



DEPARTMENT OF THE LEGISLATIVE COUNCIL

annual report

2008

DEPARTMENT OF THE LEGISLATIVE COUNCIL
NEW SOUTH WALES

Letter of transmittal

The Hon Peter Primrose MLC
President of the Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr President

I am pleased to submit for your information and presentation to the House the annual report of the Department of the Legislative Council for the year ended 30 June 2008.

While there is no statutory requirement for the Department of the Legislative Council to table an annual report, I welcome the opportunity to provide information on the performance of the department and Legislative Council committees. This report complies with the spirit of the Acts which apply to the government departments, namely the Annual Reports (Departments) Act 1985 and the Public Finance and Audit Act 1983.

Yours sincerely



Lynn Lovelock
Clerk of the Parliaments

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The Legislative Council chamber and public areas at Parliament House are open for inspection by members of the public from 9.30 am to 4.00 pm, Monday to Friday, except for public holidays. Tours for school and community groups can be booked by telephoning (02) 9230 3444.

The Legislative Council normally meets at 2.30 pm on Tuesdays and 11.00am on Wednesdays and Thursdays during the sitting periods. Visitors may attend and view proceedings from the public gallery.

Legislative Council Question Time takes place at 4.00 pm on Tuesdays and 12.00 noon on Wednesdays and Thursdays. Details of sitting periods are available at **www.parliament.nsw.gov.au**



*Cover photo: Macquarie Night Lights, November/Decemeber 2007
– Benjamin Townsend Photography
Design and Print: Studio Rouge Designs*

Who we are and what we do

Department of the Legislative Council

The Department of the Legislative Council provides procedural, administrative and other support services to enable members of the Council to effectively perform their parliamentary duties. The three principal program areas of the Department are procedure (including chamber and support services), committees and corporate support. The roles, functions and achievements over 2007/08 in each of these areas are covered in this report.

The Department is relatively small, with a current establishment of 49 full time equivalent (FTE) staff. These staff members work across the areas of procedure, committees and corporate support, fulfilling principally a research, advisory and administrative role. There are also 46 FTE staff working as Secretary Research Assistants to members.

The Department is accountable to the President of the Legislative Council, who is elected by the members of the House at its first sitting after each election. On 8 May 2007, the House elected the Honourable Peter Primrose MLC as its President.

The Department of the Legislative Council is independent of the New South Wales public service, although follows most public sector policies, guidelines and practices.

The administrative head of the Department is the Clerk of the Parliaments who also has the title of Clerk of the Legislative Council. The Clerk is responsible to the President of the Council for the efficient and effective administration of the Department. The Clerk provides expert advice on the proceedings of the Council to the President, Deputy President, ministers and members of the Council and committees on parliamentary law, practice and procedure. Ms Lynn Lovelock is currently the Clerk of the Parliaments.

The year at a glance

	2007/08	2006/07	2005/06
Department staff	49FTE	50 FTE	47 FTE
Secretary/Research Assistants	46FTE	43 FTE	50 FTE
Sitting days	47	40	47
Sitting hours	343	344	401
Bills passed	128	107	99
Amendments to bills (circulated)	397	267	270
Amendments to bills (agreed to)	68	100	66
Orders for papers	15	38	44
Notices of motions given	262	208	322
Committee inquiries	29	22	39
Committee reports tabled	22	15	28
Submissions to Committees	681	245	1,021
Inquiry witnesses (hearings & forums)	622	417	875

These figures reflect the impact of the 2007 state election on the operations of the Parliament and its committees.

Our clients

Our clients and stakeholders include:

- the President of the Legislative Council
- the 42 members of the Legislative Council including the current Ministers in the Upper House
- Members' staff
- the Legislative Assembly
- the Department of Parliamentary Services
- Government agencies such as Parliamentary Counsel's Office, and the Department of Premier and Cabinet
- other State and Territory parliaments, and the Federal Parliament
- other international parliaments, particularly from the Asia Pacific region and Commonwealth countries
- schools and community groups
- the people of New South Wales.

The Legislative Council

The Parliament of New South Wales is a bicameral Parliament, consisting of two Houses or chambers: the Legislative Council and the Legislative Assembly. The Legislative Council is also called the Upper House, the second chamber, the State Senate or the 'House of Review'. The Legislative Council is the first and oldest legislative body in Australia.

Today, there are 42 members of the Legislative Council. Members of the Council are elected according to a system of proportional representation with the entire State as a single electorate. Members serve an eight-year term, with one-half of the Council elected every four years at a periodic Council election.

No government has had majority control of the Legislative Council since the 1988 election. Since that time, the House has had a diverse membership with representation from both major parties and a range of independents and smaller parties. Following the 24 March 2007 election, the make-up of the House is:

- 19 Government (Australian Labor Party) members
- 15 Opposition (Liberal Party and The Nationals) members
- 8 Cross-bench (4 Greens, 2 Christian Democratic Party, 2 Shooters Party).

The House sits for approximately 16-20 weeks per year. The Council has a traditional role as a House of Review, acting as a check and balance on the Executive Government through such procedures as amending legislation, questions to Ministers and orders for the production of documents on contentious public issues. The Council also has an active committee system.





Lynn Lovelock

Clerk's review

Two significant events for the Department of the Legislative Council took place in June 2008. These events, in combination, provide exciting new opportunities for the future direction of the Department.

On 24 June the President of the Legislative Council, the Honourable Peter Primrose MLC, officially launched *New South Wales Legislative Council Practice*. The launch of this comprehensive account of all aspects of parliamentary practice in the Legislative Council was the culmination of many years of painstaking research, analysis, writing and editing. This work consolidates decades of expert procedural work and knowledge. Feedback from members and other readers has been extremely positive. I trust this book will prove to be a useful reference work for current and future generations. It is already proving extremely useful as the framework for staff training and development, and will form the framework for future training and development programs for members, members' staff and other principal stakeholders, such as the NSW public sector and legal profession.

On 2 June, Mr Brian Ward commenced duties as the Executive Manager, Parliamentary Services. This new position was an initiative of the President and Speaker. The Executive Manager is responsible to the Presiding Officers for the management and operation of the newly established Department of Parliamentary Services, which consists of all of the former parliamentary joint services. The Department of the Legislative Council, through its corporate support unit, has been providing Mr Ward with support as he plans for the future direction of the newly established Department.

One of the intentions of the Presiding Officers in creating the position of Executive Manager, Parliamentary Services, was to free up the Clerks of both Houses to focus on the core business of our respective Departments, such as the provision of procedural support to the Houses and their committees. No longer being responsible for such matters as the daily operations of the catering service and the maintenance of the building means that I and my senior officers have more time to devote to the procedural and other support needs of the House, its committees and members and their staff.

The coincidence of the timing of the publication of *New South Wales Legislative Council Practice* and the appointment of the Executive Manager, Parliamentary Services provides a unique opportunity to realign the priorities and existing resources of the Department of the Legislative Council for the future.

During 2008/09 I intend developing, in consultation with the President and members, a business plan for the future directions of the Department of the Legislative Council. I envisage this business plan consolidating and entrenching the role of the Department for the provision of high quality, impartial and expert procedural and analytical support for the House and its committees. However, I envisage it also developing the role of the Department in the provision of training and professional development for members, staff and other stakeholders, and in the promotion and strengthening of the institution of Parliament. I look forward to reporting on this business plan in the 2008/09 annual report.

This annual report contains information about the operations of the Legislative Council and the work of the Department. I am particularly pleased to draw attention to the details provided on pages 10-11 concerning the Department of the Legislative Council's ongoing commitment to strengthening parliamentary democracy in the Asia-pacific region, including through 2007/08 the contributions made by our staff to training programs in the Solomon Islands and Papua New Guinea, and ongoing work to support the Parliament of East Timor. This builds on the proud tradition of the Department in supporting Parliaments in our region. I will ensure that this work will be an important part of the institutional strengthening aspect of the Department's new business plan.

The section on Procedure (pages 13-26) includes details of the sittings of the House, legislation, orders for papers and other procedural developments. It also outlines the support work provided by the procedure team, and ongoing projects such as the digitisation of our procedural precedents database and the signing of a memorandum of agreement with the State Records Authority.

The section on Corporate Support (pages 27-37) outlines the support provided to members in respect of the administration of their entitlements and their staff, together with a range of projects undertaken during 2007/08 with a number of parliamentary joint services (such as parliamentary catering and building services). Included in this section is information on the re-organisation of the Department's accommodation on level 8 at Parliament House.

The section on Committees (pages 38-61) details committee inquiries undertaken, reports tabled and the support provided by the committee secretariats. This includes the potentially ground breaking report of the Select Committee on Electoral and Political Party Funding, tabled in June 2008.

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New South Wales Legislative Council Practice

On Tuesday 24 June 2008, the President of the Legislative Council, the Honourable Peter Primrose MLC, officially launched *New South Wales Legislative Council Practice* in the Jubilee Room of Parliament House.

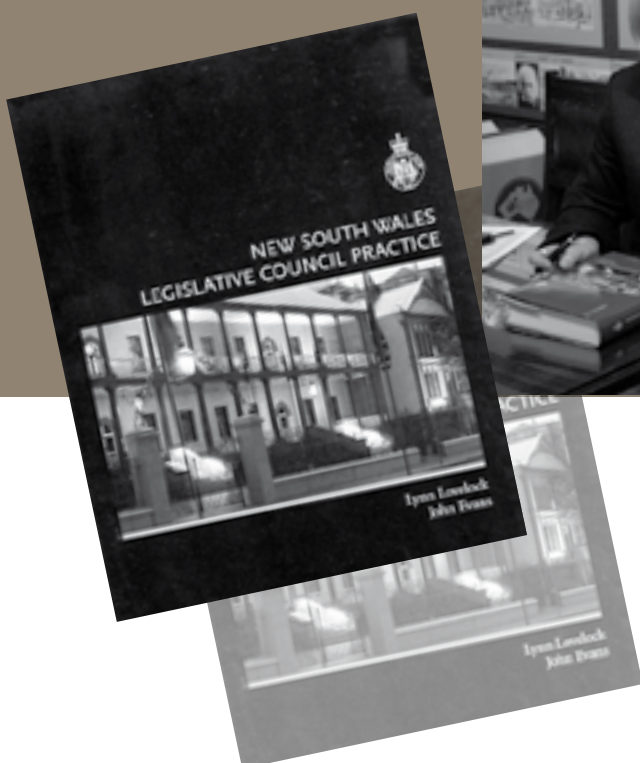
The publication of this book, authored by the Clerk of the Parliaments, Lynn Lovelock, and the former Clerk, John Evans, is the fruition of years of painstaking research, writing and editing. It is also a celebration of the rich history of the Legislative Council, its unique practices and procedures and its role in the New South Wales system of government.

Launching the book, the President noted that while the Council has, for a long time, had authorities such as *Odgers' Australian Senate Practice* and *Erskine May's Parliamentary Practice* on which to rely for guidance on parliamentary practice and precedence, the availability of a book that is uniquely relevant to the Council, and which uniquely discusses the Council's particular circumstances, can only help foster the effective operations of the House.

The launch was attended by a range of distinguished guests including former Presidents Johnson, Willis and Burgmann, members and former members, esteemed members of the legal profession, officers and staff of the Council and Assembly, representatives from Federation Press, officers from several government agencies and friends and family of the authors.

On 23 July 2008, the Clerk of the Parliaments and the former Clerk presented the book to Her Excellency the Governor.

It is hoped that the book in years to come will provide an invaluable reference for members and staff of the Council.



The Clerk of the Parliaments, Lynn Lovelock, and the former Clerk of the Parliaments, John Evans PSM signing copies of *New South Wales Legislative Council Practice* for distinguished guests following the official launch in the Jubilee Room of Parliament House.

Our corporate goals

Provide the procedural support, advice and research necessary for the effective functioning of the Legislative Council and its committees.

Highlights of 2007/08

In 2007/08 the Procedure Office continued to provide a range of services to members including procedural support, advice and research essential for the effective functioning of the House. During this financial period, the House sat for 47 days (343 hours), passed 128 bills and received 15 returns of orders for papers. A total of 397 amendments to bills were circulated with 68 amendments agreed to. There was a total of 262 notices of motion given by private members. (p.21) The committees secretariat continued to provide procedural research and administrative support to the 12 Legislative Council committees. In 2007/08, committees conducted 29 inquiries, tabled 22 reports and heard from 622 witnesses during hearings and forums.

The Department published the much-anticipated book, *New South Wales Legislative Council Practice*. The book is a comprehensive reference document on parliamentary law, practice and procedure. This first edition also provides the historical context to the establishment and development of the Legislative Council and its practices and procedures. The book will be an extremely useful resource for Clerks at the Table, the Presiding Officer, Ministers and other members, as well as others interested in the historical and contemporary role and functions of the Legislative Council. (p.5)

Looking forward to 2008/09

Procedure Office staff will continue to provide high level procedural support, advice and research necessary for the effective functioning of the House. During non-sitting periods, Procedure Office staff are involved in the preparation of publications such as the Procedural Highlights and conference papers, and conduct research into matters of procedural importance. The Legislative Council will also continue to provide procedural support and advice to developing parliaments such as the National Parliament of Solomon Islands. (p.10) Department staff will continue to rationalise and transfer documents, notably returns to order, into the care of the State Records Authority. (pp.15-16)

Legislative Council committees will continue to inquire into a range of policy areas and matters of public importance. Committee staff will continue to provide high level procedural advice to committee chairs and members.

Provide effective services to members and other client groups.

Highlights of 2007/08

In 2007/08 the Corporate Support unit administered the system of members' parliamentary entitlements and provided services to members in relation to facilities and equipment. Approximately 945 applications for payment/ reimbursement were made each month under the current system. In the reporting period approximately 11,300 claims were assessed and processed. (p.36)

The Corporate Support unit progressed the development and implementation of a precedent database to comprehensively record management decisions in the interpretation of members' entitlements. This precedent database will be an extremely useful resource for staff and increase efficiency in providing advice and assistance to members in relation to their entitlements. (p.37)

In 2007/08, Corporate Support maintained its commitment to providing effective and efficient personnel services to Legislative Council staff, members and their staff, and the parliamentary joint services. In this financial year, there were 49 full time equivalent staff employed in the Department and 46 full time equivalent members' staff. Corporate Support staff processed a total of 1,685 leave transactions and managed the recruitment and induction of thirty-five permanent and seven temporary employees. In addition, the section managed twenty-nine resignations, two retirements, eight cessations of temporary employment and one transfer. (p.30)

The Corporate Support unit also worked closely with a number of the joint services, including Information Technology Services, Parliamentary Catering and Building Services to improve service delivery in these areas. Human Resources staff provided considerable support and advice to Lisa Carr – Business Development Manager, Parliamentary Catering, in the management and restructure of that service.

In addition, staff provided high level advice and support to Robert Nielsen, Building Services Manager, on the restructure of sections of Building Services, including procurement services. (p.29)

Looking forward to 2008/09

The precedent database will continue to be implemented and updated and contribute to the high quality advice and assistance given to members' regarding their entitlements.

Corporate Support will continue to provide high quality support and advice to support members, staff and others accessing the Parliament. Human Resources staff will continue to work with joint service managers to assist them with service delivery. The restructure of Parliamentary Catering will be completed in 2008/09.

It is anticipated that significant assistance will be provided by senior members of the Corporate Support team to the newly appointed Executive Manager, Parliamentary Services to establish administrative systems and human resources functions.

Promote awareness of the purposes and functions of the Parliament and promote community access.

Highlights of 2007/08

Legislative Council staff continue to participate in welcoming the thousands of visitors to the Parliament, including dignitaries from local and international jurisdictions as well as the general public. In 2007/08 over 34,000 visitors took part in education events at the Parliament. The Department's Chamber and Support section supports members and the public by providing a front of house function on level 7, addressing visitor inquiries and delivering talks to schools and other groups in the chamber on a daily basis. On non-sitting days staff typically delivered 3-4 talks per day to primary and secondary schools, with a total of 573 talks given by the seven staff during 2007/08 to schools, TAFEs and other groups.

This year the Chamber and Support team, led by the Usher of the Black Rod conducted a review of school tours, visits to the chamber and community talks. As a result of this review, improvements will be made to the service delivery in these areas in the coming year. (p.26)

Parliamentary staff also provided logistic support services to the numerous special events and functions at Parliament House, including the Ageing Summit and the Australia Day activities. (p.22)

Legislative Council Committees' core business is to conduct inquiries and provide community access to the parliamentary process. During 2007/08 there were 12 Legislative Council committees in operation, including five standing committees, five general purpose standing committees, one Legislative Council select committee and one joint select committee. In this financial period, committees conducted 29 inquiries and tabled 22 reports in the Parliament. A total of 681 submissions were made by organisations and members of the public to the different inquiries, with evidence taken from 622 witnesses at formal hearings and forums. (p.39) Well over more than 2,000 visitors attended public hearings.

Looking forward to 2008/09

Staff of the Legislative Council will continue to promote the awareness of the purpose and functions of the Parliament. The promotion of community awareness of the role and importance of the Legislative Council will be a key feature of the business plan for the future directions of the Department being developed by the Clerk.

The review of the tours and talks conducted by the Chamber and Support team will greatly enhance the services provided and the community access to information about the role and function of the Parliament.

The procedure and committee teams continue to review and promote public access to Parliament through the website, information brochures and participation in committee hearings and Parliamentary sittings.

Provide functional, safe and secure working environment for members, staff and visitors.

Highlights for 2007/08

Legislative Council Corporate Support staff initiated an audit and review of all Parliament corporate policies, programs and procedures. The audit revealed many duplications and occasional inconsistencies between Legislative Council, Legislative Assembly and Joint Services corporate policies, including policies on study assistance, exit interview procedures and recruitment practices. With the assistance of Corporate Services staff from the Legislative Assembly the Legislative Council Corporate Support staff will continue to lead the consolidation and review of corporate policies with a view to ensuring a consistent approach to policy development and implementation. (pp.28-29)

Legislative Council Corporate Support staff also conducted a review of the status of occupational health and safety compliance and procedures at Parliament House. A number of recommendations came out of that review, including the need to establish a central OH&S policy officer for the Parliament. Staff continued to participate on the Parliament House OH&S Committee and ensure the Parliament is a safe and secure working environment for members, staff and visitors.

Looking forward to 2008/09

Legislative Council Corporate Support staff will further review and implement Parliament-wide corporate policies with an aim to provide staff employed across the Parliament with access to, where appropriate, the same entitlements and corporate support. It is anticipated that approximately 90% of corporate policies can apply Parliament-wide.

Legislative Council staff will continue to support the provision of a safe and secure working environment to members, staff and visitors through ensuring the highest standards of occupational health and safety and access to information on appropriate behaviour including the planned training for all Parliament House staff on issues including the Anti-Bullying policy and OH&S responsibilities.

Enhance organisational capacity in planning service delivery.

Highlight 2007/08

The Department continued to drive the process of review of the Parliament's Results and Services Plan and Total Asset Management Plan with a view to enhancing service delivery to members and other clients. Legislative Council staff worked closely with the Office of the Financial Controller in the development of financial planning for the Legislative Council and a number of the joint services, including Parliamentary Catering, Information Technology Services and Building Services.

Looking forward to 2008/09

Legislative Council staff will continue to review and update strategic and corporate plans with an aim to enhance the Department's capacity to deliver high quality services to members and other clients. A new business plan for the Department of the Legislative Council will be developed during 2008/09.

On 2 June 2008, Mr Brian Ward commenced with the Parliament as Executive Manager, Parliamentary Services. The position was an initiative of the President and the Speaker designed to consolidate the existing joint services into one coordinated entity. It is anticipated that the new Department of Parliamentary Services will provide Members of Parliament, the House Departments, staff and the community with a more efficient and effective support service.

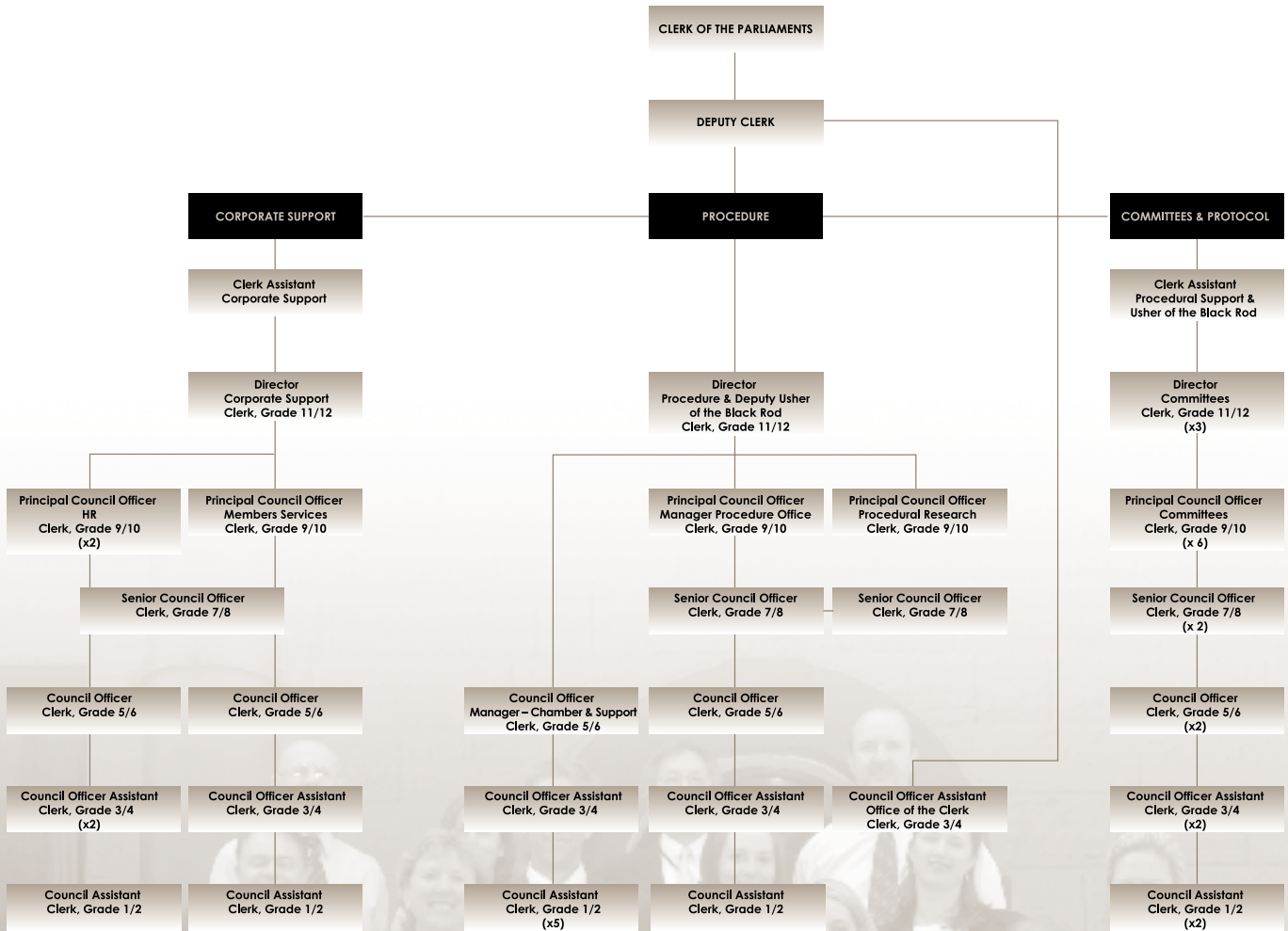
Prior to commencing with the Parliament, Brian was the General Manager - Corporate Services and Corporate Secretary with the Port Kembla Port Corporation. Previous to this position he was the General Manager of Cookson Plibrico Pty Ltd and Head Office Accountant for Inghams Enterprises Pty Ltd. Brian is also a non-Executive Director of Wollongong UniCentre Ltd (a subsidiary of the University of Wollongong which administers services to students and staff) and Chair of its Audit and Risk Management Committee.

Previously, Brian was an employer representative on the Port Kembla Heritage Park Inc and was Chair of the Illawarra Branch of CPA Australia.

Mr Ward has a Bachelor of Business from NSW Institute of Technology (now the University of Technology, Sydney) and completed a Master of Business Administration at the University of Wollongong. He is also a Certified Practising Accountant and a Graduate of the Australian Institute of Company Directors.



Department structure



Supporting parliamentary democracy in the Asia Pacific

During 2007/08 Legislative Council staff have participated in a number of training and development projects aimed at supporting parliamentary democracy in the Asia Pacific region. As outlined below, staff visited the Solomon Islands and Papua New Guinea and participated in a course in Canberra for officers from a number of parliaments in the Pacific region. In 2008/09 the Clerk will visit East Timor for a project to review the National Parliament's standing orders.

National Parliament of Solomon Islands

The NSW Parliament has a twinning arrangement with the National Parliament of Solomon Islands through the Commonwealth Parliamentary Association (CPA). Over the last 12 months there has been considerable co-operation and training exchanges between the NSW Parliament and the National Parliament of Solomon Islands.

For five weeks in July and August 2007 Ms Susan Want, Manager of the Procedure Office in the Legislative Council worked in the National Parliament of Solomon Islands providing assistance to the United Nations Development Program's Parliamentary Strengthening Project. The Project Manager is former Clerk Assistant and Usher of the Black Rod, Mr Warren Cahill. The aim of the project is to build the capacity of the Clerk and the staff of the National Parliament to support the Speaker and members and, consequently, to build the capacity of the members as legislators. The UNDP has recently approved a second, four year, phase of the project.

Ms Want's job was to assist in the setting up of a Procedure Office. As the National Parliament has only had computers since the beginning of 2007, all their systems needed modernising. Ms Want focused mainly on databases for tabled papers and bills, and their secure storage, a Word based macro

system for producing the minutes of proceedings and annotated standing orders and procedures for recording precedents.

In September 2007, three staff members from the National Parliament of Solomon Islands visited the Parliament on a three-day study tour. Ms Florence Naesol, Deputy Clerk and Mr John Taupongi, law graduate trainee, were given intensive training on procedures in both Houses and Mr John Niuman, Information Officer, undertook training in the library, particularly with the newspaper clipping service and media monitoring section.

In April 2008 Steven Reynolds, Clerk Assistant responsible for Legislative Council committees, was invited by the Centre for Democratic Institutions (CDI) to be part of a team of presenters for a workshop on Parliamentary Committees delivered to the National Parliament of the Solomon Islands. Steven, together with Senator Dr Kay Patterson, former Federal Health Minister, Mr Moses Maladina, member of the PNG Parliament, and Quinton Clements, Deputy Director of CDI, presented a two-day workshop to the members of the Solomon Islands Parliament. The workshop was well attended with 39 of the 49 members participating and the Prime Minister, Mr Derek Sikua, attending almost every session. The workshop culminated with a mock hearing in which the members displayed considerable flair.

Prior to the workshop being delivered, two days of preparation was undertaken with the highly capable parliamentary staff, with which former colleague Warren Cahill has been working over the last three years. Their insight and logistical support was invaluable in making the workshop more relevant to the needs of their members. The CDI does a great deal of work in strengthening parliaments in the Pacific region, and the workshop was an important contribution to this work.



Clerk Assistant Committees, Steven Reynolds (seated far left) on a visit to Solomon Islands, with the Prime Minister and other members of the National Parliament.

In June 2008, with the continuation of the twinning arrangement with the Solomon Islands, a committee officer, Mr Jude Devesi, participated in a four-week programme in the NSW Parliament which included attending committee meetings and briefings in the Legislative Council.

“Effective Parliamentary Committee Inquiries” course in Canberra

In February 2008 Steven Reynolds was invited by the Centre for Democratic Institutions (CDI), ANU, to convene a course in Canberra entitled “Effective Parliamentary Committee Inquiries”. The CDI was established in 1998 to support new democracies in the Asia-Pacific region, with a particular focus on Indonesia, Timor Leste, Papua New Guinea, Solomon Islands, Vanuatu and Fiji. Ms Julie Langsworth and Ms Beverly Duffy from the Legislative Council and Mr Les Gonye and Ms Helen Minnican, from the Legislative Assembly, also participated as guest speakers. The 18 course participants were parliamentary clerks and committee officers from a number of parliaments in the Pacific region such as Papua New Guinea, Timor Leste and the Solomon Islands, and from African countries including Ghana, Nigeria and Tanzania. The course was sponsored by the CDI, the Commonwealth Parliamentary Association and the World Bank Institute.

Working with the Deputy Director of the Centre, Quinton Clements, the course went for four days and aimed at providing practical hands-on instruction on the administration of committee inquiries. Committee staff from the Legislative Council prepared some of the training materials used during the course, such as the role-plays. The evaluations provided by course participants were very positive and the CDI has used some of the material from the course in further training for the committee staff in Timor Leste.

CDI workshop with Officers of the National Parliament of Papua New Guinea

In May, two staff from the NSW Parliament, Beverly Duffy and Helen Minnican participated in a three-day workshop organised by the Centre for Democratic Institutions (CDI) in Port Moresby. The participants included over fifty officers from the National Parliament of Papua New Guinea, as well as the clerks from several Provincial Assemblies.

The program was designed to enable PNG parliamentary officials to learn about all aspects of parliamentary work, and to further develop their professional skills.

The workshop was convened by the Deputy Director of CDI, Mr Quinton Clements. Helen and Beverly focused on parliamentary procedure and committee report writing. They were joined by co-presenter, Mr Derk Swieringa, a volunteer with Australian Business Volunteers, who shared his extensive knowledge of planning and budgeting.

The participants were eager to learn about other legislatures and to share their own experiences of working for a parliament that represents almost six million people from 850 language groups!

East Timor

During the reporting period, the Legislative Council also undertook preparatory work on a project being coordinated by the Centre for Democratic Institutions (CDI) to review the standing orders of the National Parliament of the Democratic Republic of East Timor. This involved consultation with both representatives of CDI and the Chair of Committee A of the East Timor Parliament concerning the scope of the project and the nature of the assistance to be provided by the Legislative Council. Further work on the project will be reported in next year's annual report.



Left: Steven Reynolds presenting a workshop to course participants.

Right: Beverly Duffy presenting on committee report writing.



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Procedure

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Procedure

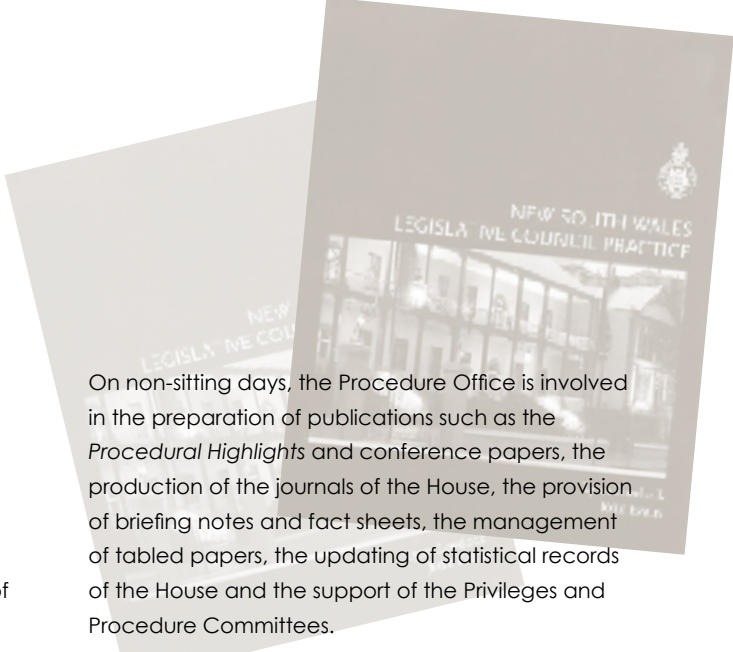
Procedural advice and support

Highlights of 2007/08

- The publication of *New South Wales Legislative Council Practice* (p.5)
- The signing of a Memorandum of Agreement with the State Records Authority for the storage of Council papers (pp.15-16)
- The launch of a new procedural database system (p.16)
- The maintenance of a very high standard of procedural and research assistance to members of the Legislative Council.

The Procedure Office provides a range of services to members of the Legislative Council including advice and research on matters of privilege and procedure, administrative support in developing and maintaining the records of the House and secretariat support to the Privileges Committee and the Procedure Committee (see pp.49-51 – Committees).

On sitting days, much of the work of the Procedure Office involves direct contact with members and their staff and the provision of advice and assistance on a range of procedural matters including arrangements for the tabling of papers; vetting the format and content of petitions; making arrangements for changes in the routine of business; managing the passage of bills and amendments to bills; and assisting with the preparation of orders for government papers, private members' notices of motions, motions of urgency, motions for the disallowance of statutory rules and instruments, variations to standing and sessional orders, and references to committees. The Procedure Office also prepares on sitting days the records of the House including the Minutes of Proceedings for that day, the Notice Paper itemising business before the House for the following sitting day, and the Questions and Answers Paper listing questions on notice lodged by members and answers to questions on notice provided by ministers. Each of these publications is published before staff leave the office each sitting day.



On non-sitting days, the Procedure Office is involved in the preparation of publications such as the *Procedural Highlights* and conference papers, the production of the journals of the House, the provision of briefing notes and fact sheets, the management of tabled papers, the updating of statistical records of the House and the support of the Privileges and Procedure Committees.

The Procedure Office also provides procedural advice and support to other stakeholders besides members, including notably staff of government departments and agencies, regarding the passage of legislation and the moving of amendments, the tabling of papers and reports, the answering of questions on notice and the provision of government responses to committee reports.

Finally, the Procedure Office contributes to public awareness of the Legislative Council by responding to enquiries from the public regarding the role and function of the Legislative Council, the progress and status of bills, members' contact and biographical details and by the timely maintenance of online databases.

Publications

As noted in this report, the Department published the much-anticipated book, *New South Legislative Council Practice*; a comprehensive reference document on parliamentary law, practice and procedure. (see also p.5)

In 2007/08, the Procedure Office continued to publish the biannual *Procedural Highlights*, which identifies significant procedures in the House, rulings of the Chair and important precedents. The *Procedural Highlights* are circulated to all Council members and staff as a means of disseminating relevant information on parliamentary precedents and procedures and to support the ongoing education and training of Council staff.

The Legislative Council also continued to contribute to the Australia and New Zealand Association of Clerks-at-the-Table (ANZACATT) Half Yearly Bulletin entitled *Parliament Matters* which identifies important procedural developments in parliaments around Australia, New Zealand and in Norfolk Island.

Procedural research and advice

In 2007/08, the Procedure Office continued to support the Clerk's Office in the provision of procedural research and advice to the President, members, committees and other bodies. Notable research material produced during the reporting period included:

- Various advice and rulings for the President concerning the issue of comity and mutual respect between the Houses, produced in response to a notice of motion for the appointment of a select committee to inquire into and report on the effectiveness of current laws, practices and procedures in protecting Government employees who make allegations against government officials or parliamentarians.
- A ruling for the President concerning the issue of whether an office holder in the House should be precluded from voting on a question concerning the remuneration of that position, on the basis that the member has a pecuniary interest in the matter.
- Briefing material for the President on the impact of the proposed introduction of 'family friendly' parliamentary sitting times on the operation and budget of the Council.
- A paper for the Privileges Committee in relation to the right of reply procedure, and whether the committee should confer with the member in respect of whom a right of reply is sought prior to the tabling of its report.
- A range of discussion papers for the Procedure Committee on issues such as formal business, the lack of a quorum under standing orders 29 and 30, the provisions of standing order 210(10) relating to pecuniary interests and the broadcasting of proceedings.
- A response to an invitation by the House of Representatives Privileges Committee to comment on a paper by Professors Geoffrey Lindell and Professor Gerard Carney concerning the procedures of the House of Representatives and the House of Representatives Privileges Committee in relation to parliamentary privilege.
- A response to the Attorney General's Department to a report of the NSW Law Reform Commission concerning jury selection, and whether members and parliamentary officers and staff should remain ineligible for jury duty.

The Procedure Office also continued to provide administrative support to the Clerk's office in relation to various procedural matters, including the distribution of the new Code of Conduct for Members, adopted by the House on 21 June 2007, and the distribution of pecuniary interest disclosure forms to members.

In addition, following the publication of *New South Wales Legislative Council Practice*, the Procedure Office undertook a complete rewrite of the Fact Sheets on the operation of the Council provided on the Council internet site. This rewrite updated and considerably enhanced the information available to members of the public on the role and functions of the Council.

Memorandum of Agreement with the State Records Authority

The *State Records Act 1998* provides for exempt public offices, such as the Houses of the NSW Parliament, to enter into agreements with the State Records Authority for the application, with or without specified modifications, of any of the provisions of the Act in respect to their archives (ie. documents agreed by both parties to be of permanent value and no longer used for their original purpose).

Following extended negotiations over several years, on Wednesday 5 March 2008, the Clerk of the Parliaments, Ms Lynn Lovelock, the Clerk of the Legislative Assembly, Mr Russell Grove and Mr David Roberts, the Director of the State Records Authority, signed a Memorandum of Agreement for the transfer of the Parliament's records into the care but not control of State Records. The agreement will be reviewed at the end of the current Parliament and then at the end of every second Parliament.

The main benefit of the agreement to the Parliament is the ability to transfer documents into the care of State Records to ensure their safe and secure storage in perpetuity, while retaining absolute control of them. In doing so, the limited storage space within Parliament House will be better managed.

All Legislative Council documents transferred will remain in the custody of the Clerk and will be subject to access directions determined by resolution of the House. Only those documents which are published by the House will be available to the public.

Documents transferred to State Records will include historical documents, minutes of the proceedings and other sessional papers, papers tabled in the House and the records of committees.

The President, the Honourable Peter Primrose, the Speaker, the Honourable Richard Torbay, and member of the Legislative Council and member of the Board of the State Records Authority, the Honourable Don Harwin, joined the Clerks and Mr Roberts at a signing of the Memorandum of Agreement at which a symbolic transfer of archival documents was made.



Mr David Roberts, Director, State Records Authority, the Honourable Don Harwin, Opposition Whip, the Honourable Peter Primrose, President of the Legislative Council and the Honourable Richard Torbay, Speaker of the Legislative Assembly following the signing of the Memorandum of Agreement with the State Records Authority. Mr Harwin and Mr Primrose hold the Proclamation of the Governor-General, Sir William Denison, dated 13 May 1856, for first session of first Parliament, and Mr Torbay holds the Women's Franchise Bill of 1902. The documents are the first to be transferred into the care, but not control of State Records.

Electronic databases

Procedural precedents system

In the first half of 2008 the Procedure Office developed an enhanced system for the management of the procedural precedents and research material held by the Council. The material in question is voluminous, dating back to 1842, and extensive in the range of subjects covered. The new system incorporates a searchable electronic index, using subject keywords based on the chapter structure of *New South Wales Legislative Council Practice* published in June 2008. It also provides for the electronic storage of precedents material with the intent of replacing most of the existing hard copies.

The alignment of the procedure precedents system with the structure of *New South Wales Legislative Council Practice* is intended to provide a more

strategic platform for the conduct of procedural research by the Department and the management of its procedural resources. This in turn is expected to deliver further enhancements to the quality and timeliness of procedural advice provided to members, the sharing of knowledge across different areas of the Department, and the development of procedural expertise.

In the coming year, the Procedure Office will work to categorise existing precedents material according to the new keyword structure, to convert hard copy documents for electronic storage, and to train staff in the use of the system.

Bills database

Following changes to the Legislative Assembly standing orders in February 2007, amendments were made to the bills database to reflect the new terminology used by the Assembly to identify the stages reached on a bill. Whereas a bill in the Legislative Council passes a first and second reading stage, followed if necessary by consideration in committee of the whole, and finally a third reading stage, the new Legislative Assembly standing orders provide for an agreement in principle stage, consideration in detail stage and passing of the bill stage. The bills database now reflects the different procedures for the two Houses.

Questions and Answers database

Further modifications were made to the Questions and Answers database, from which the *Questions and Answers Paper* is generated, to allow questions and answers to be accessed on the Internet, prior to the publication of the paper itself at the next sitting of the House. Members and the public can search for questions and answers by the member who asked the question, the portfolio and subject.

Business Papers

Procedure Office staff produce three daily business papers:

- the *Minutes of Proceedings* – a record of all proceedings of the House
- the *Notice Paper* – a list of all notices of motions and orders of the day before the House and the order in which the House proceeds with its business, and
- the *Questions and Answers Paper* – a record of questions on notice to ministers, together with the answers when they are received.

Proof editions of the business papers were completed within 30 minutes of the adjournment of the House each sitting day and made available on the Internet. Printed copies were made available to members the following morning. Final versions of the business papers were produced following thorough proof reading and verification of relevant material. These papers continue to provide a timely, accurate and comprehensive record of proceedings. Questions on notice lodged by members were edited for consistency and compliance with the standing orders.

The *Statutory Rules and Instruments* paper is published weekly during sittings and monthly when Parliament is in recess. The Procedure Office continually updates the paper to include the date of commencement of each statutory rule or instrument, the date they were tabled in the House and the last day on which a notice of motion for the disallowance of a regulation must be given.

The Procedure Office also produces the *Daily Program*, an agenda published on the Parliament's website each day listing business to be considered by the House.

The Journal

At the conclusion of each session of Parliament the official *Journal of the Legislative Council* is bound and published. The *Journal* consist of the Minutes of Proceedings (including a comprehensive index to the minutes), registers showing the history of the passage of bills during the session, the register of addresses and orders for papers, sessional and select committees appointed, an abstract of petitions presented, and the attendance of members. Separate volumes of the *Notice Paper* and *Questions and Answers Paper* are also compiled.

Volumes of the *Journal* relating to several sessions of Parliament were completed and published by the Procedure Office during the reporting period.

Procedural training for Legislative Council staff

In 2007/08, the program to train senior staff of the Legislative Council in the procedures of the House continued. The program provides an opportunity to gain experience in the chamber and to learn about the operations of the Procedure Office. Senior Committee and Corporate Support staff continued to be rostered to work in the chamber.

Experience in the Legislative Council chamber and the Procedure Office was also provided to the successful candidate of the 2007/08 'Working in the Legislative Council' program. (p.35)

Three staff also attended this year's ANZACATT Professional Development Seminar on Parliament and Technology in Tasmania in January 2008.

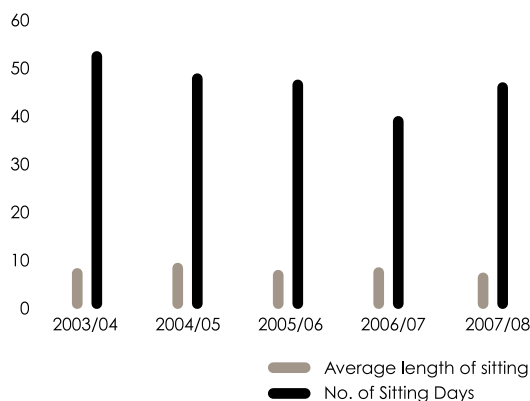
Sittings of the House

The nature of proceedings undertaken in the Legislative Council and the scheduling of those proceedings is subject to various political and practical considerations. Accordingly, Procedure Office staff meet with the Clerk and Deputy Clerk at the commencement of each sitting day at 9.15 am to discuss procedural or other issues which are likely to shape proceedings that day. These meetings, chaired by the Clerk, ensure that the team preparing for the sitting of the House are fully informed, as far as possible, of all matters which could arise in the House during the day.

Following these meetings, Procedure Office staff prepare all relevant documentation, and meet all requests for advice from members, prior to the sitting of the House.

The House sat on 47 occasions during the reporting period, with sittings averaging 7.17 hours per day. On four occasions the House sat beyond midnight, a slight increase on previous reporting periods.

No. of sitting days and average length of sitting



Legislation

The Legislative Council passed 128 bills during 2007/08, an increase of 19% on the previous reporting year.

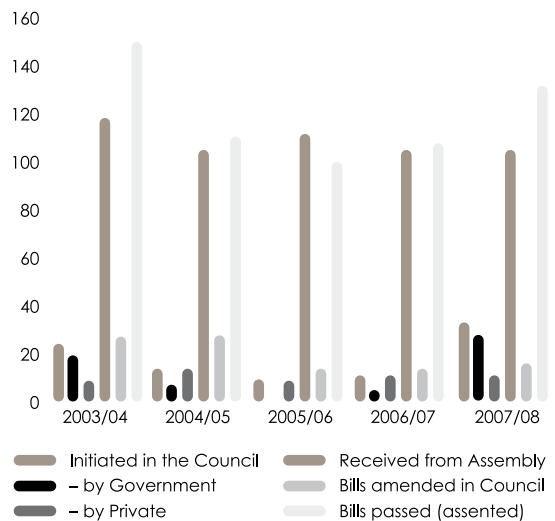
A number of bills attracted considerable media attention including the Local Government and Planning Legislation Amendment (Political Donations) Bill, the Miscellaneous Acts Amendments (Same Sex Relationships) Bill, the Crimes Amendment (Sexual Procurement or Grooming of Children) Bill, the Crown Law Officers Legislation Amendment (Abolition of Life Tenure) Bill, the Local Government Amendment (Elections) Bill, the Law Enforcement and Other Legislation Amendment Bill and the Environmental Planning and Assessment Amendment Bill. This last bill also elicited a protest against its passing by members of The Greens.

During the reporting period, nine notices of motions were given to introduce private members' bills into the House.

On 5 June 2008, the Honourable Roy Smith (The Shooters Party) introduced the Firearms Amendment Bill 2008. Ten Government amendments to the bill were agreed to and the bill passed the Assembly without amendment. The bill will be assented to on 1 July 2008.

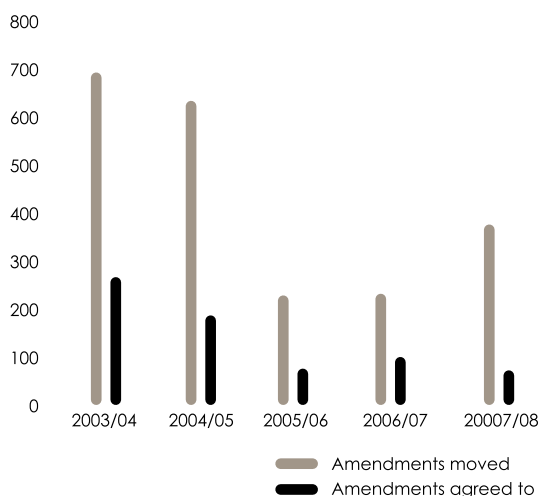
On 3 April 2008, following revelations from the Independent Commission Against Corruption inquiry into Wollongong City Council relating to bribery, political donations and local government planning decisions, Ms Sylvia Hale (The Greens) introduced the Environmental Planning and Assessment Amendment (Restoration of Community Participation) Bill 2008. On 15 May 2008, the question that the bill be read a second time was amended to refer the bill to the Select Committee on Electoral and Political Party Funding for inquiry and report. The Committee reported on 19 June 2008, however the bill was not considered further during the reporting period.

Bills considered in the Legislative Council



The Procedure Office also provides assistance to members in relation to amendments to bills in committee of the whole, including an assessment of the admissibility of amendments circulated, the preparation of schedules of amendments to be moved and the maintenance of records of which amendments are moved and agreed to. In the reporting period, the Procedure Office received 397 amendments to bills which were processed and circulated prior to the committee of the whole stage. Of the amendments circulated, 389 were moved in committee of the whole and 68 were agreed to.

Amendments moved and agreed to



Tabled Documents

The 2007/08 reporting period witnessed a number of developments in the management of tabled papers. Procedure Office staff worked in consultation with members and Information Technology Services to develop further the tabled papers database, which was made publicly available on the Parliament's website in mid 2008, and has proven to be a useful research and administration resource.

A series of structural renovations to the Procedure Office also afforded an opportunity to review the types of documents stored in the office and the format in which they are kept, and has initiated several projects for the coming year to further streamline the storage of information and resources in the office and to provide a more efficient and useful service to members and their staff.

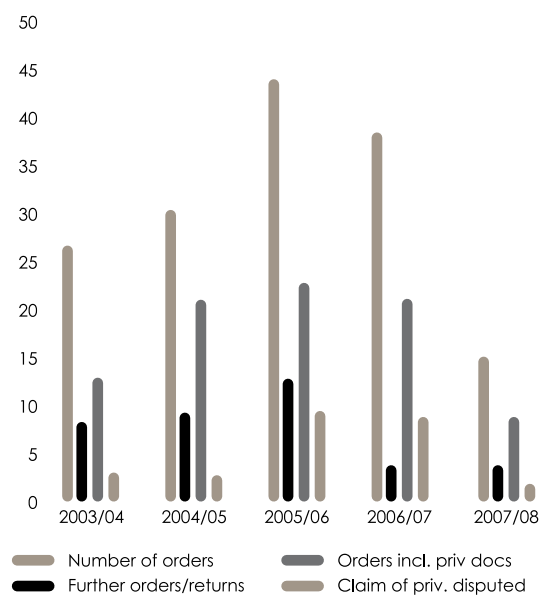
During 2007/08, a total of 927 documents were tabled in the Legislative Council, the majority being annual reports and statutory instruments. The Procedure Office prepared all documents for presentation in the House and entered details of each document in the *Minutes of Proceedings* and on the tabled papers register, and liaised with ministerial offices and departments to ensure that all processing, distribution and service requirements were met promptly and within set timeframes.

Orders for Papers

During 2007/08, 15 orders for papers under standing order 52 were agreed to by the House. However, only four were made between June and December 2007. A further 11 orders were made between January and June 2008. The total number of orders agreed to decreased from that of previous years, a contributing factor being the change in party composition of the House following the 2007 periodic Council election.

Of the 15 orders for papers agreed to, 10 were initiated by the Opposition and five by The Greens. Privilege was claimed on documents contained in eight of the returns. The validity of the claim of privilege was disputed in one return. Three orders sought to obtain further documents related to a previous resolution of the House. In total, the House received 80 boxes of documents in response to resolutions of the House under standing order 52.

Orders for Papers

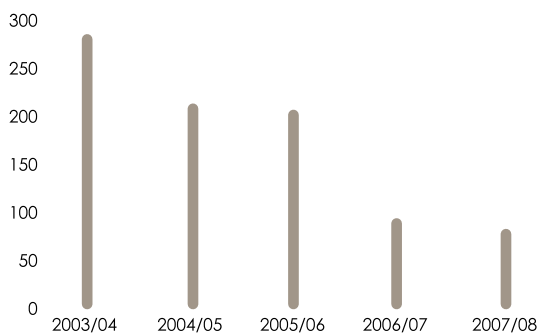


Orders for papers during the reporting period covered a number of topics and issues. Accordingly, the Procedure Office continued to receive many requests to view the documents received. Procedure Office staff were responsible for co-ordinating viewing times, allocating space for viewing the documents and supervising access by members of the public. In order to ensure the security of documents and the integrity of the process, a high level of supervision over the documents was maintained.

As reported in previous Annual Reports, the storage facilities available to the Procedure Office within Parliament House are limited. In recent years, they have been severely stretched by the large number of documents returned to the House under orders for papers. However, as indicated previously, in March 2008, a Memorandum of Agreement for the care, but not control, of papers held by the Council was signed with the State Records Authority. It is anticipated that this will enable the transfer of a large number of documents returned under orders for papers to the State Records Authority.

Petitions

Petitions presented to the Legislative Council

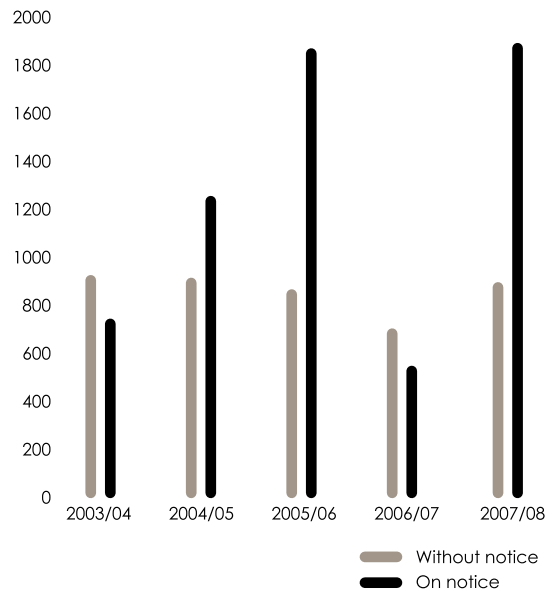


Eighty-three petitions were presented to the House during 2007/08, a reduction of 15 from the last reporting period. Over the last five years there has been a steady decrease in petitions received by the Council, however the decrease in 2007/08 was not as significant as the decrease in 2006/07. As per previous years, a greater number of petitions were received on the first sitting day of each week. Procedure Office staff continued to oversee the process for submitting petitions by providing advice and by ensuring that each petition complied with the Standing Orders.

Petitions received by the House varied in subject matter and in the number of petitioners. The subject matter of petitions included climate change, electricity privatisation, the Kurnell desalination plant, the redevelopment of Lismore Base Hospital, same-sex marriage, female boxing matches, and mining and council development applications. Petitions with the highest number of petitioners related to the diversion of water from the Clarence River to Queensland (3,000), the civic offices of Port Macquarie-Hastings Council (1,046), electricity privatisation (1,130) and two separate petitions relating to Killelea State Park (5,652 and 2,672).

Questions and answers

Questions asked in the Legislative Council



During 2007/08, there was a significant increase in questions compared to the previous five reporting periods. This increase was due largely to budget estimates questions being included in the Questions and Answers Paper, which was not the case in 2006/07. This saw the number of questions asked on notice increase from 515 in 2006/07 to 1849 in 2007/08. There was also an increase in questions asked without notice from 718 in 2006/07 to 908 in 2007/08. However, this increase largely reflects the impact of the 2007 state election on the number of sitting days in 2006/07.

Disallowance of statutory instruments

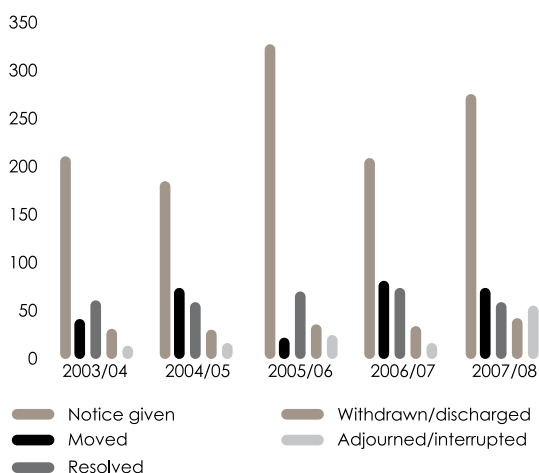
During 2007/08, three motions were moved for the disallowance of statutory instruments. All three were negatived on division. Of particular note, on 10 October 2007, the Honourable Catherine Cusack moved the disallowance of the *Parliamentary Remuneration Amendment (Assistant Speaker) Regulation 2007*. The regulation removed reference to the Chair of Committees in the Legislative Assembly and replaced it with reference to the Assistant Speaker of the Legislative Assembly. The move to disallow the regulation raised the question whether the motion contravened the principal of mutual comity and respect between the Houses. As indicated, in the event, the motion was negatived on division.

Private members' business

Under the sessional orders for the 1st Session of the 54th Parliament, private members' business takes precedence of Government business on Thursdays. However, on Thursday 29 November 2007 and Thursday 26 June 2008, Government business was granted precedence over private members' business. On both occasions, this was to permit the House to deal with the backlog of Government bills that were before the House prior to the end of the sitting period.

During the reporting period, 262 notices of motions were given by private members in the House, the majority having been drafted with the assistance of the Procedure Office. Of these, 71 were moved in the House, with 51 concluded before the winter adjournment.

Private Members' Business



During the reporting period, Standing and Sessional Orders were suspended on 19 occasions to allow items of private members' business to be dealt with outside the order of precedence. Ten of these occasions occurred on days set aside for Government business.

Private members' draws were held to determine items to be placed inside the order of precedence on the *Notice Paper*.

Looking forward to 2008/09

During the forthcoming year the Procedure Office will continue to:

- Support the daily operations of the House, and continuing to maintain the records of the House.
- Conduct research and to support the Clerk's Office in the provision of advice on complex aspect of parliamentary privilege and procedure.
- Work on the new procedural precedents database to convert hard copy documents for electronic storage. This will improve access to vital information and decrease the time taken to source referenced information.
- Rationalisation and transfer of documents, notably returns to orders, into the care of the State Records Authority.
- Support the Privileges and Procedure Committees.

The Procedure Office will also be examining ways to enhance the engagement of the Legislative Council with the people of New South Wales by seeking to provide additional information to members of the public about the operation and role of the Council within the New South Wales system of government.

Events in the Parliament in 2007/08

Ageing Summit

The Government held a summit on ageing in Parliament House from Monday 29 October to Wednesday 31 October 2007. The summit titled "Creating the Future – Ageing 2030" was hosted by the Honourable Kristina Keneally MP, Minister for Ageing, and coordinated by the Department of Ageing, Disability & Homecare. The summit brought together some 120 people including Ministers, members of both Houses of Parliament, ageing experts and industry representatives to discuss how to meet the challenges and risks presented by population ageing.

Former members of the Legislative Council, the Honourable Patricia Forsythe and the Honourable Barrie Unsworth chaired the summit. Working groups were formed to discuss and draft recommendations on issues such as prevention: ageing well; early intervention: maintaining independence; housing transitions; liveable communities; future planning; metro: economic and social engagement; rural: economic and social engagement; and rethinking work practices and policies. Parliamentary staff provided logistic support services to the summit.

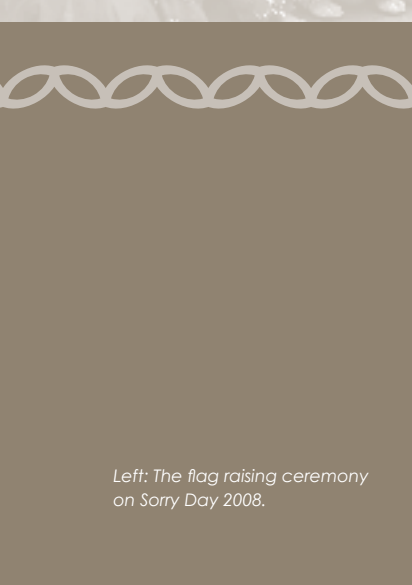
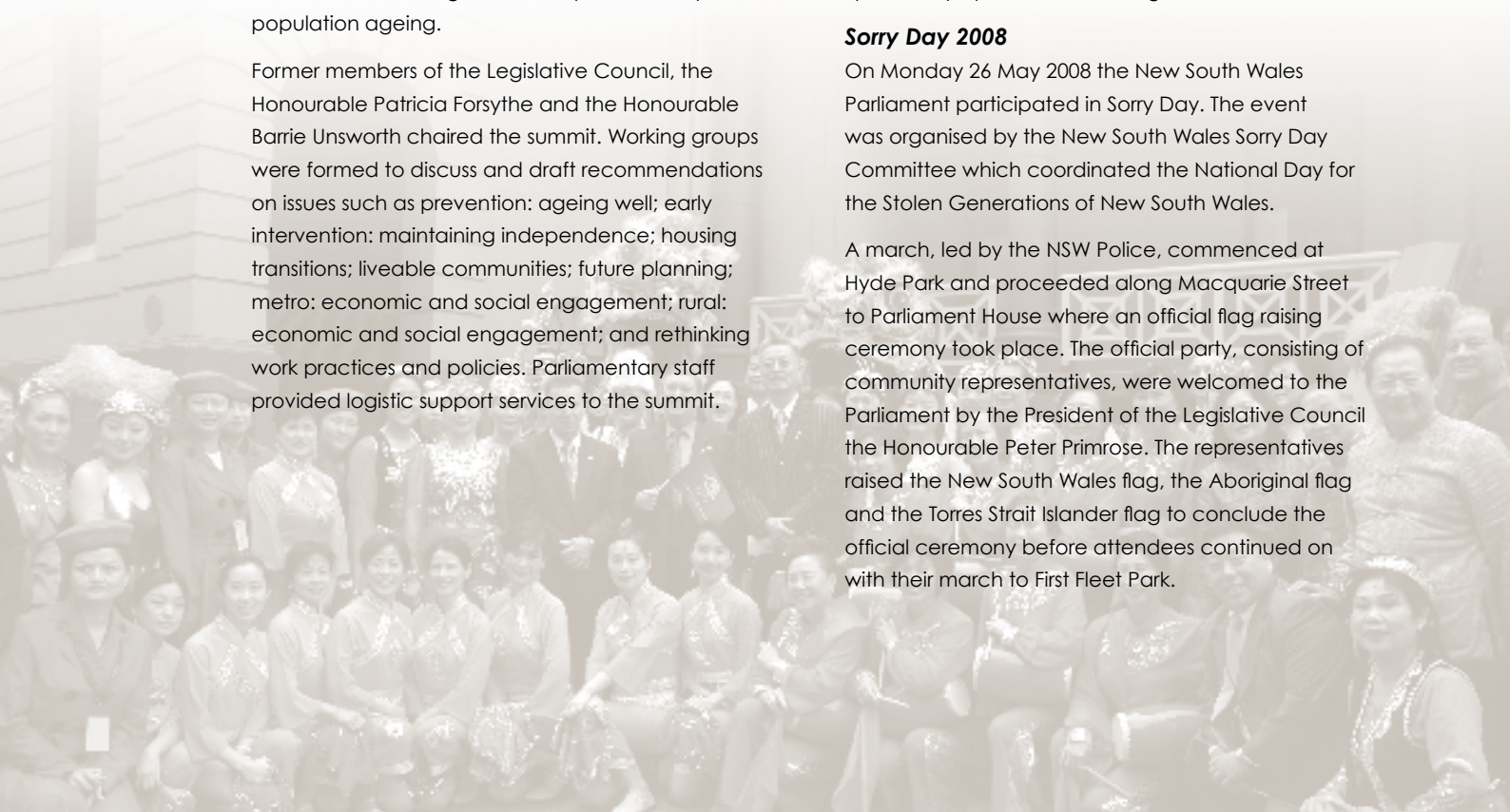
"Flame of Hope" Torch Run

Special Olympics Australia, assisted by the Honourable Henry Tsang, scheduled the "Flame of Hope" to arrive at Parliament on Tuesday 18 September 2007 on its official international journey to the Opening Ceremony of the Special Olympics World Summer Games held in Shanghai in October. A delegation of 40 senior government and community leaders from Shanghai arrived at Parliament, along with a media contingent, and the Presiding Officers participated in the raising of the Special Olympics Torch Run Flag in the forecourt.

Sorry Day 2008

On Monday 26 May 2008 the New South Wales Parliament participated in Sorry Day. The event was organised by the New South Wales Sorry Day Committee which coordinated the National Day for the Stolen Generations of New South Wales.

A march, led by the NSW Police, commenced at Hyde Park and proceeded along Macquarie Street to Parliament House where an official flag raising ceremony took place. The official party, consisting of community representatives, were welcomed to the Parliament by the President of the Legislative Council the Honourable Peter Primrose. The representatives raised the New South Wales flag, the Aboriginal flag and the Torres Strait Islander flag to conclude the official ceremony before attendees continued on with their march to First Fleet Park.



Left: The flag raising ceremony on Sorry Day 2008.

Macquarie Night Lights

To enhance the festive spirit within the city, the Parliament again took part in the Macquarie Night Lights—a nightly series of projections portraying striking images of Sydney in summer. The Parliament participated in the program which ran from 22 November until Christmas and signifies the NSW Government's commitment to and support of the City of Sydney's "Christmas in Sydney" program.

Australia Day

Parliament again opened its doors on Australia Day, with both chambers open to the viewing public and music in the Fountain Court area. The number of people visiting Parliament as part of the Sydney-wide celebration co-ordinated by the Australia Day Council has been increasing yearly.

Commonwealth Day

On the second Monday in March each year, 'Commonwealth Day' is celebrated and once again NSW Parliament was the venue for a gala luncheon, with over 100 school students participating in activities prior to and during the luncheon.

The day's activities commenced with a student debate in the Theatre chaired by Professor David Flint. Her Excellency the Governor and Sir Nicholas Shehadie were later met by the Speaker and organisers from the Commonwealth Day Council, and approximately 50 students from Scots College Pipes and Drums formed an honour guard and played a Vice-Regal Salute. The official party moved through a flag display in the Fountain Court by students from the Sydney Secondary College before moving to the Strangers' Dining Room for lunch. A number of VIP's attended, including Consuls-General of Japan, China, Hungary, Solomon Islands and the Cook Islands and the former President of the Legislative Council, the Honourable Max Willis.



Left: Charles Barden and Simon Johnston, guides on Australia Day.

Right: The Governor inspecting the honour guard on Commonwealth Day.

Protocol

The protocol functions for the Legislative Council are the responsibility of the Usher of the Black Rod. This involves co-ordination of ceremonial events related to the House, delegations and consular visits, room booking approvals, management of chamber and support services and management of the Fountain Court exhibitions.

During the past year these protocol functions of the Usher were supported by staff of the Procedure Office and Office of the Clerk.

Overseas delegations and visitors to the Parliament

National Assembly of Vietnam and Provincial People's Councils

A delegation of 17 people from the National Assembly of Vietnam and Provincial People's Councils, who were assisted by an interpreter, had a full two-day programme at the NSW Parliament on 29 and 30 August 2007. The study tour program was funded by the United Nations Development Programme and coordinated by Bev Orr from the Senate in Canberra, who accompanied the group on their visit.

The programme included presentations by Mr Steven Reynolds on the NSW Legislative Council and committee system, Ms Madeleine Foley, Principal Council Officer, on committees and the NSW Budget Estimates process, Mr Simon Benson from The Daily Telegraph on analysing a State budget, Mr Paul McLeay MP Chair of the NSW Public Accounts Committee and Mr Russell Keith, Manager of the Public Accounts Committee, presenting an overview of the committee. Also included in the programme was a presentation on the NSW budget process by Mr Mark Pellowe, Senior Director, Financial Management and Reporting from NSW Treasury. Mr Tony Whitfield, Deputy Auditor-General, NSW Audit Office, gave an introduction to the work of the Productivity Commission.



Stephen Frappell, Director Procedure giving a presentation to the Interparliamentary Study Group on procedures of the House. The group included representatives from various international Parliaments.

Interparliamentary Study Group

On 10 March 2008, participants in the Interparliamentary Study Program spent one half day each in the Legislative Assembly and the Legislative Council. A number of countries were represented, including Cambodia, Germany, India, Malaysia, Saudi Arabia, Mexico and Tanzania. Briefings from Legislative Council staff to the group covered the three major sections in the Department – Procedure, Corporate Support and Committees. Presenters discussed some of the factors that have influenced the current operations, the type of functions performed as a Department and future directions.

National Assembly of Zambia

The Honourable Mutale Nalumango MP, Deputy Speaker of the National Assembly of Zambia, accompanied by Mrs Doris Mwinga, Clerk of the National Assembly of Zambia, participated in a familiarisation visit to the New South Wales Parliament on 17 June. It was a comprehensive programme which included meetings with various members, clerks of the Parliament and staff representing procedure and committees.

Fountain Court Exhibitions

During the year the guidelines for exhibiting in the Fountain Court were reviewed for the first time in four years and changes were made, including simplifying the application process. An application form for exhibitions is now available on the Parliament's website at www.parliament.nsw.gov.au.

The Fountain Court is the venue for free monthly art exhibitions which are relevant to New South Wales and hosted by a sitting member of Parliament. The exhibitions are coordinated through the office of the Usher of the Black Rod. Chamber and Support staff provide assistance through the installation of works and Ms Jodi Rahme from the Office of the Clerk currently administers the exhibitions. This year 15 organisations exhibited in the Fountain Court.

The inaugural acquisitive Parliamentary Plein Air Art Prize was displayed in the Fountain Court area throughout the month of May. The principal sponsor, Allens Arthur Robinson, is committed to the painting prize for three years, with Parliament providing the exhibition venue. The term 'en plein air' refers to the practice of painting out of doors, in direct engagement with nature, where the transitory effects of light can be observed and recorded. The winner of the inaugural prize was Mr Euan McLeod with his acrylic ensemble on paper "Murwillumbah x 5". The winning painting will form part of an ever growing and significant permanent collection within Parliament in perpetuity for the people of the New South Wales.

The Embroiderers' Guild NSW Inc. celebrated their 50th anniversary with a beautiful exhibition titled "Reflections on a golden journey" which was opened by the guild's patron, the Governor of New South Wales.

Building on the success of the 2005 and 2006 Art Prizes, entries to the Parliament of New South Wales Indigenous Art Prize were displayed in the Fountain Court during the month of October.

On Wednesday 17 October 2007 the winner of the third Indigenous Art Prize was announced at a function held in the Fountain Court. Mr Milton Budge's winning work, made up of two paintings, "Ration day times (collecting rations and rations)" and "Ration day times (working for food rations)", draws on the artist's cultural memory of exhaustive physical work for rations, but without self pity. The Prize is a joint partnership between the Parliament of NSW and Campbelltown City Council.

Other displays during the year included a photograph exhibition of Indigenous communities, memorabilia to celebrate the centenary of rugby league in New South Wales, photographic works by students of the Creative Arts Faculty of the Charles Sturt University displaying their experiences as students of the university and works by primary school children in Western Sydney submitted in an environmental art competition.



Mr Milton Budge, winner, 2007 Indigenous Art Prize. Mr Budge is the third winner of the Indigenous Art Prize and his work is made up of two paintings "Ration day times (collecting rations and rations)" and "Ration day times (working for food rations)".

Chamber and Support Services

The seven chamber and support staff of the Legislative Council provide a vital role in supporting members and the public through a range of duties including:

- Providing a front of house function on level 7, including assisting visitor inquiries by person and by phone
- Assisting in various aspects of the chamber during sittings, including setup, distribution of amendments to bills, relaying of tabled documents, messages and assisting the Procedure office and Hansard
- Delivering talks to schools and other groups in the chamber on a daily basis
- Making room bookings and set up of rooms for committee meetings and other functions
- Assisting committee hearings, including the Budget Estimates hearings
- Logistic support for the monthly Fountain Court exhibitions.

School Talks

During the second half of the year the Manager of the Chamber and Support Services worked with the Usher of the Black Rod to review the important area of school talks, one of the core roles of the staff. On non-sitting days staff typically deliver 3-4 talks per day to primary and secondary schools, with a total of 573 talks given by the seven staff during 2007/08 to schools, TAFEs and other groups.

Staff met with the Parliamentary Education section to review content and align material with curriculum areas, then conducted their own project review. An initiative of the review was to develop an evaluation form to be distributed to teachers at the end of the talks, so as to contribute to ongoing review and improvement of individual's presentations. These evaluation forms have been distributed since the beginning of June 2008.

Chamber and Support's Mike Jarrett and the Procedure Office's Kate Cadell providing a tour of the LC chamber on Australia Day. On Australia Day over 2,500 people visited the Parliament and participated in tours conducted by parliamentary staff.

New Manager

During the year Maurice Rebecchi was appointed as Manager, Chamber and Support following an external selection process. Mr Rebecchi brings a wealth of experience to the position and is currently the longest serving member of staff in the Department of the Legislative Council with 24 years to date. However he has some time to match the record of one of his predecessors in the position, William Clifford, who retired in 1932 after 40 years as an attendant.

Looking forward to 2008/09

In the year to come the Chamber and Support services will face a number of challenges arising from the replacement of Parliamentary Security with Special Constables from NSW Police. Chamber and Support staff together with the Usher are the link between security services and the members and staff of the Legislative Council, and will play an important front line role to ensure the transition process is seamless. The changing security arrangements are likely to impact on both the level 7 and level 11 front desk roles, as well as the management of sittings and special events.



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Corporate Support

The Corporate Support unit performs a number of functions for the Department of the Legislative Council including information and advice on human resources, members' entitlements and strategic planning and governance issues. The Corporate Support unit provides services to a number of clients, including:

- Legislative Council members, including the President
- Member's staff
- Department of Legislative Council staff, including the Clerk of the Parliaments
- Parliamentary Building Services
- Parliamentary Catering
- Information Technology Services.

In addition, Corporate Support staff liaise regularly with the Legislative Assembly's Corporate Services section, the Office of the Financial Controller and the other parliamentary joint service areas, such as Hansard, the Library and Security Services. The Legislative Council Corporate Support unit has 13 staff members working across Human Resources, Members' Services and Governance and Administration. (see also Legislative Council Organisational Chart, p.9)

As noted in the Clerk's review the new Executive Manager, Parliamentary Services, Mr Brian Ward commenced on Monday 2 June 2008. Mr Ward will lead and manage a new Department of Parliamentary Services comprising the Parliament's current joint services. It is anticipated there will be a close working relationship between Brian Ward and his staff and Department of Legislative Council, particularly Corporate Support staff.

Human Resources

In 2007/08, Corporate Support maintained its commitment to providing effective and efficient personnel services to Legislative Council staff, members and their staff, and in particular, to the parliamentary joint services during major organisational change. Corporate Support staff continued to provide timely advice in relation to human resources and industrial relations. While independent of the New South Wales public service, the Department follows most public sector policies, guidelines and practices.

In this context, the advice and support provided by Corporate Support staff relies, where appropriate, on public sector policy and practice.

During the financial year, the Corporate Support unit fulfils its human resources service delivery to clients in the following ways:

- Provide timely and sound advice on budgetary information, employee entitlements and industrial and Occupational Health and Safety matters
- Conduct corporate policy audit and review
- Process and maintain accurate personnel records, including employee appointments, leave, allowances, study assistance, salary increments
- Co-ordinate recruitment, including advertising of vacant positions and merit selection processes
- Produce position descriptions and conduct job analysis
- Provide induction for new members and staff
- Support, co-ordinate and provide staff training
- Co-ordinate professional development programs within the Department of the Legislative Council including staff rotation and training opportunities
- Conduct exit interviews and liaise with the Clerk and section managers on organisational review and change
- Provide advice and support on poor performance, grievances and mediations
- Prepare strategic documents such as Results and Services Plan and annual report.

Policy audit and review

In April and May 2008, the Legislative Council initiated an extensive audit and review of existing corporate policies, programs and procedures. The audit revealed many duplications and occasional inconsistencies between Legislative Council, Legislative Assembly and Joint Services corporate policies. While some policies have only minor discrepancies, such as the Exit Interviews policy, others had more significant differences, such as the Study Leave and Study Assistance policy.

In the process of the review, Legislative Council staff consulted with Legislative Assembly Corporate Services staff. Both groups support the consolidation of the majority of corporate policies with a view to ensuring a consistent approach to policy development and implementation. The aim is to provide staff employed across the Parliament with access to the same entitlements and corporate support. It is anticipated that approximately 90% of our corporate policies can apply Parliament-wide. While the Parliament is independent of the public service, it is also expected that the majority of policies will – and currently already do – conform to Department of Premier and Cabinet policy and practice.

In 2008/09 both Legislative Council and Legislative Assembly corporate staff will review, update and consolidate corporate policies. The first policies to be addressed by Legislative Council Corporate Support will be those relating to recruitment and induction. The Parliament's recruitment and selection policies will be updated and amended to reflect the public sector recruitment reforms introduced in May 2008 by the Department of Premier and Cabinet.

Anti-Bullying policy and staff training program

In January 2007 the Clerk of the Parliaments and the Clerk of the Legislative Assembly approved the Parliament's Anti-Bullying policy. In 2007/08, the Legislative Council Corporate Support unit co-ordinated the training program on the Parliament's Anti-Bullying policy. The Anti-Discrimination Board was engaged to provide a three hour training session to Parliament's senior management and staff supervisors. All management staff received training in their responsibilities under the policy. Compulsory training for other parliamentary staff will occur during the 2008/09 financial year.

Organisational change and restructure

In 2007/08, the Corporate Support unit provided considerable assistance to a number of the parliamentary joint services with the implementation of organisational change and restructures.

The Corporate Support unit assisted the Building Services with co-ordinating the transfer of three full-time positions from Department of Commerce with recurrent funding. The three positions included a Project Co-ordinator, Carpenter and Painter. Prior to the transfer, Building Services regularly engaged the three positions at a greater expense. Corporate Support staff assisted with the negotiations between the Department of Commerce, the Public Service Association, Building Services management and staff and the three transferring staff members.

The Corporate Support unit also provided human resource and industrial support and advice on issues relating to Building Services restructure of its procurement section.

In relation to the Parliamentary Catering restructure, the Corporate Support unit continued to provide extensive support and advice on human resource and industrial relations matters. The recruitment phase has commenced in the second half of 2008 and will continue into the new financial year. In addition, the Corporate Support management team provided the new Business Development Manager, Parliamentary Catering Ms Lisa Carr with strategic advice and support on policy development and business planning for Parliamentary Catering. In addition, Legislative Council staff assisted Ms Carr with the production of a marketing brochure for Parliamentary Catering.



Parliamentary Catering marketing brochure.

Personnel

Corporate Support staff managed the recruitment and induction of thirty-five permanent and seven temporary employees in the Legislative Council. In addition, the section managed twenty-nine resignations, two retirements, eight cessations of temporary employment and one transfer (including members' staff).

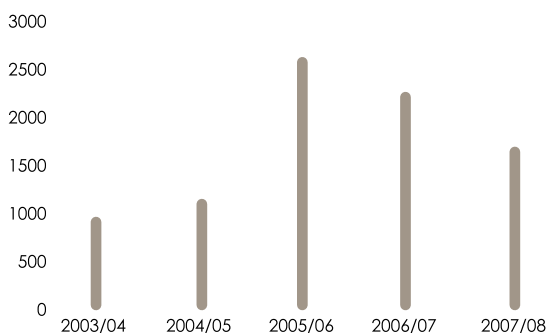
The new staff members to the Department of the Legislative Council in 2007/08 were:

Katherine Harris	Permanent	Procedure
Teresa Robinson	Permanent	Committees
Jonathon Clark	Temporary, Seconded	Committees
Sam Griffith	Permanent	Committees
Natalie Udovicic	Permanent	Corporate Support
Allison Stowe	Permanent	Corporate Support
Donna Hogan	Temporary, part time	Corporate Support
Shu-Fang Wei	Permanent	Corporate Support

Leave

During 2007/08, Corporate Support staff processed a total of 1,685 leave transactions for the Legislative Council, Parliamentary Catering, Information Technology Services and Building Services. This is a drop from over 2,000 leave transactions processed in the two years prior, and is a reflection of the reduction of staff within the Parliament, with 28 voluntary redundancies offered and accepted in the previous financial year.

Leave transactions processed



Industrial Relations

The Corporate Support unit also provided advice on industrial matters to members and staff of the Legislative Council, and to the parliamentary joint services. Advice and negotiations were undertaken through participation in joint consultative committee meetings with the Department of the Legislative Assembly and the Public Service Association, and on an ad hoc basis as issues were identified.

Industrial relations advice was provided for the following matters in 2007/08:

- management of Building Services
- review of Parliamentary Security structure
- review of Enterprise Agreement in Building Services
- investigation of eight grievances and disputes (seven being in Parliamentary Services).

Review of OH&S 2005 audit findings

The Legislative Council's Corporate Support unit conducted a review of the 2005 Deloitte Touche Tohmatsu audit report on Occupational Health & Safety in the Parliament. The review was conducted in consultation with Legislative Assembly Corporate Services staff. The review found that while some progress has been made towards meeting the Deloitte recommendations, other tasks still require attention. The Corporate Support review recommended a program for the implementation of the outstanding issues and a number of these have been assigned to the appropriate section managers and staff.

Two of the recommendations made in the Corporate Support review include the establishment of a central OH&S officer position for Parliament and the appointment of the Business Development Manager, Parliamentary Catering to the OH&S Committee. It is anticipated that these recommendations, together with the other recommendations made will be implemented in the next financial year.

Voicemap Induction Program

The Voicemap Induction Program was launched by the Honourable Peter Primrose, President of the Legislative Council and the Honourable Richard Torbay, Speaker of the Legislative Assembly on 29 November 2007 in the Parliament House Members' Dining Room. Also in attendance were the Clerk of the Parliaments, the Clerk of the Legislative Assembly, parliamentary staff and representatives from the Department of Premier and Cabinet and NSW State and Regional Development. The project received \$25,000 assistance from NSW Government's Technology Demonstration Program as part of the Department and NSW State and Regional Development's commitment to innovation.

This customised audio program was developed by Maggie Haertsch and is a first for an Australian parliament. The company is interested in promoting it to other state and territory parliaments, the Federal Parliament and public and private sector agencies. Ms Julie Langsworth, Director, Corporate Support, project managed the development and implementation of the Voicemap system. Corporate Support staff have already been contacted by other agencies interested in its use in the workplace.

The program provides all personnel, including Parliamentary staff, ministerial and departmental staff, contractors and volunteers, with comprehensive and effective education to ensure that Parliament House is a safe and healthy work environment.

It is designed to ensure that staff and visitors understand and are ready to respond to security and safety threats and emergency incidents.

It provides a two-tiered training strategy, consisting of a customised audio program in combination with a web-based assessment.

The benefit of the Voicemap system is that it measures the baseline knowledge of the individual prior to undertaking the Voicemap tour and then assesses them again following the tour.

Twenty-five questions are selected from a pool of approximately 80 questions for the web-based assessment. Legislative Council staff recently enhanced the quality of the questions and will continue to make modifications to ensure the program retains its relevance.

The Corporate Support unit has put thirty-nine employees on the Voicemap tour this financial year. The average baseline knowledge of the individual prior to training was 20.85 out of 25 and then following the training it was 23.15 out of 25, an improvement of nine percent.

The Voicemap tour will continue to be an essential part of the Parliament's induction program and policy.



L – Richard Torbay, speaker, Peter Primrose, President, Julie Langsworth and Maggie Haertsch discussing Voicemap.

R – Peter Primrose and Richard Torbay launching Voicemap. Voicemap is an innovative induction program under which new employees, contractors and volunteers undertake an audio tour of Parliament House with an emphasis on OH&S and emergency information.

Employee Assistance Program

Since 1995, the Parliament has provided personal and professional support services to parliamentary staff and members through the Employee Assistance Program. The current provider of this program, Davidson Trahaire Corpsych, provides independent confidential counselling to assist with both work and non-work related issues, including stress and pressure, conflict at work and child and family concerns. In addition, managers are able to access expert advice on dealing with people management issues. In the 2007/08 financial year, ten department staff accessed the Employee Assistance Program, a significant increase from the last financial year.

Workforce Planning

Corporate Support staff compile workforce profile information to provide indicators of current and future planning requirements, in terms of equal employment opportunity, and the growing concern over implications of an ageing workforce. A range of workforce profile information is also supplied to the Department of Premier and Cabinet for public sector wide reporting and planning. The charts over the page show the current profile of the Department (including staff of the Department of the Legislative Council and members' staff).

Refurbishments

During May and June, the Corporate Support and Procedure offices on level 8 were refurbished to meet occupational health and safety requirements and improve office efficiency. The relocation of the Parliamentary Education unit and Information Technology Services to other areas of the building earlier in the year provided the Legislative Council with an opportunity to redesign its office space to cater for service needs and secure storage requirements that have evolved over the last decade.

In particular, the frequent decisions by the House to order documents on contentious issues from government agencies has generated logistical problems for the Council in managing access to and storage of documents with varying levels of confidentiality requirements. The refurbishment provided for the construction of a secure Reading Room that enables members, interest groups and the media with ready access to inspect documents during office hours.

Other significant projects in the Parliament included the refurbishment of the level 6 cafeteria. Café Quorum was opened on 26 June with the Presiding Officers officiating and cutting the ribbon. At the ceremony, the Presiding Officers announced the winner of the 'name-the-café' competition, the Legislative Council's own Beverly Duffy, Director – Committees.

Other work, undertaken as part of the scheduled building maintenance program, included the refit of a number of members' offices and the recarpeting of the chambers and corridors. A number of specifically funded energy and water saving initiatives were also undertaken during the reporting period.



L – Cafe Quorum opening.

R – Recarpeting of the Legislative Council Chamber.



Staff Numbers by Level (includes staff of the Department of the Legislative Council and members' staff)

Level	Number								
	TOTAL Staff	Respondents	Men	Women	Aboriginal people & Torres Strait Islanders	People from Racial, Ethnic, Religious Minority	People Whose Language First Spoken as a Child was not	People with a Disability	People with a Disability Requiring Work-related Adjustment
< \$35,266		0	0	0	0	0	0	0	0
\$35,266 – \$46,319		0	0	0	0	0	0	0	0
\$46,320 – \$51,783	9	7	4	5	1	1	1	0	0
\$51,784 – \$65,526	67	5	30	37	0	1	1	0	0
\$65,527 – \$84,737	10	2	2	8	0	1	1	0	0
\$84,738 – \$105,923	20	9	8	12	0	1	0	0	0
> \$105,923 (non SES)	4	3	3	1	0	1	1	1	0
> \$105,923 (SES)		0	0	0	0	0	0	0	0
TOTAL	110	26	47	63	1	5	4	1	

Percent of Total Staff by Employment Basis

Employment Basis	TOTAL Staff (Number)	Respondents	Sub-group as a % of total staff in each category		Sub-group as estimated % of total staff in each employment category				
			Men	Women	Aboriginal people & Torres Strait Islanders	People from Racial, Ethnic, Religious Minority	People Whose Language First Spoken as a Child was not	People with a Disability	People with a Disability Requiring Work-related Adjustment
Permanent Full-time	81	28%	44%	56%	4.3%	22%	17%	4%	
Permanent Part-time	20	15%	40%	60%					
Temporary Full-time	1		100%						
Temporary Part-time	8		25%	75%					
Contract – SES									
Contract – Non SES									
Training Positions									
Retained Staff									
Casual	11		18%	82%					
TOTAL	121	21%	40%	60%	2.9%	15%	12%	3%	
Estimate Range (95% confidence level)						0.8% to 7.8%	4.6% to 24.5%	3.3% to 20.8%	0.8% to 7.8%
SUBTOTALS									
Permanent	101	26%	44%	56%	3.5%	17%	14%	3%	
Temporary	9		33%	67%					
Contract									
Full-Time	82	28%	45%	55%	4.3%	21%	17%	4%	

Professional development and training

The Department of the Legislative Council co-ordinates a number of important professional development and training programs for support staff.

Training undertaken by Department staff

The Department supports staff wishing to develop their skills or gain knowledge in areas of relevance to their position. In 2007/08, the Department supported staff in attending a range of training courses including:

Provider	Course	No. of Participants
Jennifer Pas	Interview skills	12
Hay Group Pty Ltd	Job evaluation	1
IPAA	Inside Government	1
IPAA	Intro to writing in the Public Sector	1
Australian Institute of Management	Women in management	1
Pollak Learning Alliance	Intermediate Word Course	1
Anti-Discrimination Board	Anti-Bullying Training for Managers	11

Rotation Policy and Program

The Rotation Policy and Program involves the rotation of staff across the three sections of the Department of the Legislative Council, based on the needs of the Department and the professional development needs of staff. In 2007/08, the rotation cycle under the policy was put into effect on a trial basis for entry level positions – that is, Council Assistant, Clerk Grade 1/2, and Council Officer Assistant, Clerk Grade 3/4.

Two officers were rotated, Ms Christine Nguyen, Council Assistant, from Members Services to Committees and Ms Ramia O'Connor, Council Officer Assistant from Human Resources to Members' Services. Both officers report that the rotation program has allowed them to develop their skills and experience and has given them a greater understanding of the role of the Legislative Council.

The program is to be reviewed again early in the next financial year.

Mentoring Policy and Program

The Corporate Support unit continues to administer the Department's Mentoring Policy and Program. The program provides an opportunity for new staff to establish professional working relationships, exchange knowledge and experiences and gain a better understanding of the role of the Legislative Council. The aim of the program is to foster a positive and supportive environment for all Department staff. Upon commencement, new staff are matched with a mentor for an initial six month period from a different section to where they will be working. Feedback from staff suggests this is one of the most popular programs run by the Department. A new staff member Shu-Fang Wei, currently working in Corporate Support and being mentored by Jenelle Moore from the Procedure Office said:

"The mentoring program is a helpful and practical professional development strategy, which provides new staff with insider's experience and knowledge of the Parliament and has effectively helped me in establishing close ties with people from all working areas within the organisation."

Performance Development Program

In 2007/08 the Department's Performance Development Program continued to provide an opportunity for staff to engage in discussion with their line manager about workload, training needs and future directions. Corporate Support staff administer the program and continue to make improvements as required. The program occurs twice yearly with a reminder sent out to staff and managers to undertake the interviews. Feedback from staff and managers suggest that the program is a valuable tool in providing an opportunity for timely and structured communication between managers and their staff.

Executive Development Program

The Executive Development Program is a ten-month program supported by the NSW Department of Premier and Cabinet, which aims to build the skills of future leaders in the NSW public sector. In 2007/08 Beverly Duffy, Director – Committees was selected to attend the Program. A major objective of the course is to develop the participant's leadership style, approach and behaviour in preparation for leadership roles. The Department has nominated a staff member to attend the Program over the last several years. Beverly was successful in obtaining central agency funding to participate in this year's Program.

Staff development seminars and meetings

Regular meetings of Department staff have provided an important opportunity for staff development. In 2007/08 staff gave a number of presentations to their colleagues on interesting procedural issues that arose in other jurisdictions. For example, one seminar considered the lessons for Legislative Council committees in dealing with witnesses in high-profile inquiries, in light of the July 2003 suicide of United Nations weapons expert Dr David Kelly two days after appearing before a UK House of Commons committee.

20th Anniversary of the House of Representatives Committee System

A conference was held to celebrate the 20th Anniversary of the House of Representatives Committee System at the Australian Parliament in Canberra in February 2008. The conference was attended by four Principal Council Officers: Madeleine Foley, Simon Johnston, Victoria Pymm and Merrin Thompson.

The conference was organised in conjunction with the Australian National University's Parliamentary Studies Centre. Presenters included former chairs of House of Representatives Committees, House of Representatives secretariat officers, and local and UK academics. They outlined some of the highlights of House of Representatives committee work over the past 20 years, including changes in the ways in which communities are involved in committee inquiries, and discussed future directions for committees.

Working in the Legislative Council Professional Development Program

The fourth 'Working in the Legislative Council Professional Development Program' took place between September and November 2007. The successful applicant was Ms Helen Vallance from the Department of Commerce.

The Program, which began in 2004, allows staff from government agencies to gain experience working in the Legislative Council, and facilitates an exchange of ideas and experiences between participants, sponsor agencies and the Council.

On joining the Council, Helen was initially part of the budget estimates secretariat, and provided invaluable assistance in administering the 2007/08 inquiry into the budget estimates. In addition, Helen assisted committees with her involvement with the Inquiry into the Operations of the Home Building Service. Helen also gained experience with the Procedure Office and spent time in the Legislative Council chamber as an assistant to the Clerks at the Table.



Helen Vallance

Helen: *"The Working in the LC program gave me a great insight into the NSW Parliament, along with the chance to meet some great people and experience working on a range of interesting issues. Finding out about how parliamentary inquiries are conducted and reports are produced was an invaluable learning experience."*

Looking forward to 2008/09

In the next financial year Legislative Council Corporate Support Human Resources staff will continue to review, update and implement Parliament-wide corporate policies with an aim to provide consistency in human resources practices across the Parliament.

The Department has an on-going commitment to staff development and training. The Corporate Support unit will continue to administer and review the various programs aimed at staff development, including mentoring, the professional development program and training opportunities. Corporate Support will co-ordinate the Anti-Bullying training for all Parliament House staff in the next financial year.

In 2008/09, the Corporate Support unit intends to develop a staff procedure manual for all human resources business procedures.

The Department will continue to provide operational and strategic support to the parliamentary joint services. Corporate Support staff will assist with the finalisation of the restructure of Parliamentary Catering. The Corporate Support unit anticipates working closely with the new Department of Parliamentary Services and the Executive Manager, Brian Ward.

Members' Services

The provision of services to members in relation to facilities and equipment, and the administration of the system of members' parliamentary entitlements is the responsibility of the Members' Services section of the Corporate Support unit.

The *Parliamentary Remuneration Act 1989* prescribes members' basic salary and any additional salary payable as a result of being a recognised office holder. The Act also establishes the Parliamentary Remuneration Tribunal which is required to make an annual determination of members' additional entitlements. The determination also provides guidelines for the use, receipt and accounting of these entitlements.

Entitlements are provided to members to assist them in the performance of their parliamentary duties.

Some entitlements are provided as an allowance, for example the Electoral allowance, Sydney Allowance and Committee Allowance. Other entitlements are provided as a fixed allocation, for example the electorate to Sydney travel allocation, Logistic Support Allocation, equipment, services and facilities.

The Corporate Support unit has developed systems and processes to administer these entitlements and reviews them each year following the release of the Parliamentary Remuneration Tribunal's annual determination. The systems and processes are designed to assist members comply with the conditions of the determination, meet the increased standards of accountability and satisfy audit requirements.

Members are required to submit separate applications for payment/reimbursement of each item of expenditure to satisfy the administrative requirements of the determination. Consequently, applications are still required for small amounts. Approximately 945 applications for payment/reimbursement are made each month under the current system. In the reporting period approximately 11,300 claims were assessed and processed. Of the 11,300 applications considered most included multiple items that required separate assessment.

During 2007/08, LSA expenditure for members of the Legislative Council totalled \$796,896. This is less than the previous year and reflects a decrease in the level of members' activities following the NSW State Election in 2007.

Expenditure for members of the Legislative Council

	07/08	06/07
Claims per month	945	700
Total claim p.a	11,300	8400
Total	\$796,896	\$1,619,430

Applications that are submitted correctly and accompanied by the required substantiation are assessed, processed and approved within two working days in accordance with the Department's service target. Of the applications received in the reporting period approximately 80% were submitted correctly and processed according to the service guarantee. The remaining 20% required various levels of consultation with members' offices to obtain information and documentation essential to assessing the application.

Corporate Support staff endeavour to work closely with members' offices and establish a high level of cooperation to ensure that the processes used are efficient, effective and, as far as possible, user friendly. Senior officers consult directly with members to resolve complex queries.

Members' Entitlement System (MES)

The Members' Entitlements System (MES) is a computer database that assists in the processing of applications against members' entitlements. In 2007/08, the development of the system continued as a joint project between the Department of the Legislative Council, Information Technology Services and the Office of the Financial Controller.

The ongoing development of MES continues to improve the efficiency of processing claims against members' entitlements. The system allows relevant allocations or allowances to be processed and monitored within individual modules. However, the system has also been designed to prevent duplicate entries being made and provides an audit trail for entries that have to be reversed or cancelled. All modules have been linked to allow cross referencing, replacing manual internal audit processes.

MES is continuing to be developed with the aim that all entitlements will ultimately be entered into the system.

Annual audit

All additional entitlements of members are the subject of an external audit conducted by the Auditor-General of NSW. In its report to Parliament, the Auditor-General recommended that members submit any annual Sydney Allowance refunds on a timely basis. The Auditor's recommendations are monitored on an ongoing basis.

Precedent System

During this reporting period, work continued on the development of a precedent database to comprehensively record management decisions on the interpretation of members' entitlements. Apart from recording new precedents, the main focus of this work in the reporting period comprised the analysis and selection from historical records of the most significant precedents for incorporation into the database. By providing a searchable database, completion of the project will facilitate electronic recording of corporate memory and enhance the speed of the decision making process regarding the use of entitlements.

New members' staff briefing

A program was introduced whereby all new members' staff are offered a one on one briefing by Corporate Support staff in relation to the administration of members' entitlements. This program has assisted in ensuring a high number of applications are submitted with the relevant paperwork and within set timeframes.

Equipment

Members of the Legislative Council are issued with a standard set of equipment and are entitled to purchase additional equipment from their Logistic Support Allocation (LSA) to assist them in performing their parliamentary duties. During this reporting period a full audit was conducted of all equipment on issue to members.

Asset management system (Hardcat)

During the reporting period a review of the Legislative Council's asset management system was conducted. As a result of this, a new organisational structure was created within the Hardcat database that allowed for more efficient and effective monitoring of all corporate assets.

Closure of Telstra CDMA network

Corporate Support staff were instrumental in assisting Legislative Council members through the transition from the CDMA network prior to the announced closure date of 28 January 2008. Members were offered alternative GSM equipment as a bridging solution until an appropriate model was available on the Next G network. A smooth transition to the GSM network was facilitated in conjunction with staff of Parliament's Information Technology Services section.

Looking forward to 2008/09**Next G network**

In anticipation of a Next G BlackBerry being released preliminary work commenced on a project to assist BlackBerry users on the former CDMA network with their transition to the Next G network.

Precedent database

The precedent database will continue to be implemented and updated and contribute to the high quality advice and assistance given to members' regarding their entitlements.

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Committees

During 2007/08 there were 12 Legislative Council committees, including five standing committees, five general purpose standing committees, one Legislative Council select committee and one joint select committee. The committees were supported by 18 staff of the Legislative Council's committee section.

Role of Legislative Council committees

Legislative Council committees are one of the Council's key mechanisms for scrutiny and review of executive activity. The core business of committees is to conduct inquiries.

Committee inquiries enable members to examine an issue in more detail than if the matter was considered by the House as a whole. Inquiries also enable members to obtain expert opinions and advice on complex policy matters.

Committee inquiries provide an opportunity for individuals and groups to put their views directly to their elected representatives, and to influence policy debates. Members of the public can make submissions, be invited to give oral evidence, attend public hearings and forums, and obtain copies of reports and other published committee documents.

Committee membership reflects the diverse political make-up of the House. Most members of the Council

(excluding Ministers) are members of one or more of its committees. Members may also be on one or more of the joint standing committees administered by the Legislative Assembly.

Legislative Council committees operate under the authority of the House and share the privileges of the House. Committee procedures are determined by the House, and committee powers are outlined in the standing orders, sessional orders and resolutions relating to particular committees and inquiries. In addition, committees are regulated by the provisions of several Acts, including the *Parliamentary Evidence Act 1901 (NSW)*, and guided by customs, past precedents of the House and parliamentary tradition.

Overview of committee activity

In 2007/08 the committees examined a diverse array of issues, including the quality of care for patients at the Royal North Shore Hospital, the operations of the Home Building Service, the management and operations of the NSW Ambulance Service, electoral and political party funding, overcoming indigenous disadvantage, nanotechnology, and the publication of the names of children involved in criminal proceedings. An overview of committee activity is provided in the following table:

Overview of committee activity

Activity	2007/08	2006/07 ¹	2005/06	2004/05	2003/04
Meetings ²	127	107	174	152	196
Inquiries	29	22	39	39	36
Consultation and public participation					
Submissions	681	245	1,021	3,005	1,169
Hearings	58	56	99	90	93
Witnesses (hearings and public forums)	622	417	875	879	934
Duration of hearings (hours)	300	206	265	368	331
Reports	22	15	28	21	20

¹ Committees in 2006/07 ceased operation in December 2006 when the House was prorogued for the March 2007 NSW State election. Prorogation is the act of the Government that brings to an end a session of Parliament and terminates all business before the House, including parliamentary committees. Figures therefore represent six months' activity.

² Meetings refers to all meeting types including deliberative meetings, hearings, site visits, forums and briefings.

In addition to the activities described in the table, the committees conducted 13 site visits. Outside of Sydney the committees travelled to Kempsey, Dubbo, Nowra, Tamworth, Narrabri, Leeton, Cootamundra, Wollongong and Port Kembla, as well as to Bidwill, Kensington, Lindfield and Lane Cove in Sydney.

The committees also held six public forums, which provided an opportunity for 45 people to put their views directly to the committees.

Government responses

Under standing order 233(1), the Government is required to respond to the recommendations of a committee inquiry within six months of the tabling of the report. During the reporting period, four government responses fell due and all four were provided, although only two were provided by the due date. The government responses received are summarised in the following table:

Government responses to committee reports

Inquiry	Response due	Response received	Response to recommendations
Review of the exercise and functions of the Motor Accidents Authority and the Motor Accidents Council, Eighth report <i>Standing Committee on Law and Justice</i>	8 May 2008	18 June 2008	<ul style="list-style-type: none"> • 8 of 10 recommendations supported • 1 recommendation under consideration • 1 recommendation not supported
Aspects of Agriculture <i>Standing Committee on State Development</i>	28 May 2008	4 June 2008	<ul style="list-style-type: none"> • supported many of the 38 recommendations
Operations of the Home Building Service <i>General Purpose Standing Committee No. 2</i>	14 June 2006	13 June 2008	<ul style="list-style-type: none"> • 16 of 21 recommendations supported • 5 recommendations not supported
Royal North Shore Hospital <i>Select Committee on the Royal North Shore Hospital</i>	20 June 2008	22 February 2008	<ul style="list-style-type: none"> • 43 of 45 recommendations supported • 1 recommendation not supported • 1 recommendation referred for expert consideration



Budget estimates inquiry

Each financial year, the five General Purpose Standing Committees (GPSCs) examine the budget estimates and related papers, presenting the amounts to be appropriated from the Consolidated Fund for government programs and spending initiatives. The inquiry into the Budget Estimates ensures parliamentary oversight of the budget, and provides a mechanism for the accountability of the Executive Government to the Council.

In June 2007 the Legislative Council referred the 2007/08 Budget Estimates to the GPSCs for inquiry and report. Under the resolution, the Leader of the Government provided each committee with a schedule for its consideration, which outlined the attendance of relevant ministers to appear before it. The House set a reporting date of 30 November 2007. All five GPSCs subsequently sought and received from the House an extension to the reporting date, to allow sufficient time to receive and consider responses to questions on notice.³

Committee examination of the Budget Estimates began with an initial round of hearings in October. During these hearings members lodged over 800 questions on notice. As in previous years, the hearings were conducted by the GPSCs according to their portfolio responsibilities, and were attended by the relevant ministers and accompanying departmental officials.

³ LC Minutes (7/11/2007) 325; (29/11/2007) 390.

⁴ The questionnaire was based on a witness survey as used in the Scottish Parliament. It was initiated by Ms Merrin Thompson, Principal Council Officer, who participated in a staff exchange to Scotland in 2005/06.

Following the initial round of hearings, General Purpose Standing Committee No. 4 held two supplementary hearings to further examine spending in the Transport and Community Services portfolios. The two supplementary hearings held in 2007/08 compared to 14 held the previous year.

Unusually, the 2008/09 budget estimates and related papers were referred to the GPSCs in December 2007, six months before the Treasurer delivered the 2008/09 Budget in June 2008. Committee examination of the 2008/09 Budget Estimates will be covered in the next annual report.

Improving service delivery

Staff worked on a significant number of projects aimed at improving service delivery during the reporting period. For example, in 2007/08, for the second time, witnesses who gave evidence at committee hearings were asked for their feedback on the work of committee staff in dealing with witnesses and arranging hearings.⁴

Questionnaires were sent to 103 witnesses. The majority of witnesses (91) gave evidence in a representative capacity, while just 12 witnesses gave evidence as private citizens. As would be expected a large number of these representative witnesses appeared on behalf of government agencies, while a significant proportion represented non-government organisations and tertiary institutions. The results of the survey are summarised in the following table:



State Development Committee and staff during Agriculture Inquiry at 'Dinyah' farm, in a canola field with farm owners the McClintocks, and Geoff Knight from the NSW Farmers' Association.

L-R Sam Griffith, Committee secretariat; Simon Johnston, Committee secretariat; Honourable Christine Robertson MLC; Teresa Robinson, Committee secretariat; Honourable Mick Veitch MLC; Revd the Honourable Reverend Fred Nile MLC. Mrs and Mr McClintock, 'Dinyah' owners; Honourable Melinda Pavey MLC, Mr Geoff Knight, NSW Farmers' Association; and Honourable Tony Catanzariti MLC (Chair).

Survey of inquiry participants

	Number	Percentage
Questionnaire responses	103	100
	Number	% (of respondents)
First-time witnesses	56	54
Committee staff professional and helpful ⁵		
– agreed	32	33
– strongly agreed	65	66
Committee staff approachable at hearings		
– agreed	35	34
– strongly agreed	66	64
Satisfaction with witness experience ⁶		
– Good/very good	98	96
– Neither good nor bad	4	4
– Poor/bad	0	0

⁵ Five questionnaires did not include a response to this question.

⁶ One questionnaire did not include a response to this question. Satisfaction with the experience of being a witness seemed to be unrelated to whether a person had previously given evidence to a parliamentary committee, but could be linked to the whether the subject matter of the inquiry was controversial, leading a committee to operate in an adversarial manner.

Other service delivery initiatives

Committee staff met with a number of groups throughout the year, to promote the work of the Council and make the parliamentary process more accessible to the public, including:

- visiting parliamentary delegations from Australian and overseas jurisdictions
- social policy organisations interested in learning how to engage with the committee process, including a presentation in May 2008 to the NSW Cancer Council's 'Lead the Way' Consumer Advocacy Conference
- students participating in the Education Department's secondary schools program.

Standing Committees

The Legislative Council has three policy-oriented standing committees: the Standing Committee on Social Issues, the Standing Committee on State Development, and the Standing Committee on Law and Justice. These committees tend to conduct detailed inquiries into complex matters of public policy. The Social Issues and State Development committees were appointed in 1988, and the Law and Justice committee in 1995. The fourth standing committee, the Privileges Committee, was appointed in 1988. In addition to the four standing committees, the current standing orders adopted in 2004 provide that the Procedure Committee is to be appointed at the commencement of each Parliament.

The responsibilities of each of the four standing committees, plus the Procedure Committee, are outlined below:

- **Standing Committee on Social Issues**

Conducts inquiries on matters concerned with the social development of the people of New South Wales, including health, education, housing, ageing, disability, and children's and community services provided by the government and non-government sector.
- **Standing Committee on State Development**

Conducts inquiries in the following key areas: economics and finance, commerce, infrastructure and planning, energy and utilities, natural resources, transportation, tourism, public administration, local government, primary industry, agriculture and fisheries, mineral resources, industrial and technological developments, science and medical research,
- **Standing Committee on Law and Justice**

Conducts inquiries on matters concerned with legal and constitutional issues including law reform, parliamentary matters, criminal and administrative law and the criminal justice system, police, corrective services and juvenile justice, industrial relations, emergency services and fair trading. Exercises statutory functions under the *Motor Accidents Compensation Act 1999* and the *Motor Accidents (Lifetime Care and Support) Act 2006*.
- **Privileges Committee**

Considers matters relating to parliamentary privilege referred to it by the House or the President; considers citizens' rights of reply to statements made about them in the House; and undertakes functions relating to members' ethical standards under Part 7A of the *Independent Commission Against Corruption Act 1988*. Known as the Standing Committee on Parliamentary Privilege and Ethics between 1995 and 2003.
- **Procedure Committee**

Required by standing order to consider any amendments to the standing orders; propose changes in practice and procedures of the House; and consider any matter relating to the procedures referred to it by the House or the President.



State Development Committee during Agriculture Inquiry at 'Ravensborne', property of Mr Rob Houghton.

L-R Christine Robertson, Melinda Pavey, Mr Dick Thompson, Chairman, Murrumbidgee Irrigation Ltd; Tony Catanzariti (Chair), Rev. Fred Nile, Mr Rob Houghton, 'Ravensborne owner' and Mick Veitch.

Standing committee membership

Membership of the five standing committees is summarised in the following table:

Member	Party	Social Issues Committee	State Development Committee	Law and Justice Committee	Privileges Committee	Procedure Committee
Ajaka, John	LP			Member		
Brown, Robert	S					Member
Catanzariti, Tony	ALP		Chair			
Clarke, David	LP			Deputy Chair		
Della Bosca, John	ALP					Member
Donnelly, Greg	ALP	Member		Member	Member	Member
Fazio, Amanda	ALP			Member	Member	Member
Ficara, Marie	LP	Member				
Gallacher, Michael	LP					Member
Gardiner, Jenny	N				Deputy Chair	
Gay, Duncan	N					Member
Griffin, Kayee	ALP				Chair	
Hale, Sylvia	G			Member		
Harwin, Don	LP				Member	Deputy Chair
Kaye, John	G	Member				
Kelly, Tony	ALP					Member
Khan, Trevor	N	Deputy Chair				
Macdonald, Ian	ALP					Member
Mason-Cox, Matthew	LP		Member			
Nile, Fred	CDP		Member		Member	Member
Pavey, Melinda	N		Deputy Chair			
Primrose, Peter	ALP					Chair
Robertson, Christine	ALP		Member	Chair		
Veitch, Mick	ALP	Member	Member			
West, Ian	ALP	Chair				

• ALP – Australian Labor Party • CDP – Christian Democratic Party • G – The Greens • LP – Liberal Party • N – The Nationals
 • I – Independent • SP – Shooters Party

Standing committee activity

The activities of the five standing committees in 2007/08 are summarised in the following table:

Overview of standing committee activity

	Social Issues	State Development	Law and Justice	Privileges	Procedure
Inquiries	1	3	4	9	1
Submissions	70	72	54	8	–
Meetings	16	18	13	8	2
Hearings	8	9	6	–	–
Witnesses	140	75	61	1	–
Public forums	1	4	–	–	–
Forum speakers	10	17	–	–	–
Site visits	4	7	–	–	–
Reports	1	1	2	9	1

Standing Committee on Social Issues inquiry

Inquiry into overcoming Indigenous disadvantage in NSW

Referred by: Minister for Aboriginal Affairs

Date: 25 September 2007

Report date: Interim report 27 June 2008

Final report 28 November 2008

Submissions: 70

Hearings: 8

Public forums: 1

Summary of terms of reference:

Inquire into and report on policies and programs within Australia and internationally aimed at closing the lifetime expectancy gap between Aboriginal and non-Aboriginal people.

Summary of report/ recommendations:

The Interim Report identified 45 issues for further consideration in the Final Report. Most concerned improving the measurement of program outcomes, better coordination of service delivery, delivering services together with the Aboriginal community, and lack of funding and short-term funding of programs.

Other comments and background to the inquiry:

During the inquiry a member tabled a previously confidential document that was obtained as part of a Freedom of Information (FOI) request. The Clerk advised that once a document has been released under an FOI request any stamp on the document (eg "Cabinet in confidence") becomes irrelevant and the document should then be treated as a public document.

Standing Committee on State Development inquiries

Inquiry into the NSW Planning Framework

Referred by:	Minister for Planning
Date:	26 June 2008
Report date:	14 December 2009
Submissions:	0
Hearings:	0

Summary of terms of reference:

Inquire into and report on national and international trends in planning, including the need, if any, for further development of the NSW planning legislation over the next five years, and the principles that should guide such development.

Inquiry into nanotechnology in New South Wales

Referred by:	Minister for Science and Medical Research
Date:	6 December 2007
Report date:	Inquiry still proceeding at 30 June 2008
Submissions:	26
Hearings:	4

Summary of terms of reference:

Inquire into and report on issues relating to the emerging area of research and development in nanotechnology in NSW, including current and future applications, the appropriateness of current regulatory frameworks, the level of community understanding and engagement and the support required to capture the benefits of nanotechnology while addressing health, safety and environmental concerns.

Other comments and background to the inquiry:

The inquiry is examining the impact on NSW of the Australian Government's National Nanotechnology Strategy and the review of the current regulatory framework being undertaken by the relevant federal government agencies.

Inquiry into aspects of agriculture

Referred by:	Minister for Primary Industries
Date:	28 June 2007
Report date:	28 November 2007
Submissions:	46
Hearings:	5
Public forums:	4

Summary of terms of reference:

Inquire into and report on the agricultural industry in New South Wales, in particular the contribution of agriculture to the economy, impediments to sustaining agricultural capacity and growth, and initiatives to address those impediments.

Summary of report/recommendations:

The Committee found that agriculture continues to support rural communities and provide important benefits to NSW and Australia, despite the impact of a long running drought. The Committee made 38 recommendations including:

- support for drought affected areas
- the promotion of conservation farming practices
- support for the marketing of native products
- development of a vision statement enshrining the value of agriculture to New South Wales.

A number of other recommendations related to the ongoing negotiations between states and the Australian Government regarding the National Plan for Water Security. A recommendation that received significant public attention involved legislative change to allow for the commercial cultivation of industrial hemp.

Other comments and background to the inquiry:

The terms of reference initially provided by the Minister led to the adoption by the Legislative Council of a sessional order amending the provisions of standing order 210 (10) relating to conflict of interests (see Procedure Committee inquiry).

Government response: Received 4 June 2008

The government response was supportive of many of the report's 38 recommendations, and provided detail on actions taken by government in relation to the recommendations. An Act to allow for the commercial cultivation of industrial hemp, the *Hemp Industry Act 2008*, was introduced in May 2008 and addresses one of the more prominent recommendations of the report.

Standing Committee on Law and Justice inquiries

Inquiry into the exercise of the functions of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council – First Review

Referred by:	Statutory review under the <i>Motor Accidents (Lifetime Care and Support) Act 2006</i> (NSW)
Date:	The Committee resolved to commence the inquiry on 5 March 2008
Report date:	Inquiry still proceeding at 30 June 2008
Submissions:	9
Hearings:	1

Summary of terms of reference:

The Act requires a committee of the Legislative Council to 'supervise the exercise of the functions' of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council. The Lifetime Care and Support Scheme commenced operation in October 2006.

Inquiry into the exercise of the functions of the Motor Accidents Authority and Motor Accidents Council – Ninth Review

Referred by:	Statutory review under section 210 of the <i>Motor Accidents Compensation Act 1999</i> (NSW)
Date:	The Committee resolved to commence the inquiry on 5 March 2008
Report date:	Inquiry still proceeding at 30 June 2008
Submissions:	10
Hearings:	1

Summary of terms of reference:

The Committee has an ongoing role in reviewing the exercise of the functions of the Motor Accidents Authority (MAA) and the Motor Accidents Council (MAC). The MAA is a statutory corporation that regulates the NSW Motor Accidents Scheme. It was established under the *Motor Accidents Act 1988* on 10 March 1989 and continues to be constituted under the *Motor Accidents Compensation Act 1999*.

Inquiry into the prohibition on the publication of names of children involved in criminal proceedings

Referred by:	Attorney General
Date:	16 October 2007
Report date:	21 April 2008
Submissions:	27
Hearings:	3

Summary of terms of reference:

Inquire into and report on the extent to which the policy objectives of the prohibition on the publication of names of children involved in criminal proceedings remain valid, the extent to which section 11 of the *Children (Criminal Proceedings) Act 1987* is achieving these objectives, and whether the prohibition should be extended.

Summary of report/recommendations:

The Committee supported the current prohibition and its objective of reducing the stigma for juvenile offenders and victims and of assisting in their rehabilitation and recovery. The Committee recommended that the prohibition be extended to cover the period prior to the official commencement of criminal proceedings and include any child with a reasonable likelihood of becoming involved in criminal proceedings.

Government response: Due 21 October 2008

Inquiry into the exercise of the functions of the MAA and the MAC – Eighth Review

Referred by:	Statutory review under section 210 of the <i>Motor Accidents Compensation Act 1999</i> (NSW)
Date:	The committee resolved to commence the inquiry on 16 June 2007.
Report date:	8 November 2007
Submissions:	8
Hearings:	1

Summary of terms of reference:

The Committee has an ongoing role in reviewing the exercise of the functions of the Motor Accidents Authority (MAA) and the Motor Accidents Council (MAC). The MAA is a statutory corporation that regulates the NSW Motor Accidents Scheme. It was established under the *Motor Accidents Act 1988* on 10 March 1989 and continues to be constituted under the *Motor Accidents Compensation Act 1999*.

Summary of report/ recommendations:

In this Review the Committee focused on the Medical Assessments Service (MAS) and issues related to the medical dispute resolution process for motor accident claims.

The Committee reported that the MAA and the MAC continue to perform their functions under the Act in an appropriate and competent manner. The committee found that the MAA is continually seeking to improve the way the Scheme performs within its current legislative framework.

Other comments and background to the inquiry:

In the 54th Parliament the Law and Justice Committee was again designated as the Committee for the purposes of section 210, following a resolution of the Legislative Council on 30 May 2007.

Government response: Received 18 June 2008

The Response advised that action was being taken to implement or address eight of the ten recommendations, and that one recommendation was under continuing consideration. One recommendation was not supported.

Privileges Committee inquiries

Inquiry into the comments of Cardinal Pell

Referred by:	President of the Legislative Council
Date:	12 June 2007
Report date:	19 September 2007
Submissions:	1
Hearings:	0

Summary of terms of reference:

Inquire into and report on public comments made by Cardinal Pell regarding the possible 'consequences' for members in supporting the Human Cloning and Other Prohibited Practices Amendment Bill 2007, and whether the comments of Cardinal Pell constituted a contempt of Parliament.

Summary of report/ recommendations:

The Committee recommended that, as no contempt had been found, no further action be taken in relation to the public comments made by Cardinal Pell.

Other comments and background to the inquiry:

On 4 June 2007, the Catholic Archbishop of Sydney, Cardinal George Pell, released a written media statement in which he called on members of the NSW Parliament to reject the provisions of the Human Cloning and Other Prohibited Practices Amendment Bill 2007.

Subsequently, on 6 June 2007, Sydney newspapers published reports of a news conference held by Cardinal Pell, at which he was reported to have made comments that Catholics would face 'consequences' in their religious lives if they supported the bill.

Inquiry into the draft Constitution (Disclosures by Members) Further Amendment Regulation 2007

Referred by:	Legislative Council
Date:	15 November 2007
Report date:	29 November 2007
Submissions:	0
Hearings:	0

Summary of terms of reference:

Inquire into and report on the draft Constitution (Disclosures by Members) Further Amendment Regulation 2007 in accordance with section 14A (5) of the Constitution Act 1902.

Summary/ recommendations:

The Committee recommended the draft Regulation be supported.

Other comments and background to the inquiry:

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics conducted a similar inquiry into the draft Constitution (Disclosures by Members) Further Amendment Regulation 2007. It also tabled its report in November 2007.

Inquiry into the draft Constitution (Disclosures by Members) Amendment Regulation 2008

Referred by:	Legislative Council
Date:	27 February 2008
Report date:	28 February 2008
Submissions:	0
Hearings:	0

Summary of terms of reference:

Inquire into and report on the draft Constitution (Disclosures by Members) Amendment Regulation 2008 tabled in the House on 26 February 2008, in accordance with section 14A (5) of the *Constitution Act 1902*.

Summary of report/ recommendations:

The Committee recommended that the draft Constitution (Disclosures by Members) Amendment Regulation 2008 be supported. However, it also recommended two further changes to the system of disclosure of members' interests. These concerned: first, the use of 'Nil' in the forms which members are required to use to prepare their disclosure returns; second, the information to be disclosed by a member in relation to real property which is the member's principal or secondary place of residence.

Other comments and background to the inquiry:

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics conducted a similar inquiry into the draft Constitution (Disclosures by Members) Amendment Regulation 2008. It tabled its report in February 2008.

Inquiry into the further draft Constitution (Disclosures by Members) Amendment Regulation 2008

Referred by:	Legislative Council
Date:	17 June 2008
Report date:	26 June 2008
Submissions:	0
Hearings:	0

Summary of terms of reference:

Inquire into and report on the further draft Constitution (Disclosures by Members) Amendment Regulation 2008 tabled in the House on 3 June 2008, in accordance with section 14A (5) of the *Constitution Act 1902*.

Summary of report/ recommendations:

The Committee recommended that the further draft Constitution (Disclosures by Members) Amendment Regulation 2008 be supported.

Other comments and background to the inquiry:

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics conducted a similar inquiry into the further draft Constitution (Disclosures by Members) Amendment Regulation 2008. It tabled its report in June 2008.

Citizen's right of reply

Under standing orders 202 and 203, any person who has been referred to in the House by name, or in such a way as to be readily identified, may make a submission in writing to the President requesting that they should be able to include an appropriate response in the parliamentary record. The President then has the prerogative to refer the submission to the Privileges Committee for inquiry and report.

During the reporting period, the committee tabled five reports concerning a citizen's right of reply. These reports dealt with submissions from Mr R Bailey, Mr T H Logan, Professor Bob Walker and Ms Betty Con Walker, Mr R Bailey (No 2), and Mr D Kennedy. In each case, following a resolution of the House, the recommended reply was incorporated into Hansard.

The right of reply granted to Mr Kennedy was unusual in that it was made in response to comments made in an answer to a question on notice published in the Questions and Answers Paper (and not to comments made during oral debate in the House). It was also unusual in that the answer to which the citizen sought to respond was from a Minister in the Assembly (the question on notice having been directed to the Minister who represents the Assembly Minister in the Council).

Procedure Committee inquiry

Inquiry relating to formal business, pecuniary interest, quorum and broadcasting of proceedings

Referred by:	Legislative Council
Date:	28 June 2007
Report date:	6 March 2008
Submissions:	0
Hearings:	0

Summary of terms of reference:

Inquire into and report on a new sessional order varying standing order 210(10) dealing with pecuniary interest of members serving on a committee, as well as issues in relation to the operation of formal business, the quorum provisions under standing orders 29 and 30, and the resolution of the House authorising the broadcast of proceedings.

Summary of report/ recommendations:

The Committee recommended that:

- the operation of the sessional order varying standing order 210(10) relating to pecuniary interest be supported
- the ongoing trial of the sessional order varying standing order 44 relating to formal business be supported
- a sessional order be adopted to amend the standing orders to allow the House to be adjourned to a later hour if a quorum is not present
- a new resolution be adopted covering the broadcast of proceedings to rectify certain omissions from the previous guidelines adopted in 2004.

Other comments and background to the inquiry:

The inquiry into the operation of the sessional order varying standing order 210(10) arose after terms of reference were referred to the Standing Committee on State Development for an inquiry into the agricultural industry in NSW. Concerns were raised whether the chair could participate in the inquiry under the provisions of the previous standing order 210(10).

The Committee considered the operation of formal business following the adoption of a sessional order varying standing order 44 on 5 June 2007.

The Committee inquired into the operation of the quorum provisions under standing orders 29 and 30 in response to concerns that the standing orders do not allow the House to be adjourned until a later hour when a quorum is not present.

General Purpose Standing Committees

The Legislative Council has five General Purpose Standing Committees (GPSCs), with each committee allocated responsibility for overseeing specific government portfolios. These accountability – oriented committees were appointed in 1997. A distinguishing feature of the GPSCs is that, in addition to receiving references from the House, they have the power to self-refer matters for inquiry. The GPSCs are also distinctive in not having a government majority of members, thereby reflecting the composition of the House.

The ministerial portfolio responsibilities of each GPSC are outlined in the following table⁷:

GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Premier	Education & Training	Police	Transport	Primary Industries
Citizenship	Industrial Relations	Illawarra	Finance	State Development
Juvenile Justice	Assistant Finance	Attorney General	Planning	Mineral Resources
Western Sydney	Central Coast	Justice	Redfern Waterloo	Energy
Treasury	Fair Trading	Emergency Services	Arts	Lands
Infrastructure	Youth	Water	Community Services	Rural Affairs
Hunter	Volunteering	Gaming and Racing	Small Business	Regional Development
The Legislature	Ageing	Sport and Recreation	Regulatory Reform	Housing
Roads	Disability Services	Local Government	Ports and Waterways	Tourism
Commerce	Health	Aboriginal Affairs		Science and Medical Research
		Mental Health		Women
				Climate Change & Environment

⁷ The portfolio areas listed are as amended on 25 June 2008.

General Purpose Standing Committee membership

Membership of the five GPSCs is summarised in the following table:

Member	Party	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Ajaka, John	LP			Deputy Chair		
Brown, Robert	S					Member
Catanzariti, Tony	ALP		Member			Member
Clarke, David	LP				Member	
Cohen, Ian	G					Chair
Colless, Rick	N					Deputy Chair
Donnelly, Greg	ALP		Member	Member		
Fazio, Amanda	ALP			Chair		
Ficara, Marie	LP		Member			
Gardiner, Jenny	N				Chair	
Griffin, Kayee	ALP	Deputy Chair			Member	
Hale, Sylvia	G				Member	
Kaye, John	G	Member				
Khan, Trevor	N			Member		
Lynn, Charlie	LP					Member
Mason-Cox, Matthew	LP	Member				
Moyes, Gordon	CDP		Member			
Nile, Fred	CDP	Chair				
Parker, Robyn	LP		Chair			
Pavey, Melinda	N	Member				
Rhiannon, Lee	G			Member		
Robertson, Christine	ALP		Deputy Chair			
Sharpe, Penny	ALP	Member	Member			
Smith, Roy	S			Member	Member	
Tsang, Henry	ALP				Member	
Voltz, Linda	ALP				Deputy Chair	Member
West, Ian	ALP	Member				
Westwood, Helen	ALP			Member		Member

- ALP – Australian Labor Party • CDP – Christian Democratic Party • G – The Greens • LP – Liberal Party
- N – The Nationals • S – Shooters Party

General Purpose Standing Committee activity

GPSC inquiries are generally initiated by the committees themselves, under their power to make a self-reference. GPSCs may also receive terms of reference from the House. In addition to undertaking inquiries into specific issues, GPSCs are responsible for the annual examination of the Budget Estimates. The activities of the five GPSCs in 2007/08 are summarised in the following table:

	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Inquiries	1	4	1	1	2
Submissions	–	162	–	–	23
Meetings	7	15	8	9	10
Hearings	5	5	5	7	4
Witnesses	23	49	37	41	23
Reports	1	2	1	1	1

General Purpose Standing Committee No 1 inquiry

Inquiry into Budget Estimates 2007/08

Referred by: Legislative Council

Date: 10 May 2007

Report date: 6 December 2007

Submissions: 0

Hearings: 5

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers presenting the amounts to be appropriated from the Consolidated Fund for the financial year 2007/08.

Summary of report/ recommendations:

The report provided a brief overview of the portfolio areas examined, including the issues raised at hearings.

General Purpose Standing Committee No 2 inquiries

Inquiry into the Program of Appliances for Disabled People (PADP)

Referred by: Self-referred

Date: 26 June 2008

Report date: Inquiry still proceeding at 30 June 2008

Submissions: 0

Hearings: 0

Summary of terms of reference:

Inquire into and report on the Program of Appliances for Disabled People, including adequacy of funding, impact of client waiting lists on other health sectors, effects of centralising lodgement centres, appropriateness and equity of eligibility requirements, and future departmental responsibility for the PADP.

Inquiry into the management and operations of the NSW Ambulance Service

Referred by:	Self-referred
Date:	15 May 2008
Report date:	Inquiry still proceeding at 30 June 2008
Submissions:	120
Hearings:	0

Summary of terms of reference:

Inquire into and report on the NSW Ambulance Service, including its management structure and staff responsibilities; recruitment, training and retention; occupational health and safety; and operational issues.

Inquiry into Budget Estimates 2007/08

Referred by:	Legislative Council
Date:	10 May 2007
Report date:	5 March 2008
Submissions:	0
Hearings:	4

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers presenting the amounts to be appropriated from the Consolidated Fund for the financial year 2007/08.

Summary of report/ recommendations:

The report provided a brief overview of the portfolio areas examined, including the issues raised at hearings.

Inquiry into the operations of the Home Building Service

Referred by:	Self-referred
Date:	27 July 2007
Report date:	14 December 2007
Submissions:	42
Hearings:	1

Summary of terms of reference:

Inquire into and report on the operations of the Home Building Service of the Office of Fair Trading, with particular reference to the builder licensing system, the resolution of complaints, the exercise of disciplinary powers and the home warranty insurance scheme.

Summary of report/recommendations:

The Committee made 21 recommendations intended to strengthen regulation of the home building industry and improve protections for consumers who engage contractors to build or renovate their home. Specific recommendations were made to improve the builder licensing system, early dispute resolution services, the Consumer, Trader and Tenancy Tribunal, the current system of breaches and penalties for builders, and the home warranty insurance scheme.

Other comments and background to the inquiry:

This inquiry was unusual in that it was commenced by one committee and completed by another. The original inquiry, established by General Purpose Standing Committee No 4 on 27 September 2006, lapsed on the prorogation of the 53rd Parliament on 5 March 2007, before the Committee could produce a report. Following the re-establishment of the General Purpose Standing Committees in the new 54th Parliament, responsibility for the Fair Trading portfolio transferred to General Purpose Standing Committee No 2. The inquiry was in effect re-established, with the same terms of reference, by that Committee on 27 July 2007.

GPSC 4 received 36 submissions and held two hearings. In order for the evidence gathered by GPSC 4 to be utilised by GPSC 2, the agreement of the House, and in certain circumstances the agreement of the person submitting the evidence, was required.

Government response: Received 13 June 2008

The Response indicated that the majority of the Committee's recommendations had been or were being implemented. These included: introducing improvements to the continuing professional development scheme for builders; ensuring that consumers have access to simple information about their rights and about dispute resolution; and using consumer surveys and service delivery performance standards. A number of legislative changes are being implemented via a project to rewrite the *Home Building Act 1989*. Five recommendations were not supported.

General Purpose Standing Committee No 3 inquiry**Inquiry into Budget Estimates 2007/08**

Referred by:	Legislative Council
Date:	10 May 2007
Report date:	5 December 2007
Submissions:	0
Hearings:	5

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers presenting the amounts to be appropriated from the Consolidated Fund for the financial year 2007/08.

Summary of report/ recommendations:

The report provided a brief overview of the portfolio areas examined, including the issues raised at hearings.

General Purpose Standing Committee No 4 inquiry**Inquiry into Budget Estimates 2007/08**

Referred by:	Legislative Council
Date:	10 May 2007
Report date:	6 March 2008
Submissions:	0
Hearings:	7

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers presenting the amounts to be appropriated from the Consolidated Fund for the financial year 2007/08.

Summary of report/ recommendations:

The report provided a brief overview of the portfolio areas examined, including the issues raised at hearings.

General Purpose Standing Committee No 5 inquiries

Inquiry into the former uranium smelter site in Hunter's Hill

Referred by:	Legislative Council
Date:	14 May 2008
Report date:	Inquiry still proceeding at 30 June 2008
Submissions:	23
Hearings:	0

Summary of terms of reference:

Inquire into and report on the former uranium smelter site at Hunter's Hill, in particular any remediation of the site previously undertaken, the extent of contamination and radioactivity levels, the impact of any contamination on public health and the environment, and the appropriateness of the Government's remediation strategy including disposal of waste from the site.

Inquiry into Budget Estimates 2007/08

Referred by:	Legislative Council
Date:	10 May 2007
Report date:	7 December 2007
Submissions:	0
Hearings:	4

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers presenting the amounts to be appropriated from the Consolidated Fund for the financial year 2007/08.

Summary of report/ recommendations:

The report provided a brief overview of the portfolio areas examined, including the issues raised at hearings.

Select committees

Select committees are appointed by the Council to inquire into a particular issue. Joint select committees, made up of members from both Houses, can be initiated in either the Council or the Legislative Assembly. Once a Select Committee reports on the matter that it was established to inquire into, the committee ceases to exist.

Two select committees tabled reports during the reporting period: the Select Committee on Electoral and Political Party Funding in New South Wales, and the Joint Select Committee on the Royal North Shore Hospital.

Select committee membership

Membership of the two select committees is summarised in the following table:

Select committee membership

Member	Party	Electoral and Political Funding in NSW	The Royal North Shore Hospital
Legislative Council			
Honourable Robert Brown MLC	SP	Member	
Honourable Amanda Fazio MLC	ALP	Member	Member
Honourable Jenny Gardiner MLC	N	Member	Member
Honourable Don Harwin MLC	LP	Deputy Chair	
Revd Fred Nile MLC	CDP	Chair	Chair
Honourable Mick Veitch MLC	ALP	Member	
Legislative Assembly			
Mr Peter Draper MP	I		Deputy Chair
Mr Michael Daley MP	ALP		Member
Dr Andrew McDonald MP	ALP		Member
Mrs Jillian Skinner MP	LP		Member
Honourable Carmel Tebbutt MP	ALP		Member

- ALP – Australian Labor Party • CDP – Christian Democratic Party • LP – Liberal Party • N – The Nationals
- I – Independent • SP – Shooters Party

Select committee activity

The activities of the two select committees in 2007/08 are summarised in the following table:

Overview of select committee activity

	Electoral and Political Funding in NSW	The Royal North Shore Hospital
Submissions	189	103
Meetings	11	10
Hearings	5	4
Witnesses	50	77
Public forums	1	–
Forum speakers	18	–
Site visits	–	1
Reports	1	1

Select Committee on Electoral and Political Party Funding in New South Wales

The Select Committee on Electoral and Political Party Funding was established on 27 June 2007, at the end of the previous reporting period. The membership of the Committee was not determined until 26 September 2007, as three members of the cross bench nominated for the two cross bench positions on the Committee. In the absence of agreement among the cross bench concerning representation on the Committee, there was a ballot to determine the membership of the Committee under standing order 210(5).

Inquiry into Electoral and Political Party Funding in New South Wales

Referred by:	Legislative Council
Date:	27 June 2007
Report date:	19 June 2008
Submissions:	189
Hearings:	5
Public forums:	1

Summary of terms of reference:

Inquire into and report on the funding of, and the disclosure of donations to, political parties, and candidates in state and local government elections.

Summary of report/recommendations:

The Committee recommended significant reform of the NSW electoral funding regime and in particular, tighter regulation of political donations. The key provisions of the Committee's proposed model included to:

- ban political donations by corporations and other organisations
- cap individual donations
- cap election spending
- make disclosure of donations and election spending more timely and transparent
- introduce greater policing of the electoral funding scheme, and tougher penalties for non-compliance.

Other comments and background to the inquiry:

An unusual aspect of the Inquiry was that representatives of all political parties with members in the NSW Parliament, and all independent members of Parliament, were invited to give evidence. Six members accepted the invitation to give evidence, five from the Legislative Assembly.

While the inquiry was underway, the Environmental Planning and Assessment Amendment (Restoration of Community Participation) Bill was introduced to the Council by the Greens. The Bill was referred to the Committee for inquiry and report.

Government response: Due 19 December 2008

Joint Select Committee on the Royal North Shore Hospital

The Joint Select Committee on the Royal North Shore Hospital was established on 23 October 2007, in response to the publication of several allegations of poor patient care at the Hospital, and in particular, the treatment of Ms Jana Horska in the Hospital's Emergency Department on 25 September 2007. Several other cases of alleged poor patient care received extensive media coverage following this incident.

Inquiry into the Royal North Shore Hospital

Referred by	Legislative Council
Date:	23 October 2007
Report date:	20 December 2007
Submissions:	103
Hearings:	4
Site visits	1

Summary of terms of reference:

Inquire into and report on the quality of care for patients at Royal North Shore Hospital, including clinical management systems, staffing, complaints handling and the operational management of the Hospital.

Summary of report/ recommendations:

The Committee recommended that clinical plans for the North Sydney Ryde Health Service and the North Sydney Central Coast Area Health Service be finalised by April 2008, and that the recommendations from an earlier review of bullying and harassment at the Hospital be fully implemented.

Other comments and background to the inquiry:

Media reports concerning the report criticised the Committee's recommendations for being overly bureaucratic and non-specific.

Government response: Received 22 February 2008

The Response was received four months before the due date. It noted that the Government supported or supported in principle, 43 of the 45 recommendations.



Performance on issues identified in Future Outlook 2006/07

Issues identified in Future Outlook 2006/07	Progress in 2007/08
Continue to strive for excellence in the provision of services to members	<ul style="list-style-type: none"> • Provided sound advice on a number of high-profile and procedurally challenging inquiries • Produced well-developed policy recommendations in relation to complex and challenging subject matter
Continue to strive for excellence in making the parliamentary process accessible to the public	<ul style="list-style-type: none"> • Implemented survey to measure witness satisfaction with the role of committee staff and the committee process • Engaged with visiting groups through increased staff involvement in Education Department programs
Staff will benefit from the standardisation of committee practices	<ul style="list-style-type: none"> • Increased consistency of minutes and administrative practices across committees, due to implementation of a standardised minutes templates and the Manual on Administrative Practices for Staff of the LC committees
Staff will become increasingly flexible in their work practices as they are required to work across several committee inquiries simultaneously	<ul style="list-style-type: none"> • Staff structure better met shifting workloads between committees, maintaining a high level of service delivery to all committees and ensuring an equitable distribution of work between staff
Staff will continue to maintain their high service standards following changes to staff structure in 2006/07	<ul style="list-style-type: none"> • Successfully implemented the new staff structure of three rather than four committee directors, while maintaining current levels of support to staff and members

Looking forward to 2008/09

Looking forward to 2008/09
<p>Legislative Council committees will continue to strive for excellence in the provision of services to the members and making the parliamentary process accessible to the public. Staff will continue to:</p> <ul style="list-style-type: none"> • align committee training materials and procedural advice with <i>New South Wales Legislative Council Practice</i> • deliver training programs to, and engage with, members and staff from other Parliaments, with a focus on parliamentary committee systems in the Asia Pacific region • engage with stakeholders to improve understanding of committee processes, through the delivery of structured workshops and seminars to target groups.



Parliamentary Calendar

'Parliaments'

The duration of a Parliament is limited by section 24 of the *Constitution Act 1902* to four years.

Under section 10 of the *Constitution Act 1902* the Governor has the power to prorogue the Legislative Council and prorogue or dissolve the Legislative Assembly. This is done by proclamation. The Legislative Council is a House with continuing membership (only half of the total 42 Members are elected at each periodic Legislative Council election) and cannot be dissolved. Under section 22F of the *Constitution Act 1902* the Legislative Council cannot meet while the Legislative Assembly is dissolved.

'Sessions'

Each Parliament is divided into sitting periods called sessions. It is the Governor's duty to prorogue or discontinue a session until the next session. The House is said to be in recess after it is prorogued.

The effect of prorogation is to terminate all the current business of Parliament. An exception to this is the passing of Parliamentary committees enabling legislation which permits specified committees to continue to function during prorogation and during the following session of Parliament.

Section 11 of the *Constitution Act 1902* states that it is mandatory for a session of Parliament to be held each year so that a period of 12 months will not intervene between sittings. During a session, the Council on its own motion may adjourn from one sitting day to the next.

'Sittings'

There are normally two distinct sitting periods during the course of a year. The Autumn sittings are usually held between February and May. These sittings usually commence with the Governor's opening speech outlining the Government's legislative program for the coming year. The address-in-reply follows the Governor's speech. The sittings from August to December are called the Budget or Spring sittings because it is during this period that the State Budget is presented. A wide ranging debate occurs on its provisions. The address-in-reply and budget debates may take several weeks to conclude.



LEGISLATIVE COUNCIL

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Financial commentary

The Parliament

The net cost of services allocation to the Parliament in the 2007/08 budget was \$110.073 million.

During 2007/08 a total of \$2.720 million was received in supplementation from NSW Treasury, largely in respect of the funding of members' programs. It also included the restoration of a portion of the reduction in funding for parliamentary catering imposed in 2006. The Parliament continued to implement productivity efficiency savings introduced as a result of the 2006 budget cuts referred to in the 2006/07 annual report.

As a result of the savings achieved and the supplementation provided, the end of the year financial result for the Parliament for 2007/08 was a surplus of \$2.469 million.

Department of the Legislative Council

The budget of the Legislative Council (including members programs and the Department of the Legislative Council) represents 21.09% of the Parliament's total budget. The budget for the Department of the Legislative Council alone (ie. Procedure, Corporate Support and Committees, but excluding expenditure on Legislative Council members' program) represents 4.87% of the Parliament's total budget.

The end of year financial result for the Department of the Legislative Council (operations and committees) for 2006/07 was a surplus of \$274,000. This was a result of savings achieved from restructures within the Department following the 2006 budget cuts, and the limited expenditure during the first six months of the reporting period relating to committee activities following the March 2007 election.

Outlook

The Parliament's net cost of services budget allocation for 2008/09 is \$116.093 million. This includes additional funding for parliamentary security. The Parliament has received \$6.422 million in capital works funding in 2008/09, including \$1.600 million for security upgrades and \$1.949 million for continuing energy and water savings measures.

The overall outlook, both for the Parliament as a whole, and for the Department of the Legislative Council, is of continued financial pressure, with the Parliament to be required to achieve further productivity efficiency savings in the future years.



GPO BOX 12
Sydney NSW 2001

INDEPENDENT AUDITOR'S REPORT

The Legislature

To Members of the New South Wales Parliament

I have audited the accompanying financial report of the Legislature, which comprises the balance sheet as at 30 June 2008, the operating statement, statement of recognised income and expense, cash flow statement, program statement expenses and revenues and a summary of compliance with financial directives for the year then ended, a summary of significant accounting policies and other explanatory notes.

Auditor's Opinion

In my opinion, the financial report:

- presents fairly, in all material respects, the financial position of the Legislature as at 30 June 2008, and its financial performance and cash flows for the year then ended in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations)
- is in accordance with section 41B of the *Public Finance and Audit Act 1983* (the PF&A Act) and the *Public Finance and Audit Regulation 2005*.

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

The Clerks' Responsibility for the Financial Report

The Clerk of the Legislative Assembly and the Clerk of the Parliaments are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the PF&A Act. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the Legislature's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Legislature's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Legislature's management, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

My opinion does not provide assurance:

- about the future viability of the Legislature,
- that it 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.

Independence

In conducting this audit, the Audit Office of New South Wales has complied with the independence requirements of the Australian Auditing Standards and other relevant ethical requirements. The PF&A 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 of New South Wales are not compromised in their role by the possibility of losing clients or income.



Peter Achterstraat
Auditor-General

20 October 2008
SYDNEY



20 October 2008

THE LEGISLATURE

FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

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


Lynn Lovelock
Clerk of the Parliaments


Brian Ward
Executive Manager Parliamentary Services

THE LEGISLATURE

Operating Statement for the Year Ended 30 June 2008

	Notes	Actual 2008 \$000	Budget 2008 \$000	Actual 2007 \$000
Expenses excluding losses				
Operating expenses				
Employee related	2(a)	49,700	49,930	50,120
Other operating expenses	2(b)	29,764	24,401	28,258
Depreciation and amortization	2(c)	4,505	3,949	4,215
Other expenses	2(d)	<u>39,232</u>	<u>37,894</u>	<u>37,911</u>
Total Expenses excluding losses		<u>117,207</u>	<u>116,173</u>	<u>118,204</u>
Less:				
Revenue				
Sale of goods and services	3(a)	4,332	4,945	4,541
Investment revenue	3(b)	148	105	120
Grants and contributions	3(c)	1,100	763	1,193
Other revenue	3(d)	<u>1,574</u>	<u>270</u>	<u>1,954</u>
Total Revenue		<u>7,014</u>	<u>6,100</u>	<u>7,508</u>
Gain / (loss) on disposal	4	<u>(51)</u>	<u>-</u>	<u>(59)</u>
Net Cost of Services	20	<u>110,324</u>	<u>110,073</u>	<u>110,756</u>
Government Contributions				
Recurrent appropriation	5	89,517	93,844	87,171
Capital appropriation	5	4,134	3,240	3,202
Acceptance by the Crown Entity of employee benefits and other liabilities	6	<u>10,092</u>	<u>10,061</u>	<u>11,269</u>
Total Government Contributions		<u>112,793</u>	<u>110,145</u>	<u>111,642</u>
SURPLUS FOR THE YEAR		<u>2,469</u>	<u>72</u>	<u>867</u>

The accompanying notes form part of these statements

THE LEGISLATURE

Balance Sheet as at 30 June 2008

	Notes	Actual 2008 \$000	Budget 2008 \$000	Actual 2007 \$000
ASSETS				
Current Assets				
Cash and cash equivalents	8	3,926	3,151	2,509
Receivables	9	1,766	1,720	1,714
Inventories	10	185	152	152
Total Current Assets		5,877	5,023	4,375
Non-Current Assets				
Property, Plant and Equipment	11			
- Land and Buildings		140,510	132,023	130,250
- Plant and Equipment		10,556	12,870	9,249
- Collection Assets		40,480	55,267	36,967
Total Property, Plant and Equipment		191,546	180,160	176,466
Intangible Assets	12	151	143	303
Total Non-Current Assets		191,697	180,303	176,769
Total Assets		197,574	185,326	181,144
LIABILITIES				
Current Liabilities				
Payables	13	5,042	5,183	4,735
Provisions	14	4,511	4,708	4,500
Other	15	13	323	523
Total Current Liabilities		9,566	10,214	9,758
Non-Current Liabilities				
Provisions	14	35	28	28
Total Non-Current Liabilities		35	28	28
Total Liabilities		9,601	10,242	9,786
Net Assets		187,973	175,084	171,358
EQUITY				
Reserves		41,026	52,294	52,294
Accumulated Funds		146,947	143,790	143,868
Total Equity		187,973	176,084	176,162

This accompanying table forms part of the financial statements.

THE LEGISLATURE

Statement of Recognised Income and Expense for the Year Ended 30 June 2008

	Notes	Actual 2008 \$000	Budget 2008 \$000	Actual 2007 \$000
Net increase / (decrease) in property, plant and equipment asset revaluation reserve		<u>9,532</u>	<u>-</u>	<u>(892)</u>
TOTAL INCOME AND EXPENSE RECOGNISED DIRECTLY IN EQUITY		9,532	-	(892)
Surplus / (Deficit) for the year		<u>2,469</u>	<u>72</u>	<u>887</u>
TOTAL INCOME AND EXPENSE RECOGNISED FOR THE YEAR	16	<u>12,001</u>	<u>72</u>	<u>(5)</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Cash Flow Statement for the Year Ended 30 June 2008

	Notes	Actual 2008 \$000	Budget 2008 \$000	Actual 2007 \$000
CASH FLOWS FROM OPERATING ACTIVITIES				
Payments				
Employee related		(47,625)	(47,733)	(47,720)
Other		<u>(56,610)</u>	<u>(58,738)</u>	<u>(57,185)</u>
Total Payments		<u>(104,235)</u>	<u>(106,471)</u>	<u>(104,905)</u>
Receipts				
Sale of goods and services		4,535	4,945	4,322
Interest received		193	105	70
Other		<u>3,299</u>	<u>1,050</u>	<u>3,582</u>
Total Receipts		<u>7,967</u>	<u>6,100</u>	<u>7,954</u>
Cash Flows From Government				
Recurrent appropriation	5	99,567	96,844	97,420
Capital appropriation	5	<u>4,147</u>	<u>3,240</u>	<u>3,237</u>
Net Cash Flows From Government		<u>102,714</u>	<u>100,084</u>	<u>100,657</u>
NET CASH FLOWS FROM OPERATING ACTIVITIES	20	<u>6,168</u>	<u>4,662</u>	<u>3,744</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Proceeds from sale of land and buildings, plant and equipment		.	.	4
Purchases of land and buildings, plant and equipment		<u>(4,749)</u>	<u>(4,020)</u>	<u>(2,042)</u>
NET CASH FLOWS FROM INVESTING ACTIVITIES		<u>(4,749)</u>	<u>(4,020)</u>	<u>(2,038)</u>
NET INCREASE / (DECREASE) IN CASH		1,417	642	1,706
Opening cash and cash equivalents		<u>2,509</u>	<u>2,509</u>	<u>803</u>
CLOSING CASH AND CASH EQUIVALENTS	8	<u>3,926</u>	<u>3,151</u>	<u>2,509</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Program Statement - Expenses and Revenues for the year ended 30 June 2008

	Program 1.1.1* Legislative Council		Program 1.1.2* Legislative Assembly		Program 1.2.1* Joint Services		Not Attributable		Total
	2008 \$000	2007 \$000	2008 \$000	2007 \$000	2008 \$000	2007 \$000	2008 \$000	2007 \$000	
THE LEGISLATURE'S EXPENSES & REVENUES									
Expenses excluding leases									
Operating expenses	6,857	9,104	24,873	24,068	16,035	16,946	-	-	48,760
• Employee related	2,549	3,155	16,204	17,165	5,320	5,638	-	-	23,764
• Civil operating expenses	229	291	1,270	1,343	2,867	2,581	-	-	4,946
Depreciation and amortisation	12,249	11,708	26,983	25,805	-	-	-	-	39,252
Other expenses	20,715	24,356	59,329	69,481	24,233	25,107	-	-	117,267
Total Expenses excluding leases	428	404	428	405	3,475	3,732	-	-	4,322
Revenue	-	-	-	-	148	122	-	-	140
Sale of goods and services	-	-	-	-	1,160	1,193	-	-	1,160
Investment revenue	26	58	242	331	1,106	1,265	-	-	1,574
Grants and contributions	464	482	671	736	5,809	5,314	-	-	7,014
Other revenue	(20)	2	(20)	(21)	(21)	(59)	-	-	(51)
Total Revenue	23,271	24,092	68,668	67,747	18,366	18,916	-	-	112,324
Gain / (loss) on disposal	-	-	-	-	-	-	112,793	111,842	111,642
Net Cost of Services	23,271	24,092	68,668	67,747	18,366	18,916	112,793	111,842	111,642
Government contributions**	-	-	-	-	-	-	(112,793)	(111,842)	(2,469)
NET EXPENDITURE (REVENUE) FOR THE YEAR	23,271	24,092	68,668	67,747	18,366	18,916	(2,469)	(2,469)	(697)

*The same and purpose of each program is summarized in table 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 LEGISLATURE

SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

	2006			2007		
	Expenditure / Net Claim on Consolidated Fund	Capital Appropriation	Expenditure / Net Claim on Consolidated Fund	Recovery Appropriation	Expenditure / Net Claim on Consolidated Fund	Capital Appropriation
ORIGINAL BUDGET APPROPRIATION / EXPENDITURE						
• Appropriation Act	4000	9000	8000	9000	4000	9000
• Sectional Appropriations	88,808	9,240	3,240	87,825	9,240	3,240
• §2 IA PFAAA – special appropriation	-	-	-	-	-	-
• §24 PFAAA – transfers of functions between Government	-	-	-	-	-	-
• §29 PFAAA – Commission specific purpose payments	85,214	3,240	3,240	87,325	3,240	3,240
OTHER APPROPRIATIONS / EXPENDITURE						
• Treasurer's Advance	2,812	058	804	6,354	-	-
• Section 22 – expenditure for contract works and services	-	-	-	-	-	-
• Transfers to/from a other agency (s32 – Appropriation Act)	2,312	566	254	5,325	9,447	9,447
Total Appropriations / Expenditure / Net Claims on Consolidated Fund (includes transfer payments)	93,556	4,134	4,134	91,740	3,267	3,267
Amount drawn down against Appropriation Liability to Consolidated Fund*	58,537	4,147	4,147	57,429	4,147	4,147
		13	13		256	256

The Summary of Compliance is based on the assumption that Consolidated Fund monies are spent first (overplanned) before monies are spent from other Consolidated Fund monies. The table also shows the amount drawn down against Appropriation and the Total Expenditure / Net Claim on Consolidated Fund.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

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 cares for functions held at Parliament House.

The Legislature is a not-for-profit entity (as profit is not its principal objective) and has no cash generating units. The reporting entity is consolidated as part of the NSW Total State Sector.

This financial report for the year ended 30 June 2008 has been authorised for issue by the Clerk of the Legislative Assembly and the Clerk of the Parliament on 4 October 2008.

(b) Basis of Preparation

The Legislature's financial report is a general purpose financial report which has been prepared in accordance with:

- ✦ Applicable Australian Accounting Standards (which include Australian Accounting Interpretations);
- ✦ The requirements of the *Public Finance and Audit Act 1993* and Regulation, and
- ✦ The Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies, or issued by the Treasurer.

Property, plant and equipment, assets (or disposal groups) held for sale and financial assets held at fair value through profit or loss and available for sale are measured at fair value. Other financial report items are prepared in accordance with the historical cost convention.

Judgements, key assumptions and estimations, management has made are disclosed in the relevant notes to the financial report.

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

(c) Statement of Compliance

The financial statements and notes comply with Australian Accounting Standards which include Australian Accounting Interpretations.

(d) Income Recognition

Income is measured at the fair value of the consideration or contribution received or receivable. Additional comments regarding the accounting policies for the recognition of income are discussed below.

(i) Parliamentary Appropriations and Contributions

Parliamentary Appropriations and contributions from other bodies (including grants and donations) are generally recognised as income when the Legislature obtains control over the assets comprising the appropriations/contributions. Control over appropriations and contributions is usually 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. The liability is disclosed in note 13 as part of "Current liabilities - Other". The amount will be repaid and the liability will be extinguished next financial year.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

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

(i) Sales of Goods

Revenue from the sale of goods is recognised as revenue when The Legislature transfers the significant risks and rewards of ownership of the assets.

(ii) Rendering of Services

Revenue is recognised when the service is provided or by reference to the stage of completion (based on labour hours incurred to date).

(iv) Investment Revenue

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*. Rental revenue is recognised in accordance with AASB 117 *Leases* on a straight-line basis over the lease term.

(v) 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.

(c) Employee Benefits and other provisions

(i) Salaries and Wages, Annual Leave, Sick Leave and Other Costs

Liabilities for salaries and wages (including non-monetary benefits), annual leave and paid sick leave that fall due wholly within 12 months of the reporting date are recognised and measured on respect of employees' services up to the reporting date at undiscounted amounts based on the amounts expected to be paid when the liabilities are settled.

Long-term annual leave that is not expected to be taken within twelve months is not measured at present value in accordance with AASB 119 *Employee Benefits* as the amount involved is not considered material.

Unused non-carrying 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) Long Service Leave and Superannuation

The Legislature's liabilities for long service leave and defined benefit 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 "Accepted by the Crown Entity of employee benefits and other liabilities".

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. This is based on the application of certain factors (specified in NSWDC 6704) to employees with five or more years of service, using current rates of pay. These factors were determined based on an actuarial review to approximate present value.

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 (i.e. HSA, Benefit and First State Super) is calculated as a percentage of the employees' salary. For other superannuation schemes (i.e. State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

(iii) **Other Provisions**

Other provisions exist where: The Legislature has a present legal or constructive obligation as a result of a past event; it is probable that an outflow of resources will be required to settle the obligation; and a reliable estimate can be made of the amount of the obligation.

(iv) **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 claim experience.

(v) **Accounting for the Goods and Services Tax (GST)**

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

- 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.

(vi) **Acquisitions of Assets**

The cost method of accounting is used for the initial recording of all acquisitions of assets controlled by The Legislature. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the specific requirements of other Australian Accounting Standards.

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

Fair value is the amount for which an asset could be exchanged between knowledgeable, willing parties in an arm's length transaction.

Where payment for an asset is deferred beyond normal credit terms, its cost is the cash price equivalent, i.e. the deferred payment amount is effectively discounted at an asset-specific rate.

(vii) **Capitalisation Thresholds**

Property, plant and equipment and intangible assets costing \$5,000 and above individually (or forming part of a network costing more than \$5,000) are capitalised.

(viii) **Revaluation of Property, Plant and Equipment**

Physical non-current assets are valued in accordance with the "Valuation of Physical Non-Current Assets at Fair Value" Policy and Guidelines Paper (TPP 07-1). This policy adopts fair value in accordance with *IAS 16 Property, Plant and Equipment*.

Property, plant and equipment is measured on an existing use basis, where there are no feasible alternative uses in the existing natural, legal, financial and socio-political environment. However, in the limited circumstances where there are feasible alternative uses, assets are valued at their highest and best use.

Fair value of property, plant and equipment is determined based on the best available market evidence, including current market selling prices for the same or similar assets. Where there is no available market evidence, the asset's fair value is measured at its market buying price, the best indicator of which is depreciated replacement cost.

The Legislature revalues each class of property, plant and equipment at least every five years or with sufficient regularity to ensure that the carrying amount of each asset in the class does not differ materially from its fair value at reporting date. The last revaluation for each class of asset is set out below and was based on an independent assessment.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

Land	30 June 2008	Majorate Pty Ltd
Buildings	30 June 2008	HP Consultants Pty Ltd
Plant & Equipment (Including Technical Services Assets)	30 June 2008	HP Consultants Pty Ltd
Collection Assets		
Library Collection	30 June 2008	Simon Storey Valuers
Archives Collection	30 June 2008	Simon Storey Valuers
Antiques	30 June 2008	Simon Storey Valuers
Artworks	30 June 2008	Art Gallery of NSW

Non-specialised assets with short useful lives are measured at depreciated historical cost, as a surrogate for fair value.

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 are separately retained.

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

Revaluation increments are credited directly to the asset revaluation reserve, except that, in 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, the increment is recognised immediately as revenue in the surplus / deficit.

Revaluation decrements are recognised immediately as expenses in the surplus / deficit, 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.

As a not-for-profit entity, 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.

(K) Impairment of Property, Plant and Equipment

As a not-for-profit entity with no cash-generating units, The Legislature is effectively exempted from *AASB 136 Impairment of Assets* and impairment testing. This is because *AASB 136* modifies the recoverable amount test to the higher of fair value less costs to sell and depreciated replacement cost. This means that, for an asset already measured at fair value, impairment can only arise if selling costs are material. Selling costs are regarded as immaterial.

(L) Depreciation of Property, Plant and Equipment

Except for the archive, antique and artwork collections, depreciation is provided for on a straight-line basis for all depreciable assets so as to write off the depreciable amount of each asset evenly over its useful life to The Legislature.

The Parliament House Building	1.64-20 percent
Plant and Machinery	5-33 percent
Office Equipment	5-20 percent
Computer Equipment	16-50 percent
Library Monograph Collection	5 percent

All material separately identifiable components of assets are depreciated over their shorter useful lives.

Land is not a depreciable asset. Certain heritage assets have an extremely long useful life, including archive, antique and artwork collections. Depreciation for these items cannot be reliably measured because the useful life and the net amount to be recovered at the end of the useful life cannot be reliably measured. In these cases, depreciation is not recognised. The decision not to recognise depreciation for these assets is reviewed annually.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

(m) Maintenance

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

(n) 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 commencement of the lease term. 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 Operating Statement in the periods in which they are incurred.

(o) Intangible Assets

The Legislature recognises intangible assets only if it is probable that future economic benefits will flow to the agency and the cost of the assets can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, then cost is its fair value at the date of acquisition.

The useful lives of intangible assets are assessed to be finite.

Intangible assets are subsequently measured at fair value only if there is an active market. As there is no active market for the agency's intangible assets, the assets are carried at cost less any accumulated amortisation.

The Legislature's intangible assets are amortised using the straight line method over a period of three years.

In general, intangible assets are tested for impairment where an indicator of impairment exists. However, as a not-for-profit entity with no cash generating units, The Legislature is effectively exempted from impairment testing (note Note 1(k)).

(p) Loans and Receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. These financial assets are recognised initially at fair value, usually based on the transaction cost or fair value. Subsequent measurement is at amortised cost using the effective interest method, less an allowance for any impairment of receivables. Any changes are accounted for in the Operating Statement when impaired, derecognised or through the amortisation process.

Short-term receivables with a related interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(q) Inventories

Inventories held for distribution are stated at the lower of cost and current replacement cost. Inventories (other than those held for distribution) are stated at the lower of cost and net realisable value. Cost is calculated using the weighted average cost or "first in first out" method.

The cost of inventories acquired at no cost or for nominal consideration is the current replacement cost as at the date of acquisition. Current replacement cost is the cost the agency would incur to acquire the asset. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

(r) Other Assets

Other assets are recognised on a cost basis.

(s) Impairment of financial assets

All financial assets, except those measured at fair value through profit and loss, are subject to an annual review for impairment. An allowance for impairment is established when there is objective evidence that the entity will not be able to collect all amounts due.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

For financial assets measured at amortised cost, the amount of the allowance is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. The amount of the impairment loss is recognised in the Operating Statement.

When an available-for-sale financial asset is impaired, the amount of the cumulative loss is removed from equity and recognised in the Operating Statement, based on the difference between the acquisition cost (net of any principal repayment and amortisation) and current fair value, less any impairment loss previously recognised in the Operating Statement.

Any reversals of impairment losses are reversed through the Operating Statement, where there is objective evidence, except reversals of impairment losses on an investment in an equity instrument classified as "available for sale" must be made through the reserves. Reversals of impairment losses of financial assets carried at amortised cost cannot result in a carrying amount that exceeds what the carrying amount would have been had there not been an impairment loss.

(f) Payables

These amounts represent liabilities for goods and services provided to The Legislature and other amounts. Payables are recognised initially at fair value, usually based on the transaction price in fair value. Subsequent measurement is at amortised cost using the effective interest method. Short term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(g) 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, s 21A s 74 and / or s 26 of the *Public Finance and Audit Act 1984*.

The budgeted amounts in the Operating Statement and the Cash Flow Statement are generally based on the amounts disclosed in the NSW Budget Papers (as adjusted above). However, in the Balance Sheet, the amounts vary from the Budget Papers, as the opening balances of the budgeted amounts are based on carried forward actual amounts, i.e. prior audited financial report (rather than carried forward estimates).

(v) Accounting Standards and interpretations issued, but not yet effective

At the date of authorisation of the financial report, the following Standards, which are expected to be relevant to the Legislature, were in issue but not yet effective:

The Clerk and Executive Manager anticipate the adoption of these standards will have no material financial impact on the financial report of the entity.

Standard / Interpretation	Effective for annual reporting periods beginning on or after	Expected to be initially applied in the financial year ending
AASB 101 "Presentation of Financial Statements" and consequential amendments to other accounting standards resulting from its issue	1 January 2009	30 June 2010

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

2. EXPENSES EXCLUDING LOSSES

(a) Employee Related Expenses	2008	2007
	\$000	\$000
Salaries and wages (including recreation leave)	40,050	40,774
Superannuation – defined benefit plans	1,221	1,283
superannuation – defined contribution plans	2,575	2,464
Payroll tax and fringe benefits tax	2,700	2,731
Long service leave	813	1,602
Worker's compensation insurance	650	463
Employment agency staff	1,742	1,197
Other	(24)	(39)
	<u>49,766</u>	<u>50,120</u>

(b) Other Operating Expenses including the following:	2008	2007
	\$000	\$000
Audit's remuneration		
Audit of the financial reports	52	50
Audit of Members' additional emoluments under Parliamentary Remuneration (Tribunal Determinations)	55	53
Cost of Sales - House Committee	870	1,221
Operating Lease Rental Expense-Minimum Lease Payments	4,754	4,450
Maintenance	3,050	3,874
Insurance	261	318
Printing and stationery	5,025	6,914
Telecommunication costs	1,717	1,717
Travel expenses	1,870	1,605
Computer costs	2,181	3,109
Stores	507	319
Postage	733	1,449
Miscellaneous	1,385	1,278
Energy charges	1,103	1,101
Clean. g. and laundry	602	341
Contract and other fees	652	760
	<u>23,784</u>	<u>26,258</u>

	2008	2007
	\$000	\$000
<i>Reconciliation – Total maintenance</i>		
Maintenance expense – contracted labour and other (non-employee related), as above	2,950	3,874
Maintenance undertaken by Dept of Commerce	919	1,493
Employee-related maintenance expense included in Note 2 (a)	3,013	3,327
Total maintenance expenses included in Note 2(a) + 2(b)	<u>6,992</u>	<u>6,354</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

(c)	Depreciation and Amortisation expense	2008	2007
		\$000	\$000
	Depreciation		
	Buildings	1,279	1,266
	- plant and equipment	1,917	1,757
	collection assets	146	171
		<u>3,342</u>	<u>3,194</u>
	Amortisation		
	- leasehold improvements	896	778
	intangibles	273	329
		<u>1,169</u>	<u>1,107</u>
	Total Depreciation and Amortisation Expense	<u>4,505</u>	<u>4,315</u>
(d)	Other Expenses	2008	2007
		\$000	\$000
	Salaries and allowances of Members of Parliament	28,612	26,820
	Superannuation entitlements - Members	7,951	8,520
	Payroll tax & fringe benefits tax - Members' entitlements	2,361	2,224
	Special Projects	308	247
		<u>39,232</u>	<u>37,811</u>
3.	REVENUE		
(a)	Sale of Goods and Services	2008	2007
		\$000	\$000
	Sale of Goods		
	House Committee sales of food and beverages	2,771	2,970
	Entry receipt from Sydney Hospital and State Library	497	536
	Sale of publications	24	18
		<u>3,292</u>	<u>3,524</u>
	Rendering of Services		
	Rent on Parliament House ministerial offices	841	807
	Miscellaneous	199	710
		<u>1,040</u>	<u>1,517</u>
		<u>4,332</u>	<u>5,041</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

(b)	Investment Revenue	2008 5900	2007 5090
	Interest on operating accounts	148	120
		148	120
(c)	Grants and Contributions	2008 5900	2007 5090
	Department of Environment – energy and water savings project	241	–
	Department of Commerce (maintenance work)	919	1,193
		1,160	1,193
(d)	Other Revenue	2008 5000	2007 5000
	Increment from asset valuation offsetting price decrement	702	954
	Contribution of assets	256	–
	Miscellaneous	516	709
		1,374	1,654
4.	GAIN/(LOSS) ON DISPOSAL	2008 5000	2007 5000
	Loss on disposal of plant and equipment		
	Proceeds from disposal		4
	Written down value of assets disposed	(51)	(63)
	Net gain/(loss) on disposal of plant and equipment	(51)	(59)

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

5.	APPROPRIATIONS	2008	2007
	Recurrent Appropriations	5000	5000
	Total recurrent drawdowns from Treasury (per Summary of Compliance)	98,567	97,426
	Total Liability to Consolidated Fund (per Summary of Compliance)	..	(753)
		<u>98,567</u>	<u>97,173</u>
	Comprising		
	Recurrent Appropriations (per Operating Statements)	98,567	97,171
		2008	2007
	Capital Appropriations	5900	5000
	Total capital drawdowns from Treasury (per Summary of Compliance)	4,147	3,257
	Total Liability to Consolidated Fund (per Summary of Compliance)	13	(53)
		<u>4,134</u>	<u>3,202</u>
	Comprising		
	Capital Appropriations (per Operating Statements)	4,134	3,202

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

	2008	2007
Employees	5000	5000
Superannuation	1,221	1,283
Long service leave	813	1,002
Payroll tax on superannuation	___ 23	0
	<u>2,107</u>	<u>2,361</u>
Members		
Superannuation	7,512	8,404
Payroll tax on superannuation	___ 452	504
	<u>7,985</u>	<u>8,908</u>
	<u>10,092</u>	<u>11,269</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

2. 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 sixty-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 the Legislative Assembly
- Procedural and administrative support
- Committee advisory, research and administrative support
- Commonwealth Parliamentary Association
- Overseas delegations

Program 1.2.1 Parliamentary Services Department - 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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

8. CURRENT ASSETS - CASH AND CASH EQUIVALENTS

For the purposes of the Cash Flow Statement, cash and cash equivalents include cash on hand and cash at bank. Cash at the end of the financial year as shown in the Cash Flow Statement is reconciled to cash and cash equivalents in the Balance Sheet as follows:

	2008	2007
	\$000	\$000
Cash at Bank and on hand	3,926	2,509
	<u>3,926</u>	<u>2,509</u>

The Legislature has the following banking facilities as at 30 June 2008:

- Cheque cashing authority of \$20,000, which is the total encashment facility provided to enable reimbursement of advance account activities.
- Treasury/Supplier authority of \$1,038,000. This facility authorised the bank to debit The Legislature's operating bank account up to the above limit when processing the electronic payroll and vendor files.
- MasterCard facility of \$550,000.

	2008	2007
	\$000	\$000
9. CURRENT ASSETS - RECEIVABLES		
Sales of goods and services	607	809
Less: Allowance for impairment	8	16
	610	813
G.S.T. recoverable from A.T.O.	707	429
Other debtors	19	19
Prepayments	140	179
Investment income	90	74
	<u>1,766</u>	<u>1,714</u>

	2008	2007
	\$000	\$000
Movement in the allowance for impairment:		
Balance at July 1	16	2
Amounts written off during the year	-	-
Amounts recovered during the year	(15)	(8)
Increase/ (decrease) in allowance recognised in profit or loss	1	16
Balance at 30 June	<u>8</u>	<u>16</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

10 CURRENT ASSETS - INVENTORIES

2008 2007

\$000 \$000

Food and beverage stock on hand

165 152

165 152

11 NON-CURRENT ASSETS - PROPERTY, PLANT AND EQUIPMENT

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000

At 1 July 2007

At Fair Value 174,059 42,555 47,508 264,122

Accumulated depreciation and impairment 40,799 53,306 2,161 96,266

Net Carrying Amount at fair value 133,260 9,249 45,347 187,856

At 30 June 2008

At Fair Value 185,176 46,610 49,169 280,955

Accumulated depreciation and impairment 44,946 36,074 2,231 83,251

Net Carrying Amount at fair value 140,230 10,536 46,938 197,704

Reconciliation

A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
Year ended 30 June 2008				
Net carrying amount at start of year	133,260	9,249	45,347	187,856
Additions	2,117	2,573	9	4,719
Disposals	(565)	(924)		(1,489)
Net Revaluation Increments less Revaluation Decrements	7,282	702	4,250	12,234
Accumulated depreciation written back on disposal	565	413		978
Depreciation Expense	(2,169)	(1,917)	(146)	(4,232)
Net carrying amount at end of year	<u>140,230</u>	<u>10,536</u>	<u>46,938</u>	<u>197,704</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
At 1 July 2006				
Gross Carrying Amount	196,914	57,535	15,019	279,468
Accumulated depreciation and impairment	<u>59,332</u>	<u>28,423</u>	<u>2,015</u>	<u>99,820</u>
Net Carrying Amount at fair value	<u>137,582</u>	<u>9,112</u>	<u>15,004</u>	<u>161,698</u>
At 30 June 2007				
Gross Carrying Amount	174,059	42,555	47,508	264,122
Accumulated depreciation and impairment	<u>40,799</u>	<u>33,306</u>	<u>2,141</u>	<u>76,246</u>
Net Carrying Amount at fair value	<u>133,260</u>	<u>9,249</u>	<u>38,267</u>	<u>180,876</u>

Reconciliation

A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below:

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
Year ended 30 June 2007				
Net carrying amount at start of year	137,582	9,112	15,004	161,698
Additions	993	491	95	1,579
Disposals	(121)	(1,896)	-	(2,017)
Net Revaluation Increments less Revaluation Decrements	(3,254)	966	1,393	62
Accumulated depreciation written back on disposal	121	1,663	-	1,784
Transfers				
Depreciation Expense	<u>(1,974)</u>	<u>(1,182)</u>	<u>(123)</u>	<u>(3,279)</u>
Net carrying amount at end of year	<u>133,260</u>	<u>9,249</u>	<u>38,267</u>	<u>180,876</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

12. INTANGIBLE ASSETS

Software

At 1 July 2007	\$000
Cost (gross carrying amount)	2,386
Accumulated amortisation and impairment	<u>2,017</u>
Net carrying amount	369
At 30 June 2008	
Cost (gross carrying amount)	2,413
Accumulated amortisation and impairment	<u>2,291</u>
Net carrying amount	122
Reconciliation	
Year ended 30 June 2008	
Net carrying amount at start of year	369
Additions	61
Disposals	-
Accumulated amortisation written back on disposal	-
Amortisation (recognised in depreciation and amortisation)	<u>(271)</u>
Net carrying amount at end of year	159
At 1 July 2006	
Cost (gross carrying amount)	2,310
Accumulated amortisation and impairment	<u>1,402</u>
Net carrying amount	908
At 30 June 2007	
Cost (gross carrying amount)	2,355
Accumulated amortisation and impairment	<u>1,797</u>
Net carrying amount	558
Reconciliation	
Year ended 30 June 2007	
Net carrying amount at start of year	563
Additions	160
Disposals	(124)
Accumulated amortisation written back on disposal	107
Amortisation (recognised in depreciation and amortisation)	<u>(379)</u>
Net carrying amount at end of year	367

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

13. CURRENT LIABILITIES – PAYABLES	2008	2007
	\$000	\$000
Accrued wages, salaries and costs	2,065	1,973
Creditors	<u>2,977</u>	<u>2,262</u>
	<u>5,042</u>	<u>4,235</u>
14. CURRENT AND NON-CURRENT LIABILITIES – PROVISIONS	2008	2007
	\$000	\$000
(a) Current		
Vacation leave	3,587	3,568
On-cost on employee benefits	<u>924</u>	<u>964</u>
	<u>4,511</u>	<u>4,532</u>
(b) Non-Current		
On-cost on employee benefits	35	<u>38</u>
	35	<u>38</u>
(c) Aggregate employee benefits and related on-costs:		
Provisions – Current	4,511	4,566
Provisions – Non-Current	35	38
Accrued salaries, wages and on-costs (note 13)	<u>2,065</u>	<u>1,973</u>
	<u>6,611</u>	<u>6,577</u>

Of employee benefits for vacation leave \$2,077,200 is expected to be settled within twelve months and \$60,000 is expected to be settled after twelve months. All accrued wages and salaries are expected to be settled within twelve months.

The Legislature pays for rail travel benefits for the spouses/registered partners of certain former Members of Parliament. The cost of this travel is generally less than \$20,000 per annum.

15. CURRENT LIABILITIES – OTHER	2008	2007
	\$000	\$000
Liability to Consolidated Fund	13	<u>123</u>
	13	<u>123</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

16. CHANGES IN EQUITY

	Accumulated Funds		Asset Revaluation Reserve		Total Equity	
	2008	2007	2008	2007	2008	2007
	\$000	\$000	\$000	\$000	\$000	\$000
Balance at the beginning of the financial year	143,658	142,771	12,294	33,186	175,952	175,957
Changes in equity - other than transactions with owners as company						
Surplus/(Deficit) for the year	2,469	857	-	-	2,469	857
Increments/(Decrements) on revaluation of						
• Land and Buildings	-	-	7,292	(5,290)	7,292	(1,296)
• Plant and Equipment	-	-	-	12	-	12
• Collection Assets	-	-	2,250	2,392	2,250	2,394
Total	2,469	857	9,542	(892)	12,300	(5)
Transfers within equity						
Asset revaluation reserve held on transferred to accumulated funds on disposal of asset	-	-	-	-	-	-
Total	-	-	-	-	-	-
Balance at the end of the financial year	146,127	143,658	41,836	32,294	187,953	175,952

Asset Revaluation Reserve

The Asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets that accords with the Legislature's policy on the "Revaluation of Property, Plant and Equipment", as discussed in note 10.

17. COMMITMENTS FOR EXPENDITURE

(a) Operating Lease Commitments

Future non-cancellable operating lease rentals not provided for and payable:

	2008	2007
	\$000	\$000
Not later than one year	3,839	3,213
Later than one year but not later than five years	6,711	3,681
Later than five years	106	152
Total (including GST)	10,256	7,051

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

The Legislature is the lessee of 96 properties throughout N.S.W., 94 being electorate offices and 2 being office accommodation for parliamentary committee staff. The leases are mostly standard commercial leases based on the Law Society template and are generally for four years with a four year option.

The above total includes GST input tax credits of \$900,000 (2007 - \$600,000), which will be recoverable from Australian Taxation Office (ATO).

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

	2008	2007
	\$1080	\$000
Not later than one year	3,668	2,668
Later than one year but not later than five years	5,111	5,527
Later than five years	106	152
Electorate Office Lease Commitments (including GST)	10,085	6,347

The above total includes GST input tax credits of \$184,000 (2007 - \$583,000), which will be recoverable from the ATO.

(b) Other Expenditure Commitments

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

	2008	2007
	\$000	\$000
Not later than one year	1,510	175
Total (including GST)	1,510	175

The above total for 2008 includes GST input tax credits of \$150,000 (2007 - \$16,000) that will be recoverable from the ATO.

18. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

At reporting date The Legislature had outstanding industrial relations matters relating to the dismissal of three former employees. These matters could result in financial settlements totalling approximately \$134,000. The Legislature had no contingent assets at reporting date.

19. BUDGET REVIEW

Net Cost of Services

Net Cost of Services was \$251,000 higher than budget because of higher depreciation and other expenses which were partially offset by higher revenue.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

Assets and Liabilities

Total assets were higher than budget by \$11,220,000 due to higher than estimated cash at bank and asset revaluations, particularly buildings. Liabilities were \$799,000 less than budget due to lower trade creditors and a lower liability to the Consolidated Fund.

Cash Flows

Net cash inflows from operating activities were \$1,504,000 higher than budget due to higher inflows from government and income receipts. These were partially offset by higher other payments.

20 RECONCILIATION OF NET CASH FLOWS FROM OPERATING ACTIVITIES TO NET COST OF SERVICES:

	2008	2007
	\$000	\$000
Net Cash used in operating activities	6,166	3,744
Depreciation	(4,505)	(4,215)
(Increase) / decrease in provisions	58	248
(Decrease) / increase in receivables, inventories and other assets	65	(140)
(Increase) / decrease in creditors and other liabilities	(222)	55
Gain / (Loss) on sale of non-current assets	(51)	(59)
Asset acquired via grant / donation	346	-
Valuation increment recognised in Operating Statement	702	954
Lung Service Leave	(813)	(1,002)
Superannuation	(8,754)	(9,687)
Payroll tax on superannuation	(525)	(580)
Less cash flows from government		
Capital Allocation	(4,134)	(3,707)
Recurrent Allocation	(98,567)	(97,171)
Net Cost of Services	<u>(110,324)</u>	<u>(110,755)</u>

21. FINANCIAL INSTRUMENTS

The Legislature's principal financial instruments are outlined below. These financial instruments arise directly from the Legislature's operations or are required to finance the Legislature's operations. The Legislature does not enter into or trade financial instruments for speculative purposes. The Legislature does not use financial derivatives.

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) 11m unaffiliated cash rate adjusted for a management fee to Treasury.

At period end the deposits were earning 6.25% (5.25% in 2007) while the effective interest rate during the reporting period was 5.87% (5.17% in 2007).

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2008

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 uncollectible, are written off. An allowance for impairment is raised when there is objective evidence that the Legislature will not be able to collect all amounts.

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 \$144,000 (2007-\$165,855), 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 statement is received.

Fair value

Financial instruments are carried at cost which approximates their fair value.

22 After Balance Sheet Date Events

There are no after balance sheet date events.

End of Financial Statements

Department of the Legislative Council unaudited financial statements

Legislative Council

	2007/2008 ACTUAL \$000	2007/2008 BUDGET \$000	2006/2007 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	8,857	9,794	9,103
Other Operating Expenses	2,369	2,763	3,461
Depreciation and amortisation	258	273	292
Other Expenses	12,231	12,047	11,701
Total Expenses	23,715	24,877	24,557
Revenue			
Sale of Goods and Services	427	415	404
Other Revenue	27	45	58
Total Revenue	454	460	462
Gain (loss) on sale of assets	(10)	0	2
NET COST OF SERVICES	23,271	24,417	24,093
Less:			
Depreciation and amortisation	258	273	292
Long Service Leave	108	225	203
Superannuation	2,787	2,720	3,006
NET CONTROLLABLE COST OF SERVICES	20,118	21,199	20,592
CAPITAL WORKS EXPENDITURE	169	256	102

Estimated Expenditure and Revenue for 2008/2009:

LEGISLATIVE COUNCIL

Description	\$000
Salaries and related payments	9,871
Other operating expenses	2,799
Depreciation and amortisation	191
Other expenses	12,568
<i>Total Expenses</i>	<i>25,429</i>
Less Retained Revenue	460
Less Non-controllable items	3,271
Net Controllable Cost of Services	21,698

Department of the Legislative Council unaudited financial statements

Parliamentary Representation - Legislative Council

	2007/2008 ACTUAL \$000	2007/2008 BUDGET \$000	2006/2007 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	4,445	5,175	4,590
Other Operating Expenses	1,516	1,822	2,670
Depreciation and amortisation	141	149	163
Other Expenses	12,231	12,047	11,701
Total Expenses	18,333	19,193	19,124
Revenue			
Sale of Goods and Services	427	415	404
Other Revenue	18	20	29
Total Revenue	445	435	433
Gain (loss) on sale of assets	(3)	-	1
NET COST OF SERVICES	17,891	18,758	18,690
Less:			
Depreciation and amortisation	141	149	163
Long Service Leave	(1)	65	131
Superannuation	2,617	2,585	2,824
NET CONTROLLABLE COST OF SERVICES	15,134	15,959	15,572
CAPITAL WORKS EXPENDITURE	-	31	102

Estimated Expenditure and Revenue for 2008/2009:

Parliamentary Representation L.C.

Description	\$000
Salaries and related payments	5,119
Other operating expenses	1,857
Depreciation and amortisation	143
Other expenses	12,568
Total Expenses	19,687
Less Retained Revenue	435
Less Non-controllable items	2,887
Net Controllable Cost of Services	16,365

Department of the Legislative Council unaudited financial statements

Operation of the Legislative Council

	2007/2008 ACTUAL \$000	2007/2008 BUDGET \$000	2006/2007 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	2,598	2,879	3,046
Other Operating Expenses	383	268	407
Depreciation and amortisation	26	25	30
Total Expenses	3,007	3,172	3,483
Revenue			
Sale of Goods and Services	-	-	-
Other Revenue	8	20	27
Total Revenue	8	20	27
Gain (loss) on sale of assets	(7)	-	1
NET COST OF SERVICES	3,006	3,152	3,455
Less:			
Depreciation and amortisation	26	25	30
Long Service Leave	43	120	19
Superannuation	165	103	153
NET CONTROLLABLE COST OF SERVICES	2,772	2,904	3,253
CAPITAL WORKS EXPENDITURE	152	225	-

Estimated Expenditure and Revenue for 2008/2009:

OPERATION of the LC

Description	\$000
Salaries and related payments	2,976
Other operating expenses	261
Depreciation and Amortisation	23
Other Expenses	-
<i>Total Expenses</i>	3,260
Less Retained Revenue	20
Less Non-controllable items	286
Net Controllable Cost of Services	2,954

Department of the Legislative Council unaudited financial statements

Legislative Council Committees

	2007/2008 ACTUAL \$000	2007/2008 BUDGET \$000	2006/2007 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	1,814	1,740	1,467
Other Operating Expenses	452	650	378
Depreciation and amortisation	91	99	99
Total Expenses	2,357	2,489	1,944
Revenue			
Sale of Goods and Services	-	-	-
Other Revenue	1	5	2
Total Revenue	1	5	2
Gain (loss) on sale of assets	-	-	-
NET COST OF SERVICES	2,356	2,484	1,942
Less:			
Depreciation and amortisation	91	99	99
Long Service Leave	66	40	53
Superannuation	5	32	29
NET CONTROLLABLE COST OF SERVICES	2,194	2,313	1,761
CAPITAL WORKS EXPENDITURE	17	0	0

Estimated Expenditure and Revenue for 2008/2009:

LC COMMITTEES

Description	\$000
Salaries and related payments	1,776
Other operating expenses	658
Depreciation and Amortisation	25
Other Expenses	-
Total Expenses	2,459
Less Retained Revenue	5
Less Non-controllable items	98
Net Controllable Cost of Services	2,356

Department of the Legislative Council unaudited financial statements

Other Services - L.C.

	2006/2007 ACTUAL \$000	2006/2007 BUDGET \$000	2005/2006 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments			
Other Operating Expenses	18	23	6
Depreciation			
Total Expenses	18	23	6
Revenue			
Sale of Goods and Services	-	-	-
Other Revenue			
Total Revenue	-	-	-
Gain (loss) on sale of assets	-	-	-
NET COST OF SERVICES	18	23	6
Less:			
Depreciation	-	-	-
Long Service Leave	-	-	-
Superannuation	-	-	-
NET CONTROLLABLE COST OF SERVICES	18	23	6
CAPITAL WORKS EXPENDITURE	-	-	-

Estimated Expenditure and Revenue for 2008/2009:

SPECIAL PROJECTS

Description	\$ 000's
Salaries and related payments	
Other operating expenses	23
Depreciation and Amortisation	
Other Expenses	
<i>Total Expenses</i>	23
Less Retained Revenue	-
Less Non-controllable items	-
Net Controllable Cost of Services	23

Additional financial information for the Legislative Council 2007/08 Annual Report

Insurance

The NSW Parliament's insurance cover is provided by the NSW Government Treasury Managed Fund Self Insurance Scheme. This fund provides coverage for the following categories of insurance –

- Workers' Compensation;
- Liability;
- Motor Vehicle;
- Property; and
- Miscellaneous – including Members' personal accident, travel and misappropriation of funds cover.

For the 2007/2008 reporting year a total of 27 workers' compensation claims were lodged by Parliamentary employees, compared with 30 claims in 2006/2007. The average cost of these claims was \$4,821 per employee, which includes a reserve for subsequent estimated costs associated with these claims. This cost represents an 18 percent reduction on the \$5,907 average cost per claim last financial year. Of the 27 claims lodged three relate to the Legislative Council employees compared with two last year. While the number of claims lodged has increased the average claim cost has decreased from \$2,750 to \$1,385.

For the property category of insurance, the Parliament made 32 claims in 2007/2008 at an average cost of \$3,541. This included five claims from Legislative Council Members for the loss and theft of portable equipment including mobile telephones. The average cost of these five claims was \$1,334

There were three miscellaneous insurance claims for the Parliament during the reporting year of which one related to the Legislative Council with costs incurred to-date amounting to \$2,053. One liability claim was also received relating to a fall at Parliament House however this did not involve the Legislative Council. No motor vehicle claims were made for the Legislative Council's single vehicle in 2007/2008.

Internal Audit

Deloitte Touche Tohmatsu's internal audit services have been contracted for a further year pending seeking expressions of interest from other audit organisations on the NSW Government panel contract for provision of audit services for a subsequent four year period.

At the time of this report a separate comprehensive review of the administration of Members' additional entitlements is being undertaken by IAB Consulting Services. The objective and scope of this review is to recommend, simplify and streamline existing administrative practices and procedures to reduce the administrative burden for Members and the Parliament's administrative staff whilst complying with Legislative, Parliamentary Remuneration Tribunal Determination and NSW Audit Office requirements.

Other internal audit activity undertaken during the year involved implementing the various recommendations made in previous audit reports relating to finance, information technology, occupational health and safety, business continuity, asset management and employee services.

Recommendations for improvements made in these reports were adopted by the Audit Committee for implementation by the relevant Parliamentary Departments and Sections with the committee monitoring progress made.

Risk Management

The Parliament's risk management strategies for the 2007/2008 were focussed on occupational health and safety, fraud and corruption prevention, and Members' entitlements. Office alterations and refurbishments within the Legislative Council and other areas of the Parliament building during the year also presented a significant risk to staff during the construction period that was appropriately managed by Building Services and the Legislative Council. A further update to the Strategic Business Risk Assessment undertaken by Deloitte Touche Tohmatsu in late 2005/2006 is planned for 2008/2009. This update is to incorporate security and information technology services which previously have been based on their own specific reviews due to their specialised requirements.

This Strategic Risk Assessment will be used to develop the Internal Audit Plan for subsequent years which will incorporate strategic, financial and operational audits across the Parliament.

Members' of Parliament Salaries and Entitlement

Members salaries and allowances increased by 6.8 percent from 1 July 2007, representing a flow-on from increases granted to Federal Members of Parliament as provided for under Section 4 of the *Parliamentary Remuneration Act 1989*. Salaries of office and expense allowances paid to recognised office holders also increased by the same percentage. Effective from 1 July 2007 the base salary for a Member of the Legislative Council was \$126,560 per annum, whilst Electoral Allowances, Sydney Allowances and Logistic Support Allocations determined by the Parliamentary Remuneration Tribunal increased by 2.1 percent to \$43,805 per annum from 1 July 2007.

Audit Committee

The Parliament's Audit Committee met on four occasions during the 2007/2008 financial year, with each meeting chaired by Mr Jim Mitchell the independent Chairperson. Other members of the committee were Ms Lynn Lovelock, Clerk of the Parliaments and Mr Russell Grove, Clerk of the Legislative Assembly. Audit representatives together with the Financial Controller also attended each meeting in their capacity as observers at the invitation of the Audit Committee.

Activities of the committee during the reporting year included –

- Updated the Terms of Reference for the operation of the Committee as a result of the outcome of the self-assessment of audit committee best practice undertaken in the previous financial year. This self assessment was based on a survey provided by the NSW Audit Office;
- Attendance at the October 2008 meeting of the Committee by the Auditor General of NSW Mr Peter Achterstraat at which he addressed the Committee on important issues that he had observed from attending audit committee meetings of other government agencies;
- Reviewing audit reports issued during the year and followed up on implementation of recommendations made in those and previous reports;
- Approving a new Fraud and Corruption Prevention Policy for the Parliament.

- Approving the Terms of Reference for a comprehensive review of the administration of Members' Parliamentary entitlements by IAB Consulting Services;
- Made recommendations on the appointment of the external auditor (NSW Audit Office) to the Presiding Officers for the 2007/2008 financial year.

Asset Acquisitions

Building alterations and office refurbishment were undertaken in the Legislative Council's administration and procedure offices during the year with provision being made for a reading and storage room for Parliamentary papers that are ordered to be tabled by the House. The capital cost of undertaking this work was \$152,000 while a replacement photocopier was purchased for Legislative Council Committees' use at a cost of \$17,000.

Other asset acquisition expenditure incurred during the year impacting on the Legislative Council's operations was undertaken by the Department of Parliamentary Services and comprised –

• Upgrading the Parliament's IT communications and network infrastructure including server replacements	650,000
• Purchase of Artworks	10,000
• Building security work	314,000
• Energy and water savings initiatives	1,807,000
• Catering facilities refurbishment and equipment replacement	382,000
• Minor office equipment	105,000
	\$3,268,000



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Appendix 1

Members of the Legislative Council

Ajaka ⁸ The Honourable John George	LIB	Macdonald ⁸ The Honourable Ian Michael	ALP
Brown ^A The Honourable Robert Leslie ⁴	SP	BA (Hons)	
Catanzariti ^A The Honourable Antonio	ALP	<i>Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development</i>	
Clarke ^A The Honourable David	LIB	Mason-Cox ⁸ The Honourable Matthew Ryan ⁹	LIB
Cohen ^A Mr Ian BA DipEd	G	Deputy Leader of the Liberal Party	
Colless ^A The Honourable Richard Hargrave	NAT	Moyes ^A The Reverend the Honourable	CDP
HD App		Dr Gordon	
Sci(Agric)		Keith Mackenzie AC BA DD LLD LitD FAIM	
<i>Deputy Opposition Whip</i>		FRGS FAICD MACE	
Costa ^A The Honourable Michael	ALP	*Nile ⁸ The Reverend the Honourable	CDP
<i>Treasurer, Minister for Infrastructure, and Minister for the Hunter</i>		Frederick John	
Cusack ^A The Honourable Catherine Eileen	LIB	ED LTh	
BEC(SocSc)		<i>Assistant Deputy President and Temporary Chair of Committees</i>	
Della Bosca ⁸ The Honourable John Joseph BA	ALP	Obeid ⁸ The Honourable Edward Moses OAM	ALP
Donnelly ^A The Honourable Gregory John	ALP	Parker ^A The Honourable Robyn Mary	LIB
BEC MIR ²		<i>Temporary Chair of Committees</i>	
<i>Government Whip</i>		Pavey ⁸ The Honourable Melinda Jane	NAT
Fazio ⁸ The Honourable Amanda Ruth	ALP	Pearce ^A The Honourable Gregory Stephen	LIB
<i>Deputy President and Chair of Committees</i>		BA LLB	
Ficarra ⁸ The Honourable Marie Ann BSc(Hons)	LIB	Primrose ^A The Honourable Peter Thomas	ALP
Gallacher ^A The Honourable Michael Joseph	LIB	B SocStud(Syd)	
BProf St		<i>President</i>	
<i>Leader of the Opposition</i>		Rhiannon ⁸ Ms Lee	G
Gardiner ⁸ The Honourable Jennifer Ann BBus	NAT	Robertson ^A The Honourable Christine Mary	ALP
<i>Temporary Chair of Committees</i>		BHlthSc(Nurs)	
Gay ^A The Honourable Duncan John	NAT	<i>Temporary Chair of Committees</i>	
<i>Deputy Leader of the Opposition</i>		Roosendaal ^A The Honourable Eric Michael	ALP
Griffin ^A The Honourable Kayee Frances	ALP	BA LLB ¹	
<i>Temporary Chair of Committees</i>		<i>Minister for Roads, Minister for Commerce, Acting Minister for Industrial Relations, and Acting Minister Assisting the Minister for Finance</i>	
Hale ^A Ms Sylvia Phyllis	G	Sharpe ^A The Honourable Penelope Gail ³	ALP
<i>Temporary Chair of Committees</i>		<i>Parliamentary Secretary</i>	
Harwin ⁸ The Honourable Donald Thomas	LIB	Smith ⁸ The Honourable Roy Anthony	SP
BEC(Hons)		Tsang ⁸ The Honourable Henry OAM BArch(NSW)	ALP
<i>Opposition Whip</i>		DipBdgSc(Syd) DUniv(CSU)	
Hatzistergos ⁸ The Honourable John BEC LLM	ALP	<i>Parliamentary Secretary</i>	
<i>Attorney General, and Minister for Justice and Acting Minister for Education and Training</i>		Veitch ⁸ The Honourable Michael Stanley	ALP
Kaye ⁸ Dr John	G	<i>Deputy Government Whip</i>	
Kelly ^A The Honourable Anthony Bernard ALGA	ALP	Voltz ⁸ The Honourable Lynda Jane	ALP
<i>Minister for Lands, Minister for Rural Affairs, Minister for Regional Development, Acting Minister for the Central Coast, and Vice-President of the Executive Council</i>		West ^A The Honourable Ian William	ALP
Khan ⁸ The Honourable Trevor John B Juris	NAT	Westwood ⁸ The Honourable Helen Mary	ALP
LLB (UNSW)		<i>Temporary Chair of Committees</i>	
Lynn ⁸ The Honourable Charlie John Stuart psc	LIB	<i>*Indicates new or amended entry since last list</i>	

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

Party representation: house of 42 members

ALP – Australian Labor Party	19
CDP – Christian Democratic Party (Fred Nile Group)	2
G – The Greens	4
LIB – Liberal Party of Australia (NSW Division)	10
NAT – The Nationals	5
SP – Shooters Party	2
Total	42

Officers of the Legislative Council

President

The Honourable Peter Thomas Primrose
B SocStud(Syd)

Deputy President and Chair of Committees

The Honourable Amanda Ruth Fazio

Acting Clerk of the Parliaments

Lynn Carole Lovelock BA (Hons) DipEd

Deputy Clerk

David Michael Blunt M Phil LLB (Hons)

Clerk Assistant-Corporate Support

Robert Stefanic B Com LLB (Hons)

**Usher of the Black Rod & Clerk Assistant-
Procedural Support**

Steven Reynolds BEc LLB MPS

Address all mail C/- Legislative Council,
Parliament House, Macquarie St, SYDNEY 2000

Phone: (02) 9230 2111

Fax: (02) 9233 3661

Email: council@parliament.nsw.gov.au

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

A. Elected Members whose term of service expires on dissolution or expiry of 54th Parliament.

B. Elected Members whose term of service expires on dissolution or expiry of 55th Parliament.

10. Elected (24.6.2004) to vacancy caused by the resignation of the Honourable AS Burke. Term of service expires on the dissolution or expiry of the 54th Parliament

11. Elected (23.2.2005) to vacancy caused by the resignation of the Honourable MR Egan. The term of service expires on the dissolution or expiry of the 54th Parliament

12. Elected (11.10.2005) to vacancy caused by the resignation of the Honourable CM Tebbutt. The term of service expires on the dissolution or expiry of the 54th Parliament

13. Elected (3.5.2006) to vacancy caused by the resignation of the Honourable JS Tingle. Term of service expires on the dissolution or expiry of the 54th Parliament

Appendix 2

Legislative Council members' travel

Member	2007/08 Total \$	Members' LSA Travel \$	Members' Spouse / Approved Relative LSA Travel \$	Members' Staff LSA Travel \$	Members' Home Travel \$
Ajaka	1,370	1,370	-	-	-
Brown	15,672	14,998	497	177	-
Catanzariti	28,677	3,669	4,007	836	20,165
Clarke	-	-	-	-	-
Cohen	25,015	5,595	-	18	19,402
Colless	38,398	16,079	4,997	300	17,022
Costa	-	-	-	-	-
Cusack	30,605	8,142	856	-	21,607
Della Bosca	-	-	-	-	-
Donnelly	7,388	7,388	-	-	-
Fazio	1,523	1,196	63	264	-
Ficarra	3,292	2,825	467	-	-
Gallacher	1,579	828	-	751	-
Gardiner	33,224	8,751	-	-	24,473
Gay	16,332	12,622	3,382	328	-
Griffin	-	-	-	-	-
Hale	6,103	6,103	-	-	-
Harwin	11,685	4,644	-	119	6,922
Hatzistergos	-	-	-	-	-
Kaye	5,350	5,350	-	-	-
Kelly	30,180	3,694	8,444	-	18,042
Khan	29,099	7,487	3,155	336	18,121
Lynn	2,223	2,223	-	-	-
Macdonald	1,506	-	293	-	1,213
Mason-Cox	17,712	897	-	-	16,815
Moyes	13,909	3,226	1,421	4	9,258
Nile	12,018	-	-	-	12,018
Obeid	-	-	-	-	-
Parker	19,835	8,150	-	-	11,685
Pavey	40,502	15,130	3,544	435	21,393
Pearce	12,283	5,621	87	-	6,575
Primrose	1,445	601	844	-	-
Rhiannon	7,310	6,803	464	43	-
Robertson	27,330	4,489	5,296	-	17,545
Roosendaal	-	-	-	-	-
Sharpe	4,940	4,416	-	524	-
Smith	9,004	7,382	1,622	-	-
Tsang	17	-	-	17	-
Veitch	30,083	5,937	322	8,647	15,177
Voltz	7,425	7,425	-	-	-
West	337	337	-	-	-
Westwood	-	-	-	-	-
Total	493,371	183,378	39,761	12,799	257,433

Appendix 3

Committee travel expenses 2007/08

The following tables set out all travel expenditure incurred by committee members and committee staff (including Hansard staff) for 2007/08. Committees not represented in these tables incurred no travel related expenses in the reporting period.

Total for all committee travel expenses – \$42,145

Standing Committee on Social Issues

Date	Inquiry	Minute No.	Destination	Activity	In attendance	Travel Expenses
14 February 2008	Overcoming Indigenous Disadvantage	8	Bidwill	Public Forum	West Khan Donnelly Ficarra Kaye Veitch Secretariat staff (5) Hansard staff (3)	\$2,152
10-14 March 2008	Overcoming Indigenous Disadvantage	10,11,12	Kempsey, Dubbo and Nowra	Hearings and site visits	West Khan Donnelly Ficarra Kaye Veitch Secretariat staff (3) Hansard staff (3)	\$18,075
TOTAL						\$20,227

* Travel expenses covers all expense types and may include venue hire, chartered flights, accommodation, meals, catering, bus hire, taxi fares etc.

Standing Committee on State Development

Date	Inquiry	Minute No.	Destination	Activity	In attendance	Travel Expenses
5-6 September 2007	Aspects of Agriculture	4,5	Tamworth and Narrabri	Hearings, forums and site visits	Catanzariti Veitch Pavey Nile Robertson Secretariat staff (3) Hansard staff (3)	\$9,824
12-13 September 2007	Aspects Agriculture	6,7	Leeton and Cootamundra	Hearings forums and site visits	Catanzariti Veitch Pavey Nile Robertson Secretariat staff (3) Hansard staff (3)	\$10,794

* Travel expenses covers all expense types and may include venue hire, chartered flights, accommodation, meals, catering, bus hire, cabcharge fares etc.

Standing Committee on State Development (continued...)

Date	Inquiry	Minute No.	Destination	Activity	In attendance	Travel Expenses
17 March 2008	Nanotechnology in NSW	12	Intelligent Polymer Research Unit, University of Wollongong Bluescope Steel, Port Kembla	Site visits	Catanzariti Veitch Nile Robertson Mason-Cox Secretariat staff (2)	\$700
18 March 2008	Nanotechnology in NSW	13	Centre for Quantum Computer Technology, Kensington	Site visits	Catanzariti Veitch Pavey Nile Mason-Cox Secretariat staff (2)	\$600
					TOTAL	\$21,918

* Travel expenses covers all expense types and may include venue hire, chartered flights, accommodation, meals, catering, bus hire, cabcharge fares etc.

Appendix 4

MLC attendance at Legislative Council committee meetings 2007/08

Denotes attendance as a participating member

* Denotes attendance as a substitute member

The figures in the following table do not include members' participation in joint committees administered by the Legislative Assembly.

	Member	L & J	SI	SD	GPSC1	GPSC2	GPSC3	GPSC4	GPSC5	Royal North Shore	Electoral Funding	Privileges	Procedures	Total
GOVERNMENT MEMBERS	Catanzariti			18		10			6					34
	Della Bosca												1	1
	Donnelly	12	15		1*	12	5	1*	1*			7	2	56
	Fazio	9				2*	8	1*		10	10	7	2	49
	Griffin				7	1*		4	1*			8		21
	Kelly												2	2
	Macdonald												1	1
	Obeid				1*		1*	2*	2*					6
	Primrose												2	2
	Robertson	13		16		15	1*	1*						46
	Sharpe				5	1*		1*	1*					8
	Tsang				1*			6	1*					8
	Veitch		16	17		4*	1*	1*	5*		11		1#	56
	Voltz				1*			9	5					15
	West		16		5		1*	1*				8		31
Westwood						4		3					7	
OPPOSITION MEMBERS	Ajaka	12				1*	4							17
	Clarke	13			1*	1*	1*	2	1*					19
	Colless							2*	7					9
	Cusack				1*	1*								2
	Ficarra		16		1*	10	1*		1*					29
	Gallacher				1*		1*							2
	Gardiner						1*	9		10	11	5		36
	Gay				2*			1*	1#				1	5
	Harwin				1*			2*			11	7	2	23
	Khan		16				5		2*					23
	Lynn				1*	1*	2*		5					9
	Mason-Cox			12	2	1*	1*	2*						18
	Parker					15								15
	Pavey			17	1		1*		2*					21
	Pearce				2*		1*							3
CROSS BENCH MEMBERS	Brown						1*	1*	9		10		2	23
	Cohen								10					10
	Hale	12			1*	3*	3*	3						19
	Kaye		16		5		1#	2*	1#					25
	Moyes					13								13
	Nile			17	7					10	11	6	2	53
	Rhiannon					11	3	4*						18
Smith						6	8						14	

Appendix 5

MLC membership of joint committees administered by the Legislative Assembly

The following table sets out MLC membership of the joint committees administered by the Legislative Assembly. MLCs who are not members of these committees do not appear. For information about the activities of these committees see the Legislative Assembly's Annual Report 2007/08.

Member	Committee on Children and Young People	Committee on Electoral Matters	Committee on Health Care Complaints	Committee on the ICAC	Legislation Review Committee	Joint Statutory Committee on the Office of the Valuer General	Committee on the Office of the Ombudsman and the PIC	Joint Standing Committee on Road Safety (Staysafe)	Joint Select Committee on Threatened Species Conservation Amendment (Biodiversity Banking) Act 2006
GOVERNMENT MEMBERS									
Donnelly		•							
Fazio	•				•				
Griffin	•					•			
Robertson									•
Voltz							•		
West								•	
Westwood			•						
OPPOSITION MEMBERS									
Ajaka				•					
Clarke			•						
Collins								•	
Cusack	•								
Gardiner		•							
Harwin		•							
Lynn						•			
Parker					•				
CROSS BENCH MEMBERS									
Brown								•	
Cohen									•
Hale							•		
Moyes									•
Nile	•		•						
Rhiannon									•
Smith									•

The Committee operated until 15 Jan 2007.

The Committee operated until 2 March 2007.

Appendix 6

Committee reports and government responses

The following table sets out all reports that have been tabled by Legislative Council committees in the reporting period, government responses received or due to be received in the reporting period, and government responses received during the period for reports tabled during earlier reporting periods.

Committee	Report no.	Report title	Date tabled	Government response due	Government response tabled
Law and Justice	34	Review of the exercise and functions of the Motor Accidents Authority and the Motor Accidents Council, Eighth report	8/11/07	8/05/08	18/06/08
	35	The prohibition on the publication of names of children involved in criminal proceedings	21/04/08	21/10/08	N/A
Social Issues	40	Overcoming indigenous disadvantage, Interim report	27/06/08	N/A	N/A
State Development	32	Aspects of Agriculture	28/11/07	28/05/08	04/06/08
GPSC 1	31	Budget Estimates 2007/08	05/12/07	N/A	N/A
GPSC 2	26	Budget Estimates 2007/08	05/03/08	N/A	N/A
GPSC 3	25	Inquiry into the operations of the Home Building Service	14/12/07	14/06/08	13/06/08
GPSC 4	19	Budget Estimates 2007/08	05/12/08	N/A	N/A
GPSC 4	18	Budget Estimates 2007/08	06/03/08	N/A	N/A
Joint Select Committee on the Royal North Shore Hospital	1	The Royal North Shore Hospital	20/12/07	20/06/08	22/02/08
Select Committee on Electoral and Political Party Funding in NSW	1	Electoral and political party funding in New South Wales	19/06/08	19/12/08	N/A
Privileges Committee	37	Citizen's Right of Reply (Mr R Bailey)	17/09/07	N/A	N/A
	38	Comments by Cardinal Pell concerning the Human Cloning and Other Prohibited Practices Amendment Bill 2007	19/09/07	N/A	N/A
	39	Draft Constitution (Disclosures by Members) Further Amendment Regulation 2007	29/11/07	N/A	N/A
	40	Citizen's Right of Reply (Mr T H Logan)	29/11/07	N/A	N/A
	41	Draft Constitution (Disclosures by Members) Amendment Regulation 2008	28/02/08	N/A	N/A
	42	Citizen's Right of Reply (Prof Bob Walker and Ms Betty Con Walker)	24/06/08	N/A	N/A
	43	Citizen's Right of Reply (Mr R Bailey) (No 2)	24/06/08	N/A	N/A
	44	Citizen's Right of Reply (Mr D Kennedy)	24/06/08	N/A	N/A
	45	Further draft Constitution (Disclosures by Members) Amendment Regulation 2008	26/06/08	N/A	N/A