

DEPARTMENT OF THE LEGISLATIVE COUNCIL



1996/97

# Annual Report

Year ended 30 June 1997



PARLIAMENT OF NEW SOUTH WALES

# Access to Services

**Located at:** Parliament House  
Macquarie Street  
SYDNEY NSW 2000

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Procedure Office	9230 2331	9230 2876
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Administration Office	9230 2824	9230 2876
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## **Legislative Council's Home Page on the Internet:**

<http://www.parliament.nsw.gov.au/lc>

## **Office operating hours**

The Legislative Council office is open weekdays, excluding public holidays, between 9.00 am and 5.00 pm on non-sitting days, and from 9.00 am until the rising of the House on sitting days.

The Legislative Council normally meets at 2.30 pm on Tuesday and 11.00 am on Wednesday and Thursday. Visitors may attend the sittings at any time and observe proceedings from the public gallery.

## **Visits by the public**

The Legislative Council Chamber and public areas at Parliament House are open for inspection by the public from 9.30 am to 4.00 pm, Monday to Friday, except public holidays. Attendants are on hand to answer questions and provide information.

Organised tours for school and community groups can be booked by telephoning 9230 2440, or the Legislative Council reception desk.

Wheelchair access to the building is available.

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## **ACKNOWLEDGMENT**

This report was compiled by Sandra Hoy, Parliamentary Officer - Policy & Projects

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## LEGISLATIVE COUNCIL

I am pleased to present to the Legislative Council the annual report prepared by the Clerk of the Parliaments on the operations of the Department of the Legislative Council for the year ending 30 June 1997.

A handwritten signature in black ink, appearing to read 'Max Willis', with a long horizontal stroke extending to the right.

Max F Willis, RFD., ED., LLB.  
President of the Legislative Council

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LEGISLATIVE COUNCIL  
NEW SOUTH WALES



PARLIAMENT HOUSE  
SYDNEY N.S.W. 2000  
PH. (02) 230 2321  
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OFFICE OF THE CLERK

The Honourable M F Willis  
President of the Legislative Council  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Mr President

I am pleased to submit for your information and presentation to the House the Annual Report of the Department of the Legislative Council for the year ended 30 June 1997.

While there is no statutory requirement to table an Annual Report, I have arranged publication of this report in the spirit of the Acts which apply to Government Departments, namely the Annual Reports (Departments) Act 1985 and the Public Finance and Audit Act 1983.

Yours sincerely

A handwritten signature in black ink that reads 'John Evans'.

John Evans  
Clerk of the Parliaments

## Charter

The first Legislative Council was established in 1824 by an Act of the British Parliament, Act 4 Geo IV Cap. 96. Under the New Constitution Act of 1853, Act 17 Vic. No. 41, this Council was replaced by a bicameral Parliament consisting of a nominated Legislative Council and an elected Legislative Assembly. The bicameral Parliament first met in 1856.

Since its establishment, the Legislative Council has undergone many changes in line with developments in the system of Government in New South Wales. Today, the Legislative Council comprises 42 Members, elected by the people of New South Wales on a state-wide adult franchise under a system of proportional representation. One half of the Members are elected at simultaneous elections with the Legislative Assembly each 4 years. The Council's powers with respect to the passage of Bills are set out in the Constitution Act 1902.

The Department of the Legislative Council provides procedural, administrative and support services to assist the Members of the Legislative Council in performing their parliamentary duties. These services include research and advice on parliamentary practice and procedure, the preparation of documents for use in the House, and the provision of staff and equipment to Members of the Legislative Council. In addition, the Department is responsible, together with the Legislative Assembly, for the corporate management of all other Departments and Sections within the Parliament which provide services to Members of both Houses of the Parliament.

The Department is accountable to the President of the Legislative Council, who is elected by the Members of the Legislative Council. The Department of the Legislative Council is independent of the New South Wales public service, although many public sector policies and practices are adapted or followed by the Department.

## Charter of Values

### People are our Priority

We will respond quickly to customer demands.

We will provide a service that is unflinching in satisfying customers' expectations.

### Positive Attitude

We focus on getting the job done in a timely and efficient manner.

We ask about your needs and we will work with you to achieve solutions.

### Professional Performance

We will build and maintain a reputation for absolute impartiality and trustworthiness.

We pride ourselves on being competent and cost-effective in the eyes of customers.

In our organisation, excellence in performance wins rewards.

We encourage innovation and initiative.

## Role of the Clerk

The Clerk of the Parliaments is the authority on parliamentary procedures within the Legislative Council of NSW, the sole advisor to the President of the Legislative Council and, as Chief Executive Officer, manages Parliament House and everything within its precincts separately or jointly with the Clerk of the Legislative Assembly.

## Role and Functions of the Department

The Department of the Legislative Council provides services to the Members of the Legislative Council to enable them to perform their parliamentary duties. Four standing committees of the Council are also supported. The three principal program areas of the Department are:

- **Advisory and procedural services** include advice to Members on parliamentary practice and procedure, preparation of documentation for use in the House and production of the records of proceedings of the House and its Committees.
- **Administrative and support services** provide Members with support staff and equipment, administer Members' salaries, allowances and entitlements, and ensure effective delivery of other services available to Members both within and outside Parliament House. Advice and staff are also provided to Committees enabling them to carry out research and prepare reports.
- **Corporate management** involves corporate/strategic planning, budget development, monitoring and reporting (especially finance), personnel and training, industrial/employee relations, and the provision of consultancy services relating to all these functions to Joint Services Departments.

The Legislative Council has administrative responsibility for the major Departments of Building Services, Food and Beverage Services and the Information Technology Services Section.

## Highlights of the Year

- The Court of Appeal Judgment in the case brought by the Treasurer, the Hon Michael Egan, MLC against the President and the Usher of the Black Rod, was delivered on 29 November 1997. The judgment related to the failure of a Minister to comply with an Order for Papers on four separate occasions, his subsequent suspension from the House, and legal proceedings instituted in the Supreme Court by the Minister for unlawful trespass by the President and the Usher of the Black Rod. For details of the judgment refer to page 15.
- The issue of use of freedom of speech under parliamentary privilege was the subject of considerable parliamentary and media debate, following the mention of names of two witnesses in relation to the New South Wales Police Royal Commission.
- A Home Page was introduced on the Legislative Council Lotus Notes, which provides all Members and staff with electronic access to Hansard, the Business Papers and other procedural and corporate documents.
- A computerised Member's Entitlements System produced in-house, has been successfully implemented to improve the efficiency and accuracy of administering Members' Entitlements. Since going 'live', the system has generated considerable interest from other Parliaments faced with similar problems in administering a complex system of Members' entitlements. Once fully trialed, it is the aim of the Legislative Council to provide each Member with access to up to the minute information relevant to their entitlements. The administration of all aspects of entitlements has been streamlined due to the extensive resources and reporting capabilities of this system.
- Accommodation for Members and their staff has been an issue for some time, and after much negotiation the matter is almost resolved. Relocation and refurbishments are anticipated to be completed during the December 1997/January 1998 recess.
- On 6 December 1996 the Hon. Max Willis, President of the Legislative Council hosted a dinner to commemorate 25 years of service to the Legislative Council by Mr John Denton Evans, Clerk of the Parliaments. During his parliamentary career, the Clerk has spearheaded many significant reforms in the Legislative Council.
- A Job Rotation Program was implemented within the Legislative Council targeting staff at the middle management level. This program was adopted to expand and develop the skills held by Council staff, both in order to improve the Council skills base and flexibility as an employer and to assist with individual career development.
- The Treasurer agreed to fund the regrading of the Members' Secretary/Research Assistants from Clerk, Grade 3/4 to Clerk, Grade 4/5 effective July 1996. An all incidence allowance was also approved to be paid to these employees in lieu of overtime. This recognised the contribution these staff make to their Members and has now brought the Legislative Council Members' staff in line with staff in similar roles in the Legislative Assembly.
- The Legislative Council coordinated an official visit of a delegation from the People's Republic of China to the Parliament of New South Wales from 3-8 July 1996. The delegation, consisting of 14 Members and Officers, was led by Vice-Chairman Fang Bao of the Standing Committee of the People's Congress, Guangdong Province, People's Republic of China. The visit was part of the official sister-state agreement with Guangdong aimed at strengthening ties between New South Wales and China.
- A program was organised by the Legislative Council for the visit by Officers of the Thai National Assembly, Mr Somsak Manupichu and Dr Akkharamet from 13-30 August 1996. The visit was part of an exchange program established between the Parliament of New South Wales and the Thai Parliament aimed at increasing the procedural and administrative knowledge and skills of officers of both Parliaments.



- On 12 November 1996, the Governor General of the Solomon Islands visited the Parliament. His Excellency Sir Moses Puibangara Pitakaka was accompanied by Lady Lois Pitakaka. His Excellency was invited to take a chair on the dais on the left of the President.
- In February 1997 the Legislative Council hosted a visit by a delegation from the Solomon Islands led by the Hon Paul Tovua, OBE, MP, Speaker of the Parliament. He was accompanied by four Members of the Parliament of the Solomon Islands and the Clerk of the Parliament. During their visit to Australia, the delegation was presented with a gift from the Parliaments of the Australian States and Territories to the National Parliament of the Solomon Islands. The gifts were two distinguished visitor chairs for the new Parliament House of the Solomon Islands.
- Two distinguished visitors to the Parliament were invited to take a seat on the dais in the Chamber. On 21 May 1997 His Excellency Mr Wanmuhammadnoor Matha, Speaker of the House of Representatives and President of the National Assembly of the Kingdom of Thailand and on 27 May 1997 His Excellency Mr Chuan Leekpai, Leader of the Opposition in the house of Representatives and former Prime Minister of Thailand.
- The Legislative Council jointly organised the official program for the visit to the Parliament of New South Wales by Vice-President Sun Jae Lee and the Delegation of the Seoul Metropolitan Council of Korea from 20–26 May 1997. This was the first visit by the sister-city Seoul Metropolitan Council to the Parliament of New South Wales.
- In June 1997 the President of the Legislative Council, the Hon Max Willis MLC jointly led a Parliamentary delegation with the Speaker of the Legislative Assembly, the Hon John Murray to California, USA. The delegation signed a sister state agreement between the State of New South Wales and the State of California. The sister state relationship aims to identify developing opportunities for increased trade and investment, educational, cultural, scientific and other forms of exchange between the sister states. The Parliament of New South Wales expects to host a return delegation from California at the end of 1997.

## Senior Officers

Clerk of the Parliaments and Clerk of the Legislative Council

**John Evans**

B.Leg.S.

John was appointed Clerk of the Parliaments and Clerk of the Legislative Council in August 1989. He has served the Department of the Legislative Council for 25 years and has held various positions including Usher of the Black Rod, Clerk Assistant and Deputy Clerk. John has accumulated a wealth of knowledge and experience in the management of the Parliament, and in parliamentary practice and procedure which he brings to his roles as chief executive of the Department and principal advisor to the President, Ministers and Members on the proceedings and practices of the House.

Deputy Clerk

**Lynn Lovelock**

B.A.(Hons), Dip.Ed.

Lynn joined the Department of the Legislative Council in 1987, having been previously employed in the Commonwealth Public Service and later, as a high school teacher. Prior to her appointment as Deputy Clerk in December 1990, she held the positions of Administration Officer, Usher of the Black Rod, and Clerk Assistant. Her background in research and in the development of public sector policy provides a sound basis for her roles as a researcher, an advisor to Members on parliamentary practice and procedure, and in the management of the Parliament. Lynn also serves as Clerk to the Standing Committee on Parliamentary Privilege and Ethics.

Clerk Assistant - Procedure

**Michael Wilkinson**

B.A.(Hons)

Michael joined the Department of the Legislative Council in 1991 as the Clerk Assistant - Committees after 17 years in the Commonwealth Public Service. He has worked in the Departments of Defence, Special Minister of State, and Attorney General and brings to the Legislative Council experience in public sector policy and organisation development. In November 1995 he was appointed to the position of Clerk Assistant - Procedure.

Clerk Assistant - Administration

**Kathleen Caden**

M.A., Grad.Dip.Admin.

Kathleen joined the Legislative Council in 1995. She has 13 years experience in the NSW public sector in both policy and operational areas. Kathleen has previously worked as the Manager of the NSW Government Advertising Agency and as a policy officer with the Office of Public Management, Premier's Department.

Clerk Assistant - Committees and Usher of the Black Rod

**Warren Cahill**

Dip.T.,B.Ed.St.,Grad.Dip.I.M.-Lib.

Warren was appointed Usher of the Black Rod in June 1991, having been a senior officer in the Research Services section of the Parliamentary Library for four years. Prior to his parliamentary career Warren worked as a tutor/researcher at the University of Queensland and spent several years working in the private sector in England and Japan. In February 1996 he was appointed to the combined position of Clerk Assistant - Committees and Usher of the Black Rod.

## Committee Directors

Director, Standing Committee on Law and Justice

**David Blunt**

B.A.(Hons), M.Phil

David was appointed to the position of Director, Standing Committee on Law and Justice in November 1995, after working for a number of Legislative Assembly and Joint Parliamentary Committees since January 1990. David brings considerable committee experience to the Legislative Council, having previously had experience as both a Project Officer and Senior Project Officer for various committees.

Director, Standing Committee on Social Issues

**Dr Jennifer Knight**

B.A.(Hons), Dip Ed. M.P.H., Ph.D.

Jenny was appointed Director of the Standing Committee on Social Issues in April 1993. Previously, she worked as a Senior Project Officer for the State Development Committee and then moved on to become the Policy Advisor (Health) for the Minister for Health & Community Services. She stayed with the Minister when he became Minister for Industrial Relations & Attorney General.

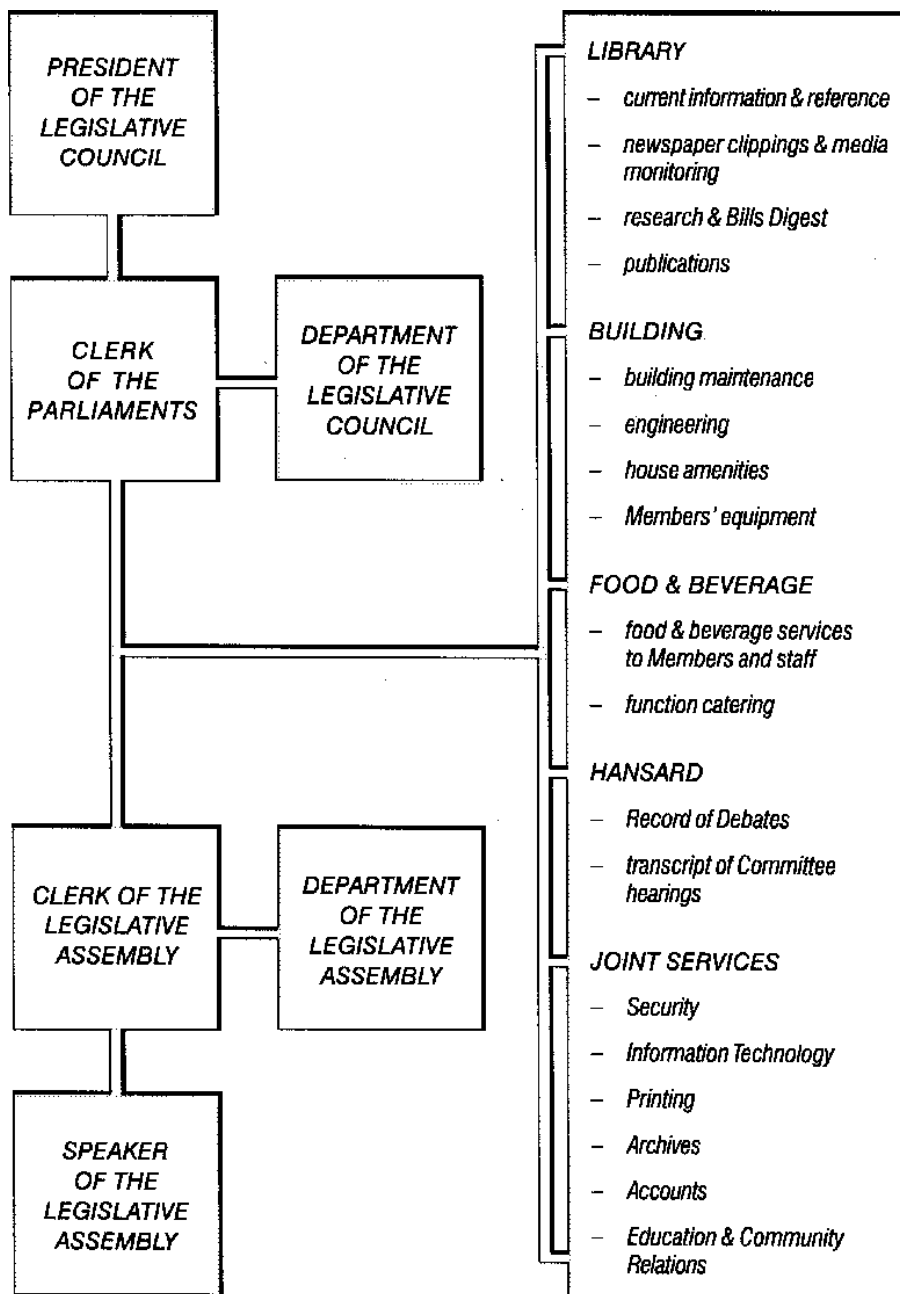
Director, Standing Committee on State Development

**Stewart Webster**

B.Ec.(Hons), M.Ec.

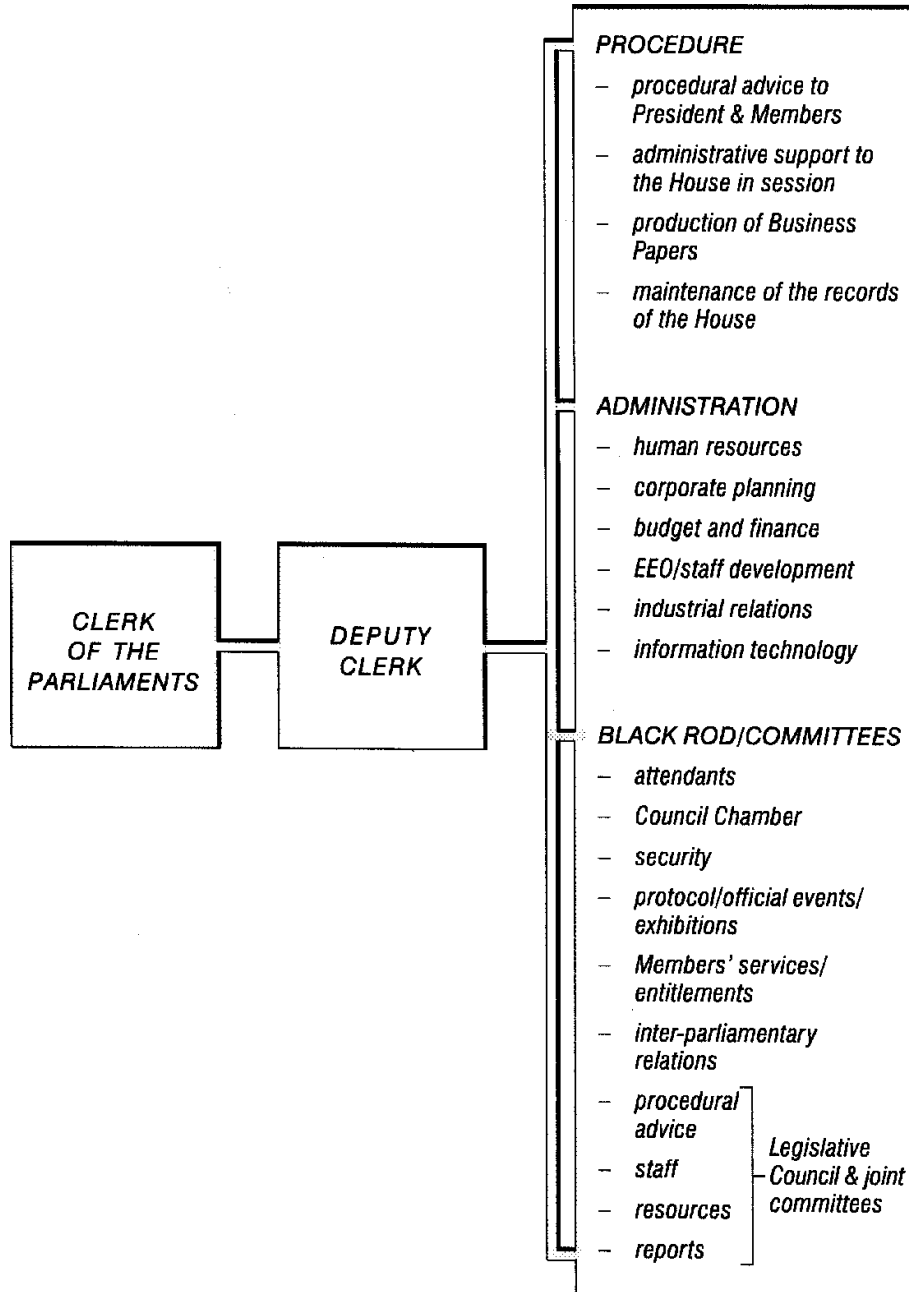
Stewart was appointed as Director, Standing Committee on State Development in March 1997 after previously working as the Senior Project Officer on this Committee. Stewart has worked in both private and public sector organisations and has experience in agriculture, retail, and housing policy.

# Organisation Chart Parliament House



# Organisation Chart

## Department of the Legislative Council



## Clerk's Overview

The judgment of the Court of Appeal in the case of Egan v Willis & Cahill, was delivered in November 1997. The court held that the Legislative Council has the power to order the production of State papers and that suspending Mr Egan was within the power of the Legislative Council as a measure of self-protection. The High Court has granted Mr Egan leave to appeal against this judgment and it is expected to be heard in October 1997.

The dispute regarding the lack of suitable accommodation for Members and their staff is almost resolved, with plans to relocate these Members and staff from level 12 to level 11.

The Legislative Council appointed five General Purpose Standing Committees on 7 May 1997, reflecting Government Ministers' portfolio responsibilities. In addition to matters referred to them by the House, the Committees can initiate their own inquiries into expenditure, performance and effectiveness of government departments and statutory corporations. The first reference given to these Committees was the Budget Estimates for 1997/98. The Committees commenced hearings on 29 May 1997 according to Portfolio and reported on 18 June 1997.

To increase community awareness in the Parliament as a whole and also the Legislative Council, the Parliament's Internet site was launched in October 1996. The Legislative Council Home page contains information on the history of the Council, its roles and functions, biographical details of Members and Senior Officers, Committee membership and current inquiries.

A series of seminars on Parliamentary procedure were presented by Council staff and representatives from external government organisations. The seminars were offered to a wide variety of Members, staff and officers from other agencies such as the Premier's Department and the Parliamentary Counsel. Most seminars were well attended and positive feedback was received following the presentations. It is intended that these seminars will be a regular event on the Council's program.

During the year the Deputy Clerk compiled twenty procedural briefing notes on important and interesting items of procedure that have occurred in the House, for example, 'Allegations against Members in debate' and 'Delaying and Defeating Bills'. The briefing notes are a reference for Members and Procedure Office staff.

### Committee activity

The level of Committee activity increased in the past year with the four Standing Committees having 14 inquiries under way at the end of June compared with 8 at the end of the last financial year. This level of activity is expected to be maintained with the current composition of the House.

### Code of Conduct for Members

In October 1996 the Standing Committee on Parliamentary Privilege and Ethics released its *Report on Inquiry into the Establishment of a Draft Code of Conduct for Members* as required under the *Independent Commission Against Corruption Act 1988*. The Report sets out the draft code of conduct formulated by the Committee, incorporating numerous suggestions received through public submissions and from the Crown Solicitor. It also contains the draft code of conduct proposed by the equivalent committee in the Legislative Assembly, and recommends that a Free Conference of Managers from both Houses be convened with a view to resolving the differences between the codes. In addition to a detailed examination of the contents of the code the Report discusses possible mechanisms for implementing the code, ranging from a parliamentary committee to an independent ethics commissioner.

## Amendments

In fulfilling its role as a House of Review the Council amended a record 37% of Bills passed by both Houses. In all but one case the amendments were agreed to by the Legislative Assembly.

## Disallowance

The Council was also active in its scrutiny of subordinate legislation proclaimed by the Government. Four statutory instruments were disallowed by the House, which is also a record.

## Precincts Bills

The Parliamentary Precincts Bill was passed by the Parliament in June 1997. The primary aim of the Act is to define the precincts of the Parliament by deposited plan. The Act clarifies the area under the Parliament's control, setting the security and management rules of the Presiding Officers and the Police. It also establishes a "Parliamentary Zone" between the Parliament, the State Library and Sydney Hospital where powers exist to control public access on certain occasions.

The Council was again affected by budget cuts of \$73,000 and will have to produce savings in the next financial year as a result of the Government's direction to reduce the overall budget of the Parliament in line with the policy to reduce government spending. One difficulty confronting the Council in implementing these cuts is that the savings cannot be met from the Members program, which are protected items of expenditure. The savings must therefore be met from the Council's operating expenses, which includes Committee expenditure. These savings will still have to be made within the specified targets, despite recent and future salary increases awarded to most staff, following negotiations between the Government and the Unions.

1996/97 proved to be a challenging year for the Council, with many improvements made to manual and computerised systems to assist Managers and staff in providing information and advice to Members and staff. There were several staff changes in the Legislative Council during this period and I wish to commend all staff on their commitment and dedication to the Council. Everyone is to be congratulated for the continued level of high performance. The coming year will no doubt provide us all with new challenges along with the routine matters that need to be accomplished. Working together as a team will ensure that our goals are achieved and that the work environment is a happy and successful one.

## Mission

To service and enhance the operations of the New South Wales Parliament by providing an apolitical, innovative and integrated support service to support Members both within and outside Parliament House and relevant services to the people of New South Wales.

## Corporate Goals

1. Provide procedural support, advice and research necessary for the effective functioning of both Houses.
2. Provide services which support Members in their electoral and constituency duties.
3. Provide effective and professional administrative support and services to Members and other client groups and maintain appropriate reporting mechanisms.
4. Provide a safe, healthy, working environment in which Members and staff can reach their maximum productivity.
5. Promote public awareness of the purpose, functions and work of the Parliament.
6. Maintain and enhance an appropriate physical environment for the conduct of Parliamentary business while preserving the heritage value of Parliament House.



## Procedural Advice and Support

### GOAL 1

*Provide the procedural support, advice and research necessary for the effective functioning of the House.*

*The primary goal of the Department of the Legislative Council is to provide services which directly support the functioning of the House and of several Parliamentary Committees.*

The Legislative Council comprises 42 Members directly elected by every voter in New South Wales. The method of voting is known as optional preferential proportional representation. In order to be elected candidates need to obtain a quota which is about 4.5% of the total formal vote. Members are elected for a period of eight years. One half of the Legislative Council is elected at the same time an election for the Legislative Assembly occurs. The Government remains in a minority which has been the case since the March 1995 election with seven of the 42 Members from minor parties, groups or independents. As a result the Legislative Council plays an important role in the review of legislation and the parliamentary committee process.

The parties represented in the Council are: Australian Labor Party (17), Liberal (12), National Party (6), Call to Australia Group (2), Australian Democrats (1), A Better Future for our Children (1), The Greens (1), Shooters Party (1) and Independent (1).

## PROCEDURAL ADVICE

The Clerks-at-the-Table must ensure that proceedings in the House conform to requirements of the Standing and Sessional Orders, the Constitution Act, and other laws as they relate to Parliament. Parliamentary practice and procedure must also be followed to ensure bills pass through all the required stages of the legislative process.

### Significant issues arising during the reporting period

#### Judgment of Court Appeal—Orders for Papers

The President tabled a copy of the judgment of the Court of Appeal delivered on 29 November 1996 in the case of *Egan v Willis & Cahill*. The judgment related to the failure of a Minister to comply with an Order for Papers on four separate occasions, his subsequent suspension from the House, and legal proceedings instituted in the Supreme Court by the Minister for unlawful trespass by the President and the Usher of the Black Rod.

The Court of Appeal held:

1. The Legislative Council has such implied or inherent powers as are reasonably necessary for its existence and for the proper exercise of its functions.
2. A power to order the production of State papers is reasonably necessary for the proper exercise by the Legislative Council of its functions.

3. The resolution of the Legislative Council suspending the plaintiff was within power as a measure of self-protection and coercion.
4. The resolution of the Legislative Council was not shown to be invalid.
5. The Standing Orders of the Legislative Council warranted the removal of the plaintiff only from the Legislative Council Chamber and not from the land occupied by the New South Wales Parliament. The extent of the removal was, therefore, excessive, and there had been a trespass.

At the conclusion of formal business on that day, the Treasurer made a Ministerial Statement regarding the judgment of the Court of Appeal, explaining that the Government would seek leave to appeal to the High Court. Following the Ministerial Statement, the President called upon the Treasurer to attend in his place at the Table to explain his reasons for non-compliance with the Order of the House on four occasions to table certain papers. This resolution had been postponed, according to an order of the House agreed to on 14 May 1996, pending the outcome of the judgment in the case. The Treasurer then moved as a matter of privilege and without notice, that in view of the further legal proceedings he had instituted in the High Court, the Order of the House be postponed again until the legal proceedings have been finally decided.

The following day the President announced receipt of an application, lodged by the Crown Solicitor, for special leave to appeal to the High Court from the judgment of the Court of Appeal in the case of *Egan v Willis and Cahill*.

On 6 June 1997, the High Court granted leave for Mr Egan to appeal. The appeal is expected to be heard in October 1997.

#### Freedom of speech

The issue of use of freedom of speech under parliamentary privilege was the subject of considerable parliamentary and media debate, following the mention by a Member in debate of the names of two witnesses in relation to the New South Wales Police Royal Commission.

#### General Purpose Standing Committees appointed

Five General Purpose Standing Committees were appointed on 7 May 1997, reflecting Government Ministers' portfolio responsibilities. On 29 May 1997, the House resolved that the Budget Estimates and related documents presenting the amounts to be appropriated from the Consolidated Fund be referred, according to Portfolio, to the General Purpose Standing Committees for inquiry and report. For more information on these Committees, please refer to page 26.

- **Review of Bills**

The Legislative Council was particularly active in fulfilling its role of review of Bills initiated in the Legislative Assembly. During the reporting period, out of 159 Bills passed by both Houses, the Council amended 60 or 37% of Bills which is a record percentage of Bills amended. In all but 1 case, the Legislative Assembly agreed to the Council's amendment. The exception was the Noxious Weeds Amendment Bill, where the Assembly disagreed with the Council's amendments and proposed further amendments. The Council did not insist on its amendments and agreed to the Assembly's amendments.

The political make up of the House, with the Government holding 17 seats, the Opposition holding 18 seats, including the President, and the 7 cross-bench members holding the balance of power—a total of 8 political parties in the House—has resulted in greater complexity and the volume of procedural advice required from the Clerk of the Parliaments and other senior officers.

Changes in Sessional Orders which now required Ministers to provide answers to questions within 35 days have also impacted on the responsibilities of Council staff in monitoring replies and follow up of questions not answered.

- **Disallowance of statutory rules**

During the reporting period the Council was particularly active in the scrutiny of statutory rules and instruments proclaimed in the Gazette. A total of 46 statutory rules were disallowed, which is a record. These comprised:

- Centre Based and Mobile Child Care Services Regulation 1996
- Parts of the Waste Minimisation and Management Regulation 1996
- Property, Stock and Business Agents (General) Amendment Regulation 1997
- Fisheries Management (General) Amendment (Abalone, Sea Urchin and Turban Shell) Regulation 1996

In an unusual circumstance, the disallowance of the Child Care Regulations created a void, as the previous regulation lapsed after 5 years under a staged repeal scheme. The disallowance was subsequently rescinded, a new regulation proclaimed and retrospective legislation passed to cover the period child care services were without regulation.

Regulations maintaining a system of restricted fisheries for ocean fish trawling, ocean trap and line fishing and general estuary fishing, were also sought to be disallowed in May 1997, but debate was adjourned until September 1997. After disallowance of the regulation was first moved, further regulations were gazetted which effectively terminated the earlier gazetted restricted fisheries from June 1998.

## KEY PROJECTS TO IMPROVE EFFECTIVENESS

### Catalogue of LOQS for the Chamber

The LOQS (forms of motions used in the House) in the Chamber have been updated, expanded, edited and redrafted in plain English. The LOQS are used to assist Ministers and Members in moving procedural motions in the House.

### Procedural Briefing Notes

Twenty procedural briefing notes have been compiled on important and interesting items of procedure, as follows:

- No. 1 Allegations against Members in debate
- No. 2 Subjudice convention—President's ruling
- No. 3 Debate on the Motion for Adjournment
- No. 4 The use of offensive words in debate
- No. 5 Constitution Act 1902—Section 5B. Procedure for Referendum on Bills rejected by the Legislative Council.
- No. 6 Constitution Act 1902—Section 5B. Timeframe for Referendum on Bills taken to have failed to pass the Legislative Council.
- No. 7 Constitution Act 1902—entrenched provisions
- No. 8 Committee Reports—dissenting statements
- No. 9 Committees taking evidence—In camera v In private

- No. 10 Same question rule—Standing Order 113
- No. 11 Swearing in of Members
- No. 12 Election of the President of the Legislative Council
- No. 13 Closure (“GAG”)—Standing Order 102
- No. 14 Procedure on Council Bills amended by the Legislative Assembly
- No. 15 Private Bills
- No. 16 Delaying and defeating Bills
- No. 17 Motions of censure/No confidence
- No. 18 Non-Committee Members attending Committee hearings
- No. 19 Reflections on Judges in debate
- No. 20 Incorporation of material in Hansard

These briefing notes are available to Members of the Legislative Council. Originally the briefing notes were provided to Members in a hard copy format, however, they have now been transferred onto Lotus Notes for easy access by Members and staff. Future briefing notes will be written as the occasion demands.

### **‘A Precis of Business and Procedures’**

This is a publication to assist Members and staff to understand the most common practices and procedures in the House. The publication was revised and updated and a second edition was issued to Legislative Council Members and staff in January 1997.

### **Procedure Manual for the Commission Opening of Parliament**

In conjunction with the preparations for the Budget session and the Commission Opening of the Second session of the Fifty-first Parliament, a Procedure Manual for a Commission Opening of Parliament was completed. The manual will particularly assist new staff, but will also facilitate a new integrated approach to the many procedural and administrative requirements associated with the opening of a new session through a Commission from the Governor.

### **Style manual for Minutes of Proceedings**

The Minutes of Proceedings are produced each day by Procedure Office staff. They are an official record that reports on actions in the House such as attendance or how Members vote if there is a Division in the House. The style manual is a compilation of precedents of how the Minutes are written to assist Procedure Office staff in preparing the Minutes efficiently and quickly. It outlines examples of regular (occurring every week) and irregular (for example, distinguished visitors to the House) occurrences. This manual will be used as an internal document for the Procedure Office. A draft manual has been prepared with the final document to be completed by the commencement of the new session of Parliament.

### **Manual on Understanding the Notice Paper**

The ‘Notices of Motions and Orders of the Day’ are produced every day during Parliamentary sitting periods. They set out business before the House and future business. ‘The Notice Paper: How it Works’ manual was issued in May 1997 for Members and staff. This publication is a basic guide to assist Members and their staff in understanding how the Notice Paper works.

## Sessional Rulings of the President

The business and practices of the House are governed by standing orders, sessional orders and precedents. The Clerk and Deputy Clerk regularly compile rulings given by the Chair, based on those orders and precedents. The rulings are published for use by the President, Chairman of Committees and Temporary Chairs, to ensure that occupants of the Chair are aware of recent rulings. This allows for greater uniformity and consistency in directions given in the House. The Sessional Rulings are published at the end of each session and incorporated, where appropriate, into the Principal Rulings of the Chair, which date from 1895. The rulings provide a valuable educational tool for Members newly appointed to these positions.

## Journals

The Journals are a consolidated record of all of the daily 'Business Papers' of the House, produced as bound volumes. They are an official record of the House which include such details as: minutes of proceedings; notices of motions; questions & answers; sessional returns; index to minutes; bills amended; attendance of Members; and proclamations. The Journals are published at the end of each session, with the 1996/97 Journals due to be printed in September 1997. They are issued to Libraries and repositories throughout Australia and the world. Action has been completed to ensure that the Journals are up-to-date and it is anticipated that they will be made available through Lotus Notes to Members and staff in the near future.

## Home Page on Lotus Notes

The Legislative Council introduced a Home Page on Lotus Notes, to provide Members and staff with access to the Business Papers, Hansard and other procedural and corporate documents.

## Program of seminars for Members of parliamentary practice and procedure

All of the seminars held during the reporting period were well attended by Members' staff and representatives from Premiers Department, Cabinet Office, Attorney General's Department, Parliamentary Counsel and staff from Ministers' Offices. Positive feedback was received, with most commenting that the seminars were informative and helpful. This program is an on-going project.

The seminars included:

- Notice Paper: How it Works
- Standing Orders
- Passage of Legislation/Amendments to Bills to Committee
- Day in the Life of the House
- Role of the Governor and Executive Council and the Relationship between the Governor, the Executive Government and Parliament.

## Manual for Estimates Committees

On 29 May 1997, following extensive negotiations and manoeuvring in both Houses relating to the formation of Joint Estimates Committees, the Legislative Council resolved that the Budget Estimates and related documents be referred to the newly created General Purpose Standing Committees for inquiry and report (see page 26).

Due to the protracted nature of the negotiations with House leaders in the Legislative Assembly, the resolution was passed in the Legislative Council only 2½ hours before General Purpose Standing Committee No. 1 was scheduled to meet in relation to the amounts appropriated to the Legislature and later, Treasury, Energy and State and Regional Development. Within the 2½ hours, the Legislative Council was able to finalise, print and publish a Manual for the Estimates hearings and brief Ministerial and other staff in relation to the requirements of the resolution.

## PARLIAMENTARY COMMITTEES

Legislative Council Members are appointed to serve on a number of Parliamentary Committees which report to the House on various issues referred to them by the Legislative Council, a Minister or, if it is a Joint Committee, either House.

Committees of the House may be Standing, Sessional or Select and may be joint with the Legislative Assembly. Details of membership of Legislative Council Members on Committees are outlined in the Appendices as follows:

- Appendix 2 Joint Committees
- Appendix 3 Legislative Council Standing Committees
- Appendix 4 Legislative Council Select Committees
- Appendix 5 Legislative Council Sessional Committees

### Legislative Council Standing Committees

The Legislative Council has four Standing Committees. The Standing Committee on Privilege and Ethics is staffed by officers from the Legislative Council while the Standing Committees on Law and Justice, Social Issues and State Development are each supported by a permanent secretariat.

#### Standing Committee on Law and Justice

The functions of the Law and Justice Committee are to enquire into and report to the Legislative Council on:

- matters concerned with legal and constitutional issues including law reform, family law, parliamentary matters, criminal law and administrative law
- issues arising in connection with the NSW criminal justice system, including matters concerned with the Attorney General, justice, police and corrective services
- state emergency services.

Like the other Legislative Council Standing Committees, the Law and Justice Committee enquires into matters referred to it by the Legislative Council or by a Minister.

During the reporting period the Committee worked on three references from the Legislative Council.

In December 1995 the Committee received a reference to enquire into and report on the Motor Accidents Scheme (compulsory third party insurance). The Committee conducted public hearings and visits of inspection in connection with this inquiry during July–September 1996.

The Committee tabled an *Interim Report* in December 1996. This report contained 53 recommendations, all of which had the unanimous support of the Committee. In February 1997 the Committee held the first of a number of round table meetings involving major interest groups and individuals with particular expertise in relation to the Motor Accidents Scheme to explore some of the outstanding issues in this inquiry.

On 5 May 1997 the Committee convened a public seminar on Legal Costs under the Motor Accidents Scheme. The issue of legal costs will be specifically addressed in the Committee's Final Report on the Motor Accidents Scheme to be tabled in late 1997.

In mid 1996, the Committee received a reference to enquire into and report upon workplace safety. The Committee postponed any action on this inquiry until the review of the *Occupational Health and Safety Act 1983* chaired by Professor Ron McCallum reported to the Attorney General in February 1997. In February 1997, the Committee held a public seminar in the Parliamentary theatre with 15 speakers and an audience of over 160. The seminar proceedings were published by the Committee as a discussion starter for the inquiry. By the end of June 1997, the Committee had received about 30 submissions and was about to commence a series of visits to regional areas of NSW and public hearings.

In April 1997, the Committee received a reference to enquire into and report upon the Family Impact Commission Bill 1995. The Bill is a private Members' Bill introduced by Rev Hon Fred Nile, MLC. The Bill seeks to establish a Family Impact Commission to review the impact of Government initiatives and proposed legislation upon families. The Committee is required to report to the Legislative Council on the Bill by 30 November 1997.

#### Standing Committee on Parliamentary Privilege and Ethics

The Committee was first established as the Standing Committee Upon Parliamentary Privilege by resolution of the House on 9 November 1988 and re-established in 1991. On 24 May 1995 at the commencement of the 51st Parliament, the Committee was reconstituted as the Standing Committee on Parliamentary Privilege and Ethics.

The Committee has two main roles:

- (1) to consider and report on any matters relating to parliamentary privilege which may be referred to it by the House or the President; and
- (2) to carry out certain functions relating to ethical standards of the Legislative Council under Part 7A of the *Independent Commission Against Corruption Act 1988* (NSW).

During the reporting period the Committee conducted 15 meetings, and tabled two Reports:

##### ***Parliamentary Privilege***

The Committee reported on one matter of Parliamentary Privilege in relation to the Committee's Inquiry Arising from a Special Report of Estimates Committee No 1 (Report No 4, tabled May 1997).

The inquiry arose during the hearing in June 1996 by the Legislative Council Estimates Committee examining the estimates for the Legislature. At that hearing, the Financial Controller refused to provide direct answers to questions from the Committee on the ground that he had been directed by the Speaker only to answer questions by advising the President or by taking questions on notice and

subsequently replying in writing. The Speaker's direction was based on the assertion that the Financial Controller is an "officer of the Legislative Assembly" and as such should not be required to answer to a Council Committee.

Following the tabling of a Special Report by the Estimates Committee concerning the Financial Controller's conduct, the matter was referred by the House to the Committee on Parliamentary Privilege & Ethics for inquiry and report.

In its report on the matter, the Committee affirmed the status of the Financial Controller as a joint officer of both Houses, considering the functions which the Financial Controller performs within the NSW Parliament and the importance of financial accountability to the independence and sovereignty of both Houses.

The Committee also examined the powers which Legislative Council Committees possess to deal with recalcitrant witnesses, but concluded that it would not be appropriate to invoke such powers in this case as the Estimates Committee had received answers to its questions (though indirectly), and the Financial Controller had acted under direction.

### ***Ethics***

Under the *Independent Commission Against Corruption Act 1988*, the Committee has the following functions in relation to Members' ethics.

- Prepare for consideration by the Legislative Council draft codes of conduct for members of the Legislative Council and draft amendments to codes of conduct already adopted
- Carry out educative work relating to ethical standards applying to members of the Legislative Council
- Give advice in relation to such ethical standards in response to requests for advice by the Legislative Council, but not in relation to actual or alleged conduct of any particular person

During the reporting period the Committee tabled its Report on the Inquiry into the Establishment of a Draft Code of Conduct for Members (Report No 3, tabled October 1996). In view of the Committee's belief that a single Code for both Houses is the most sensible outcome, the Report presented three different codes for consideration by the House:

- (a) the draft Code of Conduct originally proposed by this Committee;
- (b) the draft Code as finally adopted by this Committee which incorporated changes arising from public submissions and advice from the Crown Solicitor; and
- (c) the draft Code of Conduct proposed by the Legislative Assembly Standing Ethics Committee.

The Report recommended that a free conference of Managers from both Houses be convened to consider all the Codes which have been presented with a view to resolving the differences between the Codes. However, in a joint meeting between the Council Committee and the Legislative Assembly Standing Ethics Committee in June 1997, it was agreed that the Council Committee would support the adoption by the Legislative Council of the draft Code of Conduct proposed by the Legislative Assembly Standing Ethics Committee, on the condition that both Committees would hold further discussions on the implementation of the joint Code.



In addition, in June 1997, the Committee received a further reference from the House to inquire into and report on:

- (a) the suitability and contemporary relevance of the present provisions under the *Constitution Act 1902* relating to Members of Parliament:
  - (i) having contracts or agreements with the Public Service; or
  - (ii) holding offices of profit under the Crown; and
- (b) proposals for reform of those provisions.

#### Standing Committee on Social Issues

The functions of the Social Issues Committee are to inquire into, consider and report to the Legislative Council on:

- any proposal, matter or thing concerned with the social development of the people in all areas of New South Wales
- the equality of access to the services and benefits including health, education, housing and disability services provided by the government and non-government sector to the people in all areas of New South Wales
- recreation, gaming and sporting matters
- the role of government in promoting community services and the welfare of the people in all areas of New South Wales.

During the reporting period the Committee tabled two reports entitled "Inquiry into Children's Advocacy", and "Caring for the Aged: An Interim Report of the Inquiry into Aged Care and Nursing Homes in New South Wales". An Issues Paper, "Aboriginal Representation in Parliament" was also tabled.

The Children's Advocacy Inquiry, which was referred to the Committee in August 1995 by the Minister for Community Services, was completed during the reporting period and the resultant report tabled in September 1996. The Report is over 250 pages in length and contains a total of 37 recommendations. The Committee received written submissions from 64 individuals and organisations and held 71 briefings during the course of this Inquiry. The Committee heard evidence from 72 witnesses and travelled to Taree and Kempsey to ensure that issues relating specifically to rural and Aboriginal children were addressed. The Committee met with 55 children during visits made to schools and pre-schools. The Committee Chair and Senior Project Officer undertook a study tour to England, Sweden, Denmark and the United States to examine international models of children's advocacy.

The Committee currently has five enquiries under consideration: Children of Imprisoned Parents, Hepatitis C, Aged Care and Nursing Homes, Guardianship, and Aboriginal Representation in Parliament.

In September 1995 the Committee received a reference from the Legislative Council to inquire into the provision of legislation for dedicated Aboriginal seats in the Parliament of New South Wales. The Committee determined that there would be value in preparing an Issues Paper which outlined international developments in the representation of indigenous populations. The Paper was tabled in April 1997 and presents a detailed review on the recognition and development of indigenous people's rights and political representation in a number of countries along with examples of Aboriginal Parliaments, self-government, and self-determination. The Paper was distributed very widely to Aboriginal specific organisations, academics, Members of Parliament and other relevant agencies.

To collect relevant information two study tours were undertaken during the year. A Senior Project Officer travelled to New Zealand to meet with government officials, Maori members of Parliament, and representatives of Maori organisations. Two members of the Committee and a Senior Project Officer also travelled to Norway, Canada and the United States and met with Sami representatives, including the Vice-President of the Sami Assembly, tribal members of the Maine legislature, and representatives of government and non-government agencies.

Once written submissions have been received, the Committee plans to hold public hearings in 1997–98. It will then use the information gathered from the submissions and hearings to assist in the formulation of recommendations for the final Report.

The Committee received a reference from the Legislative Council on 31 October 1996 to inquire into the state of nursing homes and hostels in New South Wales and report to the Council by 30 June 1997. This date was subsequently extended to 30 September 1997. An Interim Report was tabled on 30 June 1997. As of that date, the Committee had received 86 submissions, heard evidence from 27 witnesses, held briefings with 12 people and talked to nursing home residents in five facilities. The Committee plans to complete this Inquiry by the end of September 1997.

In addition to hearing evidence in Parliament House, Committee Members made site visits to residential aged care facilities in Waverley, Summer Hill, Cessnock in New South Wales. This allowed the Committee to gain an understanding of the operations of nursing homes and hostels and to talk to residents, relatives, staff and management. The Committee also travelled to Wudinna and Elliston in South Australia to compare and contrast the model of Multi Purpose Services on the Eyre Peninsula with those in New South Wales.

In August 1995, the Committee received a reference from the Minister for Corrective Services to inquire into the adequacy of policies and services to assist the children of imprisoned parents in New South Wales. The Committee anticipates tabling the final Report from this Inquiry in the near future.

Work has also commenced on two other inquiries. In May 1997, the Minister for Health asked the Committee to inquire into, and report on, the incidence and impact of Hepatitis C in New South Wales. The Committee plans to call for written submissions and conduct hearings in the first half of 1997–98. In June 1997, the Minister for Community Services requested the Committee inquire into, and report on, the appropriateness of allowing people who cannot consent to their own medical and dental treatment, to participate in trials, in order to allow greater public discussion on the issue. The Committee is to report on this issue by 1 September 1997. Advertisements calling for written submissions were placed in the major newspapers in mid-June. Public hearings are scheduled for July 1997.

#### Standing Committee on State Development

The State Development Committee was set up to enquire into, consider and report on the following matters:

- options for future policy directions and emerging issues to ensure that opportunities for sound growth and wise development for the benefit of the people in all areas of New South Wales are pursued
- any proposal, matter or thing concerned with economics and finances, resources and energy, transportation, tourism, public administration, local government, the Olympics, primary industry, industrial and technological developments and environmental issues in New South Wales

- employment practices, issues and conditions
- any proposal, matter or thing concerned with the problems or disadvantages uniquely or predominantly experienced in country areas, including the viability of cities and towns in those areas.

The Committee tabled four reports during the reporting period, namely:

- (1) Report on Rationales for Closing the Veterinary Laboratories at Armidale and Wagga Wagga and the Rydalmere Biological and Chemical Research Institute (August 1996);
- (2) Report on Factors Influencing the Relocation of Regional Headquarters of Australian and Overseas Corporations to New South Wales (October 1996);
- (3) Interim Report on the *Fisheries Management Amendment (Advisory Bodies) Act 1996* (April 1997); and
- (4) Report on Waste Minimisation and Management (April 1997).

The Committee also expended considerable effort between December 1996 and June 1997 on its inquiry into the *Fisheries Management Amendment (Advisory Bodies) Act 1996*. This report was tabled in July 1997.

The Committee conducted 49 deliberative meetings and 26 public hearings plus 31 site visits during the reporting period.

Copies of the Committee's Annual Report are available to the public and may be obtained through the Committee.

The Committee currently has five enquiries:

- (1) Fisheries management and resource allocation in New South Wales. Written submissions were called for in September 1996. A total of 84 were received. Public hearings were held between January and July 1997 with 130 persons giving evidence. Intra and interstate site inspections and meetings were also held during this period. The Committee is due to report to the House in relation to this inquiry on 30 September 1997.
- (2) Future employment and business opportunities in the Hunter region. Work on a discussion paper commenced in August 1997. It is anticipated that a call for written submissions will be made in September 1997.
- (3) The operation of the *Sydney Market Authority (Dissolution) Bill* from commencement until 31 December 1997. It is anticipated that a call for written submissions will be made in September 1997.
- (4) Role of Government in facilitating international competitiveness of agriculture in New South Wales. It is anticipated that work into this inquiry will commence in late 1997.
- (5) The impact of long-term caravan park residents on the goods and services provided by local government. It is anticipated that work into this inquiry will commence around mid 1998.

## General Purpose Standing Committees

Five General Purpose Standing Committees were appointed on 7 May 1997, reflecting Government Ministers' portfolio responsibilities.

Each Committee is to consist of 5 Members, comprising two Government Members nominated by the Leader of the Government; two Opposition Members nominated by the Leader of the Opposition; and one Cross Bench Member nominated by agreement between Cross Bench Members. In the absence of any agreement the representation on the Committee is to be determined by the House.

The Committees may inquire into and report on:

- (a) any matters referred to them by the House;
- (b) the expenditure, performance or effectiveness of any department of government, statutory body or corporation;
- (c) any matter in any annual report of a department of government, statutory body or corporation.

On 29 May 1997, the House resolved that the Budget Estimates and related documents presenting the amounts to be appropriated from the Consolidated Fund be referred, according to Portfolio, to the General Purpose Standing Committees for inquiry and report.

Details of the Committees are listed hereunder:

Name of Committee	LC Members on Committees	Portfolios	Clerks
General Purpose Standing Committee No.1	Revd Mr Nile (Chairperson) Mrs Arena Mrs Chadwick Mr Primrose Mrs Sham-Ho	<ul style="list-style-type: none"> <li>• Premiers, Arts and Ethnic Affairs</li> <li>• Education and Training</li> <li>• Olympics</li> <li>• Treasury, Energy, State and Regional Development</li> <li>• The Legislature</li> </ul>	Warren Cahill Vicki Mullen
General Purpose Standing Committee No. 2	Miss Gardiner (Chairperson) Ms Kirkby Dr Pezzutti Ms Staunton Mrs Symonds	<ul style="list-style-type: none"> <li>• Health, Aboriginal Affairs</li> <li>• Community Services, Aged Services, Disability Services</li> <li>• Agriculture</li> <li>• Mineral Resources, Fisheries</li> </ul>	Mike Wilkinson Stuart Lowe
General Purpose Standing Committee No. 3	Mr Vaughan (Chairperson) Dr Burgmann Mr Gallacher Mr Lynn Mrs Nile	<ul style="list-style-type: none"> <li>• Police</li> <li>• Corrective Services, Emergency Services</li> <li>• Attorney General, Industrial Relations</li> <li>• Fair Trading, Women</li> </ul>	David Blunt Juliet Adriaanse
General Purpose Standing Committee No. 4	Mr Macdonald (Chairperson) Mr Cohen Dr Goldsmith Mr Obeid Mr Smith	<ul style="list-style-type: none"> <li>• Transport and Tourism</li> <li>• Public Works and Services, Roads, Ports</li> <li>• Gaming and Racing, Hunter Development</li> <li>• Sport and Recreation</li> </ul>	Alexandra Shehadie Roza Lozusic
General Purpose Standing Committee No. 5	Mr Jones (Chairperson) Ms Burnswoods Mr Kersten Mr Ryan Ms Saffin	<ul style="list-style-type: none"> <li>• Urban Affairs and Planning, Housing</li> <li>• Environment</li> <li>• Land and Water Conservation</li> <li>• Local Government</li> </ul>	Velia Mignacca Rob Stefanic

The Reports of the General Purpose Standing Committees on the Budget Estimates were tabled on 17 June 1997.

## Legislative Council Select Committees

Members are also appointed to serve on Select Committees.

### Select Committees

Select Committees are usually appointed for short periods to consider topical matters, although their enquiries may extend beyond one session. Once a Select Committee reports to the House, or to both Houses in the case of a Joint Select Committee, it ceases to exist.

During 1995, a Select Committee of the Legislative Council was established to enquire into and report on the Government's success in cutting hospital waiting lists for elective procedures. On 17 April 1996 the Committee was reappointed following a prorogation of Parliament with an interim report due by 12 September 1996. The Committee tabled its interim report on 11 September 1996 and its final report on 6 December 1996.

### Parliamentary Committees on which Members of the Legislative Council serve

<b>LEGISLATIVE COUNCIL COMMITTEES</b>	<b>JOINT COMMITTEES</b>
<b>Standing Committees</b>	<b>Joint Standing Committee</b>
General Purpose No.s 1 to 5	Staysafe
Law and Justice	Small Business
Parliamentary Privilege and Ethics	
Social Issues	<b>Joint Statutory Committees</b>
State Development	Health Care Complaints Commission
	Independent Commission Against Corruption
<b>Sessional Committees</b>	Ombudsman and Police Integrity Commission
House	Regulation Review
Library	
Printing	<b>Joint Select Committees</b>
Standing Orders	Injecting Rooms
	Victims Compensation
<b>Select Committee</b>	Threatened Species Conservation Act 1995
Hospital Waiting Lists	

## Summary of Activities of the House

1 July 1993–30 June 1997

	1993–94	1994–95	1995–96	1996–97
<b>Sittings</b>				
sitting days	40	33	64	58
hours of sitting	302	264	516.8	476.9
average(hours) length of sitting days	7.5	8.02	8.07	8.22
sittings after midnight	2	4	7	4
<b>Bills</b>				
initiated in Council				
– by Government	15	37	22	33
– by private Member	8	5	8	6
received from Assembly	109	60	133	128
bills amended in Council	11	16	35	60
bills passed	118	78	128	159
<b>Documents tabled</b>				
– petitions presented	145	101	140	70
– reports	345	387	482	376
– statutory instruments	342	355	566	417
<b>Questions asked</b>				
– without notice	562	530	1298	1851
– on notice	374	306	399	443
<b>Divisions</b>				
– in House	28	35	93	98
– in Committee	11	30	92	136
<b>Private Members' business</b>				
– notice given	59	56	74	56
– moved	17	17	39	43
– resolved	13	5	20	21
– withdrawn/discharged	5	—	4	4
– adjourned/interrupted	5	9	22	9
– motions under SO 13 to discuss an urgent matter of public importance	2	2	1	3
– matters of public interest	4	5	4	5
– replies to adjournment matters	1	—	—	—
<b>Ministerial Statements</b>	3	7	8	9
<b>Hansard (Pages of debate)</b>	2588	1632	3446	3655

## Services to Members

### **GOAL 2**

*Provide services which support members in their electoral and constituency duties.*

*These services are: recruitment and personnel administration of Members' staff, provision and administration of office facilities and equipment, and Members' entitlements administration. The Legislative Council's Parliamentary Attendants also focus on assisting Members, Members' staff and visitors.*

### **MEMBERS' STAFF**

The Legislative Council consists of 42 Members elected on a state wide franchise. Because Members are actively involved in Parliamentary, constituency and Committee duties they place heavy demands on their staff. The Council employs a Secretary/Research Assistant on behalf of each Member, with an additional staff member being provided for the seven cross bench members, and provides recruitment, training and employment administration support in relation to those staff.

### **MEMBERS' EQUIPMENT**

The Council continued to provide and replace Members' office equipment to assist in their parliamentary and electoral duties. During 1996/97, the general updating of old equipment occurred on an ongoing basis.

### **MEMBERS' ALLOWANCES AND ENTITLEMENTS**

During the year the Premier approved of a number of changes to Members' allowances on the recommendation of the Parliamentary Remuneration Tribunal. These include an increase in the stationery and daily special expense allowances and an increase in Members' interstate air travel entitlements over the life of a Parliament.

The Members' Guide was continually updated throughout the year to ensure that changes in entitlements were notified to Members in a timely manner.

A new Members' Entitlements Computer System has been implemented to improve the administration and accurate recording of all Members' entitlements. The system is designed to track a Members' complete history of entitlements from the date of election, right through to those available as a Former Member.

## LEGISLATIVE COUNCIL ATTENDANTS

Legislative Council Attendants provide a wide variety of support services to Members, both in the House and to their offices. They also attend dignitaries and official guests to the Parliament, assist on ceremonial occasions, keep the Chamber secure, provide guided tours and ensure that visitors behave in an orderly manner. The organisation of legislation and the increase in the number of proposed amendments to that legislation has seen the role of the Attendants in the Chamber becoming more specialised and more demanding with each session. The Attendant team is led by Mr Ian Pringle and continues its focus on improving services to Members, staff and the public.



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## CORPORATE MANAGEMENT

### GOAL 3

*Provide effective and professional administrative support and services to Members and to other client groups and maintain appropriate reporting mechanisms.*

### SYSTEMS DEVELOPMENT

The Legislative Council's asset management system was initiated in August 1995. All assets between the value of \$100 and \$5,000 have been registered and bar coded, with regular audits conducted to ensure information contained on the system is accurate.

The system traces assets from purchase through to disposal, and monitors the use of equipment, where it is located, and the repair history. It also allows for scanning of pictures of the asset.

To improve the efficiency and accuracy of administering Members' Entitlements, a computerised Members' Entitlement System was developed and implemented in-house. Since going 'live', the system has generated considerable interest from other Parliaments faced with similar problems in administering a complex system of Members entitlements. Once fully trialed, it is the aim of the Legislative Council to provide each Member with access to up to the minute information relevant to their entitlements. The administration of all aspects of entitlements has been streamlined due to the extensive resources and reporting capabilities of this system.

Mail Management procedures were reviewed and testing is underway to link incoming mail and mail movement through the TRIM records system. It is envisaged that this will be fully functional by April 1998.

### CORPORATE MANAGEMENT

The Council continued to provide assistance to the joint services areas. During 1996/97 this took the form of recruitment assistance; development of new staffing structures and associated industrial instruments; job analysis and job evaluation of positions; advice to Departmental Managers on staffing and rehabilitation issues.

### EQUAL EMPLOYMENT OPPORTUNITY

At June 1997, the Department employed 60 women or 62% of a total of 97 staff. At the middle and senior management level (above \$39,721 per annum) women hold 50% of positions. Below this level women hold approximately 65% of positions, which reflects the predominance of female Secretary/Research Assistants to Members.

## A SAFE WORKING ENVIRONMENT

### GOAL 4

*Provide a safe and healthy working environment, in which Members and staff can reach their maximum productivity.*

*This goal addresses Occupational Health and Safety issues, human resource and employee relations issues.*

## OCCUPATIONAL HEALTH AND SAFETY

### Occupational Health and Safety Committee

Nominations were called for new committee members from staff in Parliament House. Legislative Council representatives elected were Jacki Mead from Administration and Rob Stefanic from the Office of the Clerk (voted Chairman). Sandra Hoy from Administration continued as the Legislative Council's management representative. The Committee initiated programs in Eye Testing and Manual Handling Procedures. A regular inspection program has been developed covering all areas within Parliament House, with the majority of sections having only minor housekeeping concerns. In the next reporting period, the Committee plans to introduce a program of brief OH&S video sessions on matters such as office ergonomics.

### Health Education Programs

In February 1997, the Legislative Council co-ordinated an Eye Testing Program, following recommendations from the Parliament House Occupational Health & Safety Committee. Eye screenings were offered on site to all Parliament House staff over a number of days. Of those tested, a small number of people failed the screening and were referred to external optometrists for further assessment.

The Legislative Council also co-ordinated a Stop Smoking Program run by the Healthy Lifestyle Centre at St. Vincents Hospital. The program was offered to all Parliament House employees. Fifteen members of staff attended 80% of the sessions which proved an overall success. Twelve staff members remained off cigarettes at the end of the program, representing an 80% initial success rate.

### Accommodation for Members and their staff

The provision of suitable accommodation for Members and their staff, as well as Council Committees, continues to be difficult given the space limitations and the increasing resources and staff required by Members.

The Public Service Association lodged a dispute in the last reporting period in the Industrial Commission regarding the accommodation conditions of Members' staff on occupational health and safety grounds. This has now been resolved and over the next 18 months,

action will be taken to relocate Building Services and Legislative Assembly Committee staff currently on Level 11, which will allow refurbishment of that space for offices for the 7 cross bench members and staff. Once this is completed, the Legislative Council Members and their staff will be relocated to Level 11, with Legislative Assembly Members on Level 11 moving to Level 12. As part of the solution of accommodation problems, the Parliament will eventually be leasing accommodation in the Sydney Hospital Nightingale building to house Committees from both Houses.

## EMPLOYEE RELATIONS

Under the grievance policy a number of grievances were received from staff and various issues were discussed and resolved with union workplace representatives.

Under the Framework Document (a joint publication between the PEO, PSA and POA) Legislative Council staff received a 1% increase in salaries on the first pay period after 1 January 1997 with further increases to be paid from the first pay period to occur after the following dates:

- 1 July 1997—3% increase
- 1 January 1998—2% increase
- 1 July 1998—5% increase
- 1 January 1999—5% increase

There is a total increase of 16% over three years, from 1 January 1997 to 31 December 1997. This includes 7% to be supported by productivity savings. The increases at July 1998 and January 1999 both include a 2% increase where savings need to be identified and implemented by agreed measures across Government to achieve real identifiable savings through the Corporate Services Review and other reviews by the Council for the Cost of Government. If these savings are not sufficient, further savings are to be achieved at the organisation level.

## STAFF DEVELOPMENT

Training and development for staff was again a high priority throughout the year. Most of the training and development is provided in-house. Training aims to assist staff members carry out their current duties; training required for future duties, or personal development.

A training needs survey was undertaken for Members' Secretary/Research Assistants. As a result of the responses, on-site courses were offered in Research Skills, Writing Skills and Dealing with the Media. These specialist courses were developed in conjunction with external training providers to target areas raised in the survey. The training took into account the unique environment of Parliament House and the skills needed by the staff to assist them in performing their role in the Legislative Council .

Other training offered included a one day stress management training seminar held on 4 November and 7 November 1996, for Managers and Supervisors, designed to give Managers some practical skills in the area of stress prevention, recognition and management.

The Department conducted a number of in-house procedural training seminars for Members and their staff on practice and procedure, with the program including sessions on Standing Orders, 'Notice Paper: How it works', the passage of legislation and amendments to Bills in Committees. The seminars provided an excellent opportunity to inform Members and staff about the nature and role of Parliament.

In addition, a number of staff took advantage of external training courses in order to increase skill levels and job knowledge. These included attendance at approved tertiary courses, Union training, and various other seminars and training courses.

### Job Rotation Program

A Job Rotation Program was implemented within the Legislative Council, targeting staff at the middle management level. This program was adopted to expand and develop the skills held by Council staff, both in order to improve the Council skills base and flexibility as an employer and to assist with individual career development.

### Financial Study Assistance

A new 'Study Assistance Policy for Staff' was introduced early in the financial year. Staff can claim re-imbursment of compulsory tertiary fees up to a maximum of \$3,000 per course, once they have successfully completed the semester or year. A number of staff have already received re-imbursment of fees for studies at TAFE and other various tertiary institutions.

## HUMAN RESOURCES

A short form manual was developed for Members, covering issues such as the employment and management of their staff. The guidelines entitled "Members' Staff Manual" was distributed to all Members of the Legislative Council.

A Recruitment Manual for Council staff has been formulated to assist Managers and Administration staff work through the steps involved in filling a vacant position. With the introduction of the manual, an application form and accompanying pamphlet entitled 'Applying for a Job in the Legislative Council', was also produced. These will be sent to people who enquire about positions advertised in the press or Public Service Notices.

The Treasurer agreed to fund the regrading of the Members' Secretary Research Assistants from Clerk, Grade 3/4 to Clerk, Grade 4/5 effective July 1997. An all incidence allowance was also approved to be paid to these employees in lieu of overtime. This recognised the contribution these staff make to their Members and has now brought the Legislative Council Members' staff in line with staff in similar roles in the Legislative Assembly.

Modifications and training on the Complete Human Resources Information System (CHRIS) have continued to ensure that the system is being used effectively. The system provides a more efficient way of maintaining personnel records. During the reporting period the establishment and staff members' details were loaded onto the system for two Joint Services Departments, namely Parliamentary Building Services and Parliamentary Food and Beverages. The Legislative Council Administration section is responsible for systems administration of CHRIS for these Joint Services Departments.

Our performance management system aims to ensure that all staff are aware of their key tasks and supervisor expectations in the overall context of the Department's corporate directions. The system is designed to provide constructive feedback to staff on their performance in a position, and identifies poor, satisfactory and outstanding performances. Appropriate action takes place in each case and can include further training and development in identified areas, increased focus and assistance 'on the job' with problem areas, and may also include job rotation to broaden experience. The majority of staff have agreed and prepared work plans and discussed training requirements with their direct supervisors or Managers. These work plans are reviewed and updated on a regular basis to assist staff and managers control work flows and meet deadlines.

An Employee Assistance Program (EAP) was launched for Parliament in November 1995, following recognition that staff sometimes face problems which are not work related and which can make life difficult, affecting health, well-being and job performance. The Parliament has made a commitment to continue providing the services of an independent counselling service to provide a range of free and confidential services to staff. Problems such as marriage and family issues, grief and bereavement, health concerns and career issues can all be addressed by the counsellors.

As part of the ongoing review of security in Parliament House, the Parliament introduced interim security measures in May 1996 aimed at protecting Members and staff. In the current financial year, the Presiding Officers agreed on permanent security arrangements which included a proposed modification to the Legislative Assembly vestibule to better accommodate the requirements of metal detection and X-ray security checks. Security was increased within the public galleries of the Chambers during sitting periods. Treasury approved funding for the forthcoming financial year of certain capital works within Parliament House aimed at increasing the level of security to Members and staff.

## SICK LEAVE

Based on the available data, staff took an average of 2.8 days sick leave in 1996/97. This compares to an average of 3.3 in 1995/96. The figures are based on an average of 1.2 days for Members' staff, 5.1 days for procedural and administrative staff and 3.2 days per year for Committee staff. The total average sick leave taken has declined by 0.5 days per person during the reporting period.

## PARLIAMENTARY SERVICE AWARDS

The following Legislative Council staff were presented with awards on 18 December 1996, by the Presiding Officers in recognition of their service to the Parliament:

<b>Staff Member</b>	<b>Position</b>	<b>Years of Service</b>
John Evans	Clerk of the Parliaments	25
Sue Tracey	Secretary/Research Assistant	15

## PROMOTING PUBLIC AWARENESS OF PARLIAMENT

### GOAL 5

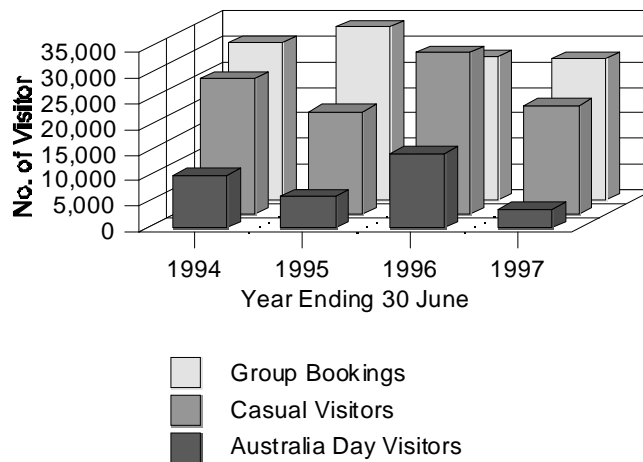
*Promote public awareness of the purpose, functions and work of the Parliament.*

An important role of the Department of the Legislative Council is promoting public awareness of the functions and work of the Parliament and its Committees. The Council continued to provide an effective enquiry service for the public, education programs for visitors to Parliament House, as well as a variety of publications.

### VISITS BY THE PUBLIC

The Legislative Council Attendants are available to show visitors around the historic Council Chamber and other areas of the Parliament, and to give talks on the Council's role and history. The Education & Community Relations Joint Section recently developed speaking notes for tours of the Legislative Council. The Attendants also assist members of the public who wish to view proceedings in the House from the gallery. During the year, these services were used by 27,632 people through group bookings, and by 21,181 casual visitors.

### Visits by the Public



The Attendants provide information and conduct tours for numerous casual visitors to Parliament House. In addition a large number of people visited the Legislative Council for various special occasions during the year, the most notable being Australia Day, 26 January 1997, when Parliament House was open to the public as part of the Sydney Eastside

celebrations. The Legislative Council and Legislative Assembly Chambers, Jubilee Room and the Fountain Court were open to the public and the Parliamentary Attendants and staff were on duty to answer questions. A total of 3,777 people passed through on this day.

In May 1997, the 11th Annual Schools in Parliament session took place in Parliament House. Fifty-eight Year 11 students from forty-two schools across NSW conducted a Parliamentary session debating a mock Law Week Bill "That NSW should secede from the Commonwealth". Parliament sponsored \$12,000 towards the program. Two State Government Familiarisation programs were run for the business community, which raised \$11,000 toward the cost of the program.

The Schools in Parliament program is an excellent educational tool, providing students with "hands on" experience on the functioning of Parliament. The event was co-ordinated by the Law Week Committee, with support provided by the Parliamentary Education and Community Relations Joint Section.

Regional Schools Constitutional Conventions are held for Year 11 students across NSW. This is a joint program sponsored by the Constitutional Centenary Foundation, Department of Education, Board of Studies, Catholic Education Commission, Independent Schools Association and the Parliament. This year, the Parliament contributed to the organisation of the metropolitan regional convention and hosted the State Convention in the Legislative Council Chamber. One hundred students from eighty-seven schools participated in the Convention.

## PARLIAMENT INTERNET SITE

The Parliament launched its Internet site (<http://www.parliament.nsw.gov.au>) in October 1996, following extensive planning and development in conjunction with the Council and other areas of the Parliament. As at 30 June 1997, the Internet site contained some 3,000 files. Between January and June 1997, approximately 25,000 users had logged onto the site.

The Legislative Council Home page contains information on the history of the Council, its roles and functions, biographical details of Members and Chamber Officers, and Committee membership and current activities.

## PROTOCOL

The Legislative Council arranges programs for official delegations from other Parliaments and associated organisations. The visits play an important role in promoting the Parliament's regional and international relations, and in facilitating the exchange of ideas on parliamentary issues. The Clerk Assistant - Committees and Usher of the Black Rod is responsible for planning and co-ordinating all such visits. Five official visits, sixteen delegations from foreign countries, and eighteen official visits by Ambassadors and Consul Generals of Foreign Missions were hosted during the year.

### Highlights:

- All Members and staff of the Parliament were invited to attend a performance by the Shanghai Ballet on the evening of Wednesday 23 October 1996, organised by the Legislative Council. The Parliament was honoured to host the only performance of this prestigious dance troupe in Australia. The performance consisted of 4 pas de deux from famous ballets: Nutcracker, Giselle, Don Quixote and Swan Lake.

- The Legislative Council coordinated an official visit of a delegation from the People's Republic of China to the Parliament of New South Wales from 3–8 July 1996. The delegation consisting of 14 Members and Officers and was led by Vice-Chairman Fang Bao of the Standing Committee of the People's Congress Guangdong Province People's Republic of China. The visit was part of the official sister-state agreement with Guangdong aimed at strengthening ties between New South Wales and China.
- A program was organised by the Legislative Council for the visit by Officers of the Thai National Assembly, Mr Somsak Manupichu, Assistant Director of Foreign Relations Division Secretariat of the Senate; Dr Akkharamet Thongnuan, Chief of ASEAN Inter-Parliamentary Organisation Section Secretariat of the House of Representation from 13–30 August 1996. The visit was part of an exchange program established between the Parliament of New South Wales and the Thai Parliament aimed at increasing the procedural and administrative knowledge and skills of officers of both Parliaments.
- The Parliament again participated in the Australia Day celebrations although this year very wet and windy weather lowered the number of visitors to Macquarie Street. It didn't, however, dampen the spirits of those who participated in the day's events and overall it proved to be a great success.
- In February 1997 the President of the Legislative Council, the Hon Max Willis MLC, led a Parliamentary delegation to the Kingdom of Thailand. He was accompanied by the Hon Virginia Chadwick MLC, the Hon James Kaldis MLC, four Members of the Legislative Assembly and the Clerk of the Parliaments, Mr John Evans. While in Bangkok the delegation visited the Parliament of Thailand and the Grand Palace. The delegation also visited Chiang Mai and Kanchanaburi Provinces and laid wreaths at the Allied War Cemetery of Soldiers.
- Two distinguished visitors to the Parliament were invited to take a seat on the dais in the Chamber. On 21 May 1997 His Excellency Mr Wanmuhammadnoor Matha, Speaker of the House of Representatives and President of the National Assembly of the Kingdom of Thailand and on 27 May 1997 His Excellency Mr Chuan Leekpai, Leader of the Opposition in the house of Representatives and former Prime Minister of Thailand.
- The Legislative Council jointly organised the official program for the visit to the Parliament of New South Wales by Vice-President Sun Jae Lee and the Delegation of the Seoul Metropolitan Council of Korea from 20–26 May 1997. This was the first visit by the sister-city Seoul Metropolitan Council to the Parliament of New South Wales.
- On the 5 June 1997 the Hon Max Willis, MLC, President of the Legislative Council and Hon. John Murray MP, Speaker of the Legislative Assembly led a Parliamentary delegation to commemorate the inaugural visit to its sister-state Legislature of California.

### Public and Official Visits to the Legislative Council

Visitors to Parliament House	1995/96	1996/97
Casual Visitors	31,535	21,181
Bookings	28,016	27,632
Australia Day	14,575	3,777
Total	74,126	52,590
Official Visits by His Excellency the Governor of New South Wales to Parliament House	5	5
Visits by delegations from foreign countries	10	16
Official visits by Ambassadors and Consuls General of Foreign Missions	23	18
Other visits, including Heads of State	23	22



## EXHIBITIONS

Arrangements for the staging of exhibitions in the Parliament House Fountain Court are co-ordinated through the Legislative Council. Ministers and Members may sponsor exhibits to promote their Departments' or constituents' programs. A total of 22 exhibitions were held in the reporting period.

### Significant exhibits during the year included:

- The Hon J Shaw, MLC, Attorney General, and Minister for Industrial Relations, sponsored an exhibition of paintings by Aboriginal artist Gordon Syron and photographs by Elaine Pelot Kitchener on 'Aboriginal Deaths in Custody'.
- The Hammond Care Group organised a photographic exhibition entitled "Images of Our Elders", which was sponsored by the Hon P Collins, MP, Leader of the Opposition.
- The Hon C Scully, MP, Minister for Public Works and Services, Minister for Roads, Minister for Ports, Assistant Minister for Energy and Assistant Minister for State and Regional Development, sponsored an exhibition held by The Australia-Japanese Centenary Committee, which comprised of a selection of photographs to commemorate the centenary of the consular relationship between NSW and Japan.
- An exhibition by Ursula Richardson (artist) comprising 20 framed paintings, was sponsored by Mr W Merton, MP, . The exhibition coincided with a piano concert in the theatre by Roger Woodward.
- The Hon R Dyer, MLC, Minister for Community Services, Minister for Aged Services, & Minister for Disability Services, sponsored a display by the National Information Communication Awareness Network (NICAN), of a selection of 30 photographs, in celebration of the International Day of Disabled Persons.
- The Independent Commission Against Corruption and NSW TAFE Commission, held a poster display entitled "Corruption Matters—Student Perspectives 1996". The display was sponsored by the Hon J Shaw, MLC, Attorney General, and Minister for Industrial Relations and was launched by His Excellency the Governor of New South Wales.
- The Hon Dr B Pezzutti, MLC, sponsored an exhibition hosted by the Australian and New Zealand College of Anaesthetists, in celebration of World Anaesthetics Day. The exhibition was a visual display consisting of a mock operating theatre with a robotic surgeon and attendant anaesthetist.
- The Hon B Martin, MP, Minister for Mineral Resources, and Minister for Fisheries, sponsored an exhibition held by the mining industry of New South Wales, celebrating its bicentenary year in 1997, consisting of a series of photographs, both historical and modern, depicting mining in New South Wales. There was also a display of minerals mined in New South Wales and mannequins showing miners' dress and equipment.
- An exhibition comprising a selection of artworks produced by students from schools in Nagoya, Japan, was sponsored by the Hon J Aquilina, MP, Minister for Education and Training, and Minister Assisting the Premier for Youth Affairs.

## WORK EXPERIENCE PROGRAM

This year Legislative Council played host to three University students who wished to gain experience in the Parliament. The students came from various Universities for either a Learning Experience, Field Placement or Internship and were placed in the area of the Legislative Council which most suited their area of study. These placements were for extended periods ranging from 3 weeks to 4 months.

Six secondary school students were accepted on a work experience program, which provided a valuable opportunity for students to participate in a work environment. Students are usually placed in a number of different work environments over the period of a week, giving them an opportunity to experience how different work places operate. A typical work experience student's week would involve viewing the proceedings of the House, spending time in a Member's office, working in the Library, viewing a Committee in action and spending time in the Procedure Office.

At the end of the period the student is required to fill in a short questionnaire. The feedback from the questionnaire indicates that the program is successful, with nearly all students finding their time with the Parliament rewarding and enjoyable.

In addition, the Council has an ongoing Executive Shadow scheme with Asquith Girls' High School and St. George Girls' High School. The scheme has been running for a number of years and aims to provide female students with an opportunity to "shadow" Ms Lynn Lovelock, Deputy Clerk for three to five days, enabling them to gain an insight into a career in management at a high level. This scheme is slightly different to work experience, where the student is actually doing work in their anticipated vocational area. The emphasis is on the provision of positive role models as a means of encouraging young women to aspire to higher levels of achievement in their future careers.

## PHYSICAL ENVIRONMENT

### GOAL 6

*Maintain and enhance an appropriate physical environment for the conduct of parliamentary business while preserving the heritage value of Parliament House.*

### PARLIAMENTARY PRECINCTS BILL 1997

The Joint Committee upon Parliamentary Privilege in its report tabled in September 1985 recommended that a statute be enacted defining the precincts of the Parliament and vesting control in the Presiding Officers. The land on which the Parliament is situated included: land for which no Crown grant was issued; land resumed under the *Macquarie Street Land Resumption Act 1879*; and land which was dedicated for public recreation.

In January 1991, the Parliament requested advice from the Land Titles Office regarding a clear definition and title of land on which the parliamentary buildings are situated. The Land Titles Office advised that achieving title to the areas in question would require issue of a number of certificates of title to the relevant parcels of land in the name of either the State of New South Wales or the Minister for Lands. Further advice was then sought to consolidate the fragmented parcels of land comprising the parliamentary establishment.

Following further advice from the Department of Lands and the Land Titles Office, in October 1992, the Parliament requested the assistance of the Minister for Conservation and Land Management to sponsor and prepare legislation establishing clear title and custody of the parliamentary precincts in the Presiding Officers. The Minister agreed to sponsor the legislation, and preparation of the considerable work behind it commenced by the Land Titles Office in November 1992.

After several meetings between the Parliament and the Land Titles Office, a plan of survey defining the title boundaries was completed in March 1993. A draft Cabinet Minute relating to the proposed "Parliamentary Precincts Bill" was prepared for discussion at the end of March 1993, but that met objection from the Cabinet Office who suggested that the matter be dealt with by administrative action. After the change of Government in 1995 the proposal for a Bill was revived. Following a significant amount of meetings and negotiations between the Parliament, the Police Department, the State Library, Sydney Hospital, the Royal Botanic Gardens, the Land Titles Office and the Parliamentary Counsel, a Bill was finally introduced into the Legislative Assembly on 19 June 1997. The Bill passed through the Legislative Council without amendment on 27 June 1997.

The primary aim of the Act is, for the first time, to define the precincts of the Parliament by deposited plan. The Act clarifies the area under the Parliament's control, setting the security and management roles of the Presiding Officers and the Police and by establishing a "Parliamentary Zone" between the Parliament and the State Library and Sydney Hospital where powers exist to control public access on certain occasions.

## **PRESERVING THE HERITAGE VALUE OF PARLIAMENT HOUSE**

Parliamentary Building Services is administratively attached to the Legislative Council and is responsible for the maintenance of Parliament House. This is an important and challenging task as the heritage building, which is a landmark on Macquarie Street, is of immense historical value to the people of New South Wales. The building must be preserved and maintained in excellent original condition while remaining in daily use and providing a functional home for modern political life in New South Wales.

A number of projects were undertaken during the reporting period, which have improved facilities while maintaining the style of the Parliamentary environment:

### **Legislative Council Chamber**

- The theatre style of seating in the first floor visitors' gallery of the Chamber was replaced with bench seating. The balustrade handrail were also modified to comply with occupational health and safety requirements.
- The timing system for Members speeches was upgraded.

### **Jubilee Room**

- A Chairman's Chair and six tables were purchased for Committee hearings, with refurbishment to a further three heritage tables and twenty-three heritage chairs.
- A television camera was installed to broadcast Committee proceedings within Parliament House.

## Key Plans 1997-1998

*In terms of the Legislative Council Corporate Goals, a number of activities have been planned for the coming year, to improve services to Members and promote efficiency within the Council.*

The Key Plans include:

- Review and streamline procedural processes and record keeping, especially in relation to official records; statistical records; filing and retention of printed and tabled documents. In conjunction with this, a review will be undertaken of all “paper” practices in the procedure area and the potential application of IT developments to reduce paper use and distribution.
- Continue to develop Lotus Notes as a single source of published procedural information such as manuals, fact sheets, training material and standing orders.
- Develop and implement a computerised Help Desk as part of the asset management system to refine the service offered to Members. The system will track the progress of any issues that a Member may submit, such as repairs to equipment.
- Manage the relocation of Members from Level 12 to Level 11.
- Continue to develop procedural materials which support Members and the operation of the Council:
  - ♦ publish Presidents’ principal rulings.
  - ♦ research and write papers on topical issues such as Money Bills; Orders for papers; Privilege cases in the NSW Parliament; role of the Legislative Council and legislation in the House; ten year review of Standing Committees; and Estimates Committees in the NSW Parliament.
  - ♦ compile and publish parliamentary journals and a consolidated index.
  - ♦ continue to develop manuals including for Committee of the Whole, the Official Opening of Parliament, the operation of Estimates Committees and production of the Minutes.
  - ♦ develop and implement a program of seminars on parliamentary practice and procedure.
- Manage the implementation of TRIM for Windows including the development of a functional disposal schedule; development of a mail module; completion of a major review of files; and issue user friendly file listings and a thesaurus to staff.
- Design a Learning and Development Strategy to support the Council’s goals, which includes:
  - ♦ Manage the implementation of the 1998 staff rotation program.
  - ♦ Investigate the feasibility of introducing a cadetship for aboriginal university students.
  - ♦ Deliver staff training in relation to employment/performance issues.
  - ♦ Develop a speakers’ program relevant to Council management meetings.
  - ♦ Manage the review and upgrade of staff induction processes.
- Investigate, in conjunction with the Unions and the Legislative Assembly, the development of a single Parliament House Conditions Award.
- Develop a strategy to promote the role of the Legislative Council.
- The Third Session of the 51st Parliament will be formally opened by His Excellency Gordon Samuels AC, Governor of New South Wales, on Tuesday 16 September 1997.

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FINANCIAL  
STATEMENTS



LEGISLATIVE COUNCIL

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BOX 12 GPO  
SYDNEY NSW 2001

## INDEPENDENT AUDIT REPORT

### THE LEGISLATURE

To Members of the New South Wales Parliament, Clerk of the Legislative Assembly and Clerk of the Parliaments

#### Scope

I have audited the accounts of The Legislature for the year ended 30 June 1997. The preparation and presentation of the financial report consisting of the accompanying statement of financial position, operating statement, statement of cash flows, program statement - expenses and revenues, and summary of compliance with financial directives, together with the notes thereto, and the information contained therein, is the responsibility of the Clerk of the Legislative Assembly and the Clerk of the Parliaments. I have conducted an audit of The Legislature's financial report in order to express an opinion on these statements to Members of the New South Wales Parliament, the Clerk of the Legislative Assembly and the Clerk of the Parliaments. My responsibility does not extend here to an assessment of the assumptions used in formulating budget figures disclosed in the financial report.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates.

In addition, other legislative requirements which could have an impact on The Legislature financial report have been reviewed on a cyclical basis. For this year, the requirements examined comprise: Payroll Tax on superannuation benefits; disaster recovery plan for computer installations and prompt payments of accounts.

These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) so as to present a view which is consistent with my understanding of The Legislature's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

#### Audit Opinion

In my opinion, the financial report of The Legislature presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of The Legislature as at 30 June 1997 and the results of its operations and its cash flows for the year then ended.

A handwritten signature in black ink, appearing to read 'A. C. Harris'.

A. C. HARRIS

SYDNEY  
27 August 1997

**THE LEGISLATURE**

**FINANCIAL STATEMENTS FOR THE YEAR ENDED**

**30 JUNE 1997**

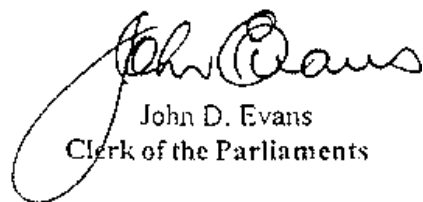
**Statement by Department Heads**

We state that:

- (a) the accompanying financial statements have been prepared on an accrual basis in accordance with applicable Australian Accounting Standards, the Urgent Issues Group Consensus Views and the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent Agencies.
- (b) the statements exhibit a true and fair view of the financial position and transactions of the Legislature, and
- (c) there are no circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.



Russell D. Grove  
Clerk of the Legislative Assembly



John D. Evans  
Clerk of the Parliaments

22 August 1997

**THE LEGISLATURE****Operating Statement for the Year Ended 30 June 1997**

	Notes	Actual 1997 \$000	Budget 1997 \$000	Actual 1996 \$000
<b>Expenses</b>				
Operating expenses				
Employee related	2(a)	30,591	30,401	29,254
Other operating expenses	2(b)	14,188	13,572	13,989
Maintenance	2(c)	517	605	527
Depreciation and amortisation	2(d)	2,346	2,430	2,172
Other expenses	2(e)	<u>27,880</u>	<u>27,748</u>	<u>26,479</u>
<b>Total Expenses</b>		<u>75,522</u>	<u>74,756</u>	<u>72,421</u>
Less:				
<b>Retained Revenue</b>				
Sale of goods and services	3(a)	1,252	1,020	1,139
Investment income	3(b)	167	200	251
Grants and contributions	3(c)	685	500	503
Other revenue	3(d)	<u>729</u>	<u>305</u>	<u>408</u>
<b>Total Retained Revenue</b>		<u>2,833</u>	<u>2,025</u>	<u>2,301</u>
<b>Gain / (loss) on sale of non-current assets</b>	4	<u>(12)</u>	<u>-</u>	<u>(62)</u>
<b>NET COST OF SERVICES</b>	17	<u>72,701</u>	<u>72,731</u>	<u>70,182</u>
<b>Government Contributions</b>				
Recurrent appropriation		60,262	59,262	57,370
Capital appropriation		1,916	2,331	2,144
Acceptance by the Crown Transactions Entity of employee entitlements and other liabilities	7	<u>8,946</u>	<u>9,925</u>	<u>9,602</u>
<b>Total Government Contributions</b>		<u>71,124</u>	<u>71,518</u>	<u>69,116</u>
<b>SURPLUS / (DEFICIT) FOR THE YEAR</b>		<u>(1,577)</u>	<u>(1,213)</u>	<u>(1,066)</u>

**THE LEGISLATURE****Statement of Financial Position as at 30 June 1997**

	Notes	Actual 1997 \$000	Budget 1997 \$000	Actual 1996 \$000
<b>ASSETS</b>				
<b>Current Assets</b>				
Cash	18	140	595	1,945
Receivables	9	1,040	986	986
Inventories	10	87	108	108
<b>Total Current Assets</b>		<u>1,267</u>	<u>1,689</u>	<u>3,039</u>
<b>Non-Current Assets</b>				
Property, plant and equipment	11	<u>134,902</u>	<u>134,800</u>	<u>134,538</u>
<b>Total Non-Current Assets</b>		<u>134,902</u>	<u>134,800</u>	<u>134,538</u>
<b>Total Assets</b>		<u>136,169</u>	<u>136,489</u>	<u>137,577</u>
<b>LIABILITIES</b>				
<b>Current Liabilities</b>				
Accounts payable	12	1,420	2,249	1,827
Employee entitlements	13(a)	<u>2,537</u>	<u>1,785</u>	<u>2,082</u>
<b>Total Current Liabilities</b>		<u>3,957</u>	<u>4,034</u>	<u>3,909</u>
<b>Non-Current Liabilities</b>				
Employee entitlements	13(b)	121	-	-
<b>Total Liabilities</b>		<u>4,078</u>	<u>4,034</u>	<u>3,909</u>
<b>Net Assets</b>		<u>132,091</u>	<u>132,455</u>	<u>133,668</u>
<b>EQUITY</b>				
<b>Accumulated Funds</b>		<u>132,091</u>	<u>132,455</u>	<u>133,668</u>
<b>Total Equity</b>	14	<u>132,091</u>	<u>132,455</u>	<u>133,668</u>

## Cash Flow Statement for the Year Ended 30 June 1997

	Notes	Actual \$000	Budget \$000	Actual \$000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
<b>Payments</b>				
Employee related		(27,773)	(26,562)	(25,315)
Other		<u>(36,022)</u>	<u>(35,714)</u>	<u>(34,386)</u>
<b>Total Payments</b>		<u>(63,795)</u>	<u>(62,276)</u>	<u>(59,701)</u>
<b>Receipts</b>				
Sale of goods and services		1,253	1,020	1,004
Other		853	805	872
Investment income		<u>220</u>	<u>200</u>	<u>274</u>
<b>Total Receipts</b>		<u>2,326</u>	<u>2,025</u>	<u>2,150</u>
<b>NET CASH FLOWS FROM OPERATING ACTIVITIES</b>				
	19	<u>(61,469)</u>	<u>(60,251)</u>	<u>(57,551)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Proceeds from sale of property, plant and equipment		184		92
Purchases of property, plant and equipment		<u>(2,898)</u>	<u>(2,692)</u>	<u>(1,856)</u>
<b>NET CASH FLOW FROM INVESTING ACTIVITIES</b>		<u>(2,514)</u>	<u>(2,692)</u>	<u>(1,764)</u>
<b>CASH FLOWS FROM GOVERNMENT</b>				
Recurrent appropriation	6	60,262	59,262	57,370
Capital appropriation	6	<u>1,916</u>	<u>2,331</u>	<u>2,144</u>
<b>NET CASH FLOWS FROM GOVERNMENT</b>		<u>62,178</u>	<u>61,593</u>	<u>59,514</u>
<b>NET INCREASE / (DECREASE) IN CASH</b>				
		(1,805)	(1,350)	199
Opening cash and cash equivalents		<u>1,945</u>	<u>1,945</u>	<u>1,746</u>
<b>CLOSING CASH AND CASH EQUIVALENTS</b>				
	18	<u>140</u>	<u>595</u>	<u>1,945</u>

## THE LEGISLATURE

### Program Statement – Expenses and Rev-

	Program 1.1.1		Program 1.1.2		Program 1.1.3		Program 1.1.4		Program 1.1.5		Program 1.1.6	
	1997	1996	1997	1996	1997	1996	1997	1996	1997	1996	1997	1996
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>THE LEGISLATURE'S EXPENSES &amp; REVENUES</b>												
<b>Expenses</b>												
Operating expenses	2,365	1,971	1,831	2,065	10,597	9,222	2,338	2,551	-	-	2,079	1,813
Employee related	1,415	1,405	521	509	7,627	6,991	582	605	51	60	1,230	1,393
Other operating expenses	21	-	-	-	147	128	2	-	-	-	1	-
Maintenance	94	80	57	41	491	467	98	72	-	-	37	23
Depreciation and amortisation	7,319	6,958	-	-	15,960	15,115	-	-	4,093	4,014	-	-
Other expenses	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>	11,234	10,414	2,409	2,615	34,822	31,823	3,020	3,228	4,144	4,074	3,347	3,229
<b>Retained Revenue</b>												
Sale of goods and services	-	-	1	19	-	-	1	18	-	-	114	59
Investment income	-	-	-	-	-	-	-	-	-	-	-	-
Grants and contributions	-	-	-	1	-	-	-	-	-	-	-	-
Other revenue	23	25	5	51	105	91	10	72	4	3	32	49
<b>Total Retained Revenue</b>	23	25	6	71	105	91	11	92	4	3	146	108
Gain / (loss) on sale of non-current assets	-	-	-	-	-	-	-	-	-	-	-	-
<b>NET COST OF SERVICES</b>	11,211	10,389	2,403	2,544	34,717	31,732	3,009	3,136	4,140	4,071	3,201	3,121
Government contributions	10,871	10,007	2,219	2,571	33,692	31,339	2,948	3,441	4,131	4,076	3,761	3,292
<b>SURPLUS / (DEFICIT) FOR THE YEAR</b>	(340)	(382)	(184)	27	(1,025)	(393)	(61)	305	(9)	5	560	171
<b>Expenses</b>												
Operating expenses	1,989	2,011	1,944	2,127	2,314	2,394	1,862	2,023	3,292	3,077	30,591	29,254
Employee related	500	701	179	268	928	971	421	354	734	832	14,188	13,989
Other operating expenses	8	-	-	-	337	399	-	-	1	-	517	527
Maintenance	108	82	24	16	962	1,007	60	55	415	329	2,346	2,172
Depreciation and amortisation	-	-	-	-	-	-	-	-	508	392	27,880	26,479
Other expenses	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>	2,605	2,794	2,147	2,411	4,541	4,771	2,363	2,432	4,890	4,630	75,522	72,421
<b>Retained Revenue</b>												
Sale of goods and services	-	-	117	85	481	503	372	411	166	44	1,252	1,139
Investment income	-	-	-	-	-	-	-	-	167	251	167	251
Grants and contributions	-	-	-	20	185	34	500	500	-	-	685	503
Other revenue	21	10	3	20	488	34	8	8	30	45	729	408
<b>Total Retained Revenue</b>	21	10	120	105	1,154	537	890	919	363	340	2,833	2,301
Gain / (loss) on sale of non-current assets	(10)	-	-	-	(1)	(75)	(1)	(1)	-	14	(12)	(62)
<b>NET COST OF SERVICES</b>	2,594	2,784	2,027	2,306	3,388	4,309	1,484	1,514	4,527	4,276	72,701	70,182
Government contributions	2,409	2,759	2,021	2,311	3,393	3,353	1,096	912	4,583	5,055	71,124	69,116
<b>SURPLUS / (DEFICIT) FOR THE YEAR</b>	(185)	(25)	(6)	5	5	(936)	(388)	(602)	56	779	(1,577)	(1,066)

**Summary of Compliance with Financial Directives  
for the Year Ended 30 June 1997**

	Actual Appropriations			Estimated Expenditure		Actual Appropriations			Estimated Expenditure	
	Original 1997 \$000	Revised 1997 \$000	1997 \$000	Original 1996 \$000	Revised 1996 \$000	Original 1996 \$000	Revised 1996 \$000	1996 \$000		
<b>Recurrent appropriations</b>										
Program 1.1.1	8,546	8,894	8,894	8,075	8,144	8,144	8,144	8,144		
Program 1.1.2	2,027	2,025	2,025	2,138	2,138	2,138	2,138	2,138		
Program 1.1.3	27,044	27,633	27,633	25,909	25,982	25,982	25,982	25,982		
Program 1.1.4	2,683	2,682	2,682	2,829	2,829	2,829	2,829	2,829		
Program 1.1.5	4,260	4,131	4,131	3,924	4,076	4,076	4,076	4,076		
Program 1.1.6	3,353	3,545	3,545	3,420	3,035	3,035	3,035	3,035		
Program 1.2.1	2,182	2,181	2,181	2,273	2,273	2,273	2,273	2,273		
Program 1.2.2	1,797	1,796	1,796	1,796	1,796	1,796	1,796	1,796		
Program 1.2.3	2,729	2,734	2,734	2,926	2,926	2,926	2,926	2,926		
Program 1.2.4	950	951	951	651	651	651	651	651		
Program 1.2.5	3,691	3,690	3,690	3,520	3,520	3,520	3,520	3,520		
	59,262	60,262	60,262	57,461	57,370	57,370	57,370	57,370		
<b>Capital appropriations</b>										
Program 1.1.1	16	16	16	120	104	104	104	104		
Program 1.1.2	-	-	-	30	52	52	52	52		
Program 1.1.3	970	917	917	803	681	681	681	681		
Program 1.1.4	-	-	-	15	15	15	15	15		
Program 1.1.6	-	-	-	-	-	-	-	-		
Program 1.2.1	250	175	175	285	110	110	110	110		
Program 1.2.2	-	-	-	25	83	83	83	83		
Program 1.2.3	405	405	405	-	-	-	-	-		
Program 1.2.5	690	403	403	972	1,099	1,099	1,099	1,099		
	2,331	1,916	1,916	2,250	2,144	2,144	2,144	2,144		
<b>Total appropriations</b>	61,593	62,178	62,178	59,711	59,514	59,514	59,514	59,514		

The name and purpose of each program is summarised in note 8. The increase in Programs 1.1.1 and 1.1.3 flows from changes to the award for L. C. Research Staff and L. A. Electorate Officers.

## THE LEGISLATURE

### Notes to and Forming Part of the Financial Statements

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

##### (a) Reporting Entity

The Legislature as a reporting entity comprises all of the operating activities of the New South Wales Parliament under the joint direction and control of the President of the Legislative Council and the Speaker of the Legislative Assembly. It includes all of the functions of parliamentary representation undertaken by the Council and the Assembly, and their various supporting Departments and Sections.

##### (b) Basis of Accounting

The Legislature's financial statements are a general purpose financial report which has been prepared on an accruals basis and in accordance with applicable Australian Accounting Standards and the Urgent Issues Group Consensus Views and the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent Agencies.

Statements of Accounting Concepts are used as guidance in the absence of applicable Accounting Standards, Urgent Issues Group Consensus Views and legislative requirements.

The statements are prepared in accordance with the historical cost convention apart from Land, Buildings, Antique and Artworks Collections and certain items of property, plant and equipment which are recorded at valuation. All amounts shown in the statements are rounded to the nearest one thousand dollars and are expressed in Australian currency.

The accounting policies adopted are consistent with those of the previous year.

##### (c) Parliamentary Appropriations and Contributions from Other Bodies

Parliamentary Appropriations and contributions from other bodies (including grants and donations) are recognised as revenues when The Legislature obtains control over the assets comprising the contributions. Control over appropriations contributions is normally obtained upon the receipt of cash.

##### (d) Employee Entitlements

###### (i) Wages and Salaries, Annual Leave, Sick Leave and On-costs

Liabilities for wages and salaries and annual leave are recognised and measured as the amount unpaid at the reporting date at current pay rates in respect of employees' services up to that date.

Sick leave entitlements for the Legislature's employees is non-vesting. Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the entitlements accrued in the future.

The outstanding amounts of payroll tax, workers' compensation insurance premiums and fringe benefits tax, which are consequential to employment, are recognised as liabilities and expenses where the employee entitlements to which they relate have been recognised.



**(ii) Long Service Leave and Superannuation**

The Legislature's liabilities for long service leave and superannuation are assumed by the Crown Transactions Entity. The Legislature accounts for the liability as having been extinguished resulting in the amount assumed being shown as part of the non-monetary revenue item described as "Acceptance by the Crown Transactions Entity of Employee Entitlements and other Liabilities".

Long service leave is measured on a nominal basis. The nominal method is based on the remuneration rates at year end for all employees with five or more years of service. It is considered that this measurement technique produces results not materially different from the estimate determined by using the present value basis of measurement.

The superannuation expense for the financial year is determined by using the formulae specified in the Treasurer's Directions. The expense for certain superannuation schemes (ie Basic Benefit and First State Super) is calculated as a percentage of employees' salaries. For other superannuation schemes (ie State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

**(e) Insurance**

The Legislature's insurance activities are conducted through the NSW Treasury Managed Fund Scheme of self insurance for Government agencies. The expense (premium) is determined by the Fund Manager based on past experience.

**(f) Acquisition of Assets**

The cost method of accounting is used for the initial recording of all acquisitions of assets controlled by the Legislature. Cost is determined as the fair value of the assets given as consideration plus the costs incidental to the acquisition.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and revenues at their fair value at the date of acquisition.

Fair value means the amount for which an asset could be exchanged between a knowledgeable willing buyer and a knowledgeable willing seller in an arm's length transaction.

**(g) Property, Plant and Equipment**

The following valuation policies have been adopted by the Legislature in accordance with Treasury's Guidelines for the Valuation of Land and Heritage Assets in the NSW Public Sector dated May 1995.

*Land*

The land on which the Parliamentary Building is sited in Macquarie Street has been valued by the NSW Valuer Generals Office in May 1993, at \$42,000,000 based on existing use.

*Buildings*

The value of the Parliament House Building has been included in the Financial Statements for year ending 30 June 1997, at \$86,500,000. This represents the estimated written down replacement cost of an appropriate facility having a similar functional potential excluding the unique heritage features.

The Valuer General's Office provided the building valuation in May 1993, and advised in June 1995, that the valuation was generally current in terms of the new valuation guidelines, which specifies current replacement cost excluding depreciation.

Separately identifiable plant and machinery components of the building with an economic life of less than 100 years have been capitalised at valuation by the Public Works Department at 1 July 1992 (\$19,494,000) and depreciated on a straight line basis over the remainder of their economic life. These components are currently valued at \$20,600,000 following acquisitions and disposals since that date.

#### *Works of Art*

The Legislature utilised the services of the NSW Art Gallery in June 1995, to provide a valuation of the Artworks Collection. The valuation methodology used by the Art Gallery involves the use of mean market values within the following ranges:

\$1-\$999	Mean value \$500
\$1,000-\$9,999	Mean value \$5,000
\$10,000-\$24,999	Mean value \$17,500
\$25,000-\$49,999	Mean value \$37,500
\$50,000-\$74,999	Mean value \$62,500
\$75,000-upwards	Use actual valuation

Based on the above methodology the Artworks Collection has a value of \$1,214,000 (\$868,000 95/96) after bringing to account prints valued by comparison at \$1,500 plus further artworks valued at \$344,300 by Ms T. Cleary an antique and artworks collections expert, which had not previously been accounted for due to an oversight in past financial years (see note 11).

#### *Antiques*

The Parliament's antique and period furniture collection was included in the Financial Statements for the first time in 1994/95 based on a market value of \$1,841,000.

Ms T. Cleary, an antique and artworks collections expert, was contracted in June 1995, to provide a market value of the Parliament's extensive antique and period furniture collection. Additional items have subsequently been located in 1996/97 and valued at \$68,000 by Ms Cleary. These have been brought to account in the current financial year as income through the Operating Statement, together with \$49,425 of other antique and period furniture, which have been located and valued on a comparison basis. After also taking into account purchases and disposals during the year, the total value of the collection is \$2,114,000 (\$1,971,000 95/96).

#### *Electorate Office Fitouts*

The fit out of Members' Electorate Offices is valued at original cost which is then subject to amortisation over the term of the lease for the relevant electorate office.

#### *Other Property, Plant and Equipment*

The capitalisation of other property, plant and equipment, including office furniture and furnishings and computer equipment is subject to a minimum value of \$5,000 per item.

The valuation of assets has been undertaken by Legislature Officers with assistance from Public Works Department Engineers in respect to Plant and Machinery (Building Technical Services) Assets based on the written down value as at 1 July 1992. Assets acquired since this date have been included at cost and subject to depreciation over their useful life.

### **(h) Revaluation of Physical Non-Current Assets**

Buildings and improvements, plant and equipment and infrastructure assets (excluding land) are valued based on the estimated written down replacement cost of the most appropriate modern equivalent replacement facility having a similar service potential to the existing asset. Land is valued on an existing use basis.

Assets will be revalued on a progressive basis over a five year period commencing in the 1997/98 financial year.

**(i) Assets Not Able to be Reliably Measured**

The Legislature holds Archive and Library collections which are not included in the financial statements as they cannot be measured reliably at this time. This is due to the need to establish a data base of all items in the collections prior to considering valuation. This will then be followed by clarification from valuation experts as to whether the collections can be reliably valued. Once it is established that a valuation can be reliably made it is necessary to agree on a consistent methodology with other Public Sector organisations with similar collections and obtain funding for the cost of undertaking the valuation from Treasury.

It is anticipated that the abovementioned issues will be resolved by 30 June, 1998.

Further details of these collections are provided in note 11 (c) - Non Current Assets Property, Plant and Equipment.

**(j) Depreciation and Amortisation**

Depreciation or amortisation is provided for on a straight line basis against all depreciable or amortisable assets so as to write off the depreciable amount of the asset as it is consumed over its useful life.

Depreciation charges have not been applied to Land and Buildings (except Plant and Machinery Building Technical Services Assets). This is in recognition of the Parliament House Building being a heritage asset and the extensive building maintenance program in place, depreciation is only applied to the building technical services components which have been separately identified and have a value of \$20,600,000 as at 30 June 1997.

Similarly the Legislature's Works of Art and Antique collections have not been depreciated as the value is expected to appreciate.

**(k) Leased Assets**

All leases to which the Legislature is a party are operating leases with payments being charged to the Operating Statement in the periods in which they are incurred.

**(l) Inventories**

Inventories are stated at the lower of cost and net realisable value. The cost is calculated using the average cost method. Current inventory consists of 4,320 copies of a book entitled 'Australia's First Parliament'

**2. EXPENSES**

**(a) Employee Related Expenses**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Salaries and Wages	22,903	21,005
Superannuation Entitlements—staff	2,019	3,434
Long service leave	750	696
Annual/Recreation Leave	2,036	1,787
Workers Compensation Insurance	228	155
Payroll tax and fringe benefits tax	2,254	1,725
Other	401	452
	30,591	29,254

Salaries and Wages costs of \$38,000 have been capitalised and included in the acquisition cost of Computer Equipment whilst \$82,000 has been included in the recurrent acquisition cost of computer related equipment which was purchased with capital funding.

Members' superannuation entitlements and fringe benefits tax previously shown as employee related expenses are shown under other expenses in Note 2 (e) as this is considered more appropriate.

**(b) Other Operating Expenses**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Travel expenses	2,106	1,816
Computer costs	2,087	1,495
Rental expense relating to operating leases	2,000	1,886
Telephone and facsimile charges	1,760	1,857
Printing and stationery	1,420	1,529
Postage and State Mail charges	1,159	1,168
Gas and electricity charges	876	989
Stores	506	717
Cleaning and laundry	471	417
Contract and other fees	386	324
Insurance	254	244
Auditor's remuneration	32	29
Consultancy fees	31	330
Miscellaneous	1,100	1,188
	<u>14,188</u>	<u>13,989</u>

**(c) Maintenance**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Repairs and routine maintenance	381	399
Maintenance on Legislative Assembly offices	136	128
	<u>517</u>	<u>527</u>

In addition to the Legislature's outlays, maintenance expenditure by the Department of Public Works on the Parliament House Building totalled \$754,000 (\$754,000 in 1995/96). This expenditure was part of the program for the essential maintenance of State assets.

**(d) Depreciation and Amortisation**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Depreciation on property, plant and equipment	2,106	1,928
Amortisation of Leasehold Costs	240	244
	<u>2,346</u>	<u>2,172</u>

**(e) Other expenses**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Salaries and Allowances of Members of Parliament	19,545	18,830
Superannuation Entitlements—Members	5,651	5,472
Payroll tax & Fringe Benefits Tax—Members Entitlements	1,789	1,784
Payroll tax liability—Members Superannuation	387	—
Special Projects	508	393
	<u>27,880</u>	<u>26,479</u>

**3. REVENUES****(a) Sale of goods and services**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Sale of Publications	120	123
Energy Recoup from Sydney Hospital and State Library	468	494
Dining Room Functions	372	411
Parliamentary Committee Seminars	114	59
Miscellaneous	178	52
	<u>1,252</u>	<u>1,139</u>
	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Interest on operating account	167	251
	<u>167</u>	<u>251</u>

**(c) Grants and contributions**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Commonwealth Government Grant	—	3
Contribution from House Committee	500	500
Contribution from Sydney Hospital and AGL Towards plant and equipment	185	—
	<u>685</u>	<u>503</u>

**(d) Other revenue**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Assets not previously recognised refer Note 1(g)	463	166
Telstra rebate	181	157
Miscellaneous	85	85
	<u>29</u>	<u>408</u>

**4. GAIN/(LOSS) ON SALE OF NON-CURRENT ASSETS**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Gain / (loss) on disposal of plant and equipment		
Proceeds from sale	7	269
Written down value of assets sold	19	331
Net gain / (loss) on disposal of plant and equipment	<u>(12)</u>	<u>(62)</u>

**5. CONDITIONS OF CONTRIBUTION**

There were no conditions attached to the contributions from Sydney Hospital The Australian Gas Light Company and the Legislature House Committee referred to in note 3 (c).

**6. APPROPRIATIONS**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Total recurrent appropriations		
As per summary of Compliance & Operating Statement	60,262	57,370
Total capital appropriations as per Summary of Compliance & Operating Statement	1,916	2,144

**7. ACCEPTANCE BY THE CROWN TRANSACTIONS ENTITY EMPLOYEE ENTITLEMENTS AND OTHER LIABILITIES**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
<b>Employees</b>		
Superannuation	2,019	3,434
Long service leave	750	696
Payroll Tax on Superannuation	139	—
	<u>2,908</u>	<u>4,130</u>
<b>Members</b>		
Superannuation	5,651	5,472
Payroll tax on superannuation	387	—
	<u>6,038</u>	<u>5,472</u>
	<u>8,946</u>	<u>9,602</u>

**8. PROGRAMS/ACTIVITIES OF THE LEGISLATURE**

- (a) Program 1.1.1 Parliamentary Representation—Legislative Council  
Objective: To represent the electorate at large.
- (b) Program 1.1.2 Operation of the Legislative Council  
Objective: To assist Members of the Legislative Council in the performance of their parliamentary duties.
- (c) Program 1.1.3 Parliamentary Representation—Legislative Assembly  
Objective: To represent the local electorate.
- (d) Program 1.1.4 Operation of the Legislative Assembly  
Objective: To assist Members of the Legislative Assembly in the performance of their parliamentary duties.
- (e) Program 1.1.5 Executive Government  
Objective: To exercise Ministerial control and responsibility in the administration of government agencies within allocated portfolios.
- (f) Program 1.1.6 Parliamentary Committees  
Objective: To operate standing, select and statutory committees of the Legislative Council and Legislative Assembly.
- (g) Program 1.2.1 Parliamentary Library  
Objective: To assist parliamentarians in the performance of their duties by making available a full range of current information resources and information and research services.
- (h) Program 1.2.2 Hansard  
Objective: To produce a permanent record of the parliamentary debates and to prepare transcripts of evidence given to parliamentary committees and of proceedings at ministerial conferences.

- (i) Program 1.2.3      Building Services  
Objective:            To maintain building services at Parliament House.
- (j) Program 1.2.4      Catering Services  
Objective:            To provide Members, staff and other authorised users with food and beverage services. To cater for State Government and ministerial functions held at Parliament House.
- (k) Program 1.2.5      Special Services  
Objective:            To provide administrative, accounting, computer and support services for Members of both Houses of Parliament.

**9. CURRENT ASSETS—RECEIVABLES**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Sale of goods and services	145	146
Investment income	82	135
Other debtors	813	705
	<u>1,040</u>	<u>986</u>

Bad debts of \$480 (\$100 1995/96) were written off during the year. No provision has been made for doubtful debts in 1996/97 (nil 1995/96) as all amounts are considered recoverable.

**10. CURRENT ASSETS—INVENTORIES**

<b>(a)</b>	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Finished Goods—Books	87	108
	<u>87</u>	<u>108</u>

- (b) The Legislature's inventory comprises 4,320 copies of a second edition of Australia's First Parliament publication which was purchased in the 1995/96 financial year. These books have been included at the lower of cost and net realisable value.

1.1. Non-current Assets - Property Plant and Equipment

(a)	Land	Buildings	Plant & Machinery	Office Equipment & Furnishings	Computer Equipment	Other Property Leasehold Costs	Antiques	Artworks	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At cost or Valuation									
Balance 1 July 1996	42,000	67,353	19,988	4,416	3,421	1,795	1,971	868	141,812
Additions			997	46	904	292	28		2,267
Assets not Previously Recognised									
Transfers			43	(129)	86				463
Disposals				(34)	(13)	(257)	(2)		(306)
Balance 30 June 1997	42,000	67,353	21,028	4,299	4,398	1,830	2,114	1,214	144,236
Accumulated Depreciation									
Balance 1 July 1996	0	0	3,683	1,265	1,034	1,292	0	0	7,274
Depreciation for the year	0	0	921	606	579	240	0	0	2,346
Writeback on Disposals				22	7	257			286
Balance 30 June 1997	0	0	4,604	1,849	1,606	1,275	0	0	9,334
Written Down Value									
At 1 July 1996	42,000	67,353	16,305	3,151	2,387	503	1,971	868	134,538
At 30 June 1997	42,000	67,353	16,424	2,450	2,792	555	2,114	1,214	134,902
(b) Fully Depreciated Assets									
At cost or valuation			18	176	386	961			1,541
Quantity (of individual assets)			3	6	35	41			85

Other property leasehold costs relate to Legislative Assembly Members Electorate Offices which had fit out costs amortised over the term of the original lease. The leases on these 41 offices have been renewed for a further term thus explaining the existence of these assets in the Financial Position Statement Items of Plant and Machinery, Office Equipment and Computer Equipment that are fully depreciated will be disposed of or renewed in 1997/98.



- 11. (c)** The Archives collection comprises the archival records of the Parliament of NSW which have been retained permanently for their legal, evidential, administrative, institution, historical and cultural values. The current collection comprises 700 shelf metres of paper files, volumes, maps, plans, photographs, videos, films, audio tapes and computer disks which ranges in condition from excellent to a deteriorated state. The annual preservation costs in 1996/97 for this collection was \$48,000 (1995/96 \$43,000).

The Library collection consists of a combination of books periodicals, journals, publications, audio, video and computer media material totalling approximately 140,000 titles or 250,000 volumes with approximately 10,000 classified as rare books. The preservation of the overall collection has principally been restricted to binding work at a cost of \$70,000 (\$87,000 1995/96). The conditions of the collection ranges between excellent and a deteriorated state.

**12. CURRENT LIABILITIES—ACCOUNTS PAYABLE**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Accrued Charges	364	276
Trade Creditors	1,056	1,428
Members salaries	—	123
	<u>1,420</u>	<u>1,827</u>

**13. CURRENT AND NON-CURRENT LIABILITIES—EMPLOYEE ENTITLEMENTS**

**(a) Current**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Recreation leave	1,971	1,660
Accrued salaries and wages	550	422
On-cost on long service leave entitlements	16	—
<u>Aggregate employee entitlements</u>	<u>2,537</u>	<u>2,082</u>

**(b) Non-Current**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
On-cost on long service leave entitlements	121	—
<u>Aggregate employee entitlements</u>	<u>121</u>	<u>—</u>

The liability for payroll tax and other on-costs on employees' leave entitlements was brought to account on for the first time in the 1996/97 financial year.

**14. CHANGES IN EQUITY**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Accumulated surplus at beginning of year	133,668	134,734
Current Year Surplus (Deficit)	(1,577)	(1,066)
<u>Total Equity</u>	<u>132,091</u>	<u>133,668</u>

**15. COMMITMENTS FOR EXPENDITURE****(a) Capital Commitments**

Aggregate capital expenditure contracted for at balance date but not provided for:

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	65	723
<b>Total Capital Commitments</b>	<b>65</b>	<b>723</b>

**(b) Operating Lease Commitments**

Commitments in relation to non-cancellable operating leases are payable as follows:

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	1,556	1,185
Later than one year but not later than 2 years	1,363	835
Later than two years but not later than 5 years	773	981
<b>Total Lease Commitments</b>	<b>3,692</b>	<b>3,001</b>

Legislative Assembly Electorate Offices included in the above figures represent the following commitments:

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	1,535	1,169
Later than one year but not later than 2 years	1,348	830
Later than two years but not later than 5 years	773	981
<b>Total Non-cancellable Electorate Office Lease Commitments</b>	<b>3,656</b>	<b>2,980</b>

These operating lease commitments are not recognised in the financial statements as liabilities.

**(c) Other expenditure commitments**

Aggregate other expenditure contracted for at balance date and not provided for:

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	41	—
	41	—

**16. CONTINGENT LIABILITIES**

The Legislature is currently involved in legal proceedings involving the Legislative Council versus the Treasurer. There is no application by either party for damages to be awarded and legal costs are estimated to be between \$40,000 and \$50,000.

## 17. BUDGET REVIEW

### Net Cost Of Services

The actual Net Cost of Services was lower than budget by \$30,000 which is a result of a combination of factors comprising:

- (a) Over expenditure on employee related expenses was due to salary increases granted to Legislative Council and Assembly Members staff which were not budgeted for (\$1,041,000). On costs on employee entitlements, \$426,000 which were not previously taken up or budgeted for have also contributed to the result as have increases in termination and redundancy payments of \$116,000 in excess of budget. Overtime payments also exceeded the budget during the year by \$143,000 due to an under-estimation of late sittings of Parliament and staff shortages in key sections of the Parliament. These over expenditures were mostly offset by savings of \$1,531,000 compared to budget in superannuation costs accepted by the Crown Transactions Entity and savings of \$88,000 in payroll tax, resulting in net over expenditure in salary related items of \$190,000.
- (b) Purchase of computer equipment for Members and staff was required to overcome network deficiencies and replace aging equipment. This exceeded the budget estimate by \$996,000. Travel costs also exceeded budget estimates by \$302,000 with Members and Parliamentary Committees travelling more than anticipated. These over expenditures were partially offset by savings in telecommunication costs \$302,000, energy charges \$98,000 and other Parliamentary Committees expenditure, \$237,000 resulting in net over expenditure of \$616,000 for other Operating Expenses.
- (c) Savings of \$88,000 was achieved in maintenance costs through less than anticipated maintenance work being carried out on Members' Electorate Offices.
- (d) Depreciation and Amortisation Expenses were \$84,000 under budget with the majority of capital acquisitions being made in the last quarter of the financial year, thus resulting in savings in depreciation and amortisation costs compared with the budget.
- (e) Over expenditure on overseas delegations of \$289,000 during the year was partially offset by \$101,000 savings in Members' salary costs which were less than expected. Savings of \$56,000 in other special projects expenditure was also achieved mostly due to postponement of a conference to the subsequent financial year. The combined effect of these variations resulted in net over expenditure in other expenses of \$132,000.
- (f) Retained Revenue for the year exceeded the budget estimate by \$808,000. The sale of goods and services contributed \$232,000 to this result though external printing work being undertaken and Committee seminars not being budgeted for. Investment income was \$33,000 below budget projections due to further reductions in bank interest rates during the year. Furthermore, contributions of \$185,000 towards the cost of purchasing new plant and machinery were not taken into account when formulating the revenue budget. The \$424,000 additional other revenue received was a result of bringing to account further antique and artwork assets which have been located and not previously included as assets in the financial statements.

### Assets and liabilities

There were minimal variances between budgeted and actual amounts for the Legislature's Assets and Liabilities for the 1996/97 Financial Year. Overall Net Assets was \$364,000 less than budget. The main contribution to this variance was in current assets with a reduction of \$455,000 in the cash balances held following the purchase of additional equipment for Members of Parliament which was not budgeted for. Current liabilities decreased by \$77,000 through a reduction

in creditors of \$308,000 which was largely offset by an increase in employee entitlements of \$231,000 due to on-costs on leave entitlements being brought to account for the first time. The non-current liability increase of \$121,000 is also a result of on-costs on employees long service leave being reflected in the operating statement for the first time which was not budgeted for.

#### **Cash flows**

Salary increases for Members' Staff in the Legislative Council and the Legislative Assembly which were not budgeted for were primarily responsible for the \$1,519,000 increase in employee related outflows. Other significant variations include additional receipts of 233,000 from the sale of goods and services which resulted from external printing work undertaken and Committee seminars held that were not budgeted for. Proceeds from the sale of property, plant and equipment contributed inflows of \$184,000 in excess of the budget projection and resulted from proceeds of an insurance claim for damaged plant. The net affect of these variations resulted in a closing cash balance of \$140,000 compared with the budgeted balance of \$595,000.

#### **18. CASH AND CASH EQUIVALENTS**

	<b>1997</b>	<b>1996</b>
	<b>\$000</b>	<b>\$000</b>
Cash	140	1,945
	<u>140</u>	<u>1,945</u>

Cash as shown in the Statement of Financial Position and the Cash Flow Statement is represented by cash at bank and on hand.

#### **19. RECONCILIATION OF NET COST OF SERVICES TO NET CASH FLOWS FROM OPERATING ACTIVITIES**

	<b>1997</b>	<b>1996</b>
	<b>Actual</b>	<b>Actual</b>
	<b>\$000</b>	<b>\$000</b>
Net cash used on operating activities	61,469	57,551
Depreciation	2,346	2,172
Increase in provisions	448	156
Decrease/(increase) in prepayments and other assets	(209)	74
Increase / (decrease) in creditors	152	711
Net loss on sale of plant and equipment	12	62
Expenditure capitalised previous years	—	20
Assets brought to account not previously capitalised	(463)	(166)
Acceptance by the Crown Transactions Entity of employee entitlements	8,946	9,602
<b>Net Cost of Services</b>	<b><u>72,701</u></b>	<b><u>70,182</u></b>

**END OF AUDITED FINANCIAL STATEMENTS**

APPENDICES



LEGISLATIVE COUNCIL

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## APPENDIX 1—LIST OF MEMBERS

## MEMBERS OF THE LEGISLATIVE COUNCIL AS AT 30 JUNE 1997

<b>Arena</b> , The Honourable Franca, A.M.	ALP	<b>Kersten</b> , The Honourable Mark Raymond	NP
<b>Bull</b> , The Honourable Richard Thomas Marshall <i>Deputy Leader of the Opposition</i>	NP	<b>Kirkby</b> , The Honourable Elisabeth <i>Temporary Chairman of Committees</i>	AD
<b>Burgmann</b> , The Honourable Doctor Meredith Anne, M.A.(Syd.), Ph.D.(Macq.)	ALP	<b>Lynn</b> , The Honourable Charlie John Stuart, p.s.c.	LIB
<b>Burnswoods</b> , The Honourable Janice Carolyn, B.A.(Hons), Dip.Ed.	ALP	<b>Macdonald</b> , The Honourable Ian Michael, B.A.(Hons)	ALP
<b>Chadwick</b> , The Honourable Virginia Anne, B.A., Dip. Ed.	LIB	<b>Manson</b> , The Honourable Andrew Bruce <i>Deputy Government Whip</i>	ALP
<b>Cohen</b> , The Honourable Ian, B.A., Dip.Ed.	GRN	<b>Moppett</b> , The Honourable Douglas Frederick, B.Sc.Agr. <i>Deputy Opposition Whip</i>	NP
<b>Corbett</b> , The Honourable Alan Gordon, B.A., Dip. Ed., Dip T.E.F.L., M.A.	BFC	<b>Nile</b> , The Honourable Elaine Blanche	CTA
<b>Dyer</b> , The Honourable Ronald David, Dip.Law, Dip. Crim. <i>Minister for Community Services, Minister for Aged Services and Minister for Disability Services</i>	ALP	<b>Nile</b> , The Reverend the Honourable Frederick John, E.D., L.Th. <i>Temporary Chairman of Committees</i>	CTA
<b>Egan</b> , The Honourable Michael Rueben, B.A. <i>Treasurer, Minister for Energy, Minister for State and Regional Development, Minister Assisting the Premier, and Vice-President of the Executive Council.</i>	ALP	<b>Obeid</b> , The Honourable Edward Moses, O.A.M.	ALP
<b>Forsythe</b> , The Honourable Patricia, B.A., Dip.Ed.	LIB	<b>Pezzutti</b> , The Honourable Doctor Brian Patrick Victor, R.F.D., M.B., B.S.(Syd.), F.F.A.R.A.C.S., F.A.N.Z.C.A.	LIB
<b>Gallacher</b> , The Honourable Michael Joseph	LIB	<b>Primrose</b> , The Honourable Peter Thomas, B.Soc.Stud.(Syd.)	ALP
<b>Gardiner</b> , The Honourable Jennifer Ann, B.Bus. <i>Temporary Chairman of Committees</i>	NP	<b>Ryan</b> , The Honourable John Francis, B.A.(Hons), Dip.Ed.	LIB
<b>Gay</b> , The Honourable Duncan John <i>Chairman of Committees</i>	NP	<b>Saffin</b> , The Honourable Janelle Anne	ALP
<b>Goldsmith</b> , The Honourable Doctor Marlene Mary Herbert, B.A., M.Ed.(Hons), Ph.D.(Minn.) <i>Temporary Chairman of Committees</i>	LIB	<b>Samios</b> , The Honourable James Miltiadis, M.B.E., B.A., LL.B. <i>Deputy Leader of the Liberal Party</i>	LIB
<b>Hannaford</b> , The Honourable John Planta, LL.B. <i>Leader of the Opposition</i>	LIB	<b>Sham-Ho</b> , The Honourable Helen Wai-Har, B.A., Dip.Soc.Wk, B.Leg.S. <i>Temporary Chairman of Committees</i>	LIB
<b>Isaksen</b> , The Honourable Dorothy May <i>Government Whip</i>	ALP	<b>Shaw</b> , The Honourable Jeffrey William, Q.C., B.A., LL.B. <i>Attorney General, and Minister for Industrial Relations</i>	ALP
<b>Jobling</b> , The Honourable John Hughes, Ph.C., M.P.S. <i>Opposition Whip</i>	LIB	<b>Smith</b> , The Honourable Robert Baron Rowland	NP
<b>Johnson</b> , The Honourable John Richard <i>Temporary Chairman of Committees</i>	ALP	<b>Staunton</b> , The Honourable Patricia Jane, A.M., R.N., LL.B. (Lon.) Barrister-at-Law	ALP
<b>Jones</b> , The Honourable Richard Stanley Leigh	IND	<b>Symonds</b> , The Honourable Elizabeth Ann <i>Temporary Chairman of Committees</i>	ALP
<b>Kaldis</b> , The Honourable James	ALP	<b>Tingle</b> , The Honourable John Saxon	SP
		<b>Vaughan</b> , The Honourable Bryan Henry, LL.B.	ALP
		<b>Willis</b> , The Honourable Max Frederick, R.F.D., E.D., LL.B. <i>President</i>	LIB

ALP—Australian Labor Party (17)

LIB—Liberal Party of Australia (12)

NP—National Party of Australia (6)

CTA—Call to Australia Group (2)

AD—Australian Democrats (1)

GRN—The Greens (1)

BFC—A Better Future for our Children (1)

SP—Shooters Party (1)

IND—Independent (1)

## APPENDIX 2—LEGISLATIVE COUNCIL COMMITTEES

### JOINT COMMITTEES OF THE LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Joint Standing Committee On Road Safety (Staysafe)	Mr Jobling Mr Manson	Mr Tingle (1) Report No. 31 entitled "Staysafe 31, Review of the road safety situation in New South Wales in 1994", dated September 1996, together with edited transcripts of evidence and certain submissions received.	18/9/96
		(2) Report No. 32 entitled "Staysafe 32, Aspects of the administration of road safety in New South Wales", dated September 1996, together with edited transcripts of evidence and certain submissions received.	18/9/96
		(3) Report No. 33 entitled "Staysafe 33, Responses to recommendations in Staysafe Reports of the 50th Parliament", dated October 1996, together with edited transcripts of evidence and certain submissions received.	23/10/96
		(4) Report No. 34 entitled "Staysafe 34, A 50 km/h General Urban Speed Limit for New South Wales", dated October 1996, together with minutes of evidence and certain submissions received.	23/10/96
		(5) Report No. 35 entitled "Staysafe 35, The Traffic Amendment (Street and Illegal Drag Racing) Act 1996—A report relating to the sunset provision", dated May 1997.	20/5/97
		(6) Report No. 36 entitled "Staysafe 36, Drivers as Workers, Vehicles as Workplaces: Issues in Fleet Management", dated May 1997.	29/5/97
Joint Standing Committee upon Small Business Mr Obeid (Chairperson)	Mr Jones Mr Kersten	Nil.	N/A
Committee on the Health Care Complaints Commission	Ms Kirkby Dr Pezzuti	Ms Staunton Report entitled "Study Tours to Great Britain, Sweden and the USA: February–March 1996; New Zealand: August 1996"	15/4/97
Committee on the Independent Commission Against Corruption	Mr Gay Mr Macdonald	Mr Vaughan (1) Report entitled "Collation of Evidence of the Commissioner of the ICAC Mr Barry O'Keefe AM QC, on General Aspects of the Commission's Operations", dated 27 May 1996.	22/10/96
		(2) Report entitled "Collation of Evidence of the Commissioner of the ICAC, the Hon. B.S.J. O'Keefe, AM QC, on General Aspects of the Commission's Operations", taken before the Committee on Friday 25 October 1996 and Tuesday 17 December 1996.	18/6/97



Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Committee on the Office of the Ombudsman and the Police Integrity Commission	Mr Gallacher (appt 23/4/96) Mrs Nile Ms Staunton	(1) Report entitled "Review of the Protected Disclosures Act 1994", dated September 1996.  (2) Third General Meeting with the New South Wales Ombudsman, dated December 1995.  (3) Fourth General Meeting with the New South Wales Ombudsman, dated December 1996.  (4) Overseas Research trip: October 1996, dated February 1997.  (5) Fifth General Meeting with the New South Wales Ombudsman, dated June 1997.	31/10/96  8/4/97  8/4/97  8/4/97  26/6/97
Regulation Review Committee	Mr Ryan Ms Saffin	(1) Report 5/51 entitled "Report Upon Regulations", dated September 1996.  (2) Report 6/51 entitled "Report Upon Regulations", dated October 1996.  (3) Report 7/51 entitled "Scrutiny of National Schemes of Legislation, Position Paper by the Working Party of Representatives of Scrutiny of Legislation Committees throughout Australia", dated October 1996.  (4) Report 8/51 entitled "Report Upon Regulations Under the Firearms Act 1989", dated November 1996.  (5) Report 9/51 entitled "Report Upon Regulatory Developments", dated May 1997.  (6) Report 10/51 entitled "Report on Regulations", dated June 1997.	26/9/96  17/10/96  17/10/96  21/11/96  8/5/97  23/6/97
Joint Select Committee on Victims Compensation	Ms Burnswoods Mr Gallacher Mr Jones Ms Staunton	First Interim Report entitled "Alternative Methods of Providing for the Needs of the Victims of Crime", dated May 1997.	29/5/97
Joint Select Committee into Injecting Rooms	Ms Staunton (Chairperson) Mr Cohen Mr Jobling Mrs Symonds	Nil	N/A
Joint Select Committee upon the Threatened Species Act 1995	Ms Burnswoods Mr Jones Mr Ryan	Nil	N/A

## APPENDIX 3

### LEGISLATIVE COUNCIL STANDING COMMITTEES

#### Standing Committee on Law and Justice

*Members of the Committee*

Mr Vaughan (Chairman)  
Mrs Sham-Ho (Deputy Chairperson)  
Ms Burnswoods  
Revd Mr Nile  
Mr Primrose  
Mr Ryan  
Ms Saffin

*Director of Committee:*  
David Blunt

*Senior Project Officer:*  
Louise McSorley (Temporary)  
*Committee Officer*  
Phillipa Gately

Reports tabled between 1 June 1996 and 30 July 1997

- Report No. 3 entitled "Motor Accidents Scheme (Compulsory Third Party Insurance)—Interim Report", dated December 1996 (tabled 8 April 1997).
- Report No. 4 entitled "Proceedings of the Public Seminar on Workplace Safety", dated March 1997 (tabled 8 April 1997).
- Report No. 5 entitled "Proceedings of the Seminar on the Motor Accidents Scheme (Legal Costs)", dated June 1997 (tabled 16 June 1997).

#### Standing Committee on Parliamentary Privilege and Ethics

*Members of the Committee*

Dr Burgmann (Chair)  
Miss Gardiner  
Mr Johnson  
Mr Jones  
Mr Lynn  
Mr Manson  
Mr Vaughan

*Committee Clerk*  
Lynn Lovelock

*Senior Project Officer*  
Vicki Mullen (staff rotation)

Reports tabled between 1 July 1996 and 30 June 1997:

- Report No. 3 entitled "Inquiry into the Establishment of a Draft Code of Conduct for Members", dated October 1996, together with the Proceedings of the Committee and certain transcripts of evidence (tabled 29 October 1996).
- Report No. 4 entitled "Report on Inquiry Arising from the Special Report of Estimates Committee No. 1", dated May 1997 (tabled 29 May 1997).

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## Standing Committee on Social Issues

### *Members of the Committee*

Mrs Symonds (Chairperson)  
 Dr Goldsmith (Deputy Chairman)  
 Mrs Isaksen  
 Mr Kaldis  
 Ms Kirkby  
 Mr Moppett  
 Mr Primrose (appt 23/4/97)  
 Ms Saffin (discharged 23/4/97)

*Director of Committee:*  
 Jennifer Knight

*Senior Project Officers:*  
 Alexandra Shehadie  
 Glen Baird (on leave)  
 Beverly Duffy (Temporary)

*Committee Officer:*  
 Heather Crichton  
*Secretary to the Chairman:*  
 Julie Langsworth

Reports tabled between 1 July 1996 and 30 June 1997:

- Report No. 10 entitled "Inquiry into Children's Advocacy", dated September 1996, together with Minutes of Proceedings, transcripts of evidence and submissions (tabled 24 September 1996).
- Issues Paper No. 3 entitled "Aboriginal representation in Parliament", dated April 1997 (tabled 23 April 1997).

## Standing Committee on State Development

### *Members of the Committee*

Ms Staunton (Chairman)  
 Dr Pezzutti (Deputy Chairman)  
 Mr Cohen  
 Miss Gardiner  
 Mr Johnson  
 Mr Macdonald  
 Mr Obeid

*Director of Committee:*  
 Stewart Webster

*Senior Project Officer:*  
 Michael Lowry (Temporary)

*Committee Officer:*  
 Annie Marshall

Reports tabled between 1 July 1996 and 30 June 1997

- Report entitled "Rationales for Closing the Veterinary Laboratories at Armidale and Wagga Wagga and the Rydalmere Biological and Chemical Research Institute", dated August 1996 (tabled 11 September 1996).
- Report No. 13 entitled "Report on Factors Influencing the Relocation of Regional Headquarters of Australian and Overseas Corporations to New South Wales", dated October 1996 (tabled 31 October 1996).
- Report No. 14 entitled "Interim Report on The Fisheries Management Amendment (Advisory Bodies) Act 1996", dated April 1997 (tabled 10 April 1997).
- Report No. 15 entitled "Report on Waste Minimisation and Management", dated April 1997 (tabled 6 May 1997).

## APPENDIX 4

### LEGISLATIVE COUNCIL SELECT COMMITTEE

#### Select Committee on Hospital Waiting Lists

*Members of the Committee*

Ms Kirkby (Chairperson)

Mr Lynn

Mr Macdonald

Mr Moppett

Dr Pezzutti

Ms Staunton

Mr Vaughan

*Clerk to the Committee*

Warren Cahill

#### **Terms of reference**

“To inquire into and report on the Government’s success in cutting hospital waiting lists for elective procedures by 25,000 by 4 April 1996, and in particular:

- (a) definitions in operation when the promise was made on 20 March 1995, and subsequent alteration to them and the consequent impact of the change, with particular reference to:
  - (i) the length of time waiting used as the criteria for inclusion on waiting lists
  - (ii) the range and names of institutions whose waiting lists are included
  - (iii) the range of elective procedures included on waiting lists, actual numbers waiting for these procedures at the end of March 1995, June 1995, September 1995, December 1995, March 1996 and hospital involved
  - (iv) procedures which have been excluded from inclusion on waiting lists, actual numbers waiting for these procedures at the end of March 1995, June 1995, September 1995, December 1995, March 1996 and hospital involved
  - (v) any measure to improve the facility service to patients
- (b) actual numbers of patients who have undergone elective, surgical and medical procedures between 31 March 1995 and 31 March 1996
- (c) the way in which data is sourced, collected, collated and reported.

Reports tabled between 1 July 1996 and 30 June 1997:

- Interim Report of the Select Committee on Hospital Waiting Lists, dated 14 August 1996 (tabled 11 September 1996).
- Final Report of the Select Committee on Hospital Waiting Lists, Volumes 1 and 2, dated December 1996, together with Minutes of Proceedings (tabled 8 April 1997).

## APPENDIX 5

## LEGISLATIVE COUNCIL SESSIONAL COMMITTEES

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
House	The President (Chairman) Dr Burgmann Mrs Isaksen Mr Jobling Mr Johnson Mr Jones Mr Macdonald Mr Moppett Mr Obeid Mr Primrose	Nil	N/A
Library	The President (Chairman) Ms Burnswoods Mr Gallacher Mr Johnson Mr Jones Mr Kersten Ms Saffin Ms Staunton Mrs Symonds Mr Vaughan	Nil	N/A
Printing	Mr Manson (Chairman) Mrs Forsythe Mr Gallacher Mr Kaldis Mr Obeid Mr Primrose Ms Saffin Mr Smith	Report No. 2	28/11/96
Standing Orders	The President (Chairman) Mr Bull Mr Dyer Mr Egan Mr Hannaford Mrs Isaksen Mr Johnson Ms Kirkby Mr Manson Revd Mr Nile Mr Shaw Mrs Symonds	Nil	N/A

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**APPENDIX 6—STATISTICS**
**HUMAN RESOURCES STATISTICS****NUMBER OF CES/SES POSITIONS**

The Department of the Legislative Council is not part of the executive Government. Accordingly, there are no CES or SES positions.

**ESTABLISHMENT LIST****Legislative Council Staff Establishment for Four Years**

	<b>30/6/94</b>	<b>30/6/95</b>	<b>30/6/96</b>	<b>30/6/97</b>
<b>Chamber Officers</b>				
Cerk	1	1	1	1
Deputy Clerk	1	1	1	1
Clerk Assistant—Procedure	1	1	1	1
Clerk Assistant—Committees	1	1	—	—
Usher of the Black Rod	1	1	—	—
Clerk Assistant—Committees and Usher of the Black Rod	—	—	1	1
<b>Total</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>4</b>
<b>Office of the Clerk</b>				
Executive Secretary, Office of the Clerk	1	1	1	1
Secretary, Office of the Clerk	1	1	1	—
Project Officer	1	1	1	1
Senior Project Officer	—	—	1	1
Administrative Assistant—Projects	—	—	—	1
<b>Total</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>4</b>
<b>Procedure Office</b>				
Manager, Procedure Office and Deputy Usher of the Black Rod	—	—	1	1
Parliamentary Officer—Table	1	1	—	—
Parliamentary Officer—Bills	1	1	1	1
Parliamentary Officer—Papers & Printing	1	1	—	—
Parliamentary Relations Officer	1	1	1	1
Parliamentary Officer—Procedure Support	1	1	—	—
Parliamentary Officer—Members Services	1	1	1	1
Parliamentary Officer—Members & Committees	—	—	1	1
Parliamentary Clerical Officer	1	1	1	1
Parliamentary Officer—Papers and Procedure	—	—	1	1
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>

	30/6/94	30/6/95	30/6/96	30/6/97
<b>Administration Office</b>				
Clerk Assistant—Administration	1	1	1	1
Corporate Development Officer	—	1	—	—
Deputy Manager—Administration	1	1	—	—
Parliamentary Officer—Administration (Policy and Projects)	—	—	1	1
Parliamentary Officer—Administration (Projects)	—	—	1	1
Parliamentary Officer—Administration (Projects) (Part time)	—	—	0.5	0.5
Parliamentary Officer—Administration (Personnel and Training)	1	1	1	1
Parliamentary Officer—Administration (Finance)	1	1	1	1
Parliamentary Officer—Administration (Records)	1	1	1	1
Parliamentary Clerical Officer	1	1	1	—
Parliamentary Officer—Administrative Assistant	—	—	—	1
<b>Total</b>	<b>6</b>	<b>7</b>	<b>7.5</b>	<b>7.5</b>
<b>President's Staff</b>				
Executive Officer	1	1	1	1
Secretary to President	1	1	1	1
Assistant Secretary	1	1	1	—
General Assistant	1	1	1	1
Secretary\Research Assistant	—	—	—	1
<b>Total</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
<b>Attendants</b>				
Principal Attendant	1	1	1	1
Deputy Principal Attendant	1	1	1	1
Senior Chamber Attendant	1	1	1	1
Chamber Attendant	1	1	1	1
Relieving Chamber Attendant	3	3	3	3
Attendant	3	3	3	3
<b>Total</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b>Members' Staff</b>				
Secretary/Research Assistants	37	45	45	45
<b>Total</b>	<b>37</b>	<b>45</b>	<b>45</b>	<b>45</b>

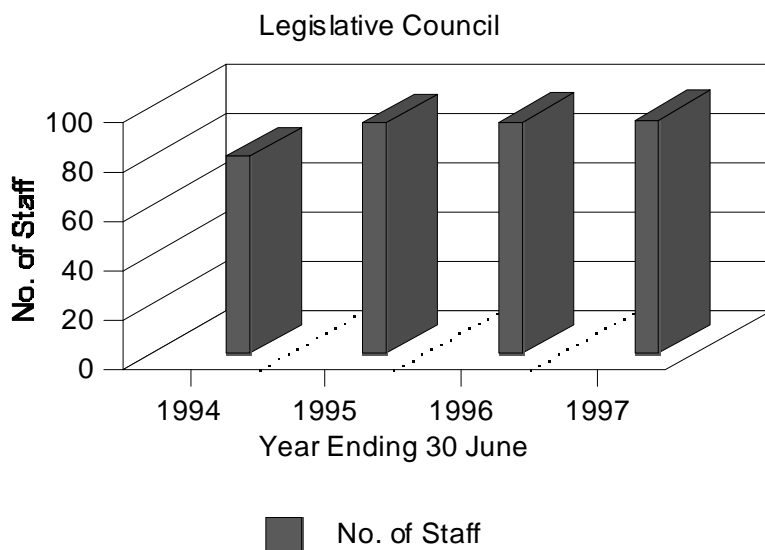
**Committees Staff**

Directors	2	3	3	3
Senior Project Officer	3	4	4	4
Secretary to Chair	0.5	0.5	0.5	0.6
Committee Officer	1	2	3	3
Assistant Committee Officer	2	3	3	3
<b>Total</b>	<b>8.5</b>	<b>12.5</b>	<b>13.5</b>	<b>13.6</b>

Total Staff Employed by the <b>Legislative Council</b>	<b>80.5</b>	<b>93.5</b>	<b>95</b>	<b>95.1</b>
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*Note: The figures used in this table and graph represent the equivalent full-time number of staff employed.*

## Number of Staff





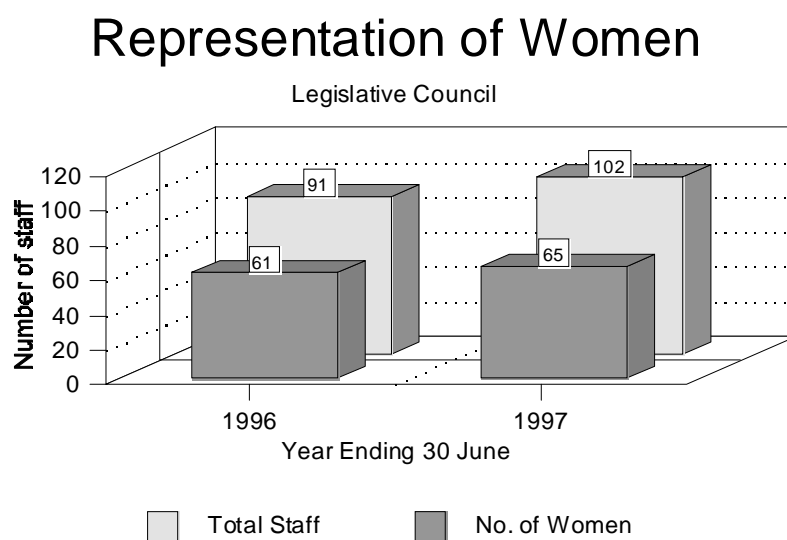
## EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT

Representation of women within salary levels as at 30 June 1997

	1996			1997		
	Staff	Women	%	Staff	Women	%
Below (equiv. A&C 1)	0	0	0	0	0	0
(equiv. A&C 1-2)	3	3	100	6	4	67
(equiv. A&C 3-5)	12	9	75	15	10	67
(equiv. A&C 6-9)	10	6	60	12	6	50
(equiv. A&C 10-12)	6	3	50	8	4	50
(above grade)	2	1	50	2	1	50
<b>Attendant staff</b>						
Below (equiv. A&C 1)	4	1	25	6	1	17
(equiv. A&C 1-2)	2	0	0	2	0	0
(equiv. A&C 3-5)	3	0	0	1	0	0
<b>Members' staff</b>						
(equiv. A&C 3-4)*	49	38	78	—	—	—
(equiv. A&C 4-5)*	—	—	—	50	39	78
<b>Total</b>	<b>91</b>	<b>61</b>	<b>67</b>	<b>102</b>	<b>65</b>	<b>64</b>

\* Members Secretary Research Assistants were regraded from equivalent A&C 3-4 to equivalent A&C 4-5.

Note: Figures provided in this table and graph represent total number of staff employed, where part-time officers are counted as one (1).



## APPENDIX 7

### PUBLICATIONS

Various publications dealing with the functions and activities of the Department were available to the public in 1996/97. This material was of two types: publications relating directly to the functioning of the House and its Committees; and material intended primarily for the information of the public.

#### **Material relating to the functioning of the House and Parliamentary Committees**

- *Alphabetical List of Acts.* A record of all acts passed by the Legislative Council since 1856, and whether they have been repealed, reprinted or are still in force.
- *A Precis of Business and Procedures.*
- *Journal of the Legislative Council.* The Department produces on a sessional basis bound volumes of the Minutes of Proceedings together with an index and other information related to proceedings in the House.
- *List of Members.*
- *Manual for Estimates Committees.*
- *Minutes of the Proceedings.* These are the records of the decisions and proceedings of the House.
- *Notices of Motions and Orders of the Day paper.*
- *Parliamentary Handbook.* Contains personal details of Members, details of parliamentary, community and party service, and photographs of Members.
- *Parliamentary Record.* Contains details of Members from 1824 including date of election, ministerial portfolios held, date and manner of ceasing to be a Member. Also contains information concerning the duration of Parliaments and composition of Ministries.
- *Procedural Briefing Notes.*
  - No. 1 Allegations against Members in debate
  - No. 2 Subjudice convention—President's Ruling
  - No. 3 Debate on the motion for adjournment
  - No. 4 The use of offensive words in debate
  - No. 5 Constitution Act 1902—Section 5B. Procedure for referendum on Bills rejected by the Legislative Council.
  - No. 6 Constitution Act 1902—Section 5B. Timeframe for referendum on Bills taken to have failed to pass the Legislative Council.
  - No. 7 Constitution Act 1902—Entrenched provisions
  - No. 8 Committee reports—Dissenting statements
  - No. 9 Committees taking evidence—In camera v In private
  - No. 10 Same question rule—Standing order 113
  - No. 11 Swearing in of Members
  - No. 12 Election of the President of the Legislative Council
  - No. 13 Closure (“GAG”)—Standing order 102
  - No. 14 Procedure on Council Bills amended by the Legislative Assembly
  - No. 15 Private Bills
  - No. 16 Delaying and defeating Bills

- 
- No. 17 Motions of censure/No confidence  
No. 18 Non-Committee Members attending Committee hearings  
No. 19 Reflections on Judges in debate  
No. 20 Incorporation of material in Hansard

- *Questions and Answers paper.*
- *Register of Members' Interests.*
- *Sessional Orders.*
- *Sessional Resolutions.*
- *Sessional Rulings of the President.*
- *Standing Committee and Select Committee Reports.*
- *Standing Orders.*
- *Statutory Rules and Instruments paper.* Contains details of statutory rules or regulations which appear in the Government Gazette.
- *The Notice Paper: How it works—manual*

**Material for the information of the public**

- *Australia's First Parliament (2nd Edition)*
- *Booklet commemorating the 50th anniversary of the end of World War II*
- *Booklet on the Legislative Council*
- *Booklet on Black Rod*
- *"Fact sheets".* Information sheets dealing with aspects of the history and functions of the Legislative Council and procedures followed in the House.
- *Pamphlets—Witnesses appearing before Committees*  
*Making a submission before a Committee*  
*Role of a Member of the Legislative Council*
- *Parlidex.* An interactive computer program on the NSW Parliament, government and the judiciary is available for public visitors to the Legislative Council and is available for sale through the Government Information Service.
- *Photographic publication of the Members and officers of the Legislative Council*
- *Presiding Officers of the Legislative Council*

## APPENDIX 8

### GUARANTEE OF SERVICE

#### OUR ROLE

The Legislative Council comprises 42 Members, elected by the people of New South Wales on a State-wide adult franchise.

The principal role of the Department of the Legislative Council is to provide procedural, administrative and support services to assist the Members in performing their parliamentary duties. This includes: researching and advising on parliamentary procedure; preparing documents for use in and publishing the records of the House and its Committees; and providing staff and equipment to Members. The Department is also responsible, together with the Legislative Assembly, for the corporate management of all other Departments and Sections within the Parliament.

In addition, provision of information to the public about the business before the House, the Parliament, the Legislative Council and its Committees is an important role for the Department.

#### OUR CLIENTS

The main clients of the Department of the Legislative Council are the Members who are elected to represent the people of New South Wales. Other client groups include:

- Ministerial and Members' staff
- Internal Parliament House staff
- Parliamentary Counsel
- The Governor and Government House
- Public sector agencies
- Educational institutions
- Community and special interest groups
- Visitors to Parliament
- The public

#### HOW WE WORK WITH OUR CLIENTS

As the Upper House of the New South Wales Parliament, the Legislative Council performs an important role as a House of Review in the law making process. The Department of the Legislative Council liaises with Ministerial staff, the Parliamentary Counsel and other government agencies in relation to Bills and motions before the House, and provides access for the public and other client groups in a range of areas including sittings of the House, committee hearings, exhibitions, and tours of the Chamber and other historic areas.

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## STANDARD OF SERVICE

The key attributes of our standards of service are:

- timeliness
- accuracy
- competency
- cost effectiveness

The staff of the Legislative Council have the following values when dealing with our Members and customers:

- honesty
- integrity
- impartiality
- professionalism
- loyalty to the interests of Members
- fairness
- conscientiousness
- compassion
- trustworthiness

## SUGGESTIONS AND COMPLAINTS

The Department of the Legislative Council welcomes suggestions for improving our services and the opportunity to address complaints. Persons wishing to make suggestions or lodge complaints should contact Mr John Evans, Clerk of the Parliaments and Clerk of the Legislative Council.

## OUR SERVICES

### **Practice and Procedure**

- providing impartial advice on the practices and procedures of the Legislative Council
- providing advice and assistance concerning and facilitating the passage of legislation and other business before the Legislative Council
- drafting motions, questions and amendments
- researching parliamentary practice and procedure
- supporting the operations of the committees of the Legislative Council, including researching matters under inquiry and preparing reports

### **Publication of Records**

- preparing and publishing a complete record of the proceedings of the Legislative Council and its committees
- providing up-to-date information on the activities of the Legislative Council and its committees
- preparing and publishing information on the history, role and operations of the Legislative Council

### **Administrative Support**

- providing support staff and equipment to Members
- administering Members' salaries, allowances and entitlements

### **Protocol and Community Relations**

- hosting visiting delegations and officials from other parliaments and governments from Australia and overseas
- providing tours of inspection for members of the public, school students and specific interest groups
- facilitating exhibitions in public areas
- promoting awareness and understanding of the role and functions of Parliament

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## APPENDIX 9

### RISK MANAGEMENT AND INSURANCE

The Legislature's insurance coverage is provided through the NSW Treasury Managed Fund which is managed by GIO Australia. This fund provides self insurance for inner budget sector government agencies. Coverage is provided for workers' compensation, liability, motor vehicles, property and miscellaneous (including air travel and personal accident cover for Members) categories of insurance.

For workers' compensation a total of forty-two claims were lodged by Parliamentary and electorate staff during the 1996/97 reporting year which represents an increase of 13.5% over the previous year. Legislative Council staff were responsible for five of these claims compared with three in 1995/96. These five claims have an estimated average cost of \$630 each compared with the Parliament's average cost per claim of \$7,587 and the Treasury Managed Fund average of \$4,592 based on March 1997 statistics.

Despite a concerted effort by the Parliament's Rehabilitation Co-ordinator and the Occupational Health and Safety Committee, the number of injuries and cost per claim continues to increase. An analysis of the types of claims lodged has disclosed that approximately 50% of the injuries are related to falls and muscular sprains. The Parliament's Risk Management Co-ordinators are currently reviewing individual claims with the assistance of the Treasury Managed Fund so strategies can be developed to reduce both the number and cost of the Parliament's compensation claims.

The 1996/97 financial year saw an improvement in the value of property claims lodged (\$54,000) however, the quantity of claims lodged continues to cause concern. A total of twenty-four claims were made across the Parliament with twenty-one of these claims relating to the loss, theft or damage to portable equipment including mobile telephones. Eight of these claims were lodged by the Legislative Council which compares favourably with the twelve claims lodged last financial year.

A revision of the current claims policy is currently in progress aimed at making Members and staff more responsible for the portable equipment under their custody and control.

Five minor liability claims were processed by the Parliament during the year, mainly resulting from falls and trips sustained within Parliament House. Each of the claims have been investigated by the Risk Management Co-ordinators and corrective action taken where appropriate to avoid exposure to subsequent claims.

Two motor vehicle insurance claims were lodged for minor damages to Legislative Council vehicles at an average cost per claim of \$1,076. This represents a reduction over last year's claims experience of three claims although the cost per claim has increased.

For the remaining miscellaneous insurance category, four claims were lodged, three for loss of personal effects and one fidelity insurance claim which is currently subject to court proceedings. The total estimated value of these claims is \$32,000 with the Legislative Council responsible for one personal effects claim at a cost of \$323.

## APPENDIX 10

### MISCELLANEOUS REPORTING

#### AMOUNT OF RECREATION/LONG SERVICE LEAVE

The Legislative Council had liability for recreation leave of \$305,094 and long service leave of \$460,255 as at 30 June 1997. This includes Legislative Council Members, Administrative and Committee staff.

#### ANNUAL REPORT INFORMATION

300 copies of the Annual Report were printed at an estimated average cost of \$11.70 per copy.

#### CODE OF CONDUCT

There were no amendments to the Department's code of conduct for staff.

#### CONSUMER RESPONSE

Formal statistics are not kept due to lack of financial, and consequently human resources.

#### CONSULTANTS

*Consultants exceeding \$30,000*—No consultants exceeding \$30,000 were engaged by the Legislative Council during the year.

*Consultants less than \$30,000*—A Consultant was engaged on 1 occasion at a total cost of \$682.

#### DISABILITY PLANS

In June 1997, a position was identified within the Administration Section of the Legislative Council, as being suitable for the employment of a person with a disability. A number of disability employment agencies were contacted to refer suitable persons seeking employment. The Spastic Centre of NSW referred a suitable candidate, who began the placement in a training capacity for the first three weeks, before being employed on a full-time temporary basis. The person has cerebral palsy and minor adjustments were made to the work environment.

The Legislative Council sees the position as an opportunity for a person with a disability to pursue a career in administration. Support is being provided in the form of on-the-job training; daily access to a software program 'Typequick' to improve typing speed and accuracy; regular meetings with the supervisor to discuss progress and the work plan; and assistance with tasks that may be difficult because they are physically demanding.

#### FREEDOM OF INFORMATION

The Legislative Council is not subject to the provisions of the Freedom of Information Act 1989 (NSW).



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## FUNDS GRANTED TO NON-GOVERNMENT COMMUNITY ORGANISATIONS

No funds were granted to non-Government community organisations.

## LAND DISPOSAL AND MAJOR WORKS

No land or properties were disposed of and no major works were in progress during 1996/97.

## LEGAL CHANGE

There were no legislative changes or judicial decisions which affected the operations of the Legislative Council during the year.

## MAJOR ASSETS

The Legislative Council made one acquisition of a major asset (defined as assets valued at \$20,000 and above). A windows upgrade for the TRIM Records Management System was purchased at a cost of \$25,950.

## OVERSEAS VISITS

Mr John Evans, Clerk of the Parliaments presented a paper on the 'State of Play in the New South Wales Legislative Council (Minorities in Upper Houses)' at the Australasian Study of Parliament Group 18th Annual Conference, held in Wellington, New Zealand on the 25th and 26th October 1996.

In February 1997 the President of the Legislative Council, the Hon Max Willis MLC, led a Parliamentary delegation to the Kingdom of Thailand. He was accompanied by the Hon Virginia Chadwick MLC, the Hon James Kaldis MLC, four Members of the Legislative Assembly and the Clerk of the Parliaments, Mr John Evans.

In June 1997 the President of the Legislative Council, the Hon Max Willis MLC jointly led a Parliamentary delegation with the Speaker of the Legislative Assembly, the Hon John Murray to California, USA. The delegation signed a sister state agreement between the State of New South Wales and the State of California. The delegation was accompanied by the Clerk of the Parliaments, Mr John Evans and the Clerk of the Legislative Assembly.

The Clerk of the Parliaments, Mr John Evans attended the 41st Commonwealth Parliamentary Conference and the 33rd General Meeting of the Society of Clerks at the Table in Malaysia. The Clerk presented a paper entitled "Electronic Publishing of Parliamentary Material".

## RECYCLING ACTIVITIES

Waste paper, bottles, aluminium cans, and corks (from the Department of Food and Beverages) are collected for recycling.

## APPENDIX 11

## LEGISLATIVE COUNCIL STAFF

AS AT 30 JUNE 1997

**Chamber Officers**

Clerk of the Parliaments and Clerk of the Legislative Council	Mr John Evans
Deputy Clerk	Ms Lynn Lovelock
Clerk Assistant—Procedure	Mr Mike Wilkinson
Clerk Assistant—Committees and Usher of the Black Rod	Mr Warren Cahill

**Office of the Clerk**

Executive Officer, Office of the Clerk	Ms Jovy Cano
Administrative Assistant—Projects	Vacant
Senior Project Officer	Ms Vicki Mullen
Project Officer	Ms Roza Lozusic
Project Officer	Mr Robert Stefanic (Temporary)

**Procedure Office**

Manager, Procedure Office and Deputy Usher of the Black Rod	Ms Velia Mignacca
Parliamentary Officer—Bills	Mr Malvyne Jong Wah
Parliamentary Officer—Papers and Procedure	Ms Fiona Pacey
Parliamentary Clerical Officer	Ms Veronica Cosic (Temporary)

**Administration Office**

Clerk Assistant—Administration	Ms Kathleen Caden
Parliamentary Officer—Policy and Projects	Ms Sandra Hoy (Secondment from Public Works & Services)
Parliamentary Officer—Administration (Personnel and Training)	Mr Tim Growden
Parliamentary Officer—Administration (Finance)	Ms Anne Livingston
Parliamentary Officer—Administration (Records)	Ms Jacki Mead
Parliamentary Officer—Administration (Projects)	Mr Simon Waterhouse (Secondment to Premier's Department)
Parliamentary Officer—Administration (Projects)	Ms Judy Bartlett (Part-Time)
Parliamentary Officer—Administrative Assistant	Ms Lisa Aridah (Temporary)

**Office of the Usher of the Black Rod**

Parliamentary Officer—Members and Committees	Mr Stuart Lowe
Parliamentary Relations Officer	Ms Helen Garry (Temporary)
Parliamentary Officer—Members' Services	Mr Adrian Sanders
Parliamentary Clerical Officer	Mr Daniel Noll

**Parliamentary Attendants**

Principal Attendant	Mr Ian Pringle
Deputy Principal Attendant	Mr Maurice Rebecchi
Senior Chamber Attendant	Mr Michael Santiago
Chamber Attendant	Mr Dean James (Secondment to Premier's Department)
Relieving Chamber Attendants	Mr Mike Jarrett Mr George Moutsos Vacant
Parliamentary Attendants	Mr Charles Barden Mr Robert Proud Ms Lucy McNeil Mr Mark Muscat

**Committee Staff***Standing Committee on State Development*

Director	Mr Stewart Webster
Senior Project Officer	Mr Michael Lowry (Temporary)
Committee Officer	Ms Annie Marshall
Assistant Committee Officer	Vacant

*Standing Committee on Social Issues*

Director	Dr Jennifer Knight
Senior Project Officers	Ms Alexandra Shehadie Mr Glen Baird (on leave)
Project Officer	Ms Tanya van den Bosch (Temporary) Ms Beverley Duffy (Temporary)
Committee Officer	Ms Heather Crichton
Assistant Committee Officer	Vacant
Secretary to Chairman (Part time)	Ms Julie Langsworth

*Standing Committee on Law and Justice*

Director	Mr David Blunt
Senior Project Officer	Ms Louise McSorley (Temporary)
Committee Officer	Ms Phillipa Gately
Assistant Committee Officer	Vacant

*Standing Committee on Privilege & Ethics*

Secretary to the Chairman	Mr Andrew Beattie (Part-Time)
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**President's Office**

Executive Officer	Mr Jason Collins
Secretary	Ms Donna Hesford
Assistant Secretary	Mr Mark Connell
General Assistant	Mr Ralf Hobeck

**Secretary/Research Assistants to Honourable Members (T = Temporary)**

Ms Yvette Andrews	Ms Linda McSweeney
Ms Tanya Bains	Ms Rebecca Melkman
Ms Linda Barach	Ms Miriam Moses
Ms Jan Barham	Mr Stephen Murray
Ms Jules Bastable	Ms Emma Murphy
Mr Marcus Bleechmore	Ms Melissa Nalder
Ms Lila Borjesson	Mr Dan O'Sullivan
Ms Violeta Brdaroska	Ms Edwina Pearce
Mr Charlie Butcher (T)	Ms Rita Perivolarys
Ms Fiona Cameron	Ms Monica Poeltl
Mr Bruce Coleman	Ms Judith Russell
Mr Simon Disney	Ms Adriana Sammartano
Ms Jenni Emblem	Mr Stephen Senise
Ms Sheila Fairhurst	Ms Jackie Silsbey
Ms Sian Ford	Ms Maria Sipka
Ms Suzanne Fosbery	Mr Jeff Sorrell
Ms Anita Gylseth	Ms Diana Stainlay
Ms Katrina Hadjimichael	Mr Nigel Stanier (T)
Mr Noel Hadjimichael (T)	Ms Karen Stapleton
Mr Andrew Head	Ms Janene Theol
Ms Nichole Hertogs	Ms Susan Tracey
Ms Gloria Klyne	Ms Katherine Wood
Ms Leellen Lewis	Ms Vanessa Zahra
Ms Alice McClure	

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