth's National Private Property Securities Register and the design and construction of the Prime Minister's Briefing Room in Parliament House.

Attorney-General's Department: Procurement and legal adviser to AGD's Financial Management Branch with facilitating tender evaluations for financial services, internal audit and taxation advisory services, and AGD's Indigenous Law & Justice Branch of tenders to provide Indigenous Legal Aid Services.

Australian Electoral Commission: Procurement and legal adviser to its Gateway procurement project.

Australian Reinsurance Pool Corporation: Procurement and legal adviser to the ARPC in the procurement of the Commonwealth's National Reinsurance Brokerage requirements.

CrimTrac: Procurement and legal adviser to CimTrac's ICT infrastructure procurement project.

Department of Broadband, Communications and the Digital Economy: Procurement and legal adviser to the outsourcing of LAN, WAN, servers and desktops and voice ICT requirements.

Department of Climate Change: Procurement and legal adviser to the emissions permits procurement project.

Department of Education, Employment and Workplace Relations: Procurement and legal adviser to the design and construction of two new buildings in respect of its accommodation requirements.

Department of Finance and Deregulation – Christmas Island Detention Centre: Procurement and legal adviser to the construction of the Christmas Island detention centre under an alliance contracting model.

Department of Finance and Deregulation: Procurement and legal adviser to a number of significant commercial projects including the DASFleet Outsourcing Project, Sydney Basin Airport Sales, the sale of ComLand, the Asbestos Disease Modelling Project and the appointment of advisers to the PFI Advisers Panel.

Department of Foreign Affairs and Trade – Overseas Property Office: Procurement and legal adviser to an extensive range of procurements as well as construction and fit out/maintenance work for the Department's overseas property portfolio including current major projects in Bangkok (\$400m); Jakarta (\$600m); Amman; Beijing; Washington; Laos; New Delhi; Paris; Seoul; and Tokyo.

Department of Human Services: Procurement and legal adviser to the National Access Card project.

Emergency Management Australia: Procurement and legal adviser to the Commonwealth's procurement process for its National Emergency Warning System project.

Medicare: Procurement and legal adviser to the Commonwealth's Easyclaim grants project.

National Museum of Australia: Procurement and legal adviser to the design and construction of the Museum's: Australian Journeys and Creating a Country permanent galleries; Circa rotating exhibition and display; and ICT networking requirements.

Recent legal and probity training

Torres Strait Regional Authority: Very recently provided two days of extensive in-house training on Thursday Island in the Torres Strait on *Tips and Tricks in Conducting Funding Rounds Processes and Conducting Evaluation Processes to identify preferred Funding Recipients*.

Department of Water, Heritage and the Arts: Provided extensive in-house training on *Conducting Water Buyback Funding Rounds Processes and Conducting Evaluation Processes to identify eligible Buyback Participants*.

National Archives of Australia: Very recently provided extensive training to Archive's project officers on *Tips and Tricks in Conducting Procurement Processes* and *Conducting Evaluation Processes to Achieve Value for Money*.

Procurement and legal and FMA Act Training: Provided extensive training on the application of probity and probity principles associated FMA Act and FMA Regulations requirements to:

- Department of Foreign Affairs and Trade
- Australian Electoral Commission
- National Museum of Australia
- Attorney-General's Department
- Australian Electoral Commission and
- National Capital Authority.

Relevant experience from past positions

South Australian Government: Prior to joining AGS, engaged by the South Australian Government to provide detailed probity advice in matters such as:

- Supply SA's general procurement processes
- receipt of private sector initiated proposals for the South Australian Spatial Information Integration Services Project
- the South Australian Environment Protection Authority's processes for the procurement of a consultant to provide a framework for the Adelaide Coastal Waters Study and
- the utilisation and administration of the South Australian Department for Environment and Heritage's delegations.

Asia Pacific Transport Consortium: Acted as probity and legal adviser to the successful bidder for the construction of the Adelaide Darwin Rail Link.

London: Acted as legal adviser on the £12.5bn UK Water Privatisation and the £14.5bn London Docklands Development.