

Legislative Council

# **Annual Report 2003**

Volume 1

Department of the  
Legislative Council

Ordered to be printed June 2004

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### 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.

### Sitting days

The Legislative Council normally meets at 2.30 pm on Tuesday and at 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. Wheelchair access to the building is available.

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Law & Justice	9230-3311	9230-3371
State Development	9230-2193	9230-2981
General Purpose	9230-3544	9230-3416



LEGISLATIVE COUNCIL

THE HON. DR MEREDITH BURGEMANN PRESIDENT OF THE 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 2003.

A handwritten signature in cursive script that reads 'Meredith Burgmann'.

Meredith Burgmann  
President

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LEGISLATIVE COUNCIL

OFFICE OF THE CLERK

The Hon Dr M Burgmann MLC  
President of the Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Madam 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 2003.

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.

This report also includes a report on performance of committees.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Evans', with a large, sweeping flourish on the left side.

John Evans  
**Clerk of the Parliaments**

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## **Clerk's foreword**

### **The Clerk of the Parliaments – John Evans**

This financial year has presented the Legislative Council with many new challenges. The conclusion of the 52nd Parliament in February 2003, the State Election in March, and the commencement of the 53rd Parliament in April, have ensured a busy year for members of the Legislative Council and staff.

The Legislative Council has continued to move forward, improving and revising procedures and systems to ensure we provide a cost effective and efficient organisation for the members and the public. The current state of world affairs has impacted many areas of our every day life, including the life of the House. The Legislative Council has taken the war in Iraq, terrorism and the Bali bombings into account and has continued to upgrade and improve the security of the House, to ensure a safe environment for all.

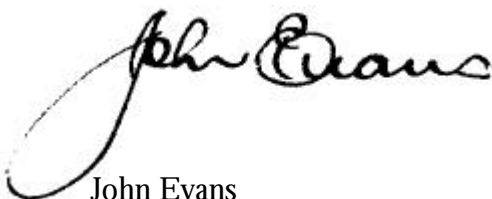
The Committees have also implemented new procedures and strategies to further improve the service to members and a report on their activities is contained in volume 2.

On a lighter note a highlight of this year was the Centenary of Women's Franchise, which was hosted by the President the Honourable Meredith Burgmann MLC. This event was held to mark the Commonwealth Franchise Act of 1902, giving women the right to vote in the Federal elections.

The Legislative Council has continued to extend our friendship and share our knowledge, with many nations, including hosting a sister-State delegation from Korea. I also had the opportunity this year to personally extend this friendship by spending two months providing technical assistance to the Eastern Cape Provincial Legislature in South Africa under an AusAID funded project.

A Childhood Obesity Summit, was held in the Legislative Council Chamber in September 2002, continuing the Legislative Council policy of broader use of the chamber outside of sittings.

The success of this financial year can be attributed to hard work and co-operation of staff at all levels and I would like to commend them on their achievements. I look forward to another exciting year and hopefully a year in which the world finds peace.



John Evans  
Clerk of the Parliaments

## Table of Contents

Chapter 1	Introduction.....	1
Chapter 2	Role of the Clerk and role and functions of the Department.....	3
Chapter 3	Procedural advice and support.....	7
Chapter 4	Services to Members.....	17
Chapter 5	Corporate management.....	21
Chapter 6	A safe working environment.....	28
Chapter 7	Promoting public awareness of Parliament.....	29
Chapter 8	Physical environment.....	33
Chapter 9	Financial Statements.....	38
Appendix 1	Members of the Legislative Council.....	61
Appendix 2	Senior Officers.....	67
Appendix 3	Joint Committees.....	70
Appendix 4	Sessional Committees.....	76
Appendix 5	Legislative Council Members' Travel.....	79
Appendix 6	Human Resource Statistics.....	82
Appendix 7	Publications.....	86
Appendix 8	Guarantee of Service.....	89
Appendix 9	Risk Management and Insurance.....	92
Appendix 10	Miscellaneous Reporting.....	94

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# Chapter 1 Introduction

## Mission

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

## 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 on 22 May 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 statewide 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. 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 unfailing in satisfying customers' expectations.

### **Positive attitude**

We focus on getting the job done in an accurate, 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.

## **Chapter 2      Role of the Clerk and role and functions of the Department**

### **Role of the Clerk**

The Clerk of the Parliaments provides expert advice and counsel to the President, Ministers and members of the Legislative Council on parliamentary law, practice and procedure. The Clerk, as Chief Executive Officer, manages the operations of the Legislative Council. The Clerk, jointly with the Clerk of the Legislative Assembly, is responsible for ensuring the effective operation of the joint services of the Parliament.

### **Role and functions of the Department**

The Department of the Legislative Council provides services to members of the Legislative Council, enabling them to perform their parliamentary duties, including their work within the House, on committees and within the community. There are three principal program areas of the Department.

*\*Advisory and procedural services including:*

- Advice to members on parliamentary practice and procedure.
- Preparation of documentation for use in the House.
- Production of the records of proceedings of the House and its Committees.

*\*Administrative and support services including:*

- Provision of support staff and equipment for members.
- Administration of members' salaries, allowances and entitlements.
- Effective delivery of other services available to members both within and outside Parliament House.
- Provision of advice and staff to committees, enabling them to carry out research and prepare reports.

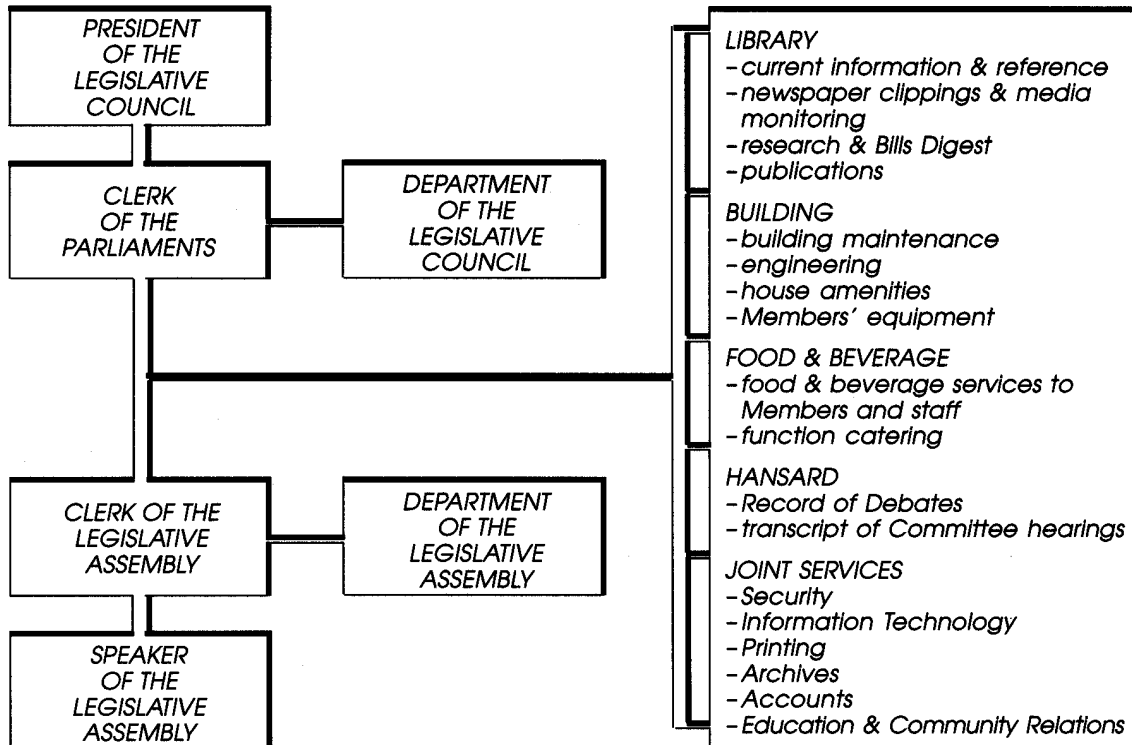
*\*Corporate management including:*

- Corporate/strategic planning.
- Budget development, monitoring and reporting.
- Personnel and training.
- Industrial/employee relations.
- Provision of consultancy services relating to all these functions to Joint Service Departments.

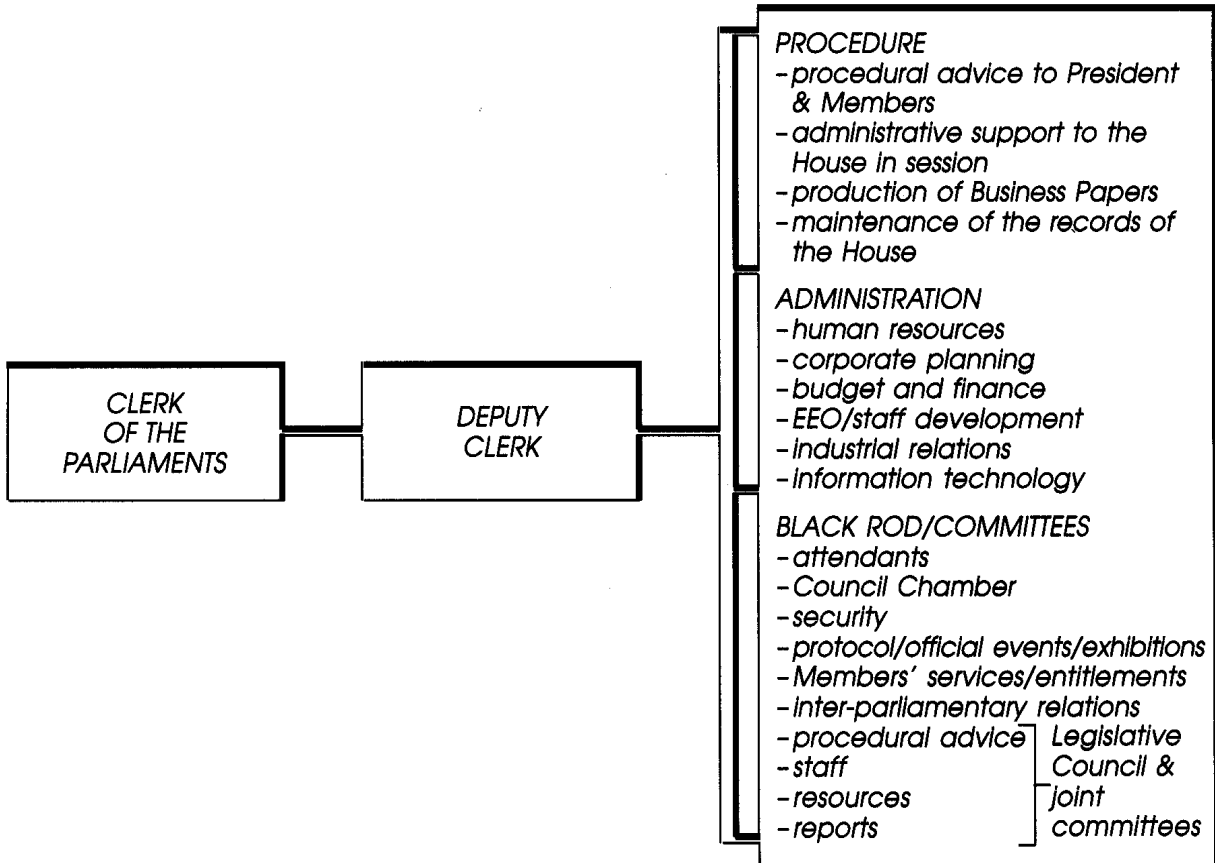
The Legislative Council also has administrative responsibility for the Departments of Parliamentary Building Services, Parliamentary Food and Beverage Services, and the Information Technology Services Section.

## Organisation charts

### Parliament House



## Department of the Legislative Council



## **Key plans 2003 – 2004**

In line with the Legislative Council's Corporate Goals and our mission to service and enhance the operations of the New South Wales Parliament, the Legislative Council plans to undertake the following projects in 2003/2004:

- Continue research and writing on a Manual of Practice and Procedure.
- Publish the Journals of proceedings for the 1st and 2nd Sessions of the 52nd Parliament.
- Review and update the Member's Guide on information for members relating to the determinations of the Parliamentary Remuneration Tribunal.
- Review and update processes for publication of the annual report on compact disc.
- Review and update the Manual for Estimates Committees.
- Research electronic records management for the Legislative Council.
- Provide additional training seminars to new members and staff.
- Revise and update the manual on practices and procedures for Committee members.
- Adopt and publish the plain English version of the Standing Orders.

## **Joint Projects**

- Continue review of Parliamentary Security Services staff establishment.
- Review human resources administration in the Joint Services.
- Finalise review of Parliament's Records Management Policy.
- Implementation of the Risk Management Plan.

## **Chapter 3 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 to support the functioning of the House and its Committees.

The Legislative Council comprises 42 members directly elected by the people of New South Wales on a statewide franchise. The method of voting is known as optional preferential proportional representation. Members are elected for a period of 8 years, with one-half of the members (21) elected every 4 years at the same time as the general election for the Legislative Assembly.

Since the March 1988 election, the Government of the day has been in minority in the Legislative Council. The lack of a Government majority in the Legislative Council means that the House and its Committees play an important role in the review of legislation and scrutiny of executive government activity.

During sittings of the House, the Clerks-at-the-Table must ensure that proceedings conform with the requirements of Standing Orders, Sessional Orders, resolutions of the House, the *Constitution Act 1902* and other laws as they relate to the role and functions of the House.

### **Review of operations**

#### **2003 Periodic Council Election**

Eight members of the Legislative Council retired with the dissolution of the 52nd Parliament on 28 February 2003, including a number of long serving members.

The eighth Periodic Council Election was held on 22 March 2003, in conjunction with the general election for the Legislative Assembly. For the Council election there were 284 candidates representing 15 groups and 7 independent candidates. Of the 21 members elected, 8 were new members: the Honourable Tony Burke, the Honourable Tony Catanzariti, the Honourable Kayee Griffin and the Honourable Christine Robertson (Australian Labor Party), the Honourable David Clarke, the Honourable Catherine Cusack and the Honourable Robyn Parker (Liberal Party of Australia) and Ms Sylvia Hale (The Greens).

The result of the election, particularly the candidates who would fill the last four seats, was not known until 16 April, with the State Electoral Office experiencing technical difficulties with the computerised counting of votes. The final result of the election by parties was:

- Australian Labor Party – 10 seats.
- Liberal Party of Australia/National Party of Australia – 7 seats.
- The Greens – 2 seats.
- Christian Democratic Party – 1 seat.

- Shooters Party – 1 seat.

The election result saw the Australian Labor Party increase its number of members in the House from 16 to 18 at the expense of two Cross-bench members. This result reflects changes to the system of voting introduced following the 1999 election when there was a record number of candidates and parties. Under the changes, the Senate style “ticket” voting system was abolished and voters were required to indicate their own preferences for groups above the line or vote for individual candidates below the line.

Of the 21 members elected, six were women bringing the number of women in the Legislative Council to 13 out of 42 – up from 11 in the previous Parliament.

The party membership in the House following the election are: Australian Labor Party [18], Liberal Party of Australia [9], National Party of Australia [4], The Greens [3], Australian Democrats [1], Outdoor Recreation Party [1], One Nation [1], Christian Democratic Party [2], Reform the Legal System [1], and the Shooters Party [1].

### **New Ministry**

The new Carr Government was sworn in by Her Excellency the Governor at Government House on 2 April 2003. The swearing in of the new Ministry saw several changes, with some longer serving Ministers making way for new Ministers, which included the former Minister Eddie Obeid in the Council. The new Ministry saw a record seven Ministers in the Council (four in the previous Parliament). The former Deputy President, the Honourable Tony Kelly, as well as being appointed a Minister was also made Leader of the House in the Council.

The Ministers appointed from the Council were:

The Honourable Michael Rueben Egan MLC, Treasurer, Minister for State Development, and Vice-President of the Executive Council.

The Honourable John Joseph Della Bosca MLC, Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast.

The Honourable Michael Costa MLC, Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests).

The Honourable Carmel Mary Tebbutt MLC, Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth.

The three new Ministers were:

The Honourable Anthony Bernard Kelly MLC, Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands).

The Honourable Ian Michael Macdonald MLC, Minister for Agriculture and Fisheries.

The Honourable John Hatzistergos MLC, Minister for Justice, and Minister Assisting the Premier on Citizenship.



## **53rd Parliament – Commission Opening**

The first session of the new Parliament (53rd Parliament) was officially opened on 29 April 2003 in the Legislative Council Chamber by the Honourable Michael Egan MLC, Treasurer, Minister for State Development, and Vice-President of the Executive Council, the Honourable John Della Bosca, Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer and Minister for the Central Coast, and the Honourable Michael Costa, Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests), as Commissioners, on behalf of the Governor. The Honourable Michael Egan, as Commissioner, read a message to both Houses from Her Excellency the Honourable Marie Bashir AC, Governor of New South Wales, to open the new Session.

## **Election of President and Deputy President**

The first business of the House after the opening of a new Parliament following a periodic Council election, is the election of the President by secret ballot, which is conducted by the Clerk. Two candidates were nominated for election – the Honourable Dr Meredith Burgmann (Labor) and the Honourable Patricia Forsythe (Liberal). Dr Burgmann was re-elected as President on the first count with 24 votes to 14 votes for Mrs Forsythe.

The members of the Legislative Council presented their choice of President to the Governor at Government House on Wednesday 7 May 2003.

On the second sitting day, the Chair of Committees, also known as Deputy President, was also elected for the first time by secret ballot in a similar manner to the election of the President. This followed the adoption of a Sessional Order, proposed by the Leader of the Opposition, amending Standing Order 7 (a). Previously, the Chair of Committees was appointed by motion on notice.

There were two candidates nominated for the position of Chair of Committees – the Honourable Amanda Fazio (Labor) and the Honourable Jenny Gardiner (National Party). Ms Fazio, the first woman to hold this position, was elected with 23 votes to 13 votes for Ms Gardiner.

## **Leadership of Government and Opposition parties and Whips**

On the first sitting day the leadership of the Government and Opposition parties and Whips was announced to the House as follows:

### *Government*

Leader of the Government – the Honourable Michael Egan  
Deputy Leader of the Government – the Honourable John Della Bosca  
Leader of the House – the Honourable Tony Kelly  
Government Whip – the Honourable Peter Primrose  
Deputy Government Whip – the Honourable Ian West.

### *Opposition*

Leader of the Opposition – the Honourable Michael Gallacher  
Deputy Leader of the Opposition and Leader of the National Party – the Honourable Duncan Gay  
Deputy Leader of the Liberal Party – the Honourable John Ryan  
Deputy Leader of the National Party – the Honourable Jenny Gardiner  
Opposition Whip – the Honourable Don Harwin  
Deputy Opposition Whip and National Party Whip – the Honourable Rick Colless.

## **Orders for Papers**

In the period under review members continued to take advantage of the power of the House to call for papers from the Executive Government under Standing Order 18. A total of 25 such orders were made covering issues such as: M5 East Motorway, development of Crown Land at Liverpool, opinion polls, Government IT tender, Treasury costings, Millennium trains, removal of a medical practitioner for professional misconduct, Cross City Motorway (Tunnel), craft shop at Fox Studios, Education “Lifelong Learning” report, and management of Junee Correctional Centre.

## **Sessional Orders**

In August 2002, toward the end of the 52nd Parliament, the House adopted a Sessional Order allowing the Chair to direct a member who is reading a list of names of individuals or organisations in support of the matter being debated, to confine their remarks to a statement of their comments or views.

At the commencement of the 53rd Parliament in April 2003 the House adopted a number of Sessional Orders which were the same in substance as those adopted in the previous Parliament, but with the addition of two new sessional orders.

The first, relating to debate on Committee reports, allows a motion may be moved on tabling of any Committee report, that the House take note of the report and provides that at the conclusion of the speech of the mover, the debate be adjourned to the next Wednesday when debate on Committee reports take precedence.

The other new Sessional Order, which amends Standing Order 7(a), provided for the Chair of Committees to be elected by ballot in a similar manner to the President.

## **Childhood obesity summit**

The Government held a summit on Childhood Obesity in Parliament House from Tuesday 10 September to Thursday 12 September 2002. The summit, which was hosted by the Honourable Craig Knowles, Minister for Health and coordinated by the Department of Health, brought together some 200 people including members of both Houses of the Parliament, health experts, industry representatives, parents, teachers and children to develop practical solutions to the problem of childhood obesity.

The summit was chaired by Ms Julie McCrossin and Richard Walsh and plenary session were held in the Legislative Council chamber. Nine working groups were also formed to discuss and draft recommendations on issues such as food sales and advertising, exercise, community and school programs and education campaigns. Key public sector Chief Executive Officers and senior officers acted as advisors to the summit and facilitators to the working groups. Parliamentary staff provided procedural, administrative and logistic support services to the summit. The summit concluded with the adoption of a draft communiqué which provided the resolutions of the summit for consideration by the Government.

## **Seminar on the law of negligence**

On 18 September 2002, members of the Legislative Council attended a Joint Sitting of the two Houses in the Legislative Assembly chamber, for a parliamentary seminar on reform of the law of negligence. The following persons addressed the members of both Houses: Professor Peter Cane, Professor of Law, Australian National University, Mr Michael Gill, insurance specialist and partner, Phillips Fox Lawyers, Mr Bret Walker SC, President of the NSW Bar Association, and Mr Geoff Atkins, general insurance specialist, Trowbridge Consulting.

## **Joint sitting to consider a motion of sympathy – Bali Bombings**

On 22 October 2002, of the Legislative Council attended a Joint Sitting in the Legislative Assembly Chamber for the purpose of considering a motion of sympathy to the family and friends of victims of the bomb attacks in Bali on Saturday 12 October 2002. The President was invited to take a chair on the dais beside the Speaker. After more than 50 members had spoken, the Joint Houses agreed that the Parliament express its profound sympathy to the families and friends of the victims of the Bali bombings. It was also resolved that a permanent memorial be established to commemorate all those killed and injured in the terrorist attacks in Kuta, Bali.

## **Key projects to improve effectiveness**

### **Standing Orders**

During the year the Standing Orders Committee completed a review of proposed new plain English Standing Orders. A further meeting of the committee is required before the committee reports to the House. It is anticipated that the new Standing Orders will be adopted as sessional orders for the sitting period beginning in September 2003, in order to provide an opportunity for further review and refinement before being submitted to the Governor for approval.

### **New television cameras for Chamber**

Following a planning and tender process, a new televising system is being installed in the Legislative Council Chamber. The system consists of three remote controlled cameras and an integrated control system to manage the operation of the audio and video signals. The new system will significantly enhance the quality of the picture being broadcast throughout Parliament House and on the Internet. It will also enable television networks to take a direct feed of the Chamber proceedings from the media rooms in Parliament House.

### **Electronic access to index of proceedings from 1856**

A project to scan all paper copies of the indexes and Minutes of Proceedings that are currently not available electronically was commenced. When the project is completed it will be possible to electronically search the proceedings of the Legislative Council from 1856. This project will provide an important research tool and will also ensure that these important records of the Legislative Council are accessible in the future.

### **Election period projects**

During the months before the election in March 2003, staff undertook a number of important projects to prepare for the next Parliament and beyond. Projects included development of an improved induction program for new members and staff, implementation of new technology; redrafting of resolutions appointing committees, review of committee methods and evaluation techniques, a comprehensive review of human resources policies and a review of record systems and storage of procedural documents.

A review of the Minutes of Proceedings of the Legislative Council and Notice Paper resulted in a new layout with a Table of Contents, which will allow members, staff and the public to more easily find items of business.

## **Induction programs**

The Legislative Council conducted an induction program for new members before the first sitting day in April 2003. The program took the form of a half day seminar in the chamber, addressed by the President, the recently retired “Father of the House” (the Honourable Ron Dyer) the Deputy Clerk and Clerk Assistants. The emphasis was on the “big picture” and information required for the initial sitting period. In the afternoon, the members met with Members Services staff and the Financial Controller to discuss issues in relation to entitlements, equipment and other related matters.

Two half-day induction seminars on procedural and administrative matters including the Business Paper, Standing Orders, the passage of legislation and personnel policies and entitlements were also conducted for new staff. Follow up seminars are planned to ensure that staff, particularly members’ staff, are educated about their responsibilities and the procedures of the Legislative Council.

## **Committees**

Committees are integral to the Legislative Council’s role of reviewing legislation and acting as an effective check and balance on the activities of the Executive Government. Committees may be Standing, Select or Sessional and in some cases may be joint committees with the Legislative Assembly. Matters for inquiry by committees may be referred by the House or a Minister, and in some instances may be initiated by a Committee itself. In the case of committees established under an Act of Parliament, the various Acts set out the ongoing functions of the Committee.

Volume 2 of this report contains detailed information on the work of Legislative Council Committees.

### **Committee office accommodation**

Owing to the expiry of the lease for the Parliament’s committee office accommodation at FAI House, 185 Macquarie Street, as the building was required the owners for redevelopment, Committee staff were required to relocated to premises at 139 Macquarie Street, Sydney.

Following provision of funding by the Treasurer for relocation, the Department of Public Works and Services was retained to find suitable accommodation and to fit-out new premises. A six-year lease was entered into for premises at level 1, 139 Macquarie Street. A tender process for the fit-out was conducted by DPWS in October 2002 and furniture suppliers were chosen from the Government contract.

The new offices can accommodate 14 staff and also includes meeting rooms. The project was completed on time and within budget with staff relocating in early December 2002.

Committee office accommodation in rooms 812/813 in Parliament House were also refurbished during the year to make better use of the space, overcome crowding and poor lighting and ventilation problems. The Department of Public Works also acted as project managers for the work and new workstation furniture was obtained under Government contract.

## **Standing Committees**

The Legislative Council has nine Standing Committees – the Standing Committees on Law and Justice, Social Issues, State Development, Privilege and Ethics and five General Purpose Standing Committees (GPSCs).

The Standing Committees on Law and Justice, Social Issues and State Development investigate and report on proposed legislation, government activities and matters of public policy. Each of these

committees is supported by a permanent secretariat. The Standing Committees on Social Issues and State Development have been in existence since 1988. The Standing Committee on Law and Justice was established in 1995. These three committees were reappointed for the 53rd Parliament by resolution of the House on 21 May 2003.

On 25 June 2003 the resolution appointing the committees was amended to delete the provision for electronic participation in meetings. The resolution was also amended to include a new provision which seeks to address issues surrounding dissenting reports in a unique way – by placing an onus on committees to achieve unanimity, in the absence of which all members views are to be reflected in a report. Only when this is not possible, may a dissenting statement be appended to a report.

The Legislative Council has appointed five General Purpose Standing Committees, which have a majority of non-Government members. The mandate of these committees reflects Government Ministers' portfolio responsibilities. Originally established in 1999 to inquire into the Budget Estimates each year they now also have power to initiate their own inquiries into specific issues. At the time of reporting these committees had not been appointed for the 53rd Parliament.

### **Standing Committee on Parliamentary Privilege and Ethics**

The Standing Committee on Parliamentary Privilege and Ethics was first established in 1988. This committee performs a specialised role and has the following functions: to consider submissions matters relating to parliamentary privilege referred to it by the House or the President; to consider citizens' rights of reply to statements made about them by members in the House; and to undertake functions relating to members' ethical standards under Part 7A of the *Independent Commission Against Corruption Act 1988*. The Deputy Clerk and two other officers, who also work for the Office of the Clerk, staff the Committee.

During the year, the Committee tabled six reports. Of the six reports, two concerned citizen's right of reply matters; one concerned a review of the members' code of conduct, in accordance with section 72C of the *Independent Commission Against Corruption Act 1988*; one concerned the adoption by the House of guidelines relating to unauthorised disclosures of the proceedings of Legislative Council committees; and the remaining two concerned the members' Pecuniary Interests Register.

In relation to the inquiry on the Pecuniary Interests Register, the Committee found that a member of the House and Government Minister, the Honourable Edward Obeid MLC, had made errors in his pecuniary interest returns over a number of years, but that these errors were not wilful contraventions of the *Constitution (Disclosures by Members) Regulation 1983*, and that no sanction could be recommended. The House adopted the Committee's findings on 12 December 2002, following a vigorous take note debate, during which Mr Obeid apologised to the House for the errors in his returns. The Committee also recommended, in a separate report, that the Regulation be amended to provide for supplementary returns by members.

The majority of the recommendations and findings made by the Committee during the year were adopted by the House, except for those contained in two reports tabled just before the 52nd Parliament concluded. At the time of reporting the committee had not been appointed for the 53rd Parliament.

## **Select Committees**

### **Select Committee on Mental Health**

The Legislative Council established the Select Committee on Mental Health on 11 December 2001 to examine issues relating to the provision of mental health services in New South Wales. The inquiry

examined the levels and methods of funding of mental health services, integration and quality control, staffing levels and outcome measures. The final report of the Committee, tabled on 6 December 2002, made 120 recommendations for reform of mental health services in New South Wales.

The Committee received 19 submissions and heard evidence from 54 witnesses in 2002/2003, in addition to the 41 witnesses and 284 submissions received during 2001/2002. Requests for copies of the final report have been extensive, with more than 900 requested to date. In addition, the report has been widely accessed via the Parliament's website. Many of the recommendations have been, or are currently being, implemented by the Government and the Minister for Health has indicated that a Government response to the Committee's final report is imminent.

## **Sessional Committees**

Sessional Committees, also referred to as domestic committees, concern themselves solely with operational matters relating to the House or the Parliament. The following committees operated during the reporting period:

- House Committee.
- Library Committee.
- Printing Committee.
- Standing Orders Committee.

At the end of the reporting period the Standing Orders Committee was the only Sessional Committee to be reappointed in the 53rd Parliament.

Appendix 4 contains details of Sessional Committees during the reporting period.

## **Joint Committees**

Appendix 3 contains details of Joint Committees of both Houses during the reporting period, showing the Council member on each Committee and reports tabled.

### **Joint Standing Committees**

The Joint Standing Committee on Road Safety (Staysafe) was the only joint standing committee operating during the reporting period.

### **Joint Statutory Committees**

There are five Joint Statutory Committees, which are established under Act of Parliament. These are:

- Committee on Children and Young People.
- Committee on the Health Care Complaints Commission.
- Committee on the Independent Commission Against Corruption.
- Committee on the Office of the Ombudsman and Police Integrity Commission.
- Regulation Review Committee (renamed Legislation Review Committee).

The Regulation Review Committee was renamed the Legislation Review Committee by the *Legislation Review Amendment Act 2002*, which also extended the role of the committee to consider all bills introduced into Parliament and report on whether they affect personal rights and liberties. The Legislation Review Committee was established in the 53rd Parliament by resolution on 7 May 2003, as amended on 8 May 2003.

### **Joint Select Committees**

Three Joint Select Committees were operational during the reporting period. The Bushfires Committee and the committee inquiring into the Quality of Buildings, both appointed in the previous Parliament, tabled their reports in the 52nd Parliament. The committee inquiring into the Transportation and Storage of Nuclear Waste was established in the 53rd Parliament on 22 May 2003.

## Summary of activities of the House

1 July 2002 – 30 June 2003

	2002 – 2003
<b>Sittings</b>	
– sitting days	46
– hours of sitting	467: 26
– average length of sitting days (hours)	10:09
– sitting after midnight	2
<b>Bills</b>	
– initiated in Council	23
– by Government	18
– by private Member	5
– received from Assembly	109
– bills amended in Council	36
– bills passed	100
<b>Documents tabled</b>	
– petitions	75
– reports	366
– statutory instruments	436
<b>Questions asked</b>	
– without notice	769
– on notice	282
<b>Divisions</b>	
– in House	34
– in Committee	60
<b>Private Members' business</b>	
– notice given	128
– moved	32
– resolved	30
– withdrawn/discharged	8
– adjourned/interrupted	3
– motions under SO 13 to discuss an urgent matter of public importance	–
– matters of public interest	–
– replies to adjourned matters	–
<b>Ministerial Statements</b>	1
<b>Disallowance of Statutory Rules and Instruments</b>	
– notice given	7
– moved	2
– agreed to	1
– negatived	1
– withdrawn	3
– adjourned	–
<b>Hansard (Pages of debate)</b>	2138



## **Chapter 4 Services to Members**

### **Goal 2**

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

These services include recruitment and personnel administration of members' staff, provision and administration of office facilities and equipment for members and staff, and administration of members' entitlements. The Legislative Council's parliamentary attendants also focus on assisting members, staff and visitors in Parliament House.

#### **Members' staff**

The Council employs a Secretary/Research Assistant for each member, with an additional staff member being provided for each of the Crossbench members. Because members are actively involved in parliamentary, constituency and committee duties their staff member plays an important role in supporting the member in these duties. The Council also provides recruitment, training and employment administration support for members' staff.

### **Review of operations**

#### **New and retiring members**

During the year, two new members were elected to fill casual vacancies in the Legislative Council. At a Joint Sitting of the two Houses on 17 September 2002, the Honourable Melinda Pavey and the Revd the Honourable Dr Gordon Moyes were elected to fill the vacancies caused by the resignations of the Honourable Doug Moppett (National Party) and the Honourable Elaine Nile (Christian Democratic Party), respectively.

The eighth Periodic Council Election was held on 22 March 2003. The term of service of 21 members ceased on 28 February 2003. The following eight members did not seek re-election: the Honourable Ron Dyer and the Honourable Janelle Saffin (Australian Labor Party), the Honourable John Jobling, the Honourable Dr Brian Pezzutti and the Honourable James Samios (Liberal Party of Australia), the Honourable Alan Corbett, the Honourable Richard Jones and the Honourable Helen Sham-Ho (Independent). Eight new members were elected to the Legislative Council, namely: the Honourable Tony Burke, the Honourable Tony Catanzariti, the Honourable Kayee Griffin and the Honourable Christine Robertson (Australian Labor Party), the Honourable David Clarke, the Honourable Catherine Cusack and the Honourable Robyn Parker (Liberal Party of Australia) and Ms Sylvia Hale (The Greens).

The following thirteen members sought re-election and were successful: the Honourable Michael Costa, the Honourable Michael Egan, the Honourable Anthony Kelly, the Honourable Peter Primrose, the Honourable Carmel Tebbutt and the Honourable Ian West (Australian Labor Party), the Honourable Michael Gallacher and the Honourable Gregory Pearce (Liberal Party of Australia), the Honourable Richard Colless, and the Honourable Duncan Gay (The Nationals), Mr Ian Cohen (The

Greens), the Reverend the Honourable Dr Gordon Moyes (Christian Democratic Party [Fred Nile Group], and the Honourable John Tingle (Shooters Party).

Appendix 1 contains a list of Members of the Legislative Council during the reporting period and party representation in the House.

## **Members' allowances and entitlements**

Under the *Parliamentary Remuneration Act 1989*, the Parliamentary Remuneration Tribunal makes determinations covering both allowances and other entitlements for Members of Parliament and sets down rules for the application of its determinations.

Section 11 of the Act requires that the Tribunal make an annual determination as to the additional entitlements for members on or before 1 June in each calendar year or on such later date as determined by the President of the Industrial Relations Tribunal.

Additional entitlements are provided to assist members in the performance of their parliamentary duties. The entitlements include the provision of a Logistic Support Allocation. This is a capped budget entitlement, which members may use at their discretion within certain approved categories of expenditure. The full determination can be viewed on the parliamentary website <http://www.parliament.nsw.gov.au/lc>

The Tribunal determination for the year commencing on 1 July 2002 was issued on 31 May 2002. The Tribunal Determination for the year commencing on 1 July 2002 was issued on 30 June 2003.

The determination of the Tribunal provides that members' entitlements be audited each year by the Auditor General of NSW. The first audit was conducted for the period December 2001 to December 2002 and a report provided to the Clerk of the Parliaments in July 2002. The Audit Office identified a series of control issues but also acknowledged that this was the first period in which a new system of members' entitlements had been introduced. It was noted that the Legislature had made considerable effort to introduce new policies and procedures for members that would meet the requirements of the determination and provide a suitable audit trail.

A further audit was conducted for the period 1 January 2002 to 30 June 2002 and a report provided to the Clerk of the Parliaments in February 2003. The audit observations reflected a reduced number of control issues, all of which were repeat issues from the previous period.

Guidelines for the payment of the Sydney Allowance were also reviewed during the year. The new draft guidelines, which are designed to assist member in determining their principal place of residence, were forwarded to the Independent Commission Against Corruption, the Audit Office and the Parliamentary Remuneration Tribunal for comment, prior to issue to members. All supported the introduction of the new guidelines.

The Parliamentary Remuneration Tribunal in its annual report and determination of June 2003 acknowledged the current difficulties with the payment of the allowance and indicated that it would seek a special reference from the Premier to review the allowance.

## **Legislative Council Members' Guide**

The Legislative Council Members' Guide was completely rewritten and revised during the year in time for issue to members at the commencement of the 53rd Parliament. The new guide is in loose-leaf format to allow updates to be easily inserted. The guide is designed to assist members with information

about the system of entitlements, staff management, pecuniary interests, the Legislative Council department and other parliamentary services.

## **Members' Entitlements System**

A project team of staff from the Legislative Council, the Legislative Assembly, Accounts section and Parliamentary Information Technology Services commenced a project to upgrade the Members' Entitlements System to meet accounting procedures for members' entitlements provided by the PRT determination. A user manual will be produced as part of this process.

## **Independent Commission Against Corruption – Investigation into the conduct of the Honourable Malcolm Jones MLC**

In September 2002 the *Independent Commission Against Corruption* commenced an investigation into allegations about the conduct of the Honourable Malcolm Jones MLC, a member of the Outdoor Recreation Party.

Firstly, it was alleged that Mr Jones had used some of the entitlements granted to members of Parliament under Part 3 of the *Parliamentary Remuneration Act 1989* for purposes other than which they are provided for. This allegation claimed that Mr Jones used the entitlements in connection with membership drives for eleven "micro" parties. The second allegation claimed that Mr Jones had applied for and received payment of the Sydney Allowance, a fixed compensation for expenses incurred by members who reside in country areas, when he was not eligible to do so.

The investigation commenced as a preliminary inquiry in order to assess the validity of the allegations made against Mr Jones. As the evidence gathered appeared to substantiate the claims made against Mr Jones, the Commissioner invoked the power granted under section 23 of the Act to enable ICAC officers to enter and inspect the office occupied by Mr Jones at Parliament House and take copies of documents in that office.

The Commissioner also approved applications to an authorised justice under the *Search Warrants Act 1985*, for warrants to search Mr Jones' home unit at Russell Lea and the headquarters of the Outdoor Recreation Party at Lane Cove.

Having considered the evidence gathered during the investigation, the Commissioner subsequently authorised the conduct of hearings. The initial hearings were conducted in private, however, after further consideration of the evidence, the Commissioner decided that it was appropriate for a public hearing to be held. The public hearing commenced on 21 January 2003.

As at 30 June 2003 the Commissioner has not reported the finding of the investigation. Further details of the investigation are available at <http://www.icac.nsw.gov.au>.

## **Members' travel**

In accordance with recommendations from the Independent Commission Against Corruption in its reports on travel by members of Parliament which called for accountability and transparency by members in the use of their entitlements, details of the costs of travel claimed from the Logistic Support Allocation appears at Appendix 5.

It should be noted that the Legislative Council administers and processes members' entitlements and claims prior to forwarding to the Accounts Section for payment. Designated senior officers monitor this system and have always consulted directly with members to resolve queries when necessary.

## **Legislative Council Attendants**

The provision of effective and timely support to members and their staff and the staff of the Legislative Council continued to be the focus of the Legislative Council attendant staff. In addition support is provided to the Procedure Office, the Member's Services section, and the Administration Office. The committees of the Legislative Council continued to utilise attendant support, such as the staffing of public hearings, increasingly seen as necessary, and report mail-outs. Attendant support was again an important factor in the conduct of the annual inquiry into the Budget estimates by the Legislative Council's General Purpose Standing Committees.

During the sittings of the House the attendants continued to play an essential role in the distribution of amendments and the listing of the status of bills before the House. The attendant staff also continued its important role as the public face of the Legislative Council in its reception of, and assistance to, visitors and constituents. In addition to casual visitors a total of 704 groups, consisting of primary, secondary and tertiary educational institutions and special interest groups, toured the Parliament and enjoyed talks in the Legislative Council Chamber given by an attendant.

## **Chapter 5 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**

###### **Legislative Council photo library**

The Legislative Council has implemented a digital photo library, using the Trim Records Management System. This project will preserve our visual history for future generations and is a cost effective method of cataloguing the Legislative Council's digital images, using existing software and resources. The State Library provided assistance with standards and general information on digital image storage.

###### **SAP system**

SAP (Systems, Applications, and Products in Data Processing) is a fully integrated management information system. SAP essentially combines all of the Parliament's major corporate support systems into one, including management of human resources, payroll, assets, purchasing, plant maintenance and many other aspects of our operation.

Problems have remained unresolved with the configuration of the software version in use. This has affected areas such as leave entitlements, group certificates, taxation and general reporting.

The implementation of a new version of SAP was delayed due to financial constraints and it is now envisaged the new version of SAP, 4.6 will be implemented during the next financial year subject to funding. The implementation of the new version will correct the above problems.

##### **Information Technology Services**

Information Technology is an integral part of the support of members and the Parliament. The goals of the Parliament are becoming increasingly dependent on the availability of high quality application systems; reliable and robust network infrastructure and communications capability.

The strategy groups of information technology in Parliament are aligned with the corporate goals of Parliament and are designed to service the needs of the clients of Parliament. The following are the IT strategies and projects that were undertaken in 2002/2003 to achieve corporate goals:

###### **Start of the new Parliament**

Information on the Internet and Intranet were updated to reflect the changes required in databases, such as Hansard, Bills, and members details, for the start of the 53rd Parliament.

### **Acts and Regulation database upgrade**

The Parliamentary Counsel adopted a new method of publishing the Acts and Regulations. This new method that stores the information in a XML format rather than Wordperfect required the Parliament to redesign its database and its semi automated updating system. Parliament now has an automated system for downloading the information from the Parliamentary Counsel web site and updating its internal database.

### **Video streaming**

From January 2002, the proceedings of the Legislative Council were made available to the public through Internet web casting for the first time. This service has proved to be very popular among internal staff resulting in large uptake of Internet bandwidth during sitting times. Parliamentary Information Technology Services redesigned the network architecture to provide an efficient *Multicasting* of the proceedings to all internal staff at Parliament. This allows for a single stream to be broadcasted across the Parliament irrespective of the number of users watching the stream. This service should eliminate the costly use of Internet Bandwidth.

### **Business applications upgrade**

All business applications running under Oracle database were upgraded to Oracle RDBMS version 8.1.7. The applications affected during the upgrade were:

- TRIM – record management.
- HEAT – Service Desk call logging System.
- PASS – Security System.
- GASS – General Access Security System.
- Asset – Asset Management used in Legislative Assembly.
- MES – Members Entitlement System.
- PRINTSHOP – Printing and Stationery Administration System.

### **Security review**

The Office of Information Technology required all government departments to comply with the Australian security standards for Information technology (AS7744). To comply with this standard, the Parliament engaged an information technology security specialist to assess the network vulnerabilities and to review the policies and practises to determine the level of conformity and guidance to achieve compliance with the standards.

### **Asset management system**

The Hardcat asset management system, used by the Legislative Council to record and keep track of assets on issue to members and staff, was upgraded to version 3 client server, to provide a more efficient, reliable and secure asset management system.

### **Committee staff relocation to 139 Macquarie Street**

ITS assisted in relocation of Committee staff by helping to identify communication requirement for all workstations and new offices as well as providing a more up-to-date communication link to manage the data, voice and security information between the buildings. All computers were upgraded during this process.

### **LC Committee refurbishment in room 812/813**

ITS assisted in power and data requirement analysis for the new office layout of Committees on level 8.

### **Food and Beverage system**

ITS assisted in the replacement of a new Point of Sales System for Food and Beverage services. All cash registers are now incorporated into the Parliament network to ensure ease of data transfer while maintaining the security of the system.

### **Standard Operating Environment project**

The deployment of new Standard Operating Environment was completed during the year. Application packaging for non-core software applications were continued. A total of 52 applications have now been packaged to provide Parliament with an automated installation on computers as needed.

Upgrade to computers were completed in the following areas: Legislative Council members' notebooks, Accounts, Hansard, Food and Beverage Services, Building Services, Archives, Library, Legislative Council Procedure, Committees & Administration Offices, Legislative Assembly Procedure, Committees & Administration Offices, Security and Printing Services.

### **Netware network operating system and messaging server upgrade**

- ITS upgraded all server operating system from Novell 5 to 6. This upgrade will enhance the stability, security and management tools of Parliament's network.
- The Parliament messaging system GroupWise was upgraded to version 6. This upgrade is at server level at this stage.
- A proxy server was introduced for management and audit of the Internet usage. This will allow provision of a usage-based cost system among business units.
- The Internet Management system was upgraded to allow for increase activity and usage.

### **Corporate management**

The Legislative Council provided assistance to members and their staff regarding employment issues, and also continued to provide assistance and advice to joint service departments, particularly Information Technology Services, Parliamentary Building Services and Food and Beverage Services.

## **Employee relations**

### **Salary increases**

On 21 March 2000, the Industrial Relations Commission ratified the Crown Employees (Public Sector – Salaries January 2000) Award. The Public Sector Management Office of the Premier's Department represented the Parliament at the Industrial Commission. The award provided a 4% salary increase with effect from the beginning of the first pay period to commence on or after 1 January 2003, with a further 5% increase with effect from the beginning of the first pay period to commence on or after 1 July 2003

### **Grievances**

Some formal grievances were lodged by Joint Service Department staff during the period. All cases brought to the attention of the Parliament's grievance receivers were subsequently investigated and resolved satisfactorily.

## **Staff development**

### **Training and development**

This year, most training undertaken was in the form of staff attending external seminars, conferences and courses.

During the reporting period two Legislative Council staff, Robert Stefanic and Malvyne Jong Wah, attended the Premier's Public Sector Management Course. Tony Davies completed the Premier's Department Executive Development Program during the year and Tanya Bosch was selected to commence the program.

Internal training was arranged for new staff by Parliamentary Information Technology Services in a variety of software programs such as Microsoft Word, Lotus Notes and GroupWise.

A number of Legislative Council staff were given higher duties allowances as a way of providing developmental opportunities to gain experience learning different activities and management roles, for example, a number of senior staff were given the opportunity to gain procedural experience at the Table in the House.

## **Human Resources**

### **Aboriginal employment strategies**

The Legislative Council is continuing the Joint Policy on Aboriginal Employment Strategies. These strategies include:

- identifying and targeting permanent positions to attract Aboriginal people to work for the Parliament.
- prior to any vacant position being advertised, consideration will be given to checking the Aboriginal database at the Workforce Management Centre in the Premier's Department.



- publishing advertisements in the Koori Mail, in addition to the *Sydney Morning Herald* and *Daily Telegraph*.
- participation in the Aboriginal and Torres Strait Islander Cadetship Program for the NSW Public Sector.

A permanent position has been established at the Clerk Grade 1-2 level, in the Usher of the Black Rod and Committees Office and a cadet, Luke Hockey, commenced duty on 3 February 2003.

## **Disability action plan**

A disability action plan for the Parliament was implemented in September 2001.

## **Employee Assistance Program**

The Employee Assistance Program (EAP) was introduced to the Parliament in 1995. The annual cost of the program for 2002/2003 was \$18,000. The current provider of this service, Davidson Trahaire, provides independent confidential counselling, to assist and support staff with respect to stress, conflict, career matters and non-work related problems.

The contract for this service expires during the next financial year and expressions of interest will be sought for a new contract from EAP providers.

## **Equal Employment Opportunity**

At 30 June 2003, the Department and its joint services employed 124 women or 54% of a total of 228 staff (this figure does not include casual staff). At the middle and senior management level (equal to or above \$51,294 per annum) women represent 47% of the people who hold these positions. Below this level women represent approximately 59% of people who hold these positions. A detailed description of EEO statistics for the Legislative Council and its joint services is provided in two tables at Appendix 5.

The Legislative Council participates in the public sector's Workforce Profile, co-ordinated by the Premiers Department. The Workforce Profile collects data and analyses the characteristics of public sector employment on a regular basis. It includes demographic information such as age, gender, EEO group membership and work location, as well as employment information such as hours worked, leave patterns, remuneration and mobility within the sector.

## **EEO/Harassment free workplace training**

Staff attended workshops on harassment free workplace, conducted by a trainer provided by the Anti-Discrimination Board of NSW, as well as training on OH&S standards and policy requirements, conducted by a trainer from Health Quest.

## **Establishment – Committees**

To meet the increasing demands of committee inquiries, 3 new temporary senior project officers and one committee officer commenced during the year.

## **Executive positions**

The Legislative Council has four executive positions, as in the last reporting year, and they are listed below:

- Clerk of the Parliaments.
- Deputy Clerk.
- Clerk Assistant, Administration & Procedure – Senior Parliamentary Officer Grade 1.
- Clerk Assistant, Committees & Usher of the Black Rod – Senior Parliamentary Officer Grade 1.
- The Clerk of the Parliaments and Deputy Clerk positions are subject to annual salary determinations by the Statutory and Other Officers Remuneration Tribunal.
- There is one female executive, as in last reporting year.

Details of senior officers in the Legislative Council appear in Appendix 2.

## **Job analysis and evaluation**

A number of position descriptions were reviewed and updated during the year, prior to advertising, to ensure accuracy and consistency with other position descriptions. Legislative Council staff, trained in the Hay methodology, also facilitated and participated on a number of job evaluation panels throughout the year for the Legislative Assembly and joint service department positions.

## **Policy development and review**

A number of Legislative Council policies were reviewed during the reporting period and the following were developed or updated:

- Performance Development Program.
- Separation from Service Policy for Members Secretary/Research Assistants.
- Flex Time Agreement.
- Aboriginal Employment Strategies.
- Employees contesting State and Federal Elections.
- EEO Policy.
- Harassment Free Workplace Policy.
- Fitness to continue medical examinations.

## **Performance development program**

An extensive review was conducted of the Council's performance management system. This included extensive research and wide consultation with staff and managers to obtain feedback on the current system. The review also sought suggestions from staff for the development of a new user-friendly system relevant to the majority of staff.

The result of the review was a change in the focus of performance management from a complex, time-consuming formal review process, that concentrated on past performance, to a more flexible program, concentrating on career development, the provision of regular feedback to staff, and the option of

giving upward feedback to the manager. The new program also introduced a new feature of project reviews for individuals and groups, to undertake a debriefing exercise with the relevant manager at the conclusion of a project or committee inquiry.

Formal training, focussing on giving and receiving feedback, was conducted for all staff in February and March 2003, as part of the implementation of the new Performance Development Program.

### **Sick and personal carers leave**

Based on the available data, staff took an average of 4.59 days sick leave in 2002-2003. The total average sick leave taken has increased by 0.52 days per person during the reporting period. The Legislative Council continues to monitor absenteeism due to sick leave.

Under the Personal Carer's leave provisions, paid sick leave and time off in lieu of payment for overtime was granted for the purpose of caring for a family member who is ill. During the reporting period, Legislative Council staff accessed Personal/Carer's Leave on 13 occasions totalling 16 days.

### **Action plan for women**

The Legislative Council follows the guidelines set out by the NSW Action Plan for Women but is not required to produce reports.

### **Ethnic Affairs Priorities Statements and Ethnic Affairs Agreement**

The Legislative Council abides by the Ethnic Affairs Priorities Statements and Agreements legislation.

### **Privacy and Personal Information Protection Act 1988**

The *Privacy and Personal Information Protection Act 1988* does not apply to the Parliament, however the Legislative Council follows the spirit of the Act.

### **Parliamentary service awards**

The annual service awards ceremony for staff of the Parliament was held on Thursday 21 November 2002. The Presiding Officers made presentations to staff in recognition of their service to the Parliament, ranging from 10 to 30 years.

The following Legislative Council staff received awards:

<b>Staff member</b>	<b>Years of service</b>
Ian Pringle, Manager Attendant Services	20 years
Ms Lynn Lovelock, Deputy Clerk	15 years
Warren Cahill, Clerk Assistant Committees and Usher of the Black Rod	15 years
George Moutsos, Attendant	15 years
MsVelia Mignacca, Senior Project Officer, Privilege & Ethics Committee	10 years
Stuart Lowe, Parliamentary Officer-Members Services and Committees	10 years
Mrs Jacqueline Mead, Parliamentary Officer-Human Resources	10 years

## **Chapter 6     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 (OH&S) issues, human resource and employee relations issues.

### **Occupational Health and Safety**

#### **Occupational Health and Safety Committee**

The OH&S Committee is continuing to ensure a safe working environment exists in Parliament House by conducting regular inspections. During the year inspections were carried out in areas such as the Press Gallery, Function Rooms, Library, Printing Services, Parliamentary Archives, Parliamentary Food and Beverage, all areas, levels 9, 10, 11 and 12 and Parliamentary ITS. Problems reported by the committee and staff in areas inspected were mainly general housekeeping problems, which have subsequently been resolved.

The election of employee and Electorate Office staff representatives for the OH&S Committee is due in the next financial year.

#### **Emergency services plan**

The current emergency evacuation procedures are being revised in light of the new Australian Standard. A Disaster Recovery Plan is also being developed. When completed both plans will be tested.

#### **Security**

During the year Parliamentary Security Services commenced upgrading the video surveillance and access control systems. The new system will provide a greater level of security control within the parliamentary precincts.

## **Chapter 7 Promoting public awareness of Parliament**

### **Goal 5**

#### **Promote public awareness of the purpose, functions, and work of the Legislative Council.**

#### **Promote public awareness of the purpose, functions, and work of the Legislative Council.**

The Legislative Council continued to provide information about the role, work and history of the Legislative Council, including its Committees. The Legislative Council provides an effective enquiry service for the public as well as a variety of publications.

#### **Visitors**

Casual visitors remained steady during the year, with approximately 19,578 casual visitors counted. In addition, room bookings, visitors to members, members' events and group tour bookings increase the yearly visitor figure to approximately 52,500. On average over 5,000 people visit the Parliament monthly. Guests who attend day and evening functions in the dining room on days when Parliament is not sitting further increase this figure.

#### **Australia Day**

Parliament opens every Australia Day, with both Chambers open to the viewing public and music in the fountain court. The number of people visiting Parliament as part of the Sydney-wide celebration coordinated by the Australia Day Council has been increasing yearly. In 2003, the Legislative Council arranged a looping PowerPoint presentation in the Chamber, which provided the essential facts about the Legislative Council and some photographs of the Legislative Council in operation. This was well received by the visitors who stayed to watch the five-minute presentation.

#### **Education activities**

In a series of visits coordinated by the Office of the Governor, the Department of Education and Training, the Catholic Education Office, the Association of Independent Schools and the Parliamentary Education and Community Relations Section, nearly 1,000 school student leaders from almost 500 secondary schools visited the Parliament in 2002-2003. Students visit the Chamber, meet with members and are addressed by members and Officers of the Legislative Council before meeting with the Governor of NSW.

The Legislative Council contributed to other activities arranged by Parliamentary Education and Community Relations Section. Legislative Council members and officers participated as panel members or workshop leaders in three Young Women's Leadership seminars, involving almost 300 girls from year 11. Legislative Council members were also panel members at the *A Little Night Sitting* events which brought almost 200 members of the public to evening introductions to Parliament.

The Legislative Council Chamber was used for the NSW Schools State Constitutional Convention in November 2002, with about 100 Year 11 students participating. In the same month it was also used for the Henry Parkes Primary Schools Citizenship Convention which involved about 80 primary students and which was addressed by Her Excellency the Governor, Professor Marie Bashir, AO.

The Chamber was also used for a series of adult English learner workshops on Parliament and elections, which attracted some 400 students enrolled in TAFE and adult migrant courses in March. Similarly, 200 members of the public who participated in a lunchtime pre-election *Visit Before You Vote* tour series organised by Parliamentary Education also visited the Chamber.

The Clerk Assistant Committees and Usher of the Black Rod also made presentations to the State Government Familiarisation seminars arranged on behalf of the Parliament.

A number of Legislative Council members and staff also hosted students in University Internship and work experience programs during the year.

## **Brochures**

The Legislative Council produced three brochures to assist people in understanding the role of the Legislative Council, the role of members, and procedures during sittings of the Legislative Council. These are called “The Legislative Council of NSW”, “Members of the Legislative Council” and “Visiting the Legislative Council Chamber”. The brochures have already proved very effective in informing the public and members also provide copies to their constituents. The brochures are available for visitors in the Legislative Council foyer and also on the Parliament’s website.

## **Centenary of women’s franchise**

On 27 August 2002, the Parliament celebrated the centenary of the *Women’s Franchise Act 1902* in New South Wales with a period dress cocktail function in the parliamentary dining rooms. *The Commonwealth Franchise Act* of June 1902 gave women the right to vote in Federal elections. The two Acts extended the parliamentary franchise to women, giving them the right to vote at elections on the same basis as men. It should be noted that Indigenous women were not given the vote on the same basis as other women until 1962. The New South Wales Act did not give women the right to stand for Parliament – a right that was granted in 1918 for the Legislative Assembly and for the Legislative Council in 1926. Since 1918 there have been 66 women members of Parliament, 35 in the Legislative Council and 31 in the Legislative Assembly.

## **Exhibitions**

Arrangements for the staging of exhibitions in the Parliament’s Fountain Court are coordinated through the Office of the Usher of the Black Rod and coordinated by the Parliamentary Officer – Public Relations. Members from both Houses may sponsor exhibitions to promote community, public sector or constituents’ programs or artwork. The space is highly sought after and gaining prominence as an exhibition space that is devoted to displaying the initiatives and ingenuity of communities within New South Wales. Approximately 15 exhibitions were held during the reporting period.

## **Protocol**

The Parliament, through the Presiding Officers, has important relationships with the Consular and Diplomatic corps in Sydney and Canberra. The Clerk Assistant – Committees and Usher of the Black Rod assists the President's office to coordinate consular and diplomatic visits and events. These visits and events play an important role in supporting and maintaining the Parliament's regional and international relations.

VIPs, delegations and individuals visit the Legislative Council from a number of official sources, such as Federal and State Governments, the Diplomatic and Consular corps, other Government departments with official visitors, the Department of State and Regional Development, overseas diplomatic missions, governments and Parliaments of other countries, and the Commonwealth Parliamentary Association.

## **Visits from other Parliaments, delegations from foreign countries, Official visits by Ambassadors & Consuls General of Foreign Missions**

Number of visits: 29

## **Vice regal visits**

Her Excellency the Governor, Professor Marie Bashir, AO, visited the Parliament for a number of functions during the year. These included charity dinners in the dining room as well as Commonwealth Day.

## **Sister-State relations**

### **Overseas delegations to the Parliament**

As part of a sister-State relationship between the Parliament of New South Wales and the Seoul Metropolitan Council, Korea, in November 2002 the Parliament hosted a delegation from the Seoul Metropolitan Council led by Mr Ju-ung Park, Chairman of the Steering Committee, the visit program focused on the topics of sustainable environmental management practices and pollution reduction, and consisted of a mixture of meetings, official functions and site visits.

Official meetings and site visits included:

- Sydney Olympic Park (sustainable environmental management).
- State Forests (Cumberland Forest renewal).
- University of Sydney, Research Institute for Asia and the Pacific (overview of training programs available in the areas of environmental management).
- Environmental Protection Authority meetings (pollution reduction, harbour and air pollution).
- Roads and Transport Management Authority (pollution reduction and road management system).

## **Overseas delegations from the Parliament**

The Legislative Council did not undertake any overseas visits during the year as part of sister-State relations.

## **Assistance to the Eastern Cape Provincial Legislature, South Africa**

During the reporting period, Mr John Evans, Clerk of the Parliaments, provided technical assistance to the Eastern Cape Provincial Legislature, South Africa, for a period of two months from 5 October 2002. The project was an AusAID funded capacity building program provided by GRM International through UNSW Global, a business arm of the University of New South Wales. Ms Lynn Lovelock, Deputy Clerk, was appointed as Acting Clerk of the Parliaments and Clerk of the Legislative Council for the duration of Mr Evans' absence.

## **Attachments of Parliamentary Officers**

A number of overseas Clerks and parliamentary officers visited the Parliament during the year to study practice and procedure and committee operations. Each visitor was provided with a program of meetings according to their particular interests and needs. Two visits in particular deserve special mention.

### **East Timor**

In November 2002, Mr Jaime Xavier and Mr Armando Machado from the Parliament of East Timor visited the Parliament under a training program funded by the Australian National Group of the Inter-Parliamentary Union. The training program ensured that Xavier and Machado increased their practical skills while also taking into account their opportunity to apply the things learnt with the minimal resources available to the East Timor Parliament.

### **Thailand**

Mr TonPong Tangtermong and Mrs Boontarika Junhanandana, from the Parliament of Thailand spent two weeks with the Parliament in September 2002, meeting with both members and officers.

The purpose of the visit was to attain a comprehensive understanding of administering the procedural aspects of a Parliament and education programs for constituents. The officers met with staff in all areas of the Parliament, closely observing the operations of the Procedure Office and workings of the Chamber, as well as meeting with Committee staff. The delegates joined in two community education programmes, as well as visiting the Cabinet Office and the Federal Parliament..



## **Chapter 8    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 Building Services is responsible for the maintenance of the Parliament House buildings. This is an important and challenging task as the building is a Sydney landmark and has 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.

The parliamentary precinct is listed on both the State and Local Government Heritage Register's. Parliamentary Building Services is currently working on a Heritage Management Plan to facilitate the maintenance of such a historically important building.

Building Services has instigated a number of programmes to improve the environmental quality of the building. Regular air quality testing is now conducted and these tests have proven that the air quality in Parliament House exceeds current standards.

## **Chapter 9**

# **Financial Statements**



GPO BOX 12  
SYDNEY NSW 2001

## INDEPENDENT AUDIT REPORT

### THE LEGISLATURE

To Members of the New South Wales Parliament

#### Audit Opinion

In my opinion the financial report of The Legislature presents fairly The Legislature's financial position as at 30 June 2003 and its financial performance and cash flows for the year ended on that date, in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia.

The opinion should be read in conjunction with the rest of this report.

#### The Clerks' Role

The financial report is the responsibility of the Clerk of the Legislature Assembly and Clerk of the Parliaments of The Legislature. It consists of the statement of financial position, the statement of financial performance, the statement of cash flows, the program statement - expenses and revenues, the summary of compliance with financial directives and the accompanying notes.

#### The Auditor's Role and the Audit Scope

As required by the Act, I carried out an independent audit to enable me to express an opinion on the financial report. My audit provides *reasonable assurance* to members of the New South Wales Parliament that the financial report is free of *material* misstatement.

My audit accorded with Australian Auditing and Assurance Standards and statutory requirements, and I:

- evaluated the accounting policies and significant accounting estimates used by the Clerks in preparing the financial report, and
- examined a sample of the evidence that supports the amounts and other disclosures in the financial report.

An audit does *not* guarantee that every amount and disclosure in the financial report is error free. The terms 'reasonable assurance' and 'material' recognise that an audit does not examine all evidence and transactions. However, the audit procedures used should identify errors or omissions significant enough to adversely affect decisions made by users of the financial report or indicate that the Clerks had failed in their reporting obligations.

My opinion does *not* provide assurance:

- about the future viability of The Legislature,
- that The Legislature has carried out its activities effectively, efficiently and economically,
- about the effectiveness of its internal controls, or
- on the assumptions used in formulating the budget figures disclosed in the financial report.

#### Audit Independence

The Audit Office complies with all applicable independence requirements of Australian professional ethical pronouncements. The Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General, and
- mandating the Auditor-General as auditor of public sector agencies but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office are not compromised in their role by the possibility of losing clients or income.



R. J. Sendt  
Auditor General

SYDNEY  
6 November 2003



4 November 2003

PARLIAMENT HOUSE  
MACQUARIE ST  
SYDNEY NSW 2000

File ref: A700

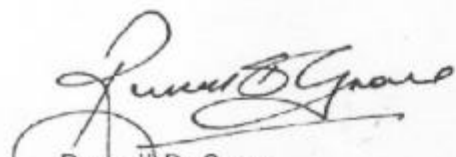
## THE LEGISLATURE

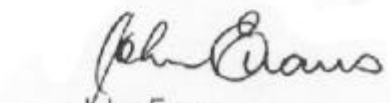
### FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2003

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, other authoritative pronouncements of the Australian Accounting Standards Board, the Urgent Issues Group Consensus Views and the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector 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 Evans  
Clerk of the Parliaments

## Chapter 9 Financial Statements

### THE LEGISLATURE

#### Statement of Financial Performance for the Year Ended 30 June 2003

	Notes	Actual 2003 \$000	Budget 2003 \$000	Actual 2002 \$000
<b>Expenses</b>				
Operating expenses				
Employee related	2(a)	41,844	37,894	37,429
Other operating expenses	2(b)	22,046	22,623	20,080
Maintenance	2(c)	1,751	520	3,513
Depreciation and amortisation	2(d)	5,184	4,253	4,248
Other expenses	2(e)	<u>32,049</u>	<u>32,415</u>	<u>31,693</u>
<b>Total Expenses</b>		<u>102,874</u>	<u>97,705</u>	<u>96,963</u>
Less:				
<b>Retained Revenue</b>				
Sale of goods and services	3(a)	4,223	4,315	4,181
Investment income	3(b)	53	25	47
Grants and contributions	3(c)	2,232	-	2,885
Other revenue	3(d)	<u>18,310</u>	<u>230</u>	<u>402</u>
<b>Total Retained Revenue</b>		<u>24,818</u>	<u>4,570</u>	<u>7,515</u>
<b>Gain / (loss) on disposal of non-current assets</b>	4	<u>(217)</u>	<u>-</u>	<u>455</u>
<b>Net Cost of Services</b>	19	<u>78,273</u>	<u>93,135</u>	<u>88,993</u>
<b>Government Contributions</b>				
Recurrent appropriation	5	80,272	76,705	70,584
Capital appropriation	5	2,925	3,167	6,791
Acceptance by the Crown Entity of employee benefits and other liabilities	6	<u>12,917</u>	<u>12,238</u>	<u>11,367</u>
<b>Total Government Contributions</b>		<u>96,114</u>	<u>92,110</u>	<u>88,742</u>
<b>SURPLUS (DEFICIT) FOR THE YEAR FROM ORDINARY ACTIVITIES</b>				
		<u>17,841</u>	<u>(1,025)</u>	<u>(251)</u>
Total Revenues, Expenses and Valuation Adjustments Recognised in Equity				
		-	-	-
Net increase in asset revaluation reserve				
		<u>2,100</u>	<u>-</u>	<u>-</u>
<b>Total Changes in Equity other than those resulting from transactions with owners as owners</b>				
	15	<u>19,941</u>	<u>(1,025)</u>	<u>(251)</u>

The accompanying notes form part of these statements.

**THE LEGISLATURE**

Statement of Financial Position as at 30 June 2003

	Notes	Actual 2003 \$000	Budget 2003 \$000	Actual 2002 \$000
<b>ASSETS</b>				
<b>Current Assets</b>				
Cash	8	682	585	389
Receivables	9	1,398	2,198	2,198
Inventories	10	338	262	251
Other Assets	11	359	267	257
<b>Total Current Assets</b>		<u>2,777</u>	<u>3,312</u>	<u>3,105</u>
<b>Non-Current Assets</b>				
Property, Plant and Equipment	12			
- Land and Buildings		112,542	94,598	96,103
- Plant and Equipment		14,225	12,343	11,888
- Collection Assets		16,810	16,704	16,740
		<u>143,577</u>	<u>123,645</u>	<u>124,731</u>
Other Assets	11	336	520	520
<b>Total Non-Current Assets</b>		<u>143,913</u>	<u>124,165</u>	<u>125,251</u>
<b>Total Assets</b>		<u>146,690</u>	<u>127,477</u>	<u>128,356</u>
<b>LIABILITIES</b>				
<b>Current Liabilities</b>				
Payables	13	4,337	4,921	6,390
Provisions	14(a)	3,130	4,592	2,977
<b>Total Current Liabilities</b>		<u>7,467</u>	<u>9,513</u>	<u>9,367</u>
<b>Non-Current Liabilities</b>				
Provisions	14(b)	531	238	238
<b>Total Non-Current Liabilities</b>		<u>531</u>	<u>238</u>	<u>238</u>
<b>Total Liabilities</b>		<u>7,998</u>	<u>9,751</u>	<u>9,605</u>
<b>Net Assets</b>		<u>138,692</u>	<u>117,726</u>	<u>118,751</u>
<b>EQUITY</b>				
Reserves	15			
Reserves	1(i)	11,167	9,067	9,067
Accumulated Funds		127,525	108,659	109,684
<b>Total Equity</b>		<u>138,692</u>	<u>117,726</u>	<u>118,751</u>

The accompanying notes form part of these statements.

**THE LEGISLATURE****Statement of Cash Flows for the Year Ended 30 June 2003**

	Notes	Actual 2003 \$000	Budget 2003 \$000	Actual 2002 \$000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
<b>Payments</b>				
Employee related		(38,087)	(35,253)	(34,727)
Other		<u>(50,825)</u>	<u>(47,644)</u>	<u>(46,577)</u>
<b>Total Payments</b>		<u>(88,912)</u>	<u>(82,897)</u>	<u>(81,304)</u>
<b>Receipts</b>				
Sale of goods and services		5,109	3,615	4,488
Interest received		48	25	51
Other		<u>2,769</u>	<u>930</u>	<u>2,214</u>
<b>Total Receipts</b>		<u>7,926</u>	<u>4,570</u>	<u>6,753</u>
<b>Cash Flows From Government</b>				
Recurrent appropriation		80,272	76,705	70,584
Capital appropriation		2,925	3,167	6,943
Capital liability to Consolidated Fund		(152)	-	-
Cash reimbursements from the Crown Entity		<u>1,848</u>	<u>1,818</u>	<u>1,536</u>
<b>Net Cash Flows From Government</b>		<u>84,893</u>	<u>81,690</u>	<u>79,063</u>
<b>NET CASH FLOWS FROM OPERATING ACTIVITIES</b>	19	<u>3,907</u>	<u>3,363</u>	<u>4,512</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Proceeds from sale of property, plant and equipment		1	-	346
Purchases of property, plant and equipment		<u>(3,615)</u>	<u>(3,167)</u>	<u>(4,884)</u>
<b>NET CASH FLOW FROM INVESTING ACTIVITIES</b>		<u>(3,614)</u>	<u>(3,167)</u>	<u>(4,538)</u>
<b>NET INCREASE / (DECREASE) IN CASH</b>		293	196	(26)
Opening cash and cash equivalents		<u>389</u>	<u>389</u>	<u>415</u>
<b>CLOSING CASH AND CASH EQUIVALENTS</b>	8	<u>682</u>	<u>585</u>	<u>389</u>

The accompanying notes form part of these statements.



THE LEGISLATURE

Program Statement - Expenses and Revenues for the year ended 30 June 2003

	Program 1.1.1* Legislative Council		Program 1.1.2* Legislative Assembly		Program 1.2.1* Joint Services		Not Attributable		Total	
	2003 \$000	2002 \$000	2003 \$000	2002 \$000	2003 \$000	2002 \$000	2003 \$000	2002 \$000	2003 \$000	2002 \$000
<b>THE LEGISLATURE'S EXPENSES &amp; REVENUES</b>										
<b>Expenses</b>										
Operating expenses										
Employee related	7,763	6,571	18,990	17,204	15,091	13,654	-	-	41,844	37,429
Other operating expenses	2,555	2,660	15,195	13,192	4,196	4,228	-	-	22,046	20,080
Maintenance	11	-	203	637	1,537	2,876	-	-	1,751	3,513
Depreciation and amortisation	397	254	2,189	1,897	2,598	2,097	-	-	5,184	4,248
Other expenses	9,975	9,615	22,074	22,078	-	-	-	-	32,049	31,693
<b>Total Expenses</b>	<b>20,801</b>	<b>19,100</b>	<b>58,651</b>	<b>55,008</b>	<b>23,422</b>	<b>22,855</b>	<b>-</b>	<b>-</b>	<b>102,874</b>	<b>96,963</b>
<b>Retained Revenue</b>										
Sale of goods and services	349	341	352	473	3,522	3,367	-	-	4,223	4,181
Investment income	-	-	-	-	53	47	-	-	53	47
Grants and contributions	-	-	-	-	2,232	2,885	-	-	2,232	2,885
Other revenue	107	69	224	195	17,979	138	-	-	18,310	402
<b>Total Retained Revenue</b>	<b>456</b>	<b>410</b>	<b>576</b>	<b>668</b>	<b>23,786</b>	<b>6,437</b>	<b>-</b>	<b>-</b>	<b>24,818</b>	<b>7,515</b>
Gain / (loss) on disposal of non-current assets	0	-	-	-	(217)	455	-	-	(217)	455
<b>NET COST OF SERVICES</b>	<b>20,345</b>	<b>18,690</b>	<b>58,075</b>	<b>54,340</b>	<b>(147)</b>	<b>15,963</b>	<b>-</b>	<b>-</b>	<b>78,273</b>	<b>88,993</b>
Government contributions**	-	-	-	-	-	-	96,114	88,742	96,114	88,742
<b>NET EXPENDITURE (REVENUE) FOR THE YEAR</b>	<b>20,345</b>	<b>18,690</b>	<b>58,075</b>	<b>54,340</b>	<b>(147)</b>	<b>15,963</b>	<b>(96,114)</b>	<b>(88,742)</b>	<b>(17,841)</b>	<b>251</b>

\*The name and purpose of each program is summarised in note 7.

\*\*Appropriations are made on an agency basis and not to individual programs. Consequently, government contributions must be included in the "not attributable" column.

The accompanying notes form part of these statements.

THE LEGISLATURE

SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

	2003				2002			
	Recurrent Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Capital Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Recurrent Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Capital Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000
<b>ORIGINAL BUDGET APPROPRIATION / EXPENDITURE</b>								
Appropriation Act	76,705	76,705	3,167	2,925	67,793	67,793	3,426	3,426
Additional Appropriations	-	-	-	-	228	228	-	-
s21A PF&AA - special appropriation	-	-	-	-	-	-	-	-
s24 PF&AA - transfers of functions between departments	-	-	-	-	-	-	-	-
s26 PF&AA - Commonwealth specific purpose payments	-	-	-	-	-	-	-	-
	76,705	76,705	3,167	2,925	68,021	68,021	3,426	3,426
<b>OTHER APPROPRIATIONS / EXPENDITURE</b>								
Treasurer's Advance	4,081	3,567	-	-	3,569	2,563	3,650	3,365
Section 22 - expenditure for certain works and services	-	-	-	-	-	-	-	-
Transfers from another agency (s25 - Appropriation Act)	-	-	-	-	-	-	-	-
	4,081	3,567	-	-	3,569	2,563	3,650	3,365
<b>Total Appropriations / Expenditure / Net Claim on Consolidated Fund (includes transfer payments)</b>	80,786	80,272	3,167	2,925	71,590	70,584	7,076	6,791
<b>Amount drawn down against Appropriation Liability to Consolidated Fund</b>								
		80,272		2,925		70,584		6,943
		-		-		-		(152)

The summary of compliance is based on the assumption that Consolidated Fund monies are spent first (except where otherwise identified or prescribed).

## 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

### (a) Reporting Entity

The Legislature as a reporting entity comprises all the operating activities of the Parliament of New South Wales, including the House Committee, under the joint direction and control of the President of the Legislative Council and the Speaker of the Legislative Assembly. It includes all the functions of parliamentary representation undertaken by the Council and the Assembly, and their various supporting Departments and Sections. The House Committee provides food and beverage services for Members of Parliament, their guests and staff. It also caters for functions held at Parliament House.

The reporting entity is consolidated as part of the NSW Total State Sector and as part of the NSW Public Accounts.

### (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 (AAS)
- ❖ Other authoritative pronouncements of the Australian Accounting Standards Board (AASB)
- ❖ Urgent Issues Group (UIG) Consensus Views
- ❖ The requirements of the Public Finance and Audit Act 1983 and Regulations, and
- ❖ The Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies or issued by the Treasurer under Section 9(2)(n) of the Act

Where there are inconsistencies between the above requirements, the legislative provisions have prevailed.

In the absence of a specific accounting standard, other authoritative pronouncements of the AASB or UIG Consensus View, the hierarchy of other pronouncements as outlined in AAS 6 "Accounting Policies" is considered.

Except for land, collections and certain building and plant assets which are recorded at valuation, the financial statements are prepared in accordance with the historical cost convention.

All amounts shown in the statements are rounded to the nearest one thousand dollars and are expressed in Australian currency.

Comparative information is reclassified where appropriate to enhance comparability.

### (c) Revenue Recognition

Revenue is recognised when The Legislature has control of the good or right to receive, it is probable that the economic benefits will flow to The Legislature and the amount of revenue can be reliably measured. Additional comments regarding the accounting policies for the recognition of revenue are discussed below:

#### (i) 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 appropriations/contributions. Control over appropriations and contributions is normally obtained upon the receipt of cash.

An exception to the above is when appropriations are unspent at year end. In this case, the authority to spend the money lapses and generally the unspent amount must be repaid to the Consolidated Fund in the following financial year. As a result, unspent appropriations are accounted for as liabilities rather than revenue.

Maintenance work on Parliament House undertaken and paid for by the Department of Commerce has been recognised as revenue with the corresponding expenditure reflected in maintenance costs. (Refer notes 2(c) and 3(c)).

(ii) Sales of Goods and Services

Revenue from the sale of goods and services comprises revenue from the provision of products or services, ie. user charges. User charges are recognised as revenue when The Legislature obtains control of the assets that result from them.

(iii) Investment Income

Interest revenue is recognised as it accrues. Rent revenue is recognised in accordance with AAS 17 Accounting for Leases.

(iv) Other Revenue

Those items classified as other revenue are recognised as revenue according to the most applicable policy listed above, having regard for the type of revenue received.

**(d) Employee Benefits and other provisions**

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

Liabilities for salaries and wages and annual leave are recognised and measured in respect of employees' services up to the reporting date at nominal amounts based on the amounts expected to be paid when the liabilities are settled.

Sick leave entitlements for The Legislature's employees are 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 benefits 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 benefits to which they relate have been recognised.

(ii) Accrued salaries and wages – reclassification

As a result of the adoption of Accounting Standard AASB 1044 "Provisions, Contingent Liabilities and Contingent Assets", accrued salaries and wages and on-costs has been reclassified to "payables" instead of "provisions" in the Statement of Financial Position and the related note disclosures, for the current and comparative period. On the face of the Statement of Financial Position and in the notes, reference is now made to "provisions" in place of "employee entitlements and other provisions". Total employee benefits (including accrued salaries and wages) are reconciled in Note 14 "Provisions".

(iii) Long Service Leave and Superannuation

The Legislature's liabilities for long service leave and superannuation are assumed by the Crown 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 Entity of Employee Entitlements and other Liabilities".

Long service leave is measured on a present value basis. The present value 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) Accounting for the Goods and Services Tax (GST)**

Revenue, expenses and assets are recognised as net of the amount of GST except for the following:

- ❖ The amount of GST incurred by The Legislature as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of the cost of acquisition of an asset or as part of an item of expense.
- ❖ Receivables and payables are stated with the amount of GST included.

**(g) 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.

Where settlement of any part of cash consideration is deferred, the amounts payable in the future are discounted to their present value at the acquisition date. The discount rate used is the incremental borrowing rate, being the rate at which a similar borrowing could be obtained.

**(h) Plant and Equipment**

Plant and equipment costing \$5,000 and above individually are capitalised.

**(i) Revaluation of Physical Non-Current Assets**

Buildings plus plant and equipment are valued in accordance with the "Guidelines for the Valuation of Physical Non-Current Assets at Fair Value" (TPP 03-02). This policy adopts fair value in accordance with AASB 1041 from financial years beginning on or after 1 July 2002. There is no substantive difference between the fair value methodology and the previous valuation methodology adopted in the NSW Public Sector.

Where available, fair value is determined having regard to the highest and best use of the asset on the basis of current market selling prices for the same or similar assets. Where the market selling price is not available, the assets fair value is measured as its market buying price i.e. the replacement cost of the assets' remaining future economic benefits. The Legislature is a not for profit entity with no cash generating operations.

Collection assets 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, subject to any restrictions or enhancements since acquisition. Office and computer equipment which have short useful lives, are measured at depreciated historical cost, as a surrogate for fair value.

The leasehold expense of Members' electorate offices is valued at cost and amortised over the term of the lease for the relevant electorate office.

Each class of physical non-current assets is revalued every 5 years. As a result of the size and nature of The Legislature's assets this revaluation is conducted over a five-year period. The last such revaluation based on an independent assessment for each class of asset was:

Land	30 June 2003	Quotable Value Aust. Pty Ltd
Buildings	30 June 2003	HP Consultants Pty Ltd
Plant & Equipment (Building Technical Services Assets)	30 June 2003	HP Consultants Pty Ltd
Collection Assets:		
Library Collection	30 June 1999	Edward Rushton Aust Pty Ltd
Archives Collection	30 June 1999	Edward Rushton Aust Pty Ltd
Antiques	30 April 2000	Cleary and Kennedy
Artworks	31 May 2000	Art Gallery of NSW

When revaluing non-current assets by reference to current prices for assets newer than those being revalued (adjusted to reflect the present condition of the assets), the gross amount and the related accumulated depreciation is separately restated.

Otherwise, any balances of accumulated depreciation existing at the revaluation date in respect of those assets are credited to the asset accounts to which they relate. The net asset accounts are then increased or decreased by the revaluation increments or decrements.

The recoverable amount test has not been applied as The Legislature is a not for profit entity whose assets' service potential is not related to the ability to generate net cash inflows.

Revaluation increments are credited directly to the asset revaluation reserve, except that to the extent that an increment reverses a revaluation decrement in respect of that class of asset previously recognised as an expense in the surplus/deficit for the year, the increment is recognised immediately as revenue in the surplus/deficit.

Revaluation decrements are recognised immediately as expenses in the surplus/deficit for the year, except that to the extent that a credit balance exists in the asset revaluation reserve in respect of the same class of assets, they are debited directly to the asset revaluation reserve.

Revaluation increments and decrements are offset against one another within a class of non-current assets, but not otherwise.

Where an asset that has previously been revalued is disposed of, any balance remaining in the asset revaluation reserve in respect of that asset is transferred to accumulated funds.

#### **(j) Depreciation and Amortisation**

Except for collection assets, depreciation or amortisation is provided for on a straight line basis for all depreciable or amortisable assets, so as to write off the depreciable amount of the asset as it is consumed over its useful life to The Legislature. Accelerated depreciation has been applied to those computer assets which have become redundant due to technology, so that they are fully depreciated as at 30 June 2003. Land is not a depreciable asset.

All material separately identifiable component assets are recognised and depreciated over their shorter useful lives, including those components that in effect represent major periodic maintenance.

Depreciation rates used for the various categories of assets range between:

The Parliament House Building	1.64-20 percent
Plant and Machinery	5-50 percent
Office Equipment	5-20 percent
Computer Equipment	10-50 percent

Leasehold building fit-out costs are amortised over the life of the respective leases. This amortisation rate ranges between 10 and 50 percent.

The Legislature's Antique, Archive, Artwork and Library collections have not been depreciated as their value is expected to appreciate.

**(k) Maintenance and Repairs**

The costs of maintenance are charged as expenses as incurred, except where they relate to the replacement of a component of an asset, in which case the costs are capitalised and depreciated.

**(l) Leased Assets**

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of the leased assets, and operating leases under which the lessor effectively retains all such risks and benefits.

Where a non-current asset is acquired by means of a finance lease, the asset is recognised at its fair value at the inception of the lease. The corresponding liability is established at the same amount. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are charged to the Statement of Financial Performance in the periods in which they are incurred.

All leases to which The Legislature is a party are operating leases.

**(m) Receivables**

Receivables are recognised and carried at cost, based on the original invoice amount less a provision for any uncollectable debts. An estimate for doubtful debts is made when collection of the full amount is no longer probable. Bad debts are written off as incurred.

**(n) Inventories**

Inventories are stated at the lower of cost and net realisable value. The cost is calculated using the weighted average cost method.

**(o) Other Assets**

Other assets including pre-payments are recognised on a cost basis.

**(p) Payables**

These amounts represent liabilities for goods and services provided to The Legislature and other amounts, including interest. Interest is accrued over the period it becomes due.

**(q) Budgeted Amounts**

The budgeted amounts are drawn from the budgets as formulated at the beginning of the financial year and with any adjustments for the effects of additional appropriations, s21A, s24 and/or s26 of the *Public Finance and Audit Act 1983*.

The budgeted amounts in the Statement of Financial Performance and the Statement of Cash Flows are generally based on the amounts disclosed in the NSW Budget Papers (as adjusted above). However, in the Statement of Financial Position, the amounts vary from the Budget Papers, as the opening balances of the budgeted amounts are based on carried forward actual amounts, ie per the audited financial statements (rather than carried forward estimates).

**2. EXPENSES****a) Employee Related Expenses**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Salaries and wages (including recreation leave)	32,048	30,396
Superannuation entitlements	3,113	2,828
Payroll tax and fringe benefits tax	2,327	2,191
Long service leave	1,780	861
Redundancy payments	1,145	187
Other	818	737
Workers Compensation Insurance	613	229
	<b>41,844</b>	<b>37,429</b>

**(b) Other Operating Expenses**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Printing and stationery	5,873	3,451
Operating Lease Rental Expense – Minimum Lease Payments	3,478	3,127
Telecommunication costs	2,234	2,481
Travel expenses	1,523	1,828
Cost of sales – House Committee	1,547	1,583
Computer costs	1,378	1,834
Stores	1,056	1,110
Postage and State Mail charges	1,133	974
Miscellaneous	1,081	1,207
Gas and electricity charges	908	796
Cleaning and laundry	440	465
Contract and other fees	313	568
Consultancy fees	419	151
Insurance	289	279
Legal expenses	253	89
Auditor's Remuneration		
Audit of the Financial Reports	45	46
Audit of Members' additional entitlements under the Parliamentary Remuneration Tribunal Determination	70	91
Bad or Doubtful Debts	6	–
	<b>22,046</b>	<b>20,080</b>



**(c) Maintenance**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Maintenance undertaken by Department of Commerce	1,295	2,562
	263	314
<b><i>Repairs and routine maintenance</i></b>		
Maintenance on Legislative Assembly electorate offices	193	637
	<b>1,751</b>	<b>3,513</b>

Maintenance on the Parliament House building undertaken and funded by the Department of Commerce has been included in the Statement of Financial Performance. This work was part of the program for the essential maintenance of State assets. (Refer notes 1 (c) and 3 (c)).

**(d) Depreciation and Amortisation expense**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Depreciation on buildings	806	793
Depreciation on plant and equipment	3,400	2,512
Amortisation of leasehold costs	978	943
	<b>5,184</b>	<b>4,248</b>

**(e) Other expenses**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Salaries and allowances of Members of Parliament	22,379	21,996
Superannuation entitlements – Members	7,398	7,062
Payroll tax & fringe benefits tax – Members’ entitlements	1,533	1,450
Payroll tax liability – Members’ superannuation	444	438
Special projects	295	747
	<b>32,049</b>	<b>31,693</b>

**3. REVENUES****(a) Sale of Goods and Services**

<u>Sale of Goods</u>	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
	2,288	2,205
<b><i>House Committee sales of food and beverages</i></b>		
Energy recoup from Sydney Hospital and State Library	500	469
Sale of Publications	55	106
	<b>2,843</b>	<b>2,780</b>
<u>Rendering of Services</u>		
Rent on Parliament House Ministerial Offices	696	682
House Committee functions	484	472
Miscellaneous	200	166
Parliamentary committee seminars	0	81
	<b>1,380</b>	<b>1,401</b>
	<b>4,223</b>	<b>4,181</b>

**(b) Investment Income**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Interest on operating account	53	47
	<b>53</b>	<b>47</b>

**(c) Grants and Contributions**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Department of Commerce maintenance work	1,295	2,562
Department of Commerce asset contributions	875	–
Contributions of Assets – library collection legal deposit	62	46
Connect NSW project	–	277
	<b>2,232</b>	<b>2,885</b>

The Department of Commerce met the cost of essential maintenance work undertaken on the Parliament House building as part of an ongoing arrangement (refer notes 1 (c) and 2 (c)).

**(d) Other Revenue**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Increment from asset valuation offsetting prior decrement	17,897	–
Miscellaneous	413	390
Telecommunications rebate	–	12
	<b>18,310</b>	<b>402</b>

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

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
<b>Gain/Loss on Sale of Assets</b>		
Proceeds from sale	1	537
Written down value of assets disposed	(218)	(82)
	<b>(217)</b>	<b>455</b>
Net gain/(loss) on disposal of assets		

**5. APPROPRIATIONS**

**Recurrent Appropriations**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Total recurrent drawdowns from Treasury (per Summary of Compliance)	80,272	70,584
Less: Liability to Consolidated Fund (per Summary of Compliance)	–	–
<b>Total</b>	<b>80,272</b>	<b>70,584</b>

Comprising:

Recurrent Appropriations (per Statement of Financial Performance)	80,272	70,584
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**Capital Appropriations**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Total capital drawdowns from Treasury (per Summary of Compliance)	2,925	6,943
Less: Liability to Consolidated Fund (per Summary of Compliance)	–	(152)
<b>Total</b>	<b>2,925</b>	<b>6,791</b>

Comprising:

Capital Appropriations (per Statement of Financial Performance)	2,925	6,791
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## 6. ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE BENEFITS AND OTHER LIABILITIES

The following liabilities and/or expenses have been assumed by the Crown Entity or other government agencies:

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
<b>Employees</b>		
Superannuation	3,113	2,828
Long Service Leave	1,780	864
Payroll Tax on superannuation	183	174
	<b>5,076</b>	<b>3,866</b>
<b>Members</b>		
Superannuation	7,397	7,063
Payroll tax on superannuation	444	438
	<b>7,841</b>	<b>7,501</b>
	<b>12,917</b>	<b>11,367</b>

## 7. PROGRAMS/ACTIVITIES OF THE LEGISLATURE

### Program 1.1.1 **Parliamentary Government – Legislative Council**

**Objective:** To represent the people of New South Wales in the Upper House. To support the functions of the Legislative Council and its forty-two Members.

**Activities:**

- Members of the Legislative Council Representation
- Salaries and allowances of Members of the Legislative Council
- Secretarial and research services for Members of the Legislative Council
- Procedural and administrative support
- Committee advisory, research and administrative support
- Overseas delegations

### Program 1.1.2 **Parliamentary Government – Legislative Assembly**

**Objective:** To represent the ninety-three electorates throughout New South Wales and support the functions of the Legislative Assembly.

**Activities:**

- Members of the Legislative Assembly Representation
- Salaries and allowances of Members of the Legislative Assembly
- Secretarial and research services for Members of Parliament
- Procedural and administrative support
- Committee advisory, research and administrative support
- Commonwealth Parliamentary Association
- Overseas delegations

**Program 1.2.1 Parliamentary Support Services – Joint Services**

**Objective:** To provide support services to both Houses of Parliament.

- Activities:**
- Accounting and financial services
  - Archival services
  - Building services
  - Catering services
  - Education and community relations
  - Hansard
  - Information technology services
  - Library services
  - Printing services
  - Security services

**8. CURRENT ASSETS – CASH**

For the purposes of the Statement of Cash Flows, cash includes cash on hand and cash at bank. Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Cash at Bank and on hand	682	389
	<b>682</b>	<b>389</b>
	<b>682</b>	<b>389</b>

**9. CURRENT ASSETS – RECEIVABLES**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Sale of goods and services	600	754
Less: Provision for Doubtful Debts	4	3
	596	751
GST recoverable from ATO	483	907
Other debtors	293	519
Investment Income	26	21
	<b>1,398</b>	<b>2,198</b>

**10. CURRENT ASSETS – INVENTORIES**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Food and beverage stock at cost	279	251
Books at cost	59	–
	<b>338</b>	<b>251</b>

**11. CURRENT/NON-CURRENT ASSETS – OTHER ASSETS****(a) Current:**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Prepayments	346	255
Travel Advances	13	12
	<b>359</b>	<b>267</b>

**(b) Non-Current:**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Prepayments	336	520
	<b>336</b>	<b>520</b>

**12. NON-CURRENT ASSETS – PROPERTY, PLANT AND EQUIPMENT**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
<b>Land and Buildings</b>		
Land at Valuation	52,100	50,000
Buildings at Valuation	82,943	60,680
Accumulated Depreciation	24,483	17,119
	<b>58,460</b>	<b>43,561</b>
Buildings – Leasehold Improvements at Cost	5,625	5,392
Accumulated Depreciation	3,643	2,850
	<b>1,982</b>	<b>2,542</b>
<b>Total Land and Buildings</b>	<b>112,542</b>	<b>96,103</b>
<b>Plant and Equipment</b>		
Building Services at Valuation	27,765	20,024
Accumulated Depreciation	20,093	15,353
	<b>7,672</b>	<b>4,671</b>
Other Plant and Equipment at Cost	16,680	15,325
Accumulated Depreciation	10,127	8,108
	<b>6,553</b>	<b>7,217</b>
<b>Total Plant and Equipment</b>	<b>14,225</b>	<b>11,888</b>
<b>Collection Assets</b>		
At Valuation	16,810	16,740
<b>Total Property Plant and Equipment at Net Book Value</b>	<b>143,577</b>	<b>124,731</b>

### Reconciliations

Reconciliations of the carrying amounts of each class of property, plant and equipment at the beginning and end of the current and previous financial year are set-out below:

	<b>Land and Buildings \$000</b>	<b>Plant and Equipment \$000</b>	<b>Collection Assets \$000</b>	<b>Total \$000</b>
<b>2003</b>				
Carrying amount at start of year	96,103	11,888	16,740	124,731
Additions	1,312	2,869	70	4,251
Disposals	(136)	(3,281)	–	(3,417)
Net Revaluation Increments	16,911	3,086		19,997
Accumulated depreciation written back on disposal	136	3,063	–	3,199
Depreciation expense	(1,784)	(3,400)	–	(5,184)
<b>Carrying amount at end of year</b>	<b>112,542</b>	<b>14,225</b>	<b>16,810</b>	<b>143,577</b>
<b>2002</b>				
Carrying amount at start of year	97,285	9,883	16,776	123,944
Additions	553	4,518	46	5,117
Disposals	(141)	(139)	(82)	(362)
Accumulated depreciation written back on disposal	141	139	–	280
Depreciation expense	(1,735)	(2,513)	–	(4,248)
	<b>96,103</b>	<b>11,888</b>	<b>16,740</b>	<b>124,731</b>

### 13. CURRENT LIABILITIES – PAYABLES

	<b>2003 \$000</b>	<b>2002 \$000</b>
Creditors	2,455	4,724
Accrued Salaries, wages and on-costs	1,882	1,514
Liability to Consolidated Fund	–	152
	<b>4,337</b>	<b>6,390</b>

**14. CURRENT/NON-CURRENT LIABILITIES – PROVISIONS****(a) Current**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Recreation leave	2,818	2,675
On-cost on employee benefits	312	302
<b>Total Provisions</b>	<b>3,130</b>	<b>2,977</b>

**(b) Non-Current**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
On-cost on employee benefits	531	238
<b>Total Provisions</b>	<b>531</b>	<b>238</b>

**(c) Aggregate employee benefits and related on-costs:**

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Provisions – Current	3,130	2,977
Provisions – Non-Current	531	238
Accrued salaries, wages and on-costs (note 13)	1,882	1,514
<b>Total</b>	<b>5,543</b>	<b>4,729</b>

The Legislature pays for rail travel benefits for the spouses/approved relatives of certain former members of parliament. The cost of this travel is generally less than \$20,000 per annum.



**15. CHANGES IN EQUITY**

	Accumulated Funds		Asset Revaluation Reserve		Total Equity	
	2003 \$000	2002 \$000	2003 \$000	2002 \$000	2003 \$000	2002 \$000
Balance at the beginning of the financial year	109,684	109,935	9,067	9,067	118,751	119,002
<u>Changes in equity – other than transactions with owners as owners</u>						
Surplus/(deficit) for the year	17,841	(251)			17,841	(251)
Increment on revaluation of:						
Land and Buildings			2,100		2,100	
Plant and equipment						
<b>Total</b>	<b>17,841</b>	<b>(251)</b>	<b>2,100</b>	<b>–</b>	<b>19,941</b>	<b>(251)</b>
<b>Balance at the end of the financial year</b>	<b>127,525</b>	<b>109,684</b>	<b>11,167</b>	<b>9,067</b>	<b>138,692</b>	<b>118,751</b>

**Asset Revaluation Reserve**

The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets. This accords with the Legislature's policy on the Revaluation of Physical non-current assets and investments, as discussed in note 1(i).

**16. COMMITMENTS FOR EXPENDITURE**

**(a) Operating Lease Commitments**

Future non-cancellable operating leases not provided for and payable:

	2003 \$000	2002 \$000
Not later than one year	2,968	2,930
<i>Later than one year but not later than 5 years</i>	4,677	2,634
<i>Later than 5 years</i>	138	–
<b>Total Lease Commitments including GST</b>	<b>7,783</b>	<b>5,564</b>

The above total for 2003 includes GST input tax credits of \$675,000 (\$449,000 – 2002) that will be recoverable from Australian Taxation Office (ATO).

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

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	2,458	2,854
Later than one year but not later than 5 years	2,801	2,606
<b>Electorate Office Lease Commitments including GST</b>	<b>5,259</b>	<b>5,460</b>

The above total for 2003 includes GST input tax credits of \$446,000 (\$440,000 - 2002) that will be recoverable from the ATO.

**(b) Other Expenditure Commitments**

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

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	137	102
<b>Total Other Expenditure Commitments including GST</b>	<b>137</b>	<b>102</b>

The above total for 2003 includes GST input tax credits of \$12,000 (\$9,000 – 2002) that will be recoverable from the ATO.

**17. CONTINGENT LIABILITIES**

The Legislature has no contingent liabilities.

**18. BUDGET REVIEW**

**Net Cost of Services**

Net cost of services for the year was less than budget by \$14,862,000. Following a valuation of buildings and plant an increment of \$17,897,000 was recognised as revenue as in 1999 a revaluation decrement to the same classes of assets was expensed. This income offset overexpenditure on employee related expenditure of \$3,950,000, maintenance of \$1,231,000 and depreciation by \$931,000. There were savings in other operating expenses and other expenses of \$577,000 and \$366,000 respectively. Included in other operating expenses are IT purchases of \$354,000 for which asset acquisition funding was provided by the NSW Treasury. Maintenance expenditure includes an amount of \$1,295,000 which was the value of maintenance and restoration work provided by the Department of Commerce. The same amount was credited to the income category, grants and contributions.

**Assets and Liabilities**

Current assets are \$535,000 less than budget due mainly to payments received by large debtors from June 2002. There were increases to prepayments and inventories (refer note 10) of \$92,000 and \$76,000 respectively.

Following a revaluation to the Parliament's land, buildings and plant, an increment of \$19,997,000 was made to non-current assets. This increase was partly offset by higher than estimated depreciation and the retirement of some assets without revenue. (refer note 12).

Current liabilities were \$2,046,000 less than budget due mainly to the payment of a large number of June 2002 creditors in July 2002. Provisions increased due to rises in wage and salary rates and a net increase in accrued benefits.

Non-current liabilities increased by \$293,000 due to the adoption of the present value method to calculate the provision for on-costs for long service leave benefits.

### Cash Flows

Net cash flows from operating activities were \$176,000 less than budget. Net cash outflows on property, plant and equipment were \$272,000 less than budget due to the deferral of an IT project.

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

	<b>2003</b>	<b>2002</b>
	<b>\$000</b>	<b>\$000</b>
Net Cash used in operating activities	3,907	4,512
Depreciation	(5,184)	(4,248)
Bad Debts	(6)	-
(Increase)/decrease in provisions	(446)	(227)
(Decrease)/increase in receivables, inventories and other assets	(800)	896
(Increase)/decrease in creditors and other liabilities (loss)	1,601	(1,685)
Gain on sale of non-current assets	(217)	455
Assets acquired free of charge	937	46
Valuation increment recognised in statement of financial performance	17,897	-
Long Service Leave	(1,780)	(864)
Superannuation	(8,662)	(8,355)
Payroll tax on superannuation	(627)	(612)
Less cash flows from government:		
Capital allocation	(2,773)	(6,791)
Recurrent allocation	(80,272)	(70,584)
Cash reimbursements from the Crown Transactions Entity	(1,848)	(1,536)
<b>Net Cost of Services</b>	<b>(78,273)</b>	<b>(88,993)</b>

## 20. FINANCIAL INSTRUMENTS

### Cash

Cash comprises cash on hand and bank balances within the Treasury Banking System. Interest is earned on daily bank balances at the monthly average NSW Treasury Corporation (TCorp) 11 am unofficial cash rate adjusted for a management fee to Treasury.

At period end the deposits were earning 3.75% (3.7% in 2001/2002) while the effective interest rate during the reporting period was 3.75% (3.67% in 2001/2002).

**Receivables**

All trade debtors are recognised as amounts receivable at balance date. Collectability of trade debtors is reviewed on an ongoing basis. Debts which are known to be un-collectable are written off. A provision for doubtful debts is raised when some doubt as to collection exists.

The credit risk is the carrying amount (net of any provision for doubtful debts). As at balance date, the greatest risk was represented by receivables, totalling \$32,000 (\$213,000 in 2001/2002) which had been outstanding for more than 90 days.

Interest is charged on House Committee trade debtors after 60 days at 2% per month. No interest is charged to any other debtors.

The carrying amount approximates net fair value. House Committee sales are made on 7 or 60 day terms. Other sales are made on either 14 or 30 day terms.

**Bank Overdraft**

The Legislature does not have any bank overdraft facility.

**Trade Creditors and Accruals**

These liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are not secured) are settled in accordance with Treasurer's Direction 219.01. If trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received.

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**End of Audited Financial Statements**

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# **Appendix 1**

## **Members of the Legislative Council**

Fifty-Second Parliament 3rd Session

Fifty-Third Parliament 1st Session

## LIST OF MEMBERS

Fifty-Second Parliament – 3rd Session No. 72, 13 February 2003

<b>Breen<sup>B</sup></b> The Honourable Peter James DipLaw	RLS	<b>Kelly<sup>A</sup></b> The Honourable Anthony Bernard ALGA <sup>3</sup>	ALP
<b>Burgmann<sup>B</sup></b> The Honourable Doctor Meredith Anne MA(Syd) PhD(Macq) <b>President</b>	ALP	<b>Chairman of Committees</b>	
<b>Burnswoods<sup>B</sup></b> The Honourable Janice Carolyn BA(Hons) DipEd	ALP	<b>Lynn<sup>B</sup></b> The Honourable Charlie John Stuart psc	LIB
<b>Chesterfield-Evans<sup>B</sup></b> The Honourable Doctor Arthur MB BS FRCS(Eng) MAppSci(OHS)	AD	<b>Macdonald<sup>B</sup></b> The Honourable Ian Michael BA(Hons)	ALP
<b>Cohen<sup>A</sup></b> The Honourable Ian BA DipEd	G	<b>Parliamentary Secretary</b>	
<b>Colless<sup>A</sup></b> The Honourable Richard Hargrave HD App Sci(Agric) <sup>6</sup> <b>Deputy Opposition Whip</b>	NP	<b>Moyes<sup>A</sup></b> The Reverend the Honourable Doctor Gordon Keith Mackenzie AC <sup>11</sup>	CDP
<b>Corbett<sup>A</sup></b> The Honourable Alan Gordon BA DipEd DipTEFL MA	IND	<b>Nile<sup>B</sup></b> The Reverend the Honourable Frederick John ED LTh	CDP
<b>Costa<sup>A</sup></b> The Honourable Michael <sup>9</sup>	ALP	<b>Temporary Chair of Committees</b>	
<b>Della Bosca<sup>B</sup></b> The Honourable John Joseph BA <b>Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast</b>	ALP	<b>Obeid<sup>B</sup></b> The Honourable Edward Moses OAM	ALP
<b>Dyer<sup>A</sup></b> The Honourable Ronald David DipLaw DipCrim	ALP	<b>Minister for Mineral Resources, and Minister for Fisheries</b>	
<b>Egan<sup>A</sup></b> The Honourable Michael Rueben BA <b>Treasurer, Minister for State Development, Minister for Gaming and Racing, Minister Assisting the Premier on Hunter Development, and Vice-President of the Executive Council</b>	ALP	<b>Oldfield<sup>B</sup></b> The Honourable David Ernest	ON
<b>Fazio<sup>B</sup></b> The Honourable Amanda Ruth <sup>5</sup>	ALP	<b>Pavey<sup>B</sup></b> The Honourable Melinda Jane <sup>10</sup>	NP
<b>Forsythe<sup>B</sup></b> The Honourable Patricia BA DipEd	LIB	<b>Pearce<sup>A</sup></b> The Honourable Gregory Stephen BA LLB <sup>7</sup>	LIB
<b>Gallacher<sup>A</sup></b> The Honourable Michael Joseph BProf St <sup>2</sup>	LIB	<b>Pezzutti<sup>A</sup></b> The Honourable Doctor Brian Patrick Victor RFD MB BS(Syd) FFARACS FANZCA	LIB
<b>Leader of the Opposition</b>		<b>Temporary Chair of Committees</b>	
<b>Gardiner<sup>B</sup></b> The Honourable Jennifer Ann BBus	NP	<b>Primrose<sup>A</sup></b> The Honourable Peter Thomas B SocStud(Syd) <sup>1</sup>	ALP
<b>Gay<sup>A</sup></b> The Honourable Duncan John	NP	<b>Government Whip</b>	
<b>Deputy Leader of the Opposition</b>		<b>Rhiannon<sup>B</sup></b> Ms Lee	G
<b>Harwin<sup>B</sup></b> The Honourable Donald Thomas BEc(Hons)	LIB	<b>Ryan<sup>B</sup></b> The Honourable John Francis BA(Hons) DipEd	LIB
<b>Hatzistergos<sup>B</sup></b> The Honourable John BEc LLM	ALP	<b>Saffin<sup>A</sup></b> The Honourable Janelle Anne	ALP
<b>Temporary Chair of Committees</b>		<b>Temporary Chair of Committees</b>	
<b>Jobling<sup>A</sup></b> The Honourable John Hughes PhC MPS	LIB	<b>Samios<sup>A</sup></b> The Honourable James Miltiadis MBE BA LLB	LIB
<b>Opposition Whip</b>		<b>Deputy Leader of the Liberal Party</b>	
<b>Jones<sup>B</sup></b> The Honourable Malcolm Irving	ORP	<b>Sham-Ho<sup>A</sup></b> The Honourable Helen Wai-Har BA DipSocWk(Syd) BLegS(Macq)	IND
<b>Jones<sup>A</sup></b> The Honourable Richard Stanley Leigh	IND	<b>Temporary Chair of Committees</b>	
		<b>Tebbutt<sup>A</sup></b> The Honourable Carmel Mary BEc <sup>4</sup>	ALP
		<b>Minister for Community Services, Minister for Ageing, Minister for Disability Services, Minister for Juvenile Justice, and Minister Assisting the Premier on Youth</b>	
		<b>Tingle<sup>A</sup></b> The Honourable John Saxon	SP
		<b>Tsang<sup>B</sup></b> The Honourable Henry Shiu-Lung OAM BArch(NSW) DipBdg Sc(Syd) Fellow(UTS)	ALP
		<b>Parliamentary Secretary &amp; Temporary Chair of Committees</b>	
		<b>West<sup>A</sup></b> The Honourable Ian William <sup>8</sup>	ALP
		<b>Wong<sup>B</sup></b> The Honourable Doctor Peter AM MB BS(Syd) BPharm(Syd)	U

**QUORUM—8 MEMBERS (in addition to the PRESIDENT or other MEMBER presiding)**

**PARTY REPRESENTATION: HOUSE OF 42 MEMBERS**

<b>AD</b> -Australian Democrats	1
<b>ALP</b> -Australian Labor Party	16
<b>CDP</b> -Christian Democratic Party (Fred Nile Group)	2
<b>G</b> -The Greens	2
<b>IND</b> -Independent	3
<b>LIB</b> -Liberal Party of Australia (NSW Division)	9
<b>NP</b> -National Party of Australia (NSW)	4
<b>ON</b> -One Nation NSW Political Party	1
<b>ORP</b> -Outdoor Recreation Party	1
<b>RLS</b> -Reform the Legal System	1
<b>SP</b> -Shooters Party	1
<b>U</b> -Unity	1
<b>Total</b>	<b>42</b>

**OFFICERS OF THE LEGISLATIVE COUNCIL**

**President**

The Honourable Doctor Meredith Anne Burgmann  
MA(Syd) PhD(Macq) MLC

**Chairman of Committees**

The Honourable Anthony Bernard Kelly ALGA MLC

**Clerk of the Parliaments**

John Denton Evans BLegS

**Deputy Clerk**

Lynn Carole Lovelock BA(Hons) DipEd

**Clerk Assistant-Procedure & Administration**

Robert Michael Wilkinson BA(Hons)

**Clerk Assistant-Committees & Usher of the Black Rod**

Warren Cameron Cahill DipT BEdSt Grad DipIM-Lib

- 
- A Elected Members whose term of service expires on dissolution or expiry of 52nd Parliament.
- B Elected Members whose term of ice expires on dissolution or expiry of 53rd Parliament.
1. Elected (17.4.1996) to vacancy caused by the resignation of the Hon PF O'Grady. Term of service expires on the dissolution or expiry of the 52nd Parliament
  2. Elected (17.4.1996) to vacancy caused by the resignation of the Hon SB Mutch. Term of service expires on the dissolution or expiry of the 52nd Parliament
  3. Elected (17.9.1997) to vacancy caused by the resignation of the Hon PJ Staunton. Term of service expires on the dissolution or expiry of the 52nd Parliament
  4. Elected (30.4.1998) to vacancy caused by the resignation of the Hon EA Symonds. Term of service expires on the dissolution or expiry of the 52nd Parliament
  5. Elected (30.08.2000) to vacancy caused by resignation of the Hon JW Shaw. Term of service expires on the dissolution or expiry of the 53rd Parliament
  6. Elected (30.08.2000) to vacancy caused by resignation of the Hon RTM Bull. Term of service expires on the dissolution or expiry of the 52nd Parliament
  7. Elected (1.11.2000) to vacancy caused by resignation of the Hon JP Hannaford. Term of service expires on the dissolution or expiry of the 52nd Parliament
  8. Elected (1.11.2000) to vacancy caused by resignation of the Hon AB Manson. Term of service expires on the dissolution or expiry of the 52nd Parliament
  9. Elected (6.09.2001) to vacancy caused by resignation of the Hon JR Johnson. Term of service expires on the dissolution or expiry of the 52nd Parliament
  10. Elected (3.09.2002) to vacancy caused by resignation of the Hon DF Moppett. Term of service expires on the dissolution or expiry of the 53rd Parliament
  11. Elected ( 3.09.2002) to vacancy caused by resignation of the Hon EB Nile. Term of service expires on the dissolution or expiry of the 52nd Parliament

## LIST OF MEMBERS

No. 73, 1 March 2003

<b>Breen</b> <sup>A</sup> The Honourable Peter James DipLaw	RLS	<b>Jones</b> <sup>A</sup> The Honourable Malcolm Irving	ORP
<b>Burgmann</b> <sup>A</sup> The Honourable Doctor Meredith Anne MA(Syd) PhD(Macq) <b>President</b>	ALP	<b>Lynn</b> <sup>A</sup> The Honourable Charlie John Stuart psc	LIB
<b>Burnswoods</b> <sup>A</sup> The Honourable Janice Carolyn BA(Hons) DipEd	ALP	<b>Macdonald</b> <sup>A</sup> The Honourable Ian Michael BA(Hons) Parliamentary Secretary	ALP
<b>Chesterfield-Evans</b> <sup>A</sup> The Honourable Doctor Arthur MB BS FRCS(Eng) MAppSci(OHS)	AD	<b>Nile</b> <sup>A</sup> The Reverend the Honourable Frederick John ED LTh	CDP
<b>Della Bosca</b> <sup>A</sup> The Honourable John Joseph BA <b>Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast</b>	ALP	<b>Obeid</b> <sup>A</sup> The Honourable Edward Moses OAM <b>Minister for Mineral Resources, and Minister for Fisheries</b>	ALP
<b>Fazio</b> <sup>A</sup> The Honourable Amanda Ruth <sup>5</sup> <b>Deputy Government Whip</b>	ALP	<b>Oldfield</b> <sup>A</sup> The Honourable David Ernest	ON
<b>Forsythe</b> <sup>A</sup> The Honourable Patricia BA DipEd	LIB	<b>Pavey</b> <sup>A</sup> The Honourable Melinda Jane <sup>l</sup>	NP
<b>Gardiner</b> <sup>A</sup> The Honourable Jennifer Ann BBus	NP	<b>Rhiannon</b> <sup>A</sup> Ms Lee	G
<b>Harwin</b> <sup>A</sup> The Honourable Donald Thomas BEc(Hons)	LIB	<b>Ryan</b> <sup>A</sup> The Honourable John Francis BA(Hons) DipEd	LIB
<b>Hatzistergos</b> <sup>A</sup> The Honourable John BEc LLM	ALP	<b>Tsang</b> <sup>A</sup> The Honourable Henry Shiu -Lung OAM BArch(NSW) DipBdg Sc(Syd) Fellow(UTS) <b>Parliamentary Secretary</b>	ALP
		<b>Wong</b> <sup>A</sup> The Honourable Doctor Peter AM MB BS(Syd) BPharm(Syd)	U

**QUORUM—8 MEMBERS (in addition to the PRESIDENT or other MEMBER presiding)**

## PARTY REPRESENTATION: HOUSE OF 42 MEMBERS

<b>AD</b> - Australian Democrats	1	<b>NP</b> - National Party of Australia (NSW)	2
<b>ALP</b> - Australian Labor Party	7	<b>ON</b> - One Nation NSW Political Party	1
<b>CDP</b> - Christian Democratic Party (Fred Nile Group)	1	<b>ORP</b> - Outdoor Recreation Party	1
<b>G</b> - The Greens	1	<b>RLS</b> - Reform the Legal System	1
<b>LIB</b> - Liberal Party of Australia (NSW Division)	9	<b>U</b> - Unity	1
		<b>Vacant</b>	21
		<b>Total</b>	<b>42</b>

## OFFICERS OF THE LEGISLATIVE COUNCIL

**President**

The Honourable Doctor Meredith Anne Burgmann  
MA(Syd) PhD(Macq) MLC

**Chairman of Committees**

The Honourable Anthony Bernard Kelly ALGA MLC

**Clerk of the Parliaments**

John Denton Evans BLegS

**Deputy Clerk**

Lynn Carole Lovelock BA(Hons) DipEd

**Clerk Assistant-Procedure & Administration**

Robert Michael Wilkinson BA(Hons)

**Clerk Assistant-Committees & Usher of the Black Rod**

Warren Cameron Cahill DipT BEdSt Grad DipIM-Lib



**LIST OF MEMBERS**  
**Fifty-Third Parliament 1st Session**  
**No. 79, 8 May 2003**

<b>Breen</b> <sup>A</sup> The Honourable Peter James DipLaw	RLS	<b>Hatzistergos</b> <sup>A</sup> The Honourable John BEc LLM	ALP
<b>Burgmann</b> <sup>A</sup> The Honourable Doctor Meredith Anne MA(Syd) PhD(Macq) <i>President</i>	ALP	<i>Minister for Justice, and Minister Assisting the Premier on Citizenship</i>	
<b>Burke</b> <sup>B</sup> The Honourable Anthony Stephen <i>Temporary Chairman of Committees</i>	ALP	<b>Jones</b> <sup>A</sup> The Honourable Malcolm Irving	ORP
<b>Burnswoods</b> <sup>A</sup> The Honourable Janice Carolyn BA(Hons) DipEd	ALP	<b>Kelly</b> <sup>B</sup> The Honourable Anthony Bernard ALGA	ALP
<b>Catanzariti</b> <sup>B</sup> The Honourable Antonio	ALP	<i>Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands)</i>	
<b>Chesterfield-Evans</b> <sup>A</sup> The Honourable Dr Arthur MB BS FRCS(Eng) MAppSci(OHS)	AD	<b>Lynn</b> <sup>A</sup> The Honourable Charlie John Stuart psc	LIB
<b>Clarke</b> <sup>B</sup> The Honourable David	LIB	<b>Macdonald</b> <sup>A</sup> The Honourable Ian Michael BA(Hons)	ALP
<b>Cohen</b> <sup>B</sup> Mr Ian BA DipEd	G	<i>Minister for Agriculture and Fisheries</i>	
<b>Colless</b> <sup>B</sup> The Honourable Richard Hargrave HD App Sci(Agric) <i>Deputy Opposition Whip</i>	NP	<b>Moyes</b> <sup>B</sup> The Reverend the Honourable Dr Gordon Keith Mackenzie AC BA DD LLD LitD FAIM FRGS FAICD MACE	CDP
<b>Costa</b> <sup>B</sup> The Honourable Michael <i>Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests)</i>	ALP	<b>Nile</b> <sup>A</sup> The Reverend the Honourable Frederick John ED LTh <i>Temporary Chairman of Committees</i>	CDP
<b>Cusack</b> <sup>B</sup> The Honourable Catherine Eileen BEc(SocSc)	LIB	<b>Obeid</b> <sup>A</sup> The Honourable Edward Moses OAM	ALP
<b>Della Bosca</b> <sup>A</sup> The Honourable John Joseph BA <i>Special Minister of State, Minister for Commerce Minister for Industrial Relations, Assistant Treasurer and Minister for the Central Coast</i>	ALP	<b>Oldfield</b> <sup>A</sup> The Honourable David Ernest	ON
<b>Egan</b> <sup>B</sup> The Honourable Michael Rueben BA <i>Treasurer, Minister for State Development, and Vice-President of the Executive Council</i>	ALP	<b>Parker</b> <sup>B</sup> The Honourable Robyn Mary	LIB
<b>Fazio</b> <sup>A</sup> The Honourable Amanda Ruth <i>Chairman of Committees</i>	ALP	<b>Pavey</b> <sup>A</sup> The Honourable Melinda Jane <sup>l</sup>	NP
<b>Forsythe</b> <sup>A</sup> The Honourable Patricia BA DipEd <i>Temporary Chairman of Committees</i>	LIB	<b>Pearce</b> <sup>B</sup> The Honourable Gregory Stephen BA LLB	LIB
<b>Gallacher</b> <sup>B</sup> The Honourable Michael Joseph BProf St <i>Leader of the Opposition</i>	LIB	<b>Primrose</b> <sup>B</sup> The Honourable Peter Thomas B SocStud(Syd) <i>Government Whip</i>	ALP
<b>Gardiner</b> <sup>A</sup> The Honourable Jennifer Ann BBus <i>Temporary Chairman of Committees</i>	NP	<b>Rhiannon</b> <sup>A</sup> Ms Lee	G
<b>Gay</b> <sup>B</sup> The Honourable Duncan John <i>Deputy Leader of the Opposition</i>	NP	<b>Robertson</b> <sup>B</sup> The Honourable Christine Mary <i>Temporary Chairman of Committees</i>	ALP
<b>Griffin</b> <sup>B</sup> The Honourable Kayee Frances <i>Temporary Chairman of Committees</i>	ALP	<b>Ryan</b> <sup>A</sup> The Honourable John Francis BA(Hons) DipEd <i>Deputy Leader of the Liberal Party</i>	LIB
<b>Hale</b> <sup>B</sup> Ms Sylvia Phyllis	G	<b>Tebbutt</b> <sup>B</sup> The Honourable Carmel Mary BEc <i>Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth</i>	ALP
<b>Harwin</b> <sup>A</sup> The Honourable Donald Thomas BEc(Hons) <i>Opposition Whip</i>	LIB	<b>Tingle</b> <sup>B</sup> The Honourable John Saxon	SP
		<b>*Tsang</b> <sup>A</sup> The Honourable Henry Shiu -Lung OAM BArch(NSW) DipBdg Sc(Syd) Fellow(UTS) <i>Parliamentary Secretary</i>	ALP
		<b>West</b> <sup>B</sup> The Honourable Ian William <i>Deputy Government Whip</i>	ALP
		<b>Wong</b> <sup>A</sup> The Honourable Doctor Peter AM MB BS(Syd) BPharm(Syd)	U

\*Indicates new or amended entry since last list

**QUORUM — 8 MEMBERS ( in addition to the PRESIDENT or other MEMBER presiding )**

**PARTY REPRESENTATION: HOUSE OF 42 MEMBERS**

<b>AD - Australian Democrats</b>	<b>1</b>	<b>ORP - Outdoor Recreation Party</b>	<b>1</b>
<b>ALP-Australian Labor Party</b>	<b>18</b>	<b>ON - One Nation NSW Political Party</b>	<b>1</b>
<b>CDP-Christian Democratic Party (Fred Nile Group)</b>	<b>2</b>	<b>RLS - Reform the Legal System</b>	<b>1</b>
<b>G-The Greens</b>	<b>3</b>	SP-Shooters Party 1	
<b>LIB-Liberal Party of Australia (NSW Division)</b>	<b>9</b>	<b>U - Unity</b>	<b><u>1</u></b>
<b>NP-National Party of Australia (NSW)</b>	<b>4</b>	<b>Total</b>	<b><u>42</u></b>

- A. *Elected Members whose term of service expires on dissolution or expiry of 53rd Parliament.*  
 B. *Elected Members whose term of service expires on dissolution or expiry of 54th Parliament.*  
 1. Elected (3.9.2002) to vacancy caused by the resignation of the Hon DF Moppett. Term of service expires on the dissolution or expiry of the 53rd Parliament

# **Appendix 2**

## **Senior Officers**

## Senior Officers

### Clerk of the Parliaments and Clerk of the Legislative Council

**John Evans** B.Leg.S, PSM

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 31 years and has held various positions including the 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 adviser to the President, Ministers and Members on 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 development of public sector policy provides a sound basis for her roles as a researcher, an adviser 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 and Administration

**Mike Wilkinson** B.A. (Hons)

Mike joined the Department of the Legislative Council in 1991 as the Clerk Assistant – Committees after 18 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. In April 1998 Michael was appointed to the combined position of Clerk Assistant – Procedure and Administration.

### 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**

### **David Blunt** B.A. (Hons), M.Phil, LLB (Hons)

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 as both a Project Officer and Senior Project Officer for various committees. David was appointed last financial year to a temporary Director's position in the Clerk's Office.

### **Tony Davies** B.A. LLB.(Hons)

Tony joined the Legislative Council in May 1999. Previously he has worked for the Commonwealth Administrative Appeals Tribunal, the Office of the NSW Ombudsman, the Australian Law Reform Commission and the School of Law, Macquarie University.

### **Steven Carr** B.Ec, MEL

Commencing with the Legislative Council as a Senior Project Officer in 1997, Steven was appointed Director in August 1999. Steven brings to the Legislative Council expertise in the disciplines of sustainable development, project management and environmental economics from former employers in the Department of Land and Water Conservation and NSW Treasury. Steven Carr has now commence duties with the Department of Health his last day of service with the Legislative Council was 15 December 2002

### **Steven Reynolds** B Ec, LLB, MPS

Steven joined the Legislative Council in 1999 as a Senior Project Officer. He has been a Committee Director since late 2001 and was recently permanently appointed to that position. Prior to working at the Legislative Council Steven was employed as Grants Manager for the NSW Law Foundation.

### **Tanya Bosch** BA (Hons)

Tanya was seconded to the Legislative Council in March 2001 and has now been appointed as a Committee Director. Tanya has been employed by the Parliament in various positions since 1994, including as Project Officer for several Joint Parliamentary and Legislative Council Committees. She previously worked at Macquarie University's School of History, Philosophy and Politics.

## **Appendix 3**

### **Joint Committees**

Joint Committees of the Legislative  
Council and the Legislative Assembly



Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Committee on the Health Care Complaints Commission  52nd Parliament       53rd Parliament	Dr Pezzutti Mr Tsang Dr Wong       Mr Clarke Ms Robertson Dr Wong	Interim Report entitled “Discussion Paper on Investigation and Prosecutions undertaken by the Health Care Complaints Commission”, dated November 2002.  Report entitled “The Handling of Health Care Complaints in Western Australia, July 2002”, dated November 2002.  Report entitled “World Congress on Medical Law and Study of International Jurisdictions (July-August 2002)”, dated November 2002.  Nil.	20 Nov 2002       20 Nov 2002       20 Nov 2002
Committee on the Independent Commission Against Corruption  52nd Parliament  53rd Parliament	Mr Hatzistergos Mr Oldfield Mr Pearce    Ms Gardiner Revd Nile Mr Primrose	Report No. 9/52 entitled “Report on matters arising from the General meeting with the Commissioner of the ICAC, held on 27 November 2000”, dated November 2002.       Nil.	21 Nov 2002
Committee on the Office of the Ombudsman and the Police Integrity Commission  52nd Parliament  53rd Parliament	Mr Breen Mr Colless Mr Hatzistergos    Ms Burnswoods Mr Breen Mr Clarke	Report entitled “Report on the Jurisdiction and Operation of the Administrative Decisions Tribunal”, dated November 2002.       Report entitled “First report on the inquiry into access to information”, dated December 2002.  Report entitled “Research report on trends in police corruption”, dated December 2002.	20 Nov 2002       29 Apr 2003    29 Apr 2003
Joint Standing Committee on Road Safety (Staysafe)  52nd Parliament	Mr Jobling Mr West Mr Tingle	Report No. 7/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 2: Responses of government agencies to the major recommendations and summary”, dated December 2002.  Report No. 8/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 3: The evidence. Volume 1 – The testimony of school communities in 2000”, dated December 2002.	12 Dec 2002       18 Dec 2002



Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
<p>Joint Standing Committee on Road Safety (Staysafe)— <i>continued</i></p> <p>52nd Parliament</p>		<p>Report No. 9/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 3: The evidence. Volume 2 – The testimony of school communities in 2001”, dated December 2002.</p>	<p>18 Dec 2002</p>
		<p>Report No. 10/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 3: The evidence. Volume 3 – The testimony of representatives of government agencies”, dated December 2002.</p>	<p>18 Dec 2002</p>
		<p>Report No. 11/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 3: The evidence. Volume 4 – The testimony of local council representatives”, dated December 2002.</p>	<p>18 Dec 2002</p>
		<p>Report No. 12/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 3: The evidence. Volume 5 – The testimony of bus and taxi operators, representatives of non-government organisations, private citizens and Members of Parliament”, dated December 2002.</p>	<p>18 Dec 2002</p>
		<p>Report No. 13/52 entitled “STAYSAFE: Where railways and road intersect: Reports of visits of inspection by delegations of the STAYSAFE Committee concerning railway level crossings, 2001-2002”, dated December 2002.</p>	<p>12 Dec 2002</p>
		<p>Report No. 14/52 entitled “STAYSAFE 53: Traffic control and safety around schools – Part 4: Summaries of submissions received from government agencies, non-government organisations and the community”, dated December 2002.</p>	<p>23 Dec 2002</p>
		<p>Report No. 15/52 entitled “STAYSAFE 54: Road safety and street design in town centres: Towards best practice in traffic control and safety for main streets in New South Wales: Proceedings of a conference held at Parliament House, Sydney, 31 July – 1 August 2000”, dated December 2002.</p>	<p>12 Dec 2002</p>
		<p>Report No. 16/52 entitled “STAYSAFE 55: Review of the road safety situation in New South Wales in 1999: Incorporating edited transcripts of evidence and certain submissions received”, dated December 2002.</p>	<p>12 Dec 2002</p>

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Joint Standing Committee on Road Safety (Staysafe)— <i>continued</i> 52nd Parliament          53rd Parliament	          Mr West Mr Tingle Mr Colless	Report No. 17/52 entitled “STAYS SAFE 57: Work-related road safety: Proceedings of a seminar held at Sydney, Thursday 8 February 2001”, dated December 2002.  Report No. 18/52 entitled “STAYS SAFE 58: Bullying, intimidation, abuse and assault on the road – selected Australasian research and comment on ‘road rage’ and aggressive driving”, dated December 2002.  Report No. 19/52 entitled “STAYS SAFE 59: On strategic planning for road safety improvements in New South Wales”, dated December 2002.  Report No. 20/52 entitled “STAYS SAFE 60: A decade of the STAYS SAFE Committee 1992-2002, dated December 2002.  Nil.	12 Dec 2002   12 Dec 2002   12 Dec 2002  23 Dec 2002
Regulation Review Committee* 52nd Parliament	Mr Harwin Mr Primrose Mr M Jones	Report No. 23/52 entitled “Report on the Mining (General) Amendment Regulation 2002 and the Petroleum (Onshore) Amendment Regulation 2002”, dated September 2002.  Report No. 24/52 entitled “Report on the Royal Botanic Gardens and Domain Trust Regulation 2002”, dated October 2002.  Report No. 25/52 entitled “Travel Agents Amendment (Amendment of Trust Deed) Regulation 2002”, dated November 2002.  Report No. 26/52 entitled “Report on the Protection of the Environment Operations (Clean Air) Regulation 2002”, dated November 2002.  Report No. 27/52 entitled “Report on Study Tour 12 to 29 July 2002 – OECD, UK, Ireland, Ontario, Canada, USA”, dated February 2003.	26 Sept 2002   31 Oct 2002  14 Nov 2002  21 Nov 2002  26 Feb 2003
Legislation Review Committee* 53rd Parliament	Mr Breen Mr Harwin Mr Primrose	Nil.	

<b>Name of Committee</b>	<b>LC Members on Committee</b>	<b>Reports Tabled</b>	<b>Date Tabled</b>
Joint Select Committee on the Transportation and Storage of Nuclear Waste 53rd Parliament	Mr Primrose Mr Lynn	Nil.	

- In accordance with the *Legislation Review Amendment Act 2002* the Regulation Review Committee was renamed the Legislation Review Committee and its role extended.

# **Appendix 4**

## **Sessional Committees**

## Sessional Committees

Name of Committee	LC Members on Committee
<p>House 52nd Parliament</p> <p>53rd Parliament</p>	<p>The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon A G Corbett (IND) The Hon Amanda Fazio (ALP) The Hon J H Jobling (LIB) The Hon R S Jones (IND) The Hon A B Kelly (ALP) The Hon I M Macdonald (ALP) The Hon H S Tsang (ALP) The Hon I W West (ALP)</p> <p>Not yet established</p>
<p>Joint Library 52nd Parliament</p> <p>53rd Parliament</p>	<p>The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon J C Burnswoods (ALP) The Hon R H Colless (NAT) The Hon A G Corbett (IND) The Hon R D Dyer (ALP) The Hon D T Harwin (LIB) The Hon A B Kelly (ALP) The Hon P T Primrose (ALP) The Hon J A Saffin (ALP)* The Hon Dr P Wong (U) The Hon I W West (ALP)*</p> <p><i>*Ms Saffin discharged and Mr West appointed—30 October 2002, 3rd Session, Minutes No. 42, Item 5.</i></p> <p>Not yet established</p>
<p>Printing 52nd Parliament</p> <p>53rd Parliament</p>	<p>The Hon I W West (ALP) <i>(Chairperson)</i> The Hon A G Corbett (IND) The Hon J Hatzistergos (ALP) The Hon G S Pearce (LIB) The Hon J A Saffin (ALP)* The Hon I W West (ALP)*</p> <p><i>* Ms Saffin discharged and Mr Primrose appointed—30 October 2002, 3rd Session, Minutes No. 42, Item 6.</i></p> <p>Not yet established</p>

Name of Committee	LC Members on Committee
Standing Orders 52nd Parliament	The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon J J Della Bosca (ALP) The Hon M R Egan (ALP) The Hon M J Gallacher (LIB) The Hon D J Gay (NAT) The Revd the Hon F J Nile (CDP) The Hon E M Obeid (ALP) The Hon H W Sham-Ho (IND) The Hon C M Tebbutt (ALP)
53rd Parliament	The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon J J Della Bosca (ALP) The Hon M R Egan (ALP) The Hon M J Gallacher (LIB) The Hon D J Gay (NAT) The Hon D T Harwin (LIB) The Hon M I Jones (ORP) The Hon A B Kelly (ALP) The Hon I M Macdonald (ALP) The Revd the Hon F J Nile (CDP) The Hon P T Primrose (ALP)

## **Appendix 5**

# **Legislative Council Members' Travel**

## Legislative Council Members' Travel

Details of expenditure by Members of the Legislative Council for travel claimed from the Logistic Support Allocation (LSA) during the financial year is shown below.

Member	2002/2003 TOTAL \$	Members' LSA Travel \$	Members' Spouse/Approved Relative LSA Travel \$	Members' Staff LSA Travel \$
Breen	8,382.00	8,382.00	-	-
Burgmann	5,408.00	4,423.00	985.00	-
Burke	508.00	508.00	-	-
Burnswoods	977.00	977.00	-	-
Catanzariti	314.00	314.00	-	-
Chesterfield-Evans	818.00	818.00	-	-
Clarke	714.00	357.00	357.00	-
Cohen	10,691.00	9,621.00	-	1,070.00
Colless	12,873.00	11,979.00	443.00	451.00
Corbett	495.00	495.00	-	-
Costa	-	-	-	-
Cusack	3,159.00	2,864.00	252.00	43.00
Della Bosca	-	-	-	-
Dyer	2,822.00	2,014.00	808.00	-
Egan	-	-	-	-
Fazio	3,263.00	3,100.00	-	163.00
Forsythe	9,891.00	9,891.00	-	-
Gallacher	945.00	945.00	-	-
Gardiner	10,769.00	10,769.00	-	-
Gay	6,518.00	6,685.00	*- 167.00	-
Griffin	37.00	37.00	-	-
Hale	451.00	451.00	-	-
Harwin	4,669.00	3,737.00	-	932.00
Hatzistergos	3,113.00	2,679.00	434.00	-
Jobling	1,415.00	249.00	1,166.00	-
Jones,M	7,528.00	6,552.00	-	976.00
Jones,R	3,298.00	47.00	2,218.00	1,033.00
Kelly	5,834.00	1,893.00	3,941.00	-
Lynn	2,532.00	2,532.00	-	-
MacDonald	5,527.00	5,527.00	-	-
Moppett	126.00	297.00	*- 171.00	-
Moyes	-	-	-	-
Nile,F	-	-	-	-
Nile,E	-	-	-	-
Obeid	25.00	25.00	-	-
Oldfield	5,169.00	5,169.00	-	-
Parker	433.00	433.00	-	-
Pavey	5,015.00	1,623.00	2,060.00	1,332.00

\*Credit adjustment from previous year entitlement



Member	2002/2003 TOTAL \$	Members' LSA Travel \$	Members' Spouse/Approved Relative LSA Travel \$	Members' Staff LSA Travel \$
Pearce	1,695.00	1,360.00	–	335.00
Pezzutti	14,136.00	3,487.00	10,649.00	–
Primrose	1,266.00	1,266.00	–	–
Rhiannon	4,255.00	3,432.00	823.00	–
Robertson	1,646.00	1,340.00	306.00	–
Ryan	3,450.00	3,029.00	421.00	–
Saffin	3,717.00	270.00	3,447.00	–
Sham-Ho	1,627.00	666.00	961.00	–
Tebbutt	–	–	–	–
Tingle	14,280.00	8,661.00	5,619.00	–
Tsang	1,947.00	511.00	1,436.00	–
West,I	553.00	553.00	–	–
Wong	–	–	–	–
	<b>172,291.00</b>	<b>129,968.00</b>	<b>35,988.00</b>	<b>6,335.00</b>

## **Appendix 6**

# **Human Resource Statistics**

## 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

	30 June 2000	30 June 2001	30 June 2002	30 June 2003
<b>Chamber offices</b>	4	4	<b>3</b>	<b>4</b>
<b>Office of the Clerk</b>	4	3.6	3	4
<b>Procedure Office</b>	4	4	4	3
<b>Office of the Usher of the Black Rod</b>	4	4	4	6
<b>Administration Office</b>	6.5	5.5	4.57	5.57
<b>President's Staff</b>	4	4	5.2	4
<b>Attendants</b>	10	10	10	10
<b>Members Staff</b>	50	53	49.35	44.30
<b>Committees Staff</b>	13.75	13.3	17.10	15.55
<b>Total Staff employed by Legislative Council</b>	<b>100.25</b>	<b>101.40</b>	<b>100.22</b>	<b>96.42</b>

*Note: The figures used in this table represent the equivalent full-time number of staff employed.*

# Legislative Council — 2003

## 1. LEVEL

Table 1.1 Staff Numbers by Level

LEVEL	TOTAL STAFF	Number									
		Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment		
< \$28,710	1	1	1	0	1	0	0	0	0	0	
\$28,710 - \$37,708	72	28	29	43	2	16	17	1	0		
\$37,709 - \$42,156	16	8	9	7	0	7	4	2	0		
\$42,157 - \$53,345	45	12	17	28	0	2	2	1	0		
\$53,346 - \$68,985	72	33	39	33	0	9	6	3	2		
\$68,986 - \$86,231	15	9	7	8	0	4	1	0	0		
> \$86,231 (non SES)	7	3	6	1	0	0	0	2	0		
> \$86,231 (SES)		0	0	0	0	0	0	0	0		
<b>TOTAL</b>	<b>228</b>	<b>94</b>	<b>108</b>	<b>120</b>	<b>3</b>	<b>38</b>	<b>30</b>	<b>9</b>	<b>2</b>		

Table 1.3 Percent of Total Staff by Level

LEVEL	TOTAL STAFF (Number)	Subgroup as Percent of Total Staff at each Level				Subgroup as Estimated Percent of Total Staff at each Level			
		Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment
< \$28,710	1	100%	100%		100.0%				
\$28,710 - \$37,708	72	39%	40%	60%	7.1%	57%	61%	4%	
\$37,709 - \$42,156	16	50%	56%	44%		88%	50%	25%	
\$42,157 - \$53,345	45	27%	38%	62%		17%	17%	8%	
\$53,346 - \$68,985	72	46%	54%	46%		27%	18%	9%	6.1%
\$68,986 - \$86,231	15	60%	47%	53%		44%	11%		
> \$86,231 (non SES)	7	43%	86%	14%				67%	
> \$86,231 (SES)									
<b>TOTAL</b>	228	41%	47%	53%	2.7%	39%	32%	9%	1.9%
Estimate Range (95% confidence level)									
					1.3% to 5.1%	31.7% to 46.3%	25.3% to 39.5%	4.8% to 14.1%	0.9% to 3.9%

# **Appendix 7**

## **Publications**

## Publications

Various publications about the activities and functions of the Department were available to the public in 2002/2003.

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

Name of material	current print run
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.	(17th ed) 2001
A precis of Business and Procedures	(2nd ed) Jan 1997
Guide to Occupants of the Chair	May 1995
Journal of the Legislative Council (annually produced bound volume of Minutes of Proceedings together with an index and other information related to the proceedings in the House)	1999
List of Members	June 2001
Manual for Estimates Committees	2001
Manual on Practices and Procedures for Committee Members	
Minutes of the Proceedings (record of decisions and proceedings of the House)	daily on sitting days
Notices of Motions and Orders of the Day paper	daily on sitting days
Parliamentary Record (contains details of Members since 1824 including dates 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)	Vol. 6 (1st ed) 1999
Procedural Highlights	No. 8 May-July 1999
Questions and Answers Paper	daily on sitting days
Register of Members' Interests (scheme of disclosure of pecuniary and other interests of Members of Parliament (explanatory Notes)	annual
Sessional Orders	as adopted 12 May 1999 & amended 11 April 2001
Sessional Resolutions	up to 30 May 2001
Sessional Rulings of the President	currently updating
Committees Report on Performance	October 1999
Standing Committee and Select Committee Reports	various as published
Standing Orders	June 1999
Statutory Rules and Instruments paper (contains details of statutory rules or regulations which appear in the Government Gazette)	Each week during sittings. Each month during non-sitting period
The Notice Paper: How it works – manual	May 1997

<b>Name of material</b>	<b>current print run</b>
Australia's First Parliament	(3rd edition) 2003
Booklet on Black Rod	1974
Citizen's right of reply, responding to Member's statements in the House	2001
"Fact sheets" (detailed information sheets about the functions and procedures of the Legislative Council)	updated as procedures change
Witnesses appearing before Committees	1998
Making a Submission before a Committee	1998
Standing Committees – taking Parliament to the People	1998
Role of a Member of the Legislative Council – pamphlet	1995, new one in production
History Bulletins (ten pamphlets on historical aspects of the Parliament, the building and some of the notable people associated with it)	various
Presiding Officers of the Legislative Council	1998
Parliament of New South Wales booklet	2003
Parliament of New South Wales – Colour brochure	2000



# **Appendix 8**

## **Guarantee of Service**

## **Guarantee of service**

### **Our role**

The Legislative Council comprises 42 Members, elected by the people of New South Wales on a statewide 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**

#### **Standard of service**

The key attributes of our standards of service are:

- Timeliness.
- Competency.
- Accuracy.
- 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.

## **Appendix 9**

# **Risk Management and Insurance**

# Risk Management and Insurance

## Risk Management

A comprehensive review was conducted of the Parliament's business risk assessments during the reporting year to reflect changes in business processes, recent world events and the impact of the March 2003 General Election.

Based on the outcome of this assessment, managers have been assigned the task of developing risk management action plans to mitigate the likelihood and severity of such high risk items identified during the review process. Progress on developing and implementing these plans has been slower than expected and has identified the need for further training and guidance to be provided to managers to undertake the task.

Progress is being monitored on an ongoing basis by the Parliament's Internal Audit Committee together with the Internal Auditor who is scheduled to conduct a review of implementation plans and action taken during the 2003/04 financial year.

## Insurance

The NSW Treasury Managed Fund (TMF) provides the Legislative Council's insurance cover. This is a self-insurance scheme for budget sector government agencies, which includes the Parliament of NSW. Cover is provided for the following categories of insurance:

- Worker's compensation
- Liability
- Motor Vehicle
- Property; and
- Miscellaneous – (includes Members' personal accident, travel and misappropriation of funds insurance cover).

During the reporting year a total of 28 workers' compensation claims were lodged compared with 30 for the previous 2001/02 financial year. The average cost of these claims was \$3,238, which compares favourably with the \$3,583 claim average in 2001/02 and the \$11,231 cost for 2000/01. Of the 28 claims lodged, three applied to Legislative Council staff at an average cost of \$2,931 whereas Council staff lodged no claims in the previous 2001/02 reporting year.

The Legislative Council was responsible for one property insurance claim in 2002/2003 year at a cost of \$500, which compares favourably with the 2001/02 financial year when 3 claims were lodged, at a combined cost of \$6,287. The Parliament as a whole lodged 12 claims in 2001/2002 at an average cost of \$1,901.

For the three remaining categories of insurance, comprising motor vehicle, miscellaneous and liability, no claims were lodged that involved the Legislative Council.

## **Appendix 10**

# **Miscellaneous Reporting**

## Miscellaneous Reporting

### Amount of Recreation/Long Service Leave

The Legislative Council recreation leave liability as at 30 June 2003 was \$453,461.23. The long service leave liability is not recorded in the financial statements of the Legislature as under existing government accounting arrangements long service costs are reflected in The Crown Transactions Entity, which is administered by Treasury. The value of the Legislative Council's long service leave included in the Crown Transactions Entity as at 30 June 2003 was \$724,997.94. This includes Legislative Council Members' staff, administrative and committee staff.

### Annual Report Information

The total external cost for the Legislative Council Annual Report is as follows:

Volume 1 – \$8,716.35 and Volume 2 – \$8,716.35. The Annual Report is available on CD (*Disability Friendly format and printable*) on the Parliamentary web site [www.parliament.nsw.gov.au/lc](http://www.parliament.nsw.gov.au/lc) – Corporate Information – Annual Report and a limited number of hard copies have been produced for tabling purposes.

### Code of Conduct

There were no changes to the Code of Conduct this financial year.

### Consumer response

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

### Consultants

*Consultants exceeding \$30,000* – the Legislative Council engaged one consultant exceeding \$30,000 during the year. Ernst and Young – Workers Compensation Inquiry by Legislative Council Committee – \$50,095 (*Finance & Accounting*)

*Consultants less than \$30,000* – Five consultants were engaged on five separate occasions at a total cost of \$5,045.18 – (*Five consultant all – Management Services*)

### Freedom of Information

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

### Funds granted to non-Government Community Organisations

No funds were granted to non-Government community organisations.

### Land disposal and major works

No land was disposed of during 2002-2003. There were four major works undertaken by Parliament.

The Theatrette had a major fit-out involving the upgrading of the sound, video and lighting system as well as the installation of a disabled viewing platform. This has enabled the theatrette to cater for a wider range of functions with the added advantage of increased sound and visual quality.

The Members lifts were upgraded and modernised providing a more reliable and faster service.

Within the Engineering section the Building Monitoring and Control System (BMCS) was upgraded to a Delta system. The new system allows graphical user interfacing, is more flexible and can be customised internally. It enables a more efficient operation of the buildings environmental controls.

Building Services provided assistance relocating and fitting out of the new Legislative Council committee offices. No land or properties were disposed of during the financial year. A new off-site storage facility was created in Ultimo, the previous storage site in Alexandria was closed in March 2002.

## **Legal change**

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

## **Major assets**

Two major assets were purchased this financial year. They were a camera system for the Legislative Council Chamber costing \$207,454 and \$90,256 for Committee Room alterations. Also audio recording equipment was purchased for the Parliament at a cost of \$82,081. (A major asset is defined as assets valued at \$20,000 and above.)

## **Overseas visits**

### **President of the Legislative Council – Overseas Travel**

#### **Eastern Europe comparative study tour**

The Honourable Dr Meredith Burgmann, MLC, President of the New South Wales Legislative Council accompanied by Mr John Evans, Clerk of the New South Wales Legislative Council (Secretary-General) visited Parliaments in Eastern Europe 1 July 2002 – 21 July 2002. Parliaments visited included those of the Czech Republic, Hungary, Romania, Croatia and Slovenia.

The purpose of the visit was to examine young Parliaments – parliaments established in the last ten years or so; and to compare them with the more established neighbouring Parliaments and to practices within the New South Wales Parliament. The topics of particular interest addressed included: the structure of the Legislature especially upper houses; separation of the Houses in bicameral systems; the system of parliamentary government in place; Parliaments' relations with the executive government; powers of the legislature; codes of conduct for members; and women in Parliament.

#### **China**

The President travelled to China from 7th to 16th October 02 at the invitation of the Chinese Government who paid all land costs. She visited Beijing where she had meetings with the Minister of Education, Members of the National People's Congress and Members of the Beijing People's Congress. The President also visited Xian where meetings were held with Shaanxi Province People's Congress, China Council for Promotion of International Trade and Special Economic Zone.

#### **Tonga**

Attend 34th Presiding Officers and Clerks Conference in Tonga 28 June to 5 July 2003.



## **Clerk of the Parliaments – Overseas Travel**

### **Eastern Europe**

Mr. John Evans, Clerk of the Parliament accompanied the President on visits to Parliaments in Eastern Europe 1 July 2002 – 21 July 2002. Parliaments visited included those of the Czech Republic, Slovakia, Hungary, Romania, Croatia and Slovenia. The purpose of the visit was to examine young Parliaments – parliaments established in the last ten years or so; and to compare them with the more established neighbouring Parliaments and to practices within the New South Wales Parliament. The topics of particular interest addressed includes: the structure of the Legislature especially upper houses; separation of the Houses in bicameral systems; the system of parliamentary government in place; Parliament's relations with the executive government; powers of the legislature; codes of conduct for members; and women in Parliament.

### **Denver – USA**

As well as the study tour of Europe with the President, the Clerk attended the National Conference of State Legislatures in Denver, Colorado, USA from 23 to 27 July 2002.

### **Eastern Cape – South Africa**

During October and November 2002, John Evans, Clerk of the Parliament used his wealth of experience on an AusAID funded technical assistance placing for the Eastern Cape Legislature in South Africa. He assisted the Legislature with the implementation of computer systems, with reforming procedure and with other issues of running a parliament.

**NOTE:** Fully funded by AusAID.

### **Tonga**

The Clerk of the Parliaments attended 34th Presiding Officers and Clerks Conference in Tonga 28 June to 5 July 2003.

**Overseas Travel - Total Costs \$64,886.51**

## **Commonwealth Parliamentary Association (CPA) Overseas Study Tours by Members funded through the CPA budget.**

Hon H.W. Sham-Ho MLC                      02.07.02 – 08.08.02 (18 days)  
Canada (Toronto), U.S.A. Greece.

Hon A.B. Kelly MLC                              21.07.02 – 18.08.02 (29 days)  
United Kingdom (London), Ireland (Belfast), (Dublin), Italy, Singapore

Hon J.A. Saffin MLC                              08.01.03 – 15.02.03 (48 days)  
Thailand (Bangkok), Singapore, South Africa (Johannesburg, Cape Town), Germany, France, Algeria (Algiers), U.S.A.

Hon R.S.L. Jones MLC                      10.01.03 – 01.03.03 (50 days)  
Nepal (Kathmandu), India (Uttar Pradesh, Delhi, Kerala, Tamil Nadu)

Hon Patricia Forsythe MLC              28.05.03 – 22.06.03 (26 days)  
United Kingdom (London), France, Singapore

**CPA Travel – Total Costs \$86,000**

## **Committees**

No Committees travelled overseas this financial year.

## **Green House Emissions Reduction**

### **Recycling**

The Parliamentary-recycling programme collecting waste paper and other recyclable items has been operating very successfully and has been expanded to include electorate offices. During 2002 – 2003, the first full year of operation, Building Services collected 98.99 tones of paper and cardboard. The amount of waste directed to land fill has been reduced by over half. Due to the age of printing machinery only about 5% of purchased paper is from recycled material. This should improve considerably as new machinery capable of using recycled paper replaces the old machinery.

### **Government Energy Management Policy**

The Government Energy Management Policy (GEMP) requires all government agencies to reduce their energy consumption, in buildings, by 25% by the year 2005/2006 relative to their 1995/1996 energy consumption. Parliament House is currently investigating a number of options to achieve this target. The lighting and air conditioning systems represent over 77% of our total energy use. Testing of new lighting mechanisms has shown potential reductions of 16%. Options are being investigated to increase this amount in proportion to the costs savings made by other improvements.

# ANNUAL REPORT REQUIREMENTS

## Compliance Index

<b>Requirement</b>	<b>Page</b>
Aims and objectives .....	7, 17, 21, 28, 29, 33
Access .....	iii
Charter .....	2
Consultants.....	95
Consumer response.....	95
Disability Plans .....	25
Energy Reduction.....	98
Equal Employment Opportunity .....	25
Ethnic Affairs Priorities Statements and Ethnic Affairs Agreement.....	27
Executive Positions .....	26, 84-86
Funds granted to non-government organisations.....	95
Green House Emissions .....	98
Guarantee of service.....	90
Human resources.....	6, 21, 24, 28, 83-86
Land disposal.....	95
Management and activities .....	3, 7-16, 21-27
Management and structure.....	4-5
NSW Action Plan for Women.....	27
Privacy .....	27
Publications.....	29, 87-89
Risk management and insurance activities.....	93-94
Summary review of operations ( <i>Clerk's Foreword</i> ).....	vii