

Legislative Council

# **Annual Report 2001**

Volume 1

Department of the Legislative  
Council

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## Office operating hours

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

## Sitting Days

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

## Visits by the public

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

Organised tours for school and community groups can be booked by telephoning 9230-2440, or the Legislative Council reception desk. Wheelchair access to the building is available.

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Committee Office	9230-3373	9230-2876
Administration Office	9230-2893	9230-2876
Attendants' Reception	9230-2319	9230-2876

## Standing Committees:

Privileges & Ethics	9230-2346	9230-2761
Social Issues	9230-3078	9230-2981
Law & Justice	9230-3311	9230-3371
State Development	9230-2193	9230-2981
General Purpose	9230-3544	9230-3416



LEGISLATIVE COUNCIL

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THE HON. DR MEREDITH BURGMANN PRESIDENT OF THE LEGISLATIVE COUNCIL

I am pleased to present to the Legislative Council the Annual Report prepared by the Clerk of the Parliaments on the operations of the Department of the Legislative Council for the year ending 30 June 2001.

A handwritten signature in black ink, reading 'Meredith Burgmann'.

Meredith Burgmann  
President of the Legislative Council

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LEGISLATIVE COUNCIL

OFFICE OF THE CLERK

The Honourable Meredith Burgmann  
President of the Legislative Council  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Madam President

I am pleased to submit for your information and presentation to the House the Annual Report of the Department of the Legislative Council for the year ended 30 June 2001.

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

This report also includes a report on performance of committees, which has been published separately in the past.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Evans'.

John Evans  
Clerk of the Parliaments

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# Clerk's Foreword

## The Clerk of the Parliaments – John Evans

The year under review presented many challenges for the Legislative Council and its staff and I am pleased to say we have again been able to respond positively. The Olympics and the Centenary of Federation have been the highlights for the year for not only the Parliament, but for the entire nation.

The Legislative Council has also extended a helping hand to the people of East Timor and the Timorese National Council. Parliamentary officers, including the Deputy Clerk, Lynn Lovelock and Mr David Blunt, Director Committees have spent a number of weeks in East Timor sharing their expertise by co-ordinating and training members of the Timorese National Council (*the "proto-Parliament" of East Timor*).

The Legislative Council has continued to improve services to our clients and will follow a program of ongoing review in all areas to ensure further efficiencies are achieved.

This report also incorporates a report on committees which is volume 2.

The service provided to Members and the public is a direct reflection of the continued dedication of the Legislative Council staff and I would like to commend them for a job well done.



John Evans  
Clerk of the Parliaments

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# **Chapter 1      Introduction**

## **Mission**

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

## **Charter**

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

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

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

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

## **Charter of Values**

### **People are our priority**

We will respond quickly to customer demands.

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

### **Positive attitude**

We focus on getting the job done in an accurate, timely and efficient manner.

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

### **Professional performance**

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

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

In our organisation, excellence in performance wins rewards.

We encourage innovation and initiative.

## **Chapter 2      Role of the Clerk and Role and Function of the Department**

### **Role of the Clerk**

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

### **Role and Functions of the Department**

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

*\* Advisory and procedural services including:*

- advice to Members on parliamentary practice and procedure
- preparation of documentation for use in the House
- production of the records of proceedings of the House and its Committees.

*\* Administrative and support services including:*

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

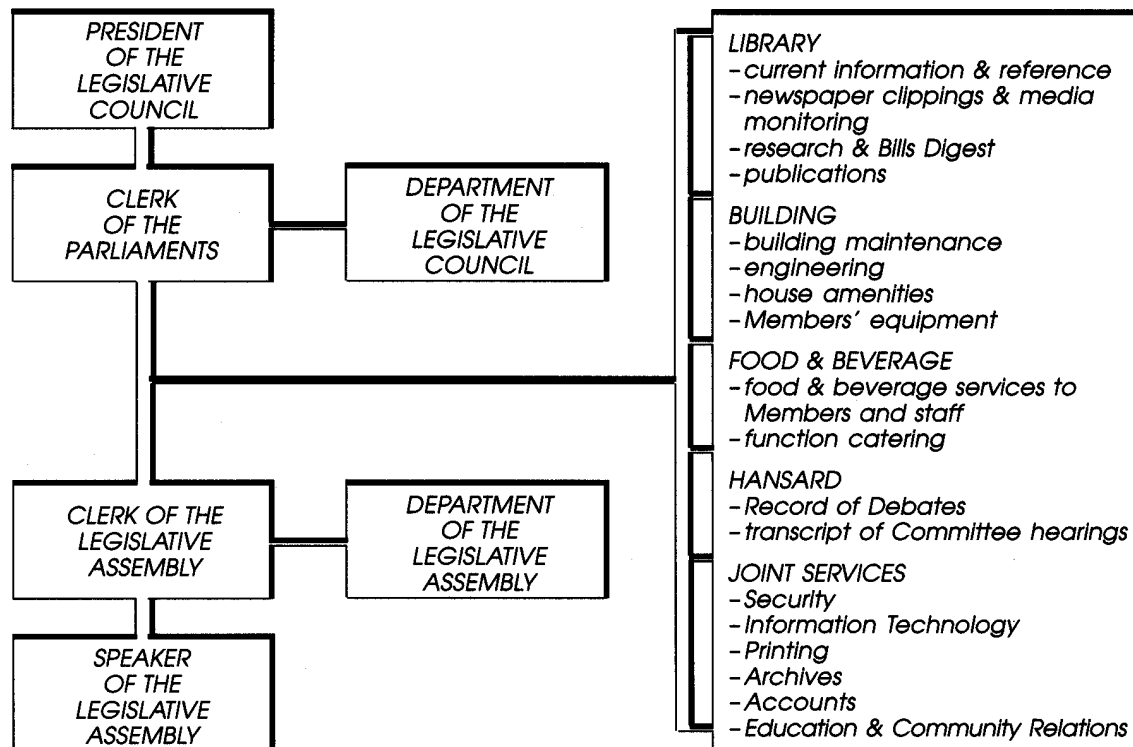
*\* Corporate management including:*

- corporate/strategic planning
- budget development, monitoring and reporting
- personnel and training
- industrial/employee relations
- provision of consultancy services relating to all these functions to Joint Service Departments

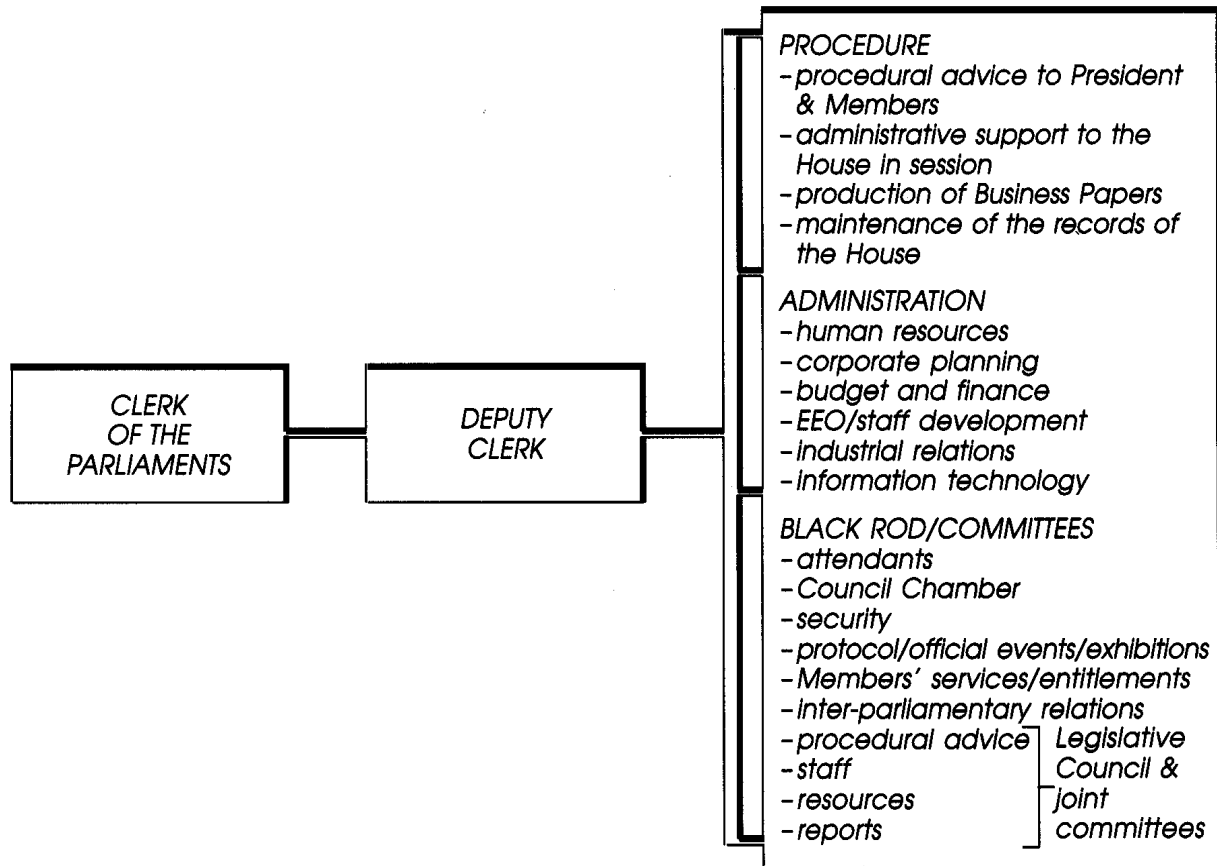
The Legislative Council also has administrative responsibility for the Departments of Parliamentary Building Services, Parliamentary Food and Beverage Services, and the Information Technology Services Section.

## Organisation Charts

### Parliament House



## Department of the Legislative Council



## **Key Plans 2001- 2002**

In line with the Legislative Council's 6 Corporate Goals and our mission to service and enhance the operations of the New South Wales Parliament, the Legislative Council plans to undertake the following projects in 2001/2002:

- Review the Legislative Council's performance management system.
- Publish new Member's Guide – to provide relevant information to Members relating to the recent determinations of the Parliamentary Remuneration Tribunal.
- Review the Annual Report of the Legislative Council in light of recommendations contained in recent reports (*Better Practice Guide – Annual Reports & Performance Audit Report – Annual Reports*) from Auditor-General and the Premier's Department.
- Implement phase two of the Helpdesk system for assets issued to Members to allow Members' support services to track and manage service requests.
- Prepare and publish new brochures for the public concerning the role and functions of the Legislative Council.
- Subject to funding, to provide media quality camera and supporting infrastructure to the Legislative Council Chamber.

## **Joint Projects**

- A review of Security Services
- A review of Printing, Stationery and Stores Services
- Review the Parliament's Records Management Policy
- Develop an electronic Communication Devices Policy which is consistent with Records Management guidelines.
- Overflow of Accommodation for Parliament House

## **Chapter 3      Procedural Advice and Support**

### **Goal**

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

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

The Legislative Council comprises 42 Members directly elected by every voter in New South Wales. The method of voting is known as optional preferential proportional representation. In order to be elected candidates need to obtain a quota which is about 4.5% of the total formal vote. Members are elected for a period of 8 years. One half of the Legislative Council is elected every 4 years at the same time as an election for the Legislative Assembly.

Since the March 1988 election, the Government of the day has been in minority in the Legislative Council. In the March 1999 election, the minor party and independent representation increased to 13 seats, which is over 30% of the total membership of the House. The lack of a Government majority in the Legislative Council means that the House and its committees plays an important role in the review of legislation and government activity.

### **Procedural Advice**

The Clerks-at-the-table must ensure that proceedings in the House conform to the requirements of Standing and Sessional Orders, the *Constitution Act 1902*, and other laws as they relate to the Parliament.

### **Review of Operations**

#### **First Female Governor of New South Wales**

On 1 March 2001 the House was informed that Professor Marie Bashir had been appointed the Governor of New South Wales following the retirement of the Honourable Gordon Samuels AC. Governor Bashir is the first female Governor of New South Wales. On 7 March 2001 the Members went to Government House to present the address in reply to Her Excellency's message of assumption of the administration of the Government of the State.

### **Members' party alignment**

The Parliamentary Elections and Elections Amendment Act 1999 introduced changes to the voting system for Legislative Council elections and the requirements for registration of political parties. During the period under review, the requirements of this Act, that a party have at least 750 registered voters and must submit the formal requirements for registration to the Electoral Commission, were not satisfied by three parties with Legislative Council representation. As a result, these parties were removed from the register and Members representing them are now considered as Independent.

Registered Parties represented in the House are: Australian Labor Party - 16, Liberal Party of Australia (NSW Division) - 9, National Party of Australia (NSW) - 4, Christian Democratic Party - 2, The Greens - 2, Australian Democrats - 1, Outdoor Recreation Party - 1, The Shooters Party - 1, Unity Party - 1, Independents - 5. (See Appendix 1)

## **Sitting Patterns**

In the latter part of 2000, the House continued its pattern established in April 2000 of sitting regularly on Fridays to deal with the business before it. Since the beginning of 2001, however, Thursdays, until 5 pm, have generally been given over to Private Members' Business, with the House adjourning until the next or future Tuesday.

## **Private Members' Business**

The postponement on eight occasions of the Crimes Amendment (Child Protection—Excessive Punishment) Bill provided a significant impetus for a change to the sessional order governing Private Members' Business. On 5 April 2001 the House resolved that when an item within the Order of Precedence is postponed for a third time it will be removed from the Order of Precedence and set down at the end of Private Members' Business outside the Order of Precedence unless the House otherwise orders.

## **Disallowance of statutory rules**

On 6 December 2000 the agreement between New South Wales and Victoria on the outcomes of the Snowy Water Inquiry was tabled in the House. On 7 December 2000 the Government took the unusual step of moving that the "House does not propose to disapprove of the agreement" arguing that such a motion was necessary to ensure that increased water flows (the subject of the instrument that was tabled) would not be delayed until the House next sat in February which would have occurred under normal circumstances and procedures. The Opposition argued that more time was needed for examination of the agreement and moved that debate on the motion be adjourned until Tuesday 19 December 2000. The motion was defeated on division and the original motion put and passed.

An issue which was attracting significant media coverage impacted on proceedings in the House when a Member sought to disallow the Sydney University Amendment By-law 2001. The objective of the by-law was to allow the University Senate to remove the Chancellor after passing a motion of no confidence at two consecutive meetings. Many Members contributed to the debate including the government representative on the Senate of Sydney University who opposed the motion. The motion for disallowance was finally defeated on division.

## **Orders for papers**

The Legislative Council has power to require the Government to produce documents to it in order to exercise its functions in overseeing the executive government. It does this by making an "order for papers". Orders for papers have increased over the last few years, and in the year in review continue to be used by the Legislative Council to enable it to access and consider documents on issues of importance thereby fulfilling its role in holding the Government accountable. In the period under review, the House made five such orders. In four cases, the Government provided documents which were tabled and made public, and documents on which privilege was claimed. According to resolution,



only Members of the Council are entitled to view documents on which privilege is claimed. On three occasions the claim of privilege was disputed (by the same Member on each occasion). All were referred to an independent legal arbiter.

Managing the paper flow from orders for papers has heightened the need for very careful management and storage of confidential documents and increased demands on staff time.

### **Dress of Members in the Chamber**

On two occasions the issue of dress for Members was raised in the House. At both times a Member of the Opposition raised a point of order related to the dress of a particular Crossbench Member who has from time to time tested the convention that male Members of the House are required to wear a jacket. This Member has argued that as women are not required to wear a jacket it is inconsistent to expect men to do so.

On 5 April 2001 the President noted that the Standing Orders of the Legislative Council do not refer to Members' dress, and the House has not laid down any rules on this issue. The President also advised that in both the Australian Senate and the House of Representatives the standard of dress is left to the individual judgment of Members. No rules have been set down by either House, and in 1971 the Senate's House Committee reported that rules for dress should not be necessary.

The President further ruled that she expected the attire of Members in the Chamber to conform to the standards of neatness, cleanliness and decency required by Speaker Jenkins in 1983 and that Members respect the dignity of the House and the institution of Parliament. While these standards are observed the President advised that she would not deny the call to a member merely because he or she is dressed in a manner that departs from tradition in some way. To prevent a member from speaking or voting would be to interfere unnecessarily with the right of a member to represent his or her constituents.

### **New rules for Question Time and Questions without Notice**

On 30 May 2001, the House adopted new Sessional Orders dealing with Question Time, and Questions without Notice. Question Time on Wednesdays and Thursday was moved to 12 noon, from 4 pm.

A further sessional order was moved on 30th May 2001 by the Opposition with support from Members of the Cross-Bench introduced the following key features:

- times for questions are set at 1 minute; and answers must be completed within 4 minutes;
- the answers given must be relevant to the question;
- questions must not ask for a statement or announcement of government policy.

### **Reading and taking notes from Gallery**

On 3 April 2001 the President made a statement related to the reading and taking of notes in the public gallery. In her statement she pointed out that there is nothing in the Standing Orders governing these practices and that Presidents in their previous rulings have been guided by practice in the House of Commons. It had always been generally considered that reading or taking notes in the gallery was disorderly and disrespectful as it precluded visitors from attending to the proceedings of the House. In addition it was felt that note-taking conflicted with the role of Hansard as the official provider of the official record of debates.

The President indicated her belief that practices in the House should have contemporary relevance. She then stated that in future the reading of official parliamentary papers, including bills, amendments or material related to proceedings in the House, and the taking of notes, would be permissible providing that such activity was conducted in a discreet manner and did not disrupt proceedings in the House. She added that sketching is only permitted with prior approval of the President.

## **Training in East Timor**

During the reporting period, the Deputy Clerk of the Legislative Council, Ms Lynn Lovelock undertook an AusAid sponsored program in East Timor working as a Training Co-ordinator for the National Council, which is the “proto-Parliament” operating in the lead-up to independence. The work involved assisting Members and staff to establish procedures governing the passage of legislation, the conduct of sittings, committee proceedings etc, as well as co-ordinating and delivering training on these procedures. One of the Directors of Legislative Council Committees, Mr David Blunt, also spent time with the National Council as a trainer.

## **Release of petition**

The House authorised the Clerk of the Parliaments to release a petition received on 14 April 1861 from Hu Foo Kylong and others regarding an incident at Lambing Flat into the custody of Art Exhibitions Australia for display in the National Museum of Australia and the Museum of Victoria for the Centenary of Federation.

## **Key projects to improve effectiveness**

### **IT systems**

The considerable work over previous years put into the development of macros and other IT systems for producing the daily business papers has resulted in a greatly simplified process, and real efficiencies in the production of the papers. These systems are in place and working well. In the period under review, the Legislative Council continued to build on these systems and make modifications as required.

The Legislative Council assisted in improvements to the Parliament House intranet which provides electronic access to House papers, and other procedural administrative material to Members, officers and staff. Public information such as the House papers, Hansard and committee reports are also published on the Internet.

### **Procedure database and manual**

Work that commenced last financial year to develop and enhance an electronic index of precedents has continued. The number of precedent documents is large, and this is a long term project.

The development of a procedure manual has also commenced, and a significant portion is now in draft form.

## **Parliamentary Committees**

Committees are integral to the Legislative Council's role of reviewing legislation and acting as an effective check and balance on the activities of Government. Committees of the House may be Standing, Sessional or Select and may be joint with the Legislative Assembly. Matters may be referred to committees by the House or a Minister and may be generated by the Committee itself. In the case of committees established under an Act of Parliament, the Act sets out ongoing functions to be performed.

*Note: See Volume 2 for detailed information on the performance of Legislative Council Committees.*

## **Legislative Council Standing Committees**

### **Standing Committees**

The Standing Committees of the Legislative Council are established by resolution of the House. Paragraph 33 of the resolutions establishing the Standing Committees on Law and Justice, Social Issues and State Development, requires that a report is to be prepared on the performance of each Standing Committee each financial year for inclusion in the Annual Report of the Legislative Council.

The Legislative Council now has nine Standing Committees. The Standing Committee on Privilege and Ethics performs a specialised role in relation to issues of parliamentary privilege and ethics and is staffed by officers from the Legislative Council.

The Standing Committees on Law and Justice, Social Issues and State Development investigate and report on proposed legislation, government activities, and matters of public policy. These are each supported by a permanent secretariat. The Standing Committees on Social Issues and State Development have been in existence since 1988, as has a Standing Committee on Parliamentary Privilege. The Standing Committee on Law and Justice was established in 1995. These committees were reappointed for the Fifty-second Parliament by resolution of the House on 25 May 1999.

In addition, the Legislative Council has appointed five General Purpose Standing Committees which have a majority of non-Government Members. They were originally established to inquire into the Budget Estimates but are now used to inquire into specific issues. These General Purpose Standing Committees were reappointed on 13 May 1999 and reflect Government Ministers' portfolio responsibilities.

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

The Standing Committee on Parliamentary Privilege was established by resolution of the House in 1988. It was re-established as the Standing Committee on Parliamentary Privilege and Ethics in the Fifty-first Parliament by resolution on 24 May 1995 and was re-appointed in the Fifty-second Parliament on 25 May 1999.

The functions of the Committee are to:

- inquire into and report to the Legislative Council on any matters relating to parliamentary privilege which may be referred to it by the House or the President; and
- carry out certain functions relating to ethical standards applying to Members of the Legislative Council under Part 7A of the Independent Commission Against Corruption Act 1988.

The Committee also considers and reports on matters referred to it under the resolution of the House of 13 November 1997 concerning citizen's right of reply.

## **Privilege matters**

### **Office of profit inquiry**

The Committee is inquiring into sections 13 and 13B of the *Constitution Act 1902* (NSW), which respectively disqualify for membership of Parliament any person holding a contract with the Public Service of NSW, or "office of profit under the Crown". In March 2001 the Legislative Council resolved that the Committee have power to meet and hold joint hearings with the Legislative Assembly Standing Ethics Committee in relation to the inquiry, as that Committee is also conducting an inquiry concerning section 13B.

Following the passing of this resolution, the two Committees jointly sought updated information concerning comparable disqualification provisions in a range of other Parliaments in Australia and overseas, and advertised for submissions in relation to the inquiry. It is expected that the inquiry will be completed in the coming year.

### **Possible intimidation of witnesses**

On 28 June 2001 the Legislative Council referred an inquiry to the Committee concerning the Special Report of General Purpose Standing Committee No. 3 dated June 2001. The Special Report relates to possible breaches of parliamentary privilege arising from that Committee's inquiry into Cabramatta policing. The possible breaches involve (1) the unauthorised publication in a newspaper of certain evidence received by the Committee, and (2) actions by the NSW Police Service with regard to four police officers who gave evidence to the Committee.

In relation to the first matter, the Special Report states that the General Purpose Committee has attempted to ascertain the original source of disclosure of the evidence but has not been successful, and does not believe that source will be able to be identified by further inquiry.

The Special Report recommends that, as the Chair of the General Purpose Committee is also the Chair of the Standing Committee on Parliamentary Privilege and Ethics, another Member should chair the inquiry on the Special Report. In accordance with this recommendation, the Legislative Council has resolved that the current Chair be replaced by the Hon Peter Breen MLC for the purpose of the inquiry. The Committee is required to report by 26 October 2001.

## **Ethics**

During the year a student intern was placed with the Committee secretariat for 10 weeks as part of the Public Policy Internship program of the Department of Government at the University of Sydney. The intern researched and prepared background material on developments relating to codes of conduct in other Parliaments in Australia and overseas. This material will be used by the Committee when reviewing the Members' code of conduct, as required by section 72C(6) of the *Independent Commission Against Corruption Act 1988*.

The Parliamentary Ethics Adviser, Mr Ian Dickson, met with the Committee on one occasion during the year, as required by the resolution of the House establishing that position.

As part of its educative role under section 72C(1)(b) of the *Independent Commission Against Corruption Act 1988*, the Committee has continued developing an “ethics casebook”.

## **Citizen’s Right of Reply**

### **Change to procedure**

The right of reply procedure adopted by the Legislative Council in 1997 permits citizens who are referred to by Members in the House to request that a reply be published in the parliamentary record. Under this procedure, requests for a right of reply are considered by the President of the Legislative Council and if appropriate referred to the Standing Committee on Parliamentary Privilege and Ethics for consideration and report to the House. If the Committee recommends that a reply be published, the recommendation does not take effect until the House agrees to a motion, on notice, that it adopt the Committee’s report.

In several cases in the past, there have been significant delays between the giving of the notice of motion proposing that the House adopt the report, and the actual adoption of the report by vote of the House. This has resulted in delays in the publication of citizens’ responses. To address this problem, on 6 December 2000 the House agreed to a motion by the Leader of the Government in the House that, during the present session, a notice of motion to adopt a report from the Committee on a citizen’s right of reply is to be placed on the Notice Paper as Business of the House for 6 days after the giving of the notice.

The House further resolved that any existing notice of motion on the Business Paper in relation to a right of reply was to be dealt with as Business of the House on the sitting day after the resolution was passed. Pursuant to this provision, a notice of motion for adoption of a report which had been on the Notice Paper since October 1999 was brought before the House and agreed to on 7 December 2000 (*Report on a person referred to in the Legislative Council (Mr L R Allen)*, Report No. 10, October 1999).

### **Right of reply report**

The Committee reported on a right of reply submission during the year, from Mr S Forbes, a member of the Fair Trading Tribunal of NSW, who was referred to in the House by the Hon John Ryan MLC. The Committee recommended publication of a reply by Mr Forbes, and its report was adopted by the House on 7 December 2000.

## **Select Committees**

### **Select Committee on the Increase in Prisoner Population**

The Select Committee on the Increase in the NSW Prisoner Population was established by the Legislative Council on 17 November 1999 to examine issues that impact upon prisoners and, in particular, the reasons for the rise in inmate numbers since 1995. The Committee tabled its Interim Report, on issues specifically relating to women on 28 July 2000.

The final report, initially due on 29 June 2001, is now due on 31 August 2001 and will look at issues relating to male inmates. During its investigations for part two of its inquiry the Committee held 12 meetings, including 8 sessions of hearings, 3 of which took place in NSW Correctional Centres. As part of its inquiries the Committee also visited the NSW Drug Court at Parramatta and the Court Psychiatric Assessment Scheme at Central Local Court. Members also viewed the Sentencing Information Data Base at the Judicial Commission of NSW.

## **Sessional Committees**

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

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

## **Joint Committees**

### **Joint Standing Committees**

One Joint Committee was operational during the reporting period:

- Staysafe (Road Safety)

### **Joint Statutory Committees**

There are five Joint Statutory Committees which are established by Act of Parliament. These comprise:

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

## Summary of Activities of the House

1 July 2000 – 30 June 2001

	2000 - 2001
<b>Sittings</b>	
sitting days	55
hours of sitting	540.15
average length of sitting days (hours)	9.42
sitting after midnight	2
<b>Bills</b>	
initiated in Council	
– by Government	7
– by private Member	8
received from Assembly	104
bills amended in Council	30
bills passed	26
<b>Documents tabled</b>	
– petitions	79
– reports	258
– statutory instruments	484
<b>Questions asked</b>	
– without notice	1,127
– on notice	433
<b>Divisions</b>	
– in House	61
– in Committee	62
<b>Private Members' business</b>	
– notice given	96
– moved	43
– resolved	31
– withdrawn/discharged	21
– adjourned/interrupted	9
– motions under SO 13 to discuss an urgent matter of public importance	2
– matters of public interest	0

– replies to adjourned matters	0
<b>Ministerial Statements</b>	3
<b>Disallowance of Statutory Rules and Instruments</b>	
– notice given	3
– moved	1
– agreed to	—
– negatived	1
– withdrawn	2
– adjourned	0
<b>Hansard (Pages of debate)</b>	4,045



## **Chapter 4      Services to Members**

### **Goal**

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

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

### **Members' Staff**

The Legislative Council consists of 42 Members elected on a state wide franchise. Because Members are actively involved in parliamentary, constituency and committee duties they place heavy demands on their staff. The Council employs a Secretary/Research Assistant on behalf of each Member, with an additional staff member being provided for each of the 13 Crossbench Members. The Council also provides recruitment, training and employment administration support in relation to Members' staff. See also Goal 4 – Establishment.

### **Review of Operations**

#### **New Members**

Four new Members were elected to the Legislative Council this financial year. The Honourable Amanda Fazio was elected 30 August 2000 to fill the vacancy caused by the resignation of the Honourable Jeff Shaw. The Honourable Rick Colless was elected 30 August 2000 to fill the vacancy caused by the resignation of the Honourable Richard Bull. The Honourable Greg Pearce was elected 1 November 2000 to fill the vacancy caused by the resignation of the Honourable John Hannaford. The Honourable Ian West was elected on 1 November 2000 to fill the vacancy caused by the resignation of the Honourable Andy Manson.

### **Members' Equipment**

The Legislative Council provides a standard issue of equipment for Members. This is reviewed on an ongoing basis by the President's Technology Advisory Group (PTAG) which is a group of Members supported by staff of the Legislative Council and Parliamentary Information Technology Services. The group considers technology issues and advises the President and Clerk on the technology needs of Members.

## **Members' Allowances and Entitlements**

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

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

The Tribunal commenced proceedings in relation to the annual determination required for the year 2000 in March of that year but, following preliminary hearings and the receipt of submissions from interested parties, the President of the Industrial Relations Commission of NSW extended the date for making the annual determination to 1 August and then to on or before 4 December 2000.

On 4 December 2000 the Tribunal issued its determination for the year 2000 which was effective from 31 December 2000. This determination introduced significant changes to the additional entitlements afforded to Members including the provision of the Logistics Support Allocation Entitlement, in lieu of previously specified entitlements. The full determination can be viewed on the Parliamentary Website <http://www.parliament.nsw.gov.au/lc>

In February 2001 the Tribunal commenced proceedings in relation to the annual determination for 2001 by writing to all Members and inviting submissions. The Tribunal received extensive submissions during this process which canvassed a broad range of matters dealing with particular aspects of the Tribunal's determination of 4 December 2000.

On 29 June 2001 the Tribunal released a draft annual determination and invited further submissions from interested parties. The Tribunal had not released its final determination for the year 2001 at the end of the reporting period.

## **Members' Travel**

In accordance with recommendations from the Independent Commission Against Corruption in its reports on travel by Members of Parliament which called for accountability and transparency by Members in the use of their entitlements, details of the total costs for Legislative Council Members' and spouse/partner approved relative travel within Australia appears at Appendix 4.

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

## **Legislative Council Attendants**

The Legislative Council attendant staff continues in its effort to provide a greater level of support to Members and their staff, staff of the Legislative Council and visitors to the Parliament.

Additional training for attendants throughout the year in computer applications and cultural awareness has resulted in greater levels of skill and knowledge and increased opportunity for professional

development. During non-sitting periods this has enabled the attendant staff to provide valuable support to the Members' Services section and Legislative Council committees. During sitting periods attendant staff now have a more proactive role within the chamber, in particular the recording, tracking and distribution of the increasing number of amendments to bills moved by Members and the daily listing of the status of bills before the House.

These changes to the provision of attendant services have been facilitated by the adoption of a new staff structure which was outlined in the previous annual report.

## **Chapter 5      Corporate Management**

### **Goal**

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

### **Systems Development**

#### **SAP System**

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

Problems have continued with the configuration of some areas of the system. This has affected critical areas of the system such as leave entitlements, group certificates, taxation and general reporting.

The Legislative Council will have the new version of SAP, 4.6 implemented during the next financial year. It is envisaged that the implementation of the new version will correct the above problems.

### **Information Technology Services**

#### **New Data Communications Carrier – AAPT**

The Parliament outsourced its computer data network management to AAPT. Under a 3 year contract, AAPT will deploy and manage a frame relay based virtual private network (VPN) for the Parliament to increase network reliability, security and cost-effectiveness. The responsibility for total data network management including monitoring and support will be with AAPT. Security and speed will be enhanced by AAPT's remote access service, *DialPoint*, providing Legislative Council Members with a faster, secure and private remote connection to the Parliament's network from anywhere in Australia. The installation and testing was completed and the rollout of the new communications setup will take place at the same time as the migration of Parliament to a new operating environment (Windows 2000) in the first half of the 2001/2002 financial year. The result of this initiative will bring considerable savings and benefits for Parliament and for all Members, particularly those in rural and regional NSW.

### **Parliament's Business Systems**

Several projects were commissioned to enhance the Legislative Council's business systems. The following projects have been implemented during the 2000/2001 financial year.

## **Web portal**

The majority of databases on the Lotus Notes intranet were converted to a web base. This provides access through a browser and reduces the duplication with the Parliament's Internet site. Web-based applications provide greater flexibility and faster access to data for dial-up users. It improves the ease of use and provides the same look and feel to both the intranet and the Internet.

## **Contacts and correspondence tracking system**

The previous version of the Lotus Notes database has been upgraded to provide Members with a better way of managing their contacts and correspondence. The new system is now consistent among users, is faster, easier to use, compatible with MS Word, and offers more functionality for generating address labels, mailing lists and categorising contacts.

## **Legislative Council procedural index database**

Provides the Legislative Council Clerk's office with a facility to share and manage parliamentary procedural information from a number of sources.

## **Electronic Service Delivery (ESD)**

As part of the Government's strategic direction for information and communications technology an action plan was commissioned to ensure all appropriate government services are available electronically by 31 December 2001. The target areas identified to be completed in 2000/2001 financial year were as follows:

Completion of ESD Survey	9 June 2000
Completion of ESD Assessment	31 July 2000
Provision of all appropriate Government publications on the Internet	31 December 2000

Parliament completed all the above tasks within the required timeframe.

## **Schools online booking service**

In January 2001 funding was received from connect.nsw to implement the online booking service for school visits to the Parliament. Schools are now able to search and make tentative bookings for available times. Work is also underway to complete the following ESD projects:

Online access to indexed images of current media releases received from ministers, backbenchers and government departments.

Online video and audio proceedings of both Houses through the Internet.

## **New notebooks and scanners for Legislative Council Members**

The Parliament replaced all Legislative Council Members' Notebooks as part of the schedule of replacement of obsolete equipment and provided a scanner for member's offices during 2000/2001. The scanners are now included as part of the standard issue of computing equipment.

## **Corporate Management**

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

## **Employee Relations**

### **Salary increases**

On 21 March 2000, the NSW Industrial Relations Commission ratified the Crown Employees (Public Sector - Salaries January 2000) Award. The Public Sector Management Office of the Premier's Department represented the Parliament at the Industrial Commission. The award provides a 2% salary increase with effect from the beginning of the first pay period to commence on or after 1 January 2001, with a further 3% increase with effect from the beginning of the first pay period to commence on or after 1 January 2002.

There is a problem with funding salary increases, due to the fact that savings cannot be made from the Legislative Council Members program as it is a budget protected item.

### **Grievances**

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

## **Staff Development**

### **Training and Development**

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

Two Committee Directors attended the Premier's Department Executive Development Program.

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

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

## **Human Resources**

### **Aboriginal Employment Strategies**

The Legislative Council initiated a Joint Policy on Aboriginal Employment Strategies.

Strategies for action are listed hereunder:

1. Identifying and targeting permanent positions to attract Aboriginal people to work for the Parliament.
2. Recruitment

Prior to any vacant position being approved to advertise, consideration will be given to:

Checking the Aboriginal Database at the Workforce Management Centre in the Premiers Department. If there are suitably qualified people on that list they may be given a priority assessment. A priority assessment ascertains that given a reasonable time (ie) six months the person has the aptitude to perform the duties of the position. This is in contrast to the current method of recruitment which is merit based.

Publishing advertisements in the Koori Mail, in addition to the Sydney Morning Herald and Telegraph.

#### **3. Cadetships**

Attention has been drawn to the new Aboriginal & Torres Strait Islander Cadetship Program which will be managed initially by the Office of the Director of Equal Opportunity in Public Employment.

### **Disability Action Plan**

The Legislative Assembly is coordinating the preparation of a Disability Action Plan for the Parliament for the period 2000/2001. A number of senior Legislative Council staff have provided feedback on the draft plan. It is currently awaiting final approval.

### **Employee Assistance Program**

The Employee Assistance Program (EAP) was introduced to the Parliament in 1995. The annual cost of the program for 2000/2001 was \$15,000. The current provider of this service, Davidson Trahaire, provides independent confidential counselling, to assist and support staff with respect to stress, conflict, career matters and non-work related problems.

Davidson Trahaire's annual report for the period 1 December 1999 to 30 November 2001 indicated that 10 new clients (8 employees, 1 family member and 1 manager assist) from the Parliament utilised the service.

The Parliament has made a commitment to continue providing this service to staff, by renewing the contract with Davidson Trahaire.

## **Equal Employment Opportunity**

At 30 June 2001, the Department and its joint services employed 126 women or 55% of a total of 228 staff. At the middle and senior management level (equal to or above \$49,800 per annum) women represent 53% of the people who hold these positions. Below this level women represent approximately 56% of people who hold these positions. A detailed description of EEO statistics for the Legislative Council and its joint services is provided in two tables at Appendix 5.

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

## **Establishment – Committees**

Following consultation with staff and union representatives (Public Service Association), a restructure of the area was approved. The positions are now generic and allow more scope for developing skills in a wider range of committee activities.

The new structure aims to reflect the similarity of the work undertaken at each level but also aims to provide greater opportunities for career development and links to procedural and Chamber activities.

The introduction of the project officer positions provides a career structure for the committee officers which has not previously existed.

## **Executive Positions**

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

The Clerk of the Parliaments

Deputy Clerk

Clerk Assistant, Administration & Procedure - Senior Parliamentary Officer Grade 1

Clerk Assistant, Committees & Usher of the Black Rod – Senior Parliamentary Officer Grade 1

The Clerk of the Parliaments and Deputy Clerk positions are subject to annual salary determinations by the Statutory and Other Officers Remuneration Tribunal.

There is one female executive as was the case in last reporting year.

## **Job Analysis/Evaluation**

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



## **Policy Development/Review**

All Legislative Council policies were reviewed during the reporting period and the following were developed or updated:

- Methods of Filling Vacancies policy,
- Code of Conduct,
- Salary Determination for Secretary/Research Assistants.

Parliament-wide policies developed or updated include Aboriginal Employment Strategies and Recognition of Prior Service for Extended Leave Purposes.

Based on the available data, staff took an average of 4.06 days sick leave in 2000-2001. The total average sick leave taken has increased by 0.80 days per person during the reporting period. The Legislative Council continues to monitor absenteeism due to sick leave.

Under the Personal Carer's Leave provisions, paid sick leave and time off in lieu of payment for overtime continued to be granted for the purpose of caring for a family member who is ill. During the reporting period, Legislative Council staff accessed Personal/Carer's Leave on 12 occasions totalling 19.50 days.

## **NSW Action Plan for Women**

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

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

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

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

It is uncertain at this time if the Privacy and Personal Information Protection Act 1988 applies to the Parliament of NSW, however the Parliament follows the spirit of the Act.

## Parliamentary Service Awards

The 2000 Parliamentary Service Awards were held on Thursday 30 November 2000. Presentations were made by the Presiding Officers to parliamentary staff. A total of 60 staff received recognition of their service with the Parliament, ranging from 10 to 25 years service.

Legislative Council staff to receive an award were:

<b>Staff Member</b>	<b>Department</b>	<b>Years of Service</b>
Charles Barden	LC Attendant	10 years
David Blunt	LC Committees	10 years
Lila Fisher	L C Member Hon. J. Ryan MLC	10 years
Mike Jarrett	LC Attendants	10 years
Heather Crichton	LC Committees	10 years

## **Chapter 6     A Safe Working Environment**

### **Goal**

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

This goal addresses Occupational Health and Safety (OH&S) issues, human resource and employee relations issues.

### **Occupational Health and Safety**

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

In March 2001 the election of employee representatives was due but this was extended into the next reporting period because of the new Occupational Health and Safety legislation.

HealthQuest will conduct a 3 day training course for the committee in the next reporting period once the new employee representatives are elected.

#### **Inspection program**

As part of the regular inspection program, inspections were carried out in areas such as the Press Gallery, Legislative Assembly Chamber, Library, Level 1 Plant Room, Level 13 Roof and the Sheas Creek Storage facility. Problems reported by the committee and staff in areas inspected were mainly general housekeeping problems, which have subsequently been resolved.

#### **Health education programs**

The Rehabilitation Coordinator organised a number of courses during the reporting period on behalf of the Committee.

Courses held during the 2000-2001 financial year were as follows:

July 2000    Occupational Health and Safety for managers and supervisors (20 participants)

July 2000    Office Ergonomics (32 participants)

July 2000    Safety in Kitchens (13 participants)

September 2000    Ergonomic Information for VDU users (7 participants)

November 2000    Ergonomic Information for VDU users (5 participants)

### **Emergency Control Organisation**

A number of Legislative Council staff are nominated as Members of the Parliament's Emergency Control Organisation in the positions of Zone Emergency Control Officers and area Wardens. An emergency evacuation training session was conducted in March 2001, which was attended by all staff.

All of Parliament's Emergency Control Staff attended a Practical First Attack Fire Fighting Course in May 2001.

## Chapter 7 Promoting Public Awareness of Parliament

### Goal

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

The Legislative Council continued in 2000-2001 to provide information about the role, work and history of the Legislative Council, including its Committees. The Legislative Council also continued to provide an effective enquiry service for the public, education programs for visitors to Parliament House, as well as issuing a variety of publications.

#### **Schedule of visits (Council figures)**

Description	1998/99	1999/00	2000/01
Casual visitors	21,643	21,295	19,448
Bookings	30,968	27,136	21,294
Australia Day and other	8,000	8,070	12,686
<b>Total</b>	<b>61,611</b>	<b>56,501</b>	<b>53,428</b>
Official visits by His Excellency the Governor of New South Wales to Parliament House	2	2	2
Visits by delegations from foreign countries	12	10	23
Official visits by Ambassadors and Consuls General of Foreign Missions	14	19	35
Other Visits, including Heads of State	4	6	6
Parliamentary attachments <a href="#">and fact finding missions</a>	not listed	4	5

### Visits by the public

Legislative Council attendants receive and assist visitors to the Parliament, deliver tailored talks to booked tour groups in the Legislative Council chamber and provide access to the public gallery of the Legislative Council chamber.

Casual visitors increased in 2001, with approximately 30,000 visitors counted. In addition, room bookings, visitors to Members, Members' events and group tour bookings mean that an average of at least 5,000 people pass through Parliament monthly. (This figure does not include guests who attend functions in the dining room.)

## **Australia Day**

Parliament House once more opened on Australia Day, with both Chambers open to the viewing public, music in the fountain court and book-marks to hand out. In this, Australia's Federation year, there were 12,000 visitors to the Parliament on Australia Day, an increase of 4,000 visitors. This is over a quarter of our yearly estimated casual visitor numbers!

Australia Day is a great opportunity to gain a first-hand idea of the level and type of knowledge that New South Wales residents have of the Legislative Council. Often people have a confused understanding of the system of government in Australia, but are keen to learn about the NSW Parliament and to ask questions. The response this year was very positive, with many people expressing the opinion that the Legislative Council was absolutely necessary in the governance of New South Wales.

## **Education Activities in which the Legislative Council was involved**

In a series of visits coordinated by the Office of the Governor, the Department of Education and Training, the Catholic Education Office, the Association of Independent Schools and the Parliamentary Education and Community Relations Section, 1,070 school leaders from 496 secondary schools visited Parliament in 2000/2001. At Parliament House students visit the Chambers, sit in on Committee hearings (when the opportunity permits), meet with Members and are addressed by officers of the Legislative Council.

A Secondary Schools State Constitutional Convention was held in the Legislative Council Chamber in November 2000 organised by the Parliamentary Education and Community Relations Section in coordination with the NSW Board of Studies, the various education authorities, and the Constitutional Centenary Foundation. Almost 120 students participated. The Legislative Council chamber was used for a joint Parliamentary Education Office (Canberra)/Australian Electoral Commission/Parliamentary Education and Community Relations 4 day activity in which 16 groups of adult English language students from TAFE colleges and other tertiary institutions participated in learning activities. The Council chamber also hosted one day of the International Youth Parliament organised by Oxfam/Community Aid Abroad with participants from 120 countries.

During 2000/2001, the Parliament welcomed participants in and/or provided speakers for a range of seminars organised by Parliamentary Education and Community Relations. These included six professional development days for some 300 primary and secondary teachers; three State Government Familiarisation Seminars (150 participants) for business people; and a seminar conducted for staff of the Sustainable Energy Authority.

## **Brochures**

The Legislative Council is in the process of producing public brochures about the Legislative Council including the following topics:

- Members contact photo list
- About the Chamber
- About Members
- About the Legislative Council

These will be available in the Legislative Council foyer for education services and for Members to give to constituents.

## **Protocol**

The Legislative Council through the President has an important relationship with the consular corp in Sydney and Canberra. The President's Office and the office of the Usher of the Black Rod coordinate consular and diplomatic visits and events. These visits and events play an important role in supporting and maintaining the Parliament's regional and international relations.

Delegations and individuals are usually referred to the Legislative Council from a number of official sources, such as Federal and Premier's Department Protocol sections, the diplomatic and Consular corps, other government departments with official visitors, the Department of State and Regional

Development, overseas diplomatic missions, governments and parliaments of other countries, and the Commonwealth Parliamentary Association, to name a few.

The President's dining room is made available to visiting delegations and is also available to Members of both Houses to host functions for community organisations and constituents.

## **Vice regal visits**

The Governor visited the Parliament for a number of functions held at the Parliament during the year. Some of these included the Monarchist 2000 luncheon in the dining room and Commonwealth Day. The Governor has only visited the Parliament once on an official visit.

On Her Excellency Professor Marie Bashir, AO, becoming Governor of New South Wales, the Members of the Legislative Council presented an Address of Congratulations at Government House on 7 March 2001. This was at no cost to the Parliament.

## **Sister-State Relations**

### **Overseas delegations from the New South Wales Legislative Council**

The Legislative Council has not undertaken any overseas visits as part of its sister-state relationship responsibilities this year. Currently, there are no arrangements or plans relating to the Parliament's sister-state commitments.

### **Guangdong Sister-state visit**

Thursday 24 May 2001 to Sunday 27 May 2001

A delegation from New South Wales' sister-state Guangdong Province in China visited New South Wales. The delegation included high officials from the Guangdong Parliament and was led by Mr Wang Jun, Deputy to the National People's Congress, Vice Chairman, the Standing Committee of Guangdong Provincial People's Congress.

The visit included meetings with Department of State and Regional development representatives, and businesses at Australian Technology Park in Redfern. Some of the sites visited in Sydney included the

Homebush site, the Chinese Friendship Garden and the Opera House, and there was a cruise on the harbour. The Governor hosted a reception at Government House and the Honourable Sandra Nori, MP held a state reception on behalf of the Premier at Governor Macquarie Tower. A trip to a sheep station in Goulburn capped the visit with Mr Wang trying his hand at shearing sheep.

### **Attachments to the NSW Parliament**

There were 5 attachments or study visits during this period. The following people visited:

15 August 2000	Mark Eagleton, House of Commons
14-16 March 2001	Charles Robert, Principal Clerk – Procedure, Senate of Canada
29-30 March 2001	Andrew George, Head of Chamber Services, Welsh National Assembly
29-30 March 2001	Luc Fortin, Deputy Principal Clerk (Committees and Legislative Services) Canadian House of Commons.
4 -7 June 2001	Mr Happy Phiri, Deputy Principal Clerk (Financial Committees), Zambia and Ms Sibeso Sianga, Assistant Committee Clerk, Zambia

### **Centenary of Federation Visit to Melbourne**

The Commonwealth Parliament, at the invitation of the Victorian Parliament and the Victorian Government, met in Melbourne on 9 and 10 May 2001 to mark the centenary of the first meetings of the Houses of the Commonwealth Parliament at the Royal Exhibition Building on 9 May 1901 and the first sittings in the Legislative Council and the Legislative Assembly chambers of the Victorian Parliament on 10 May 1901. For the occasion, a delegation of Members of the NSW Parliament joined with Members of all other Australian State and Territory Parliaments, local and council representatives and community, leaders totalling nearly 7,000 people, to be present at the historic centenary sittings of the Commonwealth Parliament in Melbourne.

The official delegates of the Legislative Council were as follows:

Dr Burgmann, President

Mr Della Bosca, Deputy Leader of the Government

Mr Gallacher, Leader of the Opposition

Mr Johnson, former President

Mrs Sham Ho, crossbench member

Mr Evans, Clerk of the Parliaments.



## **Exhibitions**

Arrangements for the staging of exhibitions in the Parliament Fountain Court are coordinated through the Office of the Usher of the Black Rod and coordinated by the Parliamentary Officer – Public Relations. Members from both Houses may sponsor exhibitions to promote a department's or constituents' program. Approximately 15 exhibitions were held during the reporting period, including such exhibitions as:

- Schools Federation artwork competition winners
- Chinese Art Exhibition “The Art of Hong Ling and Lu Shun Hui”
- Gay and Lesbian History Project “Mad, bad and dangerous to know”
- Photography exhibition by Bungendore photographers “Remembering the Present”
- BighART exhibition “Portraits of important people”
- Department of Forestry “Alternative Use of Forest products”
- Central Coast Artists: “Reality on a finer scale”

## Chapter 8     Physical Environment

### Goal

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

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

A access ramp between the Fountain Court and Legislative Council has been constructed to provide appropriate access to the Legislative Council chamber for people with a disability.

Lighting upgrade programs have been undertaken in function areas and the Library Stack area. These programs will achieve increased efficiency and decrease maintenance costs.

A new lighting system has been installed throughout the Fountain Court area to provide appropriate illumination of exhibitions and displays which are hosted in this area on a regular basis.

The continuing refurbishment program of Members and ministerial rooms continued throughout the year.

The timber paneling installed in the corridors of the building are progressively being refurbished. This is an ongoing program that will be carried out over the next few years as time permits.

# **Chapter 9**

## **Financial Statements**



GPO BOX 12  
SYDNEY NSW 2001

## INDEPENDENT AUDIT REPORT

### THE LEGISLATURE

To Members of the New South Wales Parliament

#### Scope

I have audited the accounts of The Legislature for the year ended 30 June 2001. The Clerk of the Legislative Assembly and the Clerk of the Parliaments are responsible for the financial report consisting of the accompanying statement of financial position, statement of financial performance, statement of cash flows, program statement - expenses and revenues and summary of compliance with financial directives, together with the notes thereto, and information contained therein. My responsibility is to express an opinion on the financial report to Members of the New South Wales Parliament. My responsibility does not extend to an assessment of the assumptions used in formulating budget figures disclosed in the financial report.

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

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

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

#### Audit Opinion

In my opinion, the financial report of The Legislature presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of The Legislature as at 30 June 2001 and the results of its operations and its cash flows for the year then ended.

A handwritten signature in dark ink, appearing to read "R. J. Sendt".

R. J. Sendt  
Auditor General

SYDNEY  
18 October 2001

**THE LEGISLATURE**

**FINANCIAL STATEMENTS FOR THE YEAR ENDED  
30 JUNE 2001**

Statement by Department Heads

We state that:

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



Russell D Grove  
Clerk of the Legislative Assembly



John D Evans  
Clerk of the Parliaments

17 October 2001

## Chapter 9 Financial Statements

### THE LEGISLATURE

#### Statement of Financial Performance for the Year Ended 30 June 2001

The accompanying notes form part of these statements

	Notes	Actual	Budget	Actual
		2001	2001	2000
		\$000	\$000	\$000
<b>Expenses</b>				
Operating expenses				
Employee related	2(a)	36,020	35,285	34,466
Other operating expenses	2(b)	16,542	12,687	14,233
Maintenance	2(c)	2,407	416	1,419
Depreciation and amortisation	2(d)	4,329	3,560	3,955
Other expenses	2(e)	<u>29,059</u>	<u>29,685</u>	<u>27,415</u>
<b>Total Expenses</b>		<b><u>88,357</u></b>	<b><u>81,633</u></b>	<b><u>81,488</u></b>
Less:				
<b>Retained Revenue</b>				
Sale of goods and services	3(a)	3,465	1,030	1,230
Investment income	3(b)	61	20	46
Grants and contributions	3(c)	1,125	600	1,528
Other revenue	3(d)	<u>1,429</u>	<u>965</u>	<u>2,636</u>
<b>Total Retained Revenue</b>		<b><u>6,080</u></b>	<b><u>2,615</u></b>	<b><u>5,440</u></b>
<b>Gain/(loss) on disposal of non-current assets</b>	4	<u>-</u>	<u>-</u>	<u>(13)</u>
<b>NET COST OF SERVICES</b>	20	<b><u>82,277</u></b>	<b><u>79,018</u></b>	<b><u>76,061</u></b>
<b>Government Contributions</b>				
Recurrent appropriation	5	64,716	64,961	62,057
Capital appropriation	5	3,821	4,121	4,242
Acceptance by the Crown Entity of employee entitlements and other liabilities	7	<u>10,165</u>	<u>10,380</u>	<u>9,097</u>
<b>Total Government Contributions</b>		<b>78,702</b>	<b>79,462</b>	<b>75,396</b>
<b>SURPLUS/(DEFICIT) FOR THE YEAR FROM ORDINARY ACTIVITIES</b>		<b>(3,575)</b>	<b>444</b>	<b>(665)</b>
<b>Non-Owner Transactions in Equity</b>				
Net Increase in Asset Revaluation Reserve		<u>-</u>	<u>-</u>	<u>1,067</u>
Total Revenues, Expenses and Valuation Adjustments Recognised in Equity		<u>-</u>	<u>-</u>	<u>1,067</u>
<b>Total Changes in Equity other than those resulting from transactions with owners as owners</b>	16	<b><u>(3,575)</u></b>	<b><u>444</u></b>	<b><u>402</u></b>

## THE LEGISLATURE

### Statement of Financial Performance for the Year Ended 30 June 2001

The accompanying notes form part of these statements

	Notes	Actual	Budget	Actual
		2001	2001	2000
		\$000	\$000	\$000
<b>ASSETS</b>				
<b>Current Assets</b>				
Cash	9	415	1,729	1,739
Receivables	10	1,892	1,070	1,077
Inventories	11	<u>258</u>	<u>243</u>	<u>243</u>
<b>Total Current Assets</b>		<u>2,565</u>	<u>3,042</u>	<u>3,059</u>
<b>Non-Current Assets</b>				
Property, Plant and Equipment	12			
- Land and Buildings		97,285	97,133	97,853
- Plant and Equipment		9,883	13,439	12,158
- Collection Assets		<u>16,776</u>	<u>16,776</u>	<u>16,776</u>
<b>Total Non-Current Assets</b>		<u>123,944</u>	<u>127,348</u>	<u>126,787</u>
<b>Total Assets</b>		<u>126,509</u>	<u>130,390</u>	<u>129,846</u>
<b>LIABILITIES</b>				
<b>Current Liabilities</b>				
Payables	13	3,030	2,607	2,607
Employee entitlements and Other Provisions	14(a)	4,286	4,201	4,101
Other	15	<u>-</u>	<u>331</u>	<u>331</u>
<b>Total Current Liabilities</b>		<u>7,316</u>	<u>7,139</u>	<u>7,039</u>
<b>Non-Current Liabilities</b>				
Employee entitlements and Other Provisions	14(b)	<u>191</u>	<u>230</u>	<u>230</u>
<b>Total Non-Current Liabilities</b>		<u>191</u>	<u>230</u>	<u>230</u>
<b>Total Liabilities</b>		<u>7,507</u>	<u>7,369</u>	<u>7,269</u>
<b>Net Assets</b>		<u>119,002</u>	<u>123,021</u>	<u>122,577</u>
<b>EQUITY</b>				
Reserves	1(i)	9,067	9,067	9,067
Accumulated Funds		<u>109,935</u>	<u>113,954</u>	<u>113,510</u>
<b>Total Equity</b>	16	<u>119,002</u>	<u>123,021</u>	<u>122,577</u>

## THE LEGISLATURE

### Statement of Financial Performance for the Year Ended 30 June 2001

The accompanying notes form part of these statements

	Notes	Actual 2001 \$000	Budget 2001 \$000	Actual 2000 \$000
<b>CASH FLOWS FROM OPERATING</b>				
<b>ACTIVITIES</b>				
<b>Payments</b>				
Employee related		(33,803)	(32,223)	(32,179)
Other		<u>(41,923)</u>	<u>(36,770)</u>	<u>(34,921)</u>
<b>Total Payments</b>		<u>(75,726)</u>	<u>(68,993)</u>	<u>(67,100)</u>
<b>Receipts</b>				
Sale of goods and services		3,912	1,030	1,129
Interest received		115	27	55
Other		<u>2,476</u>	<u>1,565</u>	<u>1,694</u>
<b>Total Receipts</b>		<u>6,503</u>	<u>2,622</u>	<u>2,878</u>
<b>Cash Flows From Government</b>				
Recurrent appropriation		64,716	64,961	62,057
Capital appropriation		3,821	4,121	4,282
Cash transfer to the Consolidated Fund		-	-	(40)
Cash reimbursements from the Crown Entity		<u>1,424</u>	<u>1,400</u>	<u>1,177</u>
<b>Net Cash Flows From Government</b>		<u>69,961</u>	<u>70,482</u>	<u>67,476</u>
<b>NET CASH FLOWS FROM OPERATING</b>				
<b>ACTIVITIES</b>	20	<u>738</u>	<u>4,111</u>	<u>3,254</u>
<b>CASH FLOWS FROM INVESTING</b>				
<b>ACTIVITIES</b>				
Proceeds from sale of property, plant and equipment		-	-	-
Purchases of property, plant and equipment		<u>(2,062)</u>	<u>(4,121)</u>	<u>(3,022)</u>
<b>NET CASH FLOW FROM INVESTING</b>				
<b>ACTIVITIES</b>		<u>(2,062)</u>	<u>(4,121)</u>	<u>(3,022)</u>
<b>NET INCREASE / DECREASE IN CASH</b>		(1,324)	(10)	232
Opening cash and cash equivalents		1,739	1,739	472
Acquisition of House committee cash and cash equivalents		<u>-</u>	<u>-</u>	<u>1,035</u>
<b>CLOSING CASH AND CASH</b>				
<b>EQUIVALENTS</b>	9	<u>415</u>	<u>1,729</u>	<u>1,739</u>



Program Statement - Expenses and Revenues for the year ended 30 June 2001

	Program 1.1.1* Legislative Council		Program 1.1.2* Legislative Assembly		Program 1.2.1* Joint Services		Not Attributable		Total	
	2001 \$000	2000 \$000	2001 \$000	2000 \$000	2001 \$000	2000 \$000	2001 \$000	2000 \$000	2001 \$000	2000 \$000
<b>THE LEGISLATURE'S EXPENSES &amp; REVENUES</b>										
<b>Expenses</b>										
Operating expenses	6,500	6,229	16,574	15,913	12,946	12,324	-	-	36,020	34,466
Employee related	2,285	2,127	9,962	9,384	4,295	2,722	-	-	16,542	14,233
Other operating expenses	10	1	801	177	1,596	1,241	-	-	2,407	1,419
Maintenance	233	199	1,561	1,141	2,535	2,615	-	-	4,329	3,955
Depreciation and amortisation	8,753	8,303	20,306	19,112	-	-	-	-	29,059	27,415
Other expenses	17,781	16,859	49,204	45,727	21,372	18,902	-	-	88,357	81,488
<b>Total Expenses</b>										
<b>Retained Revenue</b>										
Sale of goods and services	-	-	34	13	3,431	1,217	-	-	3,465	1,230
Investment income	-	-	-	-	61	46	-	-	61	46
Grants and contributions	-	-	-	-	1,125	1,528	-	-	1,125	1,528
Other revenue	407	520	882	541	140	1,575	-	-	1,429	2,636
<b>Total Retained Revenue</b>	407	520	916	554	4,757	4,366	-	-	6,080	5,440
Gain / (loss) on disposal of non-current assets	-	-	-	-	-	(13)	-	-	-	(13)
<b>NET COST OF SERVICES</b>	17,374	16,339	48,288	45,173	16,615	14,549	-	-	82,277	76,061
Government contributions**	-	-	-	-	-	-	78,702	75,396	78,702	75,396
<b>NET EXPENDITURE / (REVENUE)</b>	17,374	16,339	48,288	45,173	16,615	14,549	(78,702)	(75,396)	3,575	665

\*The name and purpose of each program is summarised in note 8.

\*\*Appropriations are made on an agency basis and not to individual programs. Consequently, government contributions must be included in the "not attributable" column.  
The accompanying notes form part of these statements.

## THE LEGISLATURE

## SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

	2001				2000			
	Recurrent Appropriation	Expenditure / Net Claim on Consolidated Fund	Capital Appropriation	Expenditure / Net Claim on Consolidated Fund	Recurrent Appropriation	Expenditure / Net Claim on Consolidated Fund	Capital Appropriation	Expenditure / Net Claim on Consolidated Fund
<b>ORIGINAL BUDGET APPROPRIATION / EXPENDITURE</b>								
Appropriation Act	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Additional Appropriations	64,934	64,614	4,121	3,821	62,713	61,068	2,539	2,199
s21A PF&AA - special appropriation	-	-	-	-	-	-	-	-
s24 PF&AA - transfers of functions between	-	-	-	-	77	77	-	-
s26 PF&AA - Commonwealth specific purpose	-	-	-	-	-	-	-	-
	64,934	64,614	4,121	3,821	62,790	61,145	2,539	2,199
<b>OTHER APPROPRIATIONS / EXPENDITURE</b>								
Treasurer's Advance	202	102	-	-	689	689	-	-
Section 22 - expenditure for certain works and services	-	-	-	-	223	223	2,083	2,083
Transfers from another agency (s26 - Appropriation	-	-	-	-	-	-	-	-
	202	102	-	-	912	912	2,083	2,083
<b>Total Appropriations / Expenditure / Net Claim on Consolidated Fund (includes transfer payments)</b>	65,136	64,716	4,121	3,821	63,702	62,057	4,622	4,282
<b>Amount drawn down against Appropriation</b>		64,716		3,821		62,057		4,340
<b>Liability to Consolidated Fund</b>		-		-		-		(58)

The summary of compliance is based on the assumption that Consolidated Fund monies are spent first (except where otherwise identified or prescribed). The liability to Consolidated Fund in the 2000 capital appropriation represents the difference between the "amount drawn down against appropriation" and the "total expenditure / net claim on Consolidated Fund". The amount drawn down against appropriation included an amount of \$40,000 repaid to the Consolidated Fund.

The accompanying notes form part of these statements.

## **The Legislature**

### **Notes to and forming part of the Financial Statements for year ended 30 June 2001**

#### **1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

##### **(a) Reporting Entity**

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

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

##### **(b) Basis of Accounting**

The Legislature's financial statements are a general purpose financial report which has been prepared on an accrual basis and in accordance with:

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

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

In the absence of a specific accounting standard, other authoritative pronouncements of the AASB or UIG consensus view, the hierarchy of other pronouncements as outlined in aas 6 "accounting policies" is considered.

The statements are prepared in accordance with the historical cost convention apart from Land and Buildings, Collection Assets and certain assets of Plant and Equipment which are recorded at valuation.

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

##### **(c) Revenue Recognition**

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

###### **(i) Parliamentary Appropriations and Contributions from Other Bodies**

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

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

This liability is disclosed in Note 15 as part of current liabilities. The amount recorded at 30 June 2000 has been repaid and the liability has been extinguished .

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

(ii) Sales of Goods and Services

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

(iii) Investment Income

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

(iv) Other Revenue

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

**(d) Employee Entitlements**

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

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

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

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

(ii) Long Service Leave and Superannuation

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

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

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

**(e) Insurance**

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

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

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

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

**(g) Acquisition of Assets**

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

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

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

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

**(h) Plant and Equipment**

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

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

Buildings, plant and equipment and collection assets are valued based on the estimated written down replacement cost of the most appropriate modern equivalent replacement facility having a similar service potential to the existing asset. Land is valued on an existing use basis, subject to any restrictions or enhancements since acquisition. Office and computer equipment are shown at cost.

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

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

Land	30 June 1998	State Valuation Office
Buildings	30 June 1998	State Valuation Office
Plant & Equipment (Building Technical Services Assets)	30 June 1998	State Valuation Office
Collection Assets:		
Library Collection	30 June 1999	Edward Rushton Aust P/L
Archives Collection	30 June 1999	Edward Rushton Aust P/L
Antiques	30 April 2000	Cleary and Kennedy
Artworks	31 May 2000	Art Gallery of NSW

In accordance with Treasury policy, The Legislature has applied the AAS 38 "Revaluation of Non-Current Assets" transitional provisions for the public sector and has elected to apply the same revaluation basis as the preceding reporting period, while the relationship between fair value and the existing valuation basis in the NSW Public

Sector is further examined. It is expected, however, that in most instances, the current valuation methodology will approximate 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 is separately restated.

Conversely, where assets are revalued to market value and not by reference to current prices for assets newer than those being revalued, any balances of accumulated depreciation existing at the revaluation date in respect of those assets are credited to the asset accounts to which they relate. The net asset accounts are increased or decreased by the revaluation increments or decrements.

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

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

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

**(j) Depreciation and Amortisation**

Depreciation or amortisation is provided for on a straight line basis against all depreciable or amortisable assets so as to write off the depreciable amount of the asset as it is consumed over its useful life to The Legislature. Accelerated depreciation has been applied to those computer assets which have become redundant due to technology so that they are fully depreciated as at 30 June 2001. Land is not a depreciable asset.

All material separately identifiable component assets are recognised and depreciated over their shorter useful lives.

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

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

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

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

**(k) Maintenance and Repairs**

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

**(l) Leased Assets**

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

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

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

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

**(m) Receivables**

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

**(n) Inventories**

Inventories are stated at the lower of cost and net realisable value. The cost is calculated using the weighted average cost or “first in first out” method.

**(o) Payables**

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

**(p) Reclassification of Financial Information**

As a result of applying AAS 1 “Statement of Financial Performance” and AAS 36 “Statement of Financial Position” the format of the Statement of Financial Performance (previously referred to as the Operating Statement) and the Statement of Financial Position has been amended. As a result of applying these Accounting Standards, a number of comparative amounts were represented or reclassified to ensure comparability with the current reporting period.

**(q) Budgeted Amounts**

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

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

## 2. EXPENSES

## (a) Employee Related Expenses

	2001 \$000	2000 \$000
Salaries and wages (including recreation leave)	29,167	28,053
Superannuation entitlements – staff	2,605	2,339
Long service leave	878	590
Workers Compensation Insurance	236	295
Payroll tax and fringe benefits tax	2,206	2,162
Redundancy payments	189	273
Other	739	754
	<b>36,020</b>	<b>34,466</b>

## (b) Other Operating Expenses

	2001 \$000	2000 \$000
Rental expense relating to operating leases	2,911	2,546
Computer costs	2,478	1,280
Telecommunication costs	2,412	2,428
Travel expenses	1,565	1,592
Printing and stationery	1,401	1,424
Miscellaneous	1,086	1,033
Cost of sales – House Committee	1,498	-
Gas and electricity charges	894	800
Postage and State Mail charges	748	1,080
Cleaning and laundry	511	493
Stores	304	330
Contract and other fees	273	425
Insurance	251	242
Legal expenses	98	249
Consultancy fees	69	264
Auditor's remuneration	43	46
Bad or doubtful debts	-	1
	<b>16,542</b>	<b>14,233</b>

House Committee income and expenditure items were incorporated for the first time in The Legislature's Statement of Financial Performance for the year ended 30 June 2001



**(c) Maintenance**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Maintenance undertaken by Department of Public Works and Services	1,125	818
<b>Repairs and routine maintenance</b>	<b>491</b>	<b>428</b>
Maintenance on Legislative Assembly electorate offices	791	173
	<b>2,407</b>	<b>1,419</b>

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

**(d) Depreciation and Amortisation expense**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Depreciation on buildings	786	785
Depreciation on plant and equipment	2,777	2,739
Amortisation of leasehold costs	766	431
	<b>4,329</b>	<b>3,955</b>

**(e) Other expenses**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Salaries and allowances of Members of Parliament	20,805	19,469
Superannuation entitlements – Members	6,146	5,655
Payroll tax & fringe benefits tax – Members entitlements	1,483	1,592
Payroll tax liability – Members superannuation	388	362
Special projects	237	337
	<b>29,059</b>	<b>27,415</b>

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

<u>Sale of Goods</u>	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Sale of Publications	65	81
Energy recoup from Sydney Hospital and State Library	506	520
<b>House Committee Sales of Food and Beverages</b>	2,145	-
Miscellaneous	36	70
	<b>2,752</b>	<b>671</b>
<u>Rendering of Services</u>		
House Committee Functions	524	438
Parliamentary committee seminars	34	24
Miscellaneous	155	97
	<b>713</b>	<b>559</b>
	<b>3,465</b>	<b>1,230</b>

**(b) Investment Income**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Interest on operating account	61	46
	<b>61</b>	<b>46</b>

**(c) Grants and Contributions**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Connect NSW Project	-	80
Public Works & Services Maintenance Work	1,125	818
Contribution from House Committee	-	630
	<b>1,125</b>	<b>1,528</b>

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

**(d) Other Revenue**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Telecommunications rebate	308	302
Rent on Parliament House Ministerial offices	674	681
Miscellaneous	447	222
House Committee net assets brought to account	-	1,431
	<b>1,429</b>	<b>2,636</b>

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

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Proceeds from disposal	-	-
Written down value of assets disposed	-	13
Net gain/ (loss) on disposal of plant and equipment	-	<b>(13)</b>

**5. APPROPRIATIONS**

**Recurrent Appropriations**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Total recurrent drawdowns from Treasury (per Summary of Compliance)	64,716	62,057
Less: Liability to Consolidated Fund (per Summary of Compliance)	-	-
<b>Total</b>	<b>64,716</b>	<b>62,057</b>

Comprising:

Recurrent Appropriations (per Statement of Financial Performance)	64,716	62,057
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**Capital Appropriations**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Total capital drawdowns from Treasury (per Summary of Compliance)	3,821	4,340
Less: Amount repaid to Consolidated Fund for lapsed appropriation	-	40
Less: Liability to Consolidated Fund (per Summary of Compliance)	-	58
<b>Total</b>	<b>3,821</b>	<b>4,242</b>

Comprising:

Capital Appropriations (per Statement of Financial Performance)	3,821	4,242
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**6. INDIVIDUALLY SIGNIFICANT ITEMS**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Other revenue – bringing to account House Committee net assets	-	1,431
	-	<b>(1,431)</b>

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

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

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
<b>Employees</b>		
Superannuation	2,605	2,339
Long Service Leave	864	590
Payroll Tax on superannuation	161	151
	<b>3,630</b>	<b>3,080</b>
<b>Members</b>		
Superannuation	6,147	5,655
Payroll tax on superannuation	388	362
	<b>6,535</b>	<b>6,017</b>
	<b>10,165</b>	<b>9,097</b>

**8. 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 42 Members.

**Activities:**

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

**Program 1.1.2 Parliamentary Government - Legislative Assembly**

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

**Activities:**

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

**Program 1.2.1**

**Parliamentary Support Services - Joint Services**

**Objective:**

To provide support services to both Houses of Parliament.

**Activities:**

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

**9. CURRENT ASSETS - CASH**

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

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Cash at Bank	410	1,035
Cash on Hand	5	4
Short Term Deposits	-	700
	<b>415</b>	<b>1,739</b>

**10. CURRENT ASSETS - RECEIVABLES**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Sale of goods and services	549	250
Investment Income	25	61
GST recoverable from ATO	566	-
Other debtors/prepayments	755	769
	<b>1,895</b>	<b>1,080</b>
Less: Provision for Doubtful Debts	3	3
	<b>1,892</b>	<b>1,077</b>

**11. CURRENT ASSETS – INVENTORIES**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Food and beverage stock at cost	258	243
	<b>258</b>	<b>243</b>

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## NON-CURRENT ASSETS – PROPERTY, PLANT AND EQUIPMENT

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
<b>Land and Buildings</b>		
Land at Valuation	50,000	50,000
Buildings at Cost	4,981	4,267
Buildings at Valuation	<u>60,680</u>	<u>60,680</u>
	<u>115,661</u>	<u>114,947</u>
Accumulated Depreciation at Cost	2,029	1,518
Accumulated Depreciation at Valuation	<u>16,347</u>	<u>15,576</u>
	<u>18,376</u>	<u>17,094</u>
	<u>97,285</u>	<u>97,853</u>
<b>Plant and Equipment</b>		
At Cost	10,878	11,023
At Valuation	<u>20,092</u>	<u>20,092</u>
	<u>30,970</u>	<u>31,115</u>
Accumulated Depreciation at Cost	6,400	5,150
Accumulated Depreciation at Valuation	<u>14,687</u>	<u>13,807</u>
	<u>21,087</u>	<u>18,957</u>
	<u>9,883</u>	<u>12,158</u>
<b>Collection Assets</b>		
At Cost	-	-
At Valuation	<u>16,776</u>	<u>16,776</u>
<b>Total Property, Plant and Equipment at Net Book Value</b>	<b><u>123,944</u></b>	<b><u>126,787</u></b>

### Reconciliations

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

	<b>Land and Buildings \$000</b>	<b>Plant and Equipment \$000</b>	<b>Collection Assets \$000</b>	<b>Total \$000</b>
<b>2001</b>				
Carrying amount at start of year	97,853	12,158	16,776	126,787
Additions	985	501	-	1,486
Disposals	(271)	(647)	-	(918)
Accumulated depreciation written back on disposal	271	647	-	918
Depreciation expense	(1,553)	(2,776)	-	(4,329)
<b>Carrying amount at end of year</b>	<b><u>97,285</u></b>	<b><u>9,883</u></b>	<b><u>16,776</u></b>	<b><u>123,944</u></b>
<b>2000</b>				
Carrying amount at start of year	97,469	13,044	15,709	126,222
Additions	1,600	1,866	-	3,466
Disposals	(529)	(1,405)	-	(1,934)
Accumulated depreciation written back on disposal	529	1,392	-	1,921
Net revaluation increment	-	-	1,067	1,067
Depreciation expense	(1,216)	(2,739)	-	(3,955)
	<b><u>97,853</u></b>	<b><u>12,158</u></b>	<b><u>16,776</u></b>	<b><u>126,787</u></b>

The Legislature continues to derive service potential and economic benefits from the following fully depreciated assets:

	<b>Land and Buildings</b> <b>\$ Cost/Number</b>	<b>Plant and Equipment</b> <b>\$ Cost/Number</b>	<b>Total</b> <b>\$ Cost/Number</b>
2000-2001	\$953,000	\$4,888,000	\$5,841,000
	31	57	88
1999-2000	\$852,000	\$1,553,000	\$2,405,000
	34	46	80



**13. CURRENT LIABILITIES - PAYABLES**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Accrued Charges	948	536
Trade Creditors	2,082	2,071
	<b>3,030</b>	<b>2,607</b>

**14. CURRENT / NON-CURRENT LIABILITIES - EMPLOYEE ENTITLEMENTS**

**(a) Current**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Recreation leave	2,683	2,379
Accrued salaries and wages	1,577	1,696
On-cost on long service leave entitlements	26	26
<b>Aggregate employee entitlements</b>	<b>4,286</b>	<b>4,101</b>

**(b) Non-Current**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
On-cost on long service leave entitlements	191	230
<b>Aggregate employee entitlements</b>	<b>191</b>	<b>230</b>

**15. CURRENT LIABILITIES-OTHER**

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Liability to Consolidated Fund	-	58
Crown Entity	-	273
	<b>-</b>	<b>331</b>

**16. CHANGES IN EQUITY**

	<b>Accumulated Funds</b>		<b>Asset Revaluation Reserve</b>		<b>Total Equity</b>	
	<b>2001</b>	<b>2000</b>	<b>2001</b>	<b>2000</b>	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>	<b>\$000</b>
Balance at the beginning of the financial year	113,510	114,175	9,067	8,000	122,577	122,175
<u>Changes in equity – other than transactions with owners as owners</u>						
(Deficit) for the year	(3,575)	(665)	-	-	(3,575)	(665)
Increment on revaluation of collection assets	-	-	-	1,067	-	1,067
Total	(3,575)	(665)	-	1,067	(3,575)	402
<b>Balance at the end of the financial year</b>	<b>109,935</b>	<b>113,510</b>	<b>9,067</b>	<b>9,067</b>	<b>119,002</b>	<b>122,577</b>

**Asset Revaluation Reserve**

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

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

Aggregate capital expenditure contracted for at balance date and not provided for:	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	-	24
<b>Total Capital Commitments including GST</b>	<b>-</b>	<b>24</b>

**(b) Operating Lease Commitments**

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

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	2,898	2,236
<b>Later than one year but not later than 5 years</b>	<b>3,892</b>	<b>3,568</b>
<b>Total Lease Commitments including GST</b>	<b>6,790</b>	<b>5,804</b>

The above total for 2001 includes input tax credits of \$506,000 that will be recoverable from Australian Taxation Office (ATO).

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

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	2,748	2,177
Later than one year but not later than 5 years	3,879	3,560
<b>Electorate Office Lease Commitments including GST</b>	<b>6,627</b>	<b>5,737</b>

The above total for 2001 includes input tax credits of \$491,000 that will be recoverable from the ATO.

**(c) Other Expenditure Commitments**

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

	<b>2001</b>	<b>2000</b>
	<b>\$000</b>	<b>\$000</b>
Not later than one year	67	-
	<b>67</b>	<b>-</b>

The above total includes input tax credits of \$6,000 that will be recoverable from the ATO.

**18. CONTINGENT LIABILITIES**

The Legislative Assembly is currently involved in two matters before the NSW Industrial Commission. The estimated potential liability for this claim is \$1,630,000. Costs associated with these claims will be met by the NSW Treasury Managed Fund under the Parliament's Liability Insurance Cover.

**19. BUDGET REVIEW**

**Net Cost of Services**

Net cost of services for the year exceeded the budget by \$3,259,000. This was due to over expenditure on employee related expenses of \$735,000, other operating expenses \$3,855,000, maintenance \$1,991,000 and depreciation \$769,000. These over expenditures were partially offset by savings in other expenses of \$626,000 and receipt of additional retained revenue of \$3,465,000. Included in operating expenses are computer equipment purchases of \$1,772,000 and Legislative Assembly electorate office furniture purchases of \$602,000 for which asset acquisition funding was provided by the NSW Treasury.

**Assets and Liabilities**

Current assets at 30 June 2001 were \$477,000 less than budget due to a reduction in cash of \$1,314,000, which was partially offset by an \$822,000 increase in receivables.

Non-current assets reflect a reduction of \$3,404,000 compared with budget. This reduction is due to increases in depreciation and amortisation charges of \$769,000 and the expensing of computer equipment and furniture purchases of \$2,374,000 for which asset acquisition funding had been budgeted for and provided.

Liabilities overall exceeded the budget by 1.9% due to slight increases in accounts payable and employee entitlements following a 2% public sector pay increase granted from 1 January 2001.

**Cash Flows**

Net cash flows from operating activities were \$3,373,000 less than budget, due to over expenditure on employee related and other payments. Of this overall cash flow reduction, \$2,374,000 is attributable to expensing asset acquisition purchases, for which a capital appropriation was received from Treasury. The favourable cash in-flow from receipts of \$3,881,000, partially offset the \$6,733,000 cash over-expended in total payments.

Net cash flows from investing activities were \$2,059,000 less than budget as a result of expensing asset purchases of \$2,374,000, which are reflected in total payments.

The overall reduction in cash of \$1,314,000 compared to budget is a direct result of increased employee related and operating costs experienced during the year which exceeded budget projections.

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

	<b>2001 Actual \$000</b>	<b>2000 Actual \$000</b>
Net Cash used in operating activities	738	3,254
Depreciation	(4,329)	(3,955)
Bad and Doubtful Debts	-	(1)
(Increase)/decrease in provisions	(297)	(131)
Decrease/ (increase) in receivables and inventories	830	65
(Increase)/ decrease in creditors and other liabilities	(517)	(1,291)
Asset retired without revenue	-	(13)
Net Assets of House Committee	-	1,431
Long Service Leave	(864)	(590)
Superannuation	(7,328)	(6,818)
Payroll tax on superannuation	(549)	(513)
Less cash flows from government:		
Capital allocation	(3,821)	(4,242)
Recurrent allocation	(64,716)	(62,057)
Cash reimbursements from the Crown Transactions Entity	(1,424)	(1,200)
<b>Net Cost of Services</b>	<b>(82,277)</b>	<b>(76,061)</b>

## 21. FINANCIAL INSTRUMENTS

### Cash

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

At period end the deposits were earning 4.0% (3.8% in 1999/2000) while the effective interest rate during the reporting period was 4.8% (4.3% in 1999/2000).

The House Committee had placed funds in a Term Deposit with Colonial State Bank.

	2001 Carrying Amount \$	2001 Net Fair Value \$	2000 Carrying Amount \$	2000 Net Fair Value \$
Less than one year -	-		700,000	700,000

The deposit at balance date 2000 was earning 5.35%.

### Receivables

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

The credit risk is the carrying amount (net of any provision for doubtful debts). As at balance date, the greatest risk was represented by receivables, totalling \$253,000 (\$173,000 in 1999/2000) which had been outstanding for more than 90 days.

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

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

### Bank Overdraft

The Legislature does not have any bank overdraft facility.

### Trade Creditors and Accruals

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

## 22. OLYMPIC GAMES

During the course of the Olympic Games four of The Legislature's staff were assigned to activities directly related to the Games at a cost of \$10,000.

### End of Audited Financial Statements

# **Appendix 1**

## **Members of the Legislative Council**

Fifty-Second Parliament 2nd Session

## LIST OF MEMBERS

### Fifty-Second Parliament 2<sup>nd</sup> Session, as at 30 June 2001

**Breen** The Honourable Peter James DipLaw<sup>2</sup>RLS

**Burgmann** The Honourable Doctor Meredith Anne ALP  
MA(Syd) PhD(Macq)<sup>2</sup>

**President**

**Burnswoods** The Honourable Janice Carolyn ALP  
BA(Hons) DipEd<sup>2</sup>

**Chesterfield-Evans** The Honourable Doctor Arthur  
AD MB BS FRCS(Eng) MAppSci(OHS)<sup>2</sup>

**Cohen** The Honourable Ian BA DipEd<sup>1</sup> G

**Colless** The Honourable Richard Hargrave HD App NP  
Sci(Agric)<sup>8</sup>

**\*Corbett** The Honourable Alan Gordon BA DipEd IND  
DipTEFL MA<sup>1</sup>

**Della Bosca** The Honourable John Joseph BA<sup>2</sup> ALP  
**Special Minister of State, Minister for  
Industrial Relations, Assistant Treasurer,  
Minister Assisting the Premier on Public  
Sector Management, and Minister Assisting  
the Premier for the Central Coast**

**Dyer** The Honourable Ronald David DipLaw ALP  
DipCrim<sup>1</sup>

**Egan** The Honourable Michael Rueben BA<sup>1</sup> ALP  
**Treasurer, Minister for State Development,  
and Vice-President of the Executive Council**

**Fazio** The Honourable Amanda Ruth<sup>7</sup> ALP

**Forsythe** The Honourable Patricia BA DipEd<sup>2</sup> LIB

**Gallacher** The Honourable Michael Joseph BProf St<sup>4</sup> LIB  
**Leader of the Opposition**

**Gardiner** The Honourable Jennifer Ann BBus<sup>2</sup> NP  
**Temporary Chair of Committees**

**Gay** The Honourable Duncan John<sup>1</sup> NP  
**Deputy Leader of the Opposition**

**Harwin** The Honourable Donald Thomas BEc(Hons)<sup>2</sup> LIB

**Hatzistergos** The Honourable John BEc LLM<sup>2</sup> ALP

**Jobling** The Honourable John Hughes PhC MPS<sup>1</sup> LIB  
**Opposition Whip**

**Johnson** The Honourable John Richard<sup>1</sup> ALP  
**Temporary Chair of Committees**

**Jones** The Honourable Malcolm Irving<sup>2</sup> ORP

**Jones** The Honourable Richard Stanley Leigh<sup>1</sup> IND

**Kelly** The Honourable Anthony Bernard ALGA<sup>5</sup> ALP  
**Chairman of Committees**

**Lynn** The Honourable Charlie John Stuart ps<sup>2</sup> LIB

**Macdonald** The Honourable Ian Michael BA(Hons)<sup>2</sup> ALP  
**Parliamentary Secretary**

**Moppett** The Honourable Douglas Frederick  
BScAgr<sup>2</sup> NP

**Nile** The Honourable Elaine Blanche<sup>1</sup> CDP

**Nile** The Reverend the Honourable Frederick John  
ED LTh<sup>2</sup>. **Temporary Chair of Committees** CDP

**Obeid** The Honourable Edward Moses OAM<sup>2</sup> ALP  
**Minister for Mineral Resources, and Minister  
for Fisheries**

**\*Oldfield** The Honourable David Ernest<sup>2</sup> IND

**Pearce** The Honourable Gregory Stephen BA LLB<sup>9</sup> LIB

**Pezzutti** The Honourable Doctor Brian Patrick  
Victor RFD MB BS(Syd) FFARACS FANZCA<sup>1</sup> LIB  
**Temporary Chair of Committees**

**Primrose** The Honourable Peter Thomas ALP  
B SocStud(Syd)<sup>3</sup>. Government Whip

**Rhiannon** Ms Lee<sup>2</sup> G

**Ryan** The Honourable John Francis BA(Hons)  
DipEd<sup>2</sup> LIB

**Saffin** The Honourable Janelle Anne<sup>1</sup> ALP  
**Temporary Chair of Committees**

**Samios** The Honourable James Miltiadis MBE BA  
LLB<sup>1</sup>. **Deputy Leader of the Liberal Party** LIB

**Sham-Ho** The Honourable Helen Wai-Har BA IND  
DipSocWk(Syd) BlegS(Macq)<sup>1</sup>  
**Temporary Chair of Committees**

**Tebbutt** The Honourable Carmel Mary BEc<sup>6</sup> ALP  
**Minister for Juvenile Justice, Minister Assisting  
the Premier on Youth, and Minister Assisting  
the Minister for the Environment**

**Tingle** The Honourable John Saxon<sup>1</sup> SP

**Tsang** The Honourable Henry Shiu-Lung OAM ALP  
BArch(NSW) DipBdg Sc(Syd) Fellow(UTS)<sup>2</sup>  
**Temporary Chair of Committees**

**West** The Honourable Ian William<sup>10</sup> ALP

**Wong** The Honourable Doctor Peter AM MB U  
BS(Syd) BPharm(Syd)<sup>2</sup>

1. Elected Members whose term of service expires on dissolution or expiry of 52<sup>nd</sup> Parliament.
2. Elected Members whose term of service expires on dissolution or expiry of 53<sup>rd</sup> Parliament.
3. Elected (17.4.1996) to vacancy caused by the resignation of the Hon PF O'Grady. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament
4. Elected (17.4.1996) to vacancy caused by the resignation of the Hon SB Mutch. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament
5. Elected (17.9.1997) to vacancy caused by the resignation of the Hon PJ Staunton. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament
6. Elected (30.4.1998) to vacancy caused by the resignation of the Hon EA Symonds. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament
7. Elected (30.08.2000) to vacancy caused by resignation of the Hon JW Shaw. Term of service expires on the dissolution or expiry of the 53<sup>rd</sup> Parliament
8. Elected (30.08.2000) to vacancy caused by resignation of the Hon RTM Bull. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament
9. Elected (1.11.2000) to vacancy caused by resignation of the Hon JP Hannaford. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament
10. Elected (1.11.2000) to vacancy caused by resignation of the Hon AB Manson. Term of service expires on the dissolution or expiry of the 52<sup>nd</sup> Parliament

**QUORUM—8 Members (In addition to the PRESIDENT or other MEMBER presiding)**

**Party Representation: House of 42 Members**

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

**Officers of the Legislative Council**

**President** — The Honourable Doctor Meredith Anne Burgmann, MA(Syd) PhD(Macq) MLC

**Chairman of Committees** — The Honourable Anthony Bernard Kelly, ALGA MLC

**Clerk of the Parliaments** — John Denton Evans, BLegS

**Deputy Clerk** — Lynn Carole Lovelock, BA(Hons) DipEd

**Clerk Assistant-Procedure & Administration** — Robert Michael Wilkinson, BA(Hons)

**Clerk Assistant-Committees & Usher of the Black Rod** — Warren Cameron Cahill, DipT BEdSt Grad.DipIM-Lib



## **Appendix 2**

### **Senior Officers**

## Senior Officers

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

**John Evans** B.Leg.S.

John was appointed Clerk of the Parliaments and Clerk of the Legislative Council in August 1989. He has served the Department of the Legislative Council for 29 years and has held various positions including the Usher of the Black Rod, Clerk Assistant and Deputy Clerk. John has accumulated a wealth of knowledge and experience in the management of the Parliament, and in parliamentary practice and procedure which he brings to his roles as chief executive of the Department and principal adviser to the President, Ministers and Members on practices of the House.

### ***Deputy Clerk***

**Lynn Lovelock** B.A.(Hons), Dip.Ed.

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

### ***Clerk Assistant – Procedure & Administration***

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

Mike joined the Department of the Legislative Council in 1991 as the Clerk Assistant – Committees after 18 years in the Commonwealth Public Service. He has worked in the Departments of Defence, Special Minister of State, and Attorney General and brings to the Legislative Council experience in public sector policy and organisation development. In November 1995 he was appointed to the position of Clerk Assistant – Procedure. In April 1998 Michael was appointed to the combined position of Clerk Assistant – Procedure and Administration.

### ***Clerk Assistant – Committees and Usher of the Black Rod***

**Warren Cahill** Dip.T., B.ED.St., Grad.Dip.I.M.-Lib

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

### ***Committee Directors***

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

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

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

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

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

Commencing with the Legislative Council as a Senior Project Officer in 1997, Steven was appointed Director in August 1999 for a 12 month term. Steven brings to the Legislative Council expertise in the disciplines of sustainable development, project management and environmental economics from former employers in the Department of Land and Water Conservation and NSW Treasury.

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

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

## **Appendix 3**

### **Joint Committees**

Joint Committees of the Legislative  
Council and the Legislative Assembly

## Joint Committees

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Joint Standing Committee on Road Safety (Staysafe) 52nd Parliament	Mr Jobling Mr Tingle Mr West	Report No. 2/52 entitled “Report of a visit of inspection to Europe and North America by a delegation of the STAYSAFE Committee, 3 March 2000 - 24 March 2000”, dated August 2000.	30 Aug 2000
		Report No. 3/52 entitled “STAYSAFE 51: Review of the Road Safety Situation in New South Wales in 1998”, dated September 2000.	13 Oct 2000
		Report No. 4/52 entitled “STAYSAFE 52: Responses of Government Agencies to Recommendations in Staysafe Reports of the 51st Parliament”, dated April 2001.	29 May 2001
		Report No. 5/52 entitled “STAYSAFE: On strategic planning for road safety in the United Kingdom and Hungary”, dated April 2001.	29 May 2001
Committee on the Health Care Complaints Commission 52nd Parliament	Dr Pezzutti Mr Tsang Dr Wong	Committee on the Health Care Complaints Commission – Report entitled “Report on Mandatory Reporting of Medical Negligence”, dated November 2000.	2 Nov 2000
		Committee on the Health Care Complaints Commission – Report entitled “Study of International Jurisdictions (Hong Kong, England, Belgium and the United States of America) July 2000 – (New Zealand) November 2000”.	31 May 2001
		Committee on the Health Care Complaints Commission – Report entitled “6th Meeting on the Annual Report of the Health Care Complaints Commission”, dated June 2001.	5 Jun 2001

Committee on the Independent Commission Against Corruption 52nd Parliament	Mr Hatzistergos Mr Oldfield Mr Pearce	Committee on the Independent Commission Against Corruption – Report entitled “Consideration of Proposed Powers”, dated October 2000.	31 Oct 2000
		Report No. 4/52 entitled “General Meeting with the Commissioner of the ICAC”, dated November 2000.	6 May 2001
Committee on the Office of the Ombudsman and the Police Integrity Commission 52 Parliament	Mr Breen Mr Colless Mr Hatzistergos	Committee on the Office of the Ombudsman and the Police Integrity Commission - Report entitled “Follow – Up on the review of Schedule 1 of the Ombudsman Act 1974”, dated August 2000.	29 Aug 2000
		Committee on the Office of the Ombudsman and the Police Integrity Commission – Report entitled “Second Review of the Protected Disclosures Act 1994”, dated August 2000.	29 Aug 2000
		Committee on the Office of the Ombudsman and the Police Integrity Commission – Report entitled “Fourth General meeting with the Inspector of the Police Integrity Commission”, dated February 2001.	27 Feb 2001
		Committee on the Office of the Ombudsman and the Police Integrity Commission – Report entitled “Fifth General Meeting with the Commissioner of the Police Integrity Commission”, dated February 2001.	27 Feb 2001
		Committee on the Office of the Ombudsman and the Police Integrity Commission – Report entitled “Ninth General Meeting the NSW Ombudsman”, dated February 2001	27 Feb 2001
		Committee on the Office of the Ombudsman and the Police Integrity Commission – Report entitled “Parliamentary Inquiry into the Jurisdiction & Operation of the Administrative Decisions Tribunal – Discussion Paper”, dated March 2001	27 Mar 2001

Committee on Children and Young People 52nd Parliament	Ms Burnswoods Mr Corbett Mr Harwin Mr Primrose Mr Tsang	Report No. 1/52 entitled “The First Steps –Review of the First Annual Report of the Commission for Children and Young People, for the 1999 - 2000 Financial Year”, dated May 2001	30 May 2001
		Report No. 2/52 entitled “The Global Agenda for Children – What role is there for us? Michael Jarman, the 1st Macquarie Street lecture for Children and Young People, 6 April 2001”, dated May 2001	5 June 2001
		Report 3/52 entitled “The Development of Wellbeing in Children – Some aspects of research and comment on child and adolescent development? Proceedings of a Seminar, Parliament House, Sydney, 7 March 2001”, dated June 2001	5 June 2001
Regulation Review Committee 52nd Parliament	Mr.Harwin Mr M Jones Ms Saffin	Report No. 10/52 entitled “Report on the Environmental Planning and Assessment (Savings and Transitional) Amendment (Olympic Co-ordination Authority) Regulation 1999”, dated June 2000.	29 Aug 2000
		Report No. 11/52 entitled “Report on the Lord Howe Island (Elections) Regulation 1999”, dated June 2000.	29 Aug 2000
		Report No. 13/52 entitled “Report on the Fisheries Management (Aquaculture) Regulation 1995 and the Fisheries Management (Aquaculture) Amendment (administration) Regulation 1999”, dated November 2000.	1 Dec 2000
		Report No. 14/52 entitled “Report on the Scrutiny of National Schemes of Legislation and the Meeting of the Working Group of Chairs and Deputy Chairs of Australian Scrutiny of Primary and Delegated Legislation Committees: Melbourne – Friday 10 November 2000”, date November 2000.	1 Dec 2000
		Report No. 15/52 entitled “Report on the Harness Racing New South Wales (Appeals) Regulation 1999”, dated June 2001.	26 Jun 2001

		Report No. 16/52 entitled “Report on the University of Sydney Amendment By-Law 2001”, dated June 2001.	27 Jun 2001
		Report No. 17/52 entitled “Report on Overseas Study Tour July 2000”, dated June 2001.	27 Jun 2001



# **Appendix 4**

## **Sessional Committees**

## Sessional Committees

Name of Committee	LC Members on Committee
House	The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon A G Corbett (IND) The Hon J H Jobling (LIB) The Hon J R Johnson (ALP) The Hon R S Jones (IND) The Hon A B Kelly (ALP) The Hon I M Macdonald (ALP) The Hon D F Moppett (NAT) The Hon I W West (ALP) The Hon H S Tsang (ALP)
Joint Library	The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon J C Burnswoods (ALP) The Hon R H Colless (NAT) The Hon A G Corbett (IND) The Hon R D Dyer (ALP) The Hon J A Gardiner (NAT) The Hon D T Harwin (LIB) The Hon J R Johnson (ALP) The Hon A B Kelly (ALP) The Hon J A Saffin (ALP) The Hon Dr P Wong (U)
Printing	The Hon I W West (ALP) <i>(Chairperson)</i> The Hon A G Corbett (IND) The Hon J Hatzistergos (ALP) The Hon G S Pearce (LIB) The Hon J A Saffin (ALP)
Standing Orders	The Hon Dr M A Burgmann (ALP) <i>The President (Chairperson)</i> The Hon J J Della Bosca (ALP) The Hon M R Egan (ALP) The Hon M J Gallacher (LIB) The Hon D J Gay (NAT) The Revd the Hon F J Nile (CDP) The Hon E M Obeid (ALP) The Hon H W Sham-Ho (IND) The Hon C M Tebbutt (ALP)

## **Appendix 5**

### **Legislative Council Members' Travel**

## Legislative Council Members' Travel

Details of expenditure by Members of the Legislative Council for home to Sydney travel (country based Members) and other travel within Australia, including spouse/partner /approved relative travel and Member's office staff, during the financial year is shown below.

<b>Name of Member</b>	<b>Electorate for Country Members Only</b>	<b>Changes in Status</b>	<b>2000/2001 Total \$</b>
Breen*	Lismore		8,267.65
Bull*	Wagga Wagga	Resigned 18/8/00	1,146.35
Burgmann			2,089.57
Burnswoods			2,802.30
Chesterfield-Evans			6,100.38
Cohen*	Ballina		17,632.96
Colless*	Northern Tablelands	Elected 30/8/00	16,574.33
Corbett*	Blue Mountains		2,671.51
Della Bosca*	Peats		0.00
Dyer			1,813.63
Egan			0.00
Fazio		Elected 30/8/00	4,036.04
Forsythe			3,683.77
Gallacher*	Wyong		488.70
Gardiner*	Myall Lakes		10,441.80
Gay*	Burrinjuck		18,412.78
Hannaford		Resigned 10/10/00	1,160.21
Harwin*	South Coast		7,653.32
Hatzistergos			3,021.04
Jobling			3,072.37
Johnson			1,689.84
Jones M*	Cessnock		3,811.32
Jones R*	Ballina		10,558.19
Kelly*	Dubbo		11,874.75
Lynn*	Camden		2,037.23
Macdonald*	Lachlan		19,285.14
Manson		Resigned 27/10/00	149.79
Moppett*	Barwon		19,986.39
Nile E*	Kiama		1,638.00
Nile F*	Kiama		3,198.00
Obeid			0.00
Oldfield			1,123.00
Pearce		Elected 1/11/00	1,096.20
Pezzutti*	Lismore		35,231.32
Primrose*	Camden		702.14
Rhiannon			4,574.91
Ryan*	Camden		471.46
Saffin*	Lismore		25,553.00
Samios			256.00

Sham Ho			1,433.85
Shaw JW		Resigned 4/7/00	0.00
Tebbutt			0.00
Tingle*	Port Macquarie		19,488.45
Tsang			2,217.80
West		Elected 1/11/00	34.72
Wong			868.16

## **Appendix 6**

### **Human Resource Statistics**

## Statistics

### Number of CES/SES Postions

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

### Establishment List Legislative Council Staff Establishment for Four Years

	30 June 1998	30 June 1999	30 June 2000	30 June 2001
<b>Chamber offices</b>	4	4	4	4
<b>Office of the Clerk</b>	4	4	4	3.6
<b>Procedure Office</b>	4	4	4	4
<b>Office of the Usher of the Black Rod</b>	4	4	4	4
<b>Administration Office</b>	6.5	6.5	6.5	5.5
<b>President's Staff</b>	4	4	4	4
<b>Attendants</b>	10	10	10	10
<b>Members Staff</b>	45	50	50	53
<b>Committees Staff</b>	13.75	13.75	13.75	13.3
<b>Total Staff employed by Legislative Council</b>	<b>95.25</b>	<b>100.25</b>	<b>100.25</b>	<b>101.40</b>

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

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**PARL — 2000/01****1. LEVEL****Table 1 Staff Numbers by Level**

LEVEL	TOTAL STAFF	Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work- related Adjustment
< \$26,802		0	0	0	0	0	0	0	0
\$26,802 - \$35,202	71	29	30	41	2	17	18	1	0
\$35,203 - \$39,354	15	8	10	5	1	6	3	2	0
\$39,355 - \$49,799	54	23	21	33	0	5	3	3	2
\$49,800 - \$64,400	67	35	26	41	0	11	7	3	0
\$64,401 - \$80,499	14	6	9	5	0	3	1	0	0
> \$80,499 (non- SES)	7	4	6	1	0	0	0	2	0
> \$80,499 (SES)		0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>228</b>	<b>105</b>	<b>102</b>	<b>126</b>	<b>3</b>	<b>42</b>	<b>32</b>	<b>11</b>	<b>2</b>



<b>Table 2 Percent of Total Staff by Level</b>									
<b>LEVEL</b>	<b>Subgroup as Percent of Total Staff at each Level</b>				<b>Subgroup as Estimated Percent of Total Staff at each Level</b>				
	<b>TOTAL STAFF (Number)</b>	<b>Respondents</b>	<b>Men</b>	<b>Women</b>	<b>Aboriginal People &amp; Torres Strait Islanders</b>	<b>People from Racial, Ethnic, Ethno-Religious Minority Groups</b>	<b>People Whose Language Spoken as a Child was not English</b>	<b>People with a Disability</b>	<b>People with a Disability Requiring Work-related Adjustment</b>
< \$26,802									
\$26,802 - \$35,202	71	41%	42%	58%	6.9%	59%	62%	3%	
\$35,203 - \$39,354	15	53%	67%	33%	12.5%	75%	38%	25%	
\$39,355 - \$49,799	54	43%	39%	61%		22%	13%	13%	8.7%
\$49,800 - \$64,400	67	52%	39%	61%		31%	20%	9%	
\$64,401 - \$80,499	14	43%	64%	36%		50%	17%		
> \$80,499 (non-SES)	7	57%	86%	14%				50%	
> \$80,499 (SES)									
<b>TOTAL</b>	228	46%	45%	55%	3.0%	41%	32%	10%	2.1%
Estimate Range (95% confidence level)									
					1.3% to 5.5%	33.8% to 47.5%	25.6% to 38.0%	3% to 13.9%	0.9% to 4.2%

# **Appendix 7**

## **Publications**

## Publications

Various publications about the activities and functions of the Department were available to the public in 2000/2001.

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

Name of material	current print run
Alphabetical List of Acts. A record of all acts passed by the Legislative Council since 1856, and whether they have been repealed, reprinted or are still in force.	(16 <sup>th</sup> edn) 2000
A precis of Business and Procedures	(2 <sup>nd</sup> edn) Jan 1997
Guide to Occupants of the Chair	May 1995
Journal of the Legislative Council (annually produced bound volume of Minutes of Proceedings together with an index and other information related to the proceedings in the House)	1999
List of Members	June 2001
Manual for Estimates Committees	2001
Manual on Practices and Procedures for Committee Members	
Minutes of the Proceedings (record of decisions and proceedings of the House)	daily on sitting days
Notices of Motions and Orders of the Day paper	daily on sitting days
Parliamentary Record (contains details of Members since 1824 including dates of election, ministerial portfolios held, date and manner of ceasing to be a Member. Also contains information concerning the duration of Parliaments and composition of Ministries)	Vol.6 (1 <sup>st</sup> edn) 1999
Procedural Highlights	No.8 May-July 1999
Questions and Answers Paper	daily on sitting days
Register of Members' Interests (scheme of disclosure of pecuniary and other interests of Members of Parliament (explanatory Notes)	annual
Sessional Orders	as adopted 12 May 1999 & amended 11 April 2001
Sessional Resolutions	up to 30 May 2001
Sessional Rulings of the President	currently updating
Committees Report on Performance	October 1999
Standing Committee and Select Committee Reports	various as published
Standing Orders	June 1999
Statutory Rules and Instruments paper (contains details of statutory rules or regulations which appear in the Government Gazette)	Each week during sittings. Each month during non-sitting period
The Notice Paper: How it works – manual	May 1997

## Material for the Information of the Public

<b>Name of material</b>	<b>current print run</b>
Australia's First Parliament	(2 <sup>nd</sup> edition) 1995
Booklet on the Legislative Council	1997
Booklet on Black Rod	1974
"Fact sheets" (detailed information sheets about the functions and procedures of the Legislative Council)	up-dated as procedures change
Witnesses appearing before Committees	1998
Making a Submission before a Committee	1998
Standing Committees – taking Parliament to the People	1998
Role of a Member of the Legislative Council – pamphlet	1995, new one in production
History Bulletins (nine pamphlets on historical aspects of the Parliament, the building and some of the notable people associated with it)	various
Presiding Officers of the Legislative Council	1998
Parliament of New South Wales	(2 <sup>nd</sup> edn) 2001
Parliament of New South Wales -Colour brochure	2000
Parliamentary Bookmark	2001

# **Appendix 8**

## **Guarantee of Service**

## **Guarantee of service**

### **Our role**

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

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

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

### **Our clients**

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

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

### **How we work with our clients**

#### **Standard of service**

The key attributes of our standards of service are:

- timeliness
- competency
- accuracy
- cost effectiveness

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

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

## **Suggestions and complaints**

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

## **Our services**

### **Practice and Procedure**

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

### **Publication of Records**

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

### **Administrative Support**

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

### **Protocol and Community Relations**

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

## **Appendix 9**

### **Risk Management and Insurance**



# **Risk Management and Insurance**

## **Risk Management**

Following on from the risk management strategies commenced last financial year, KPMG were engaged to conduct a Business Risk Assessment for the Parliament of NSW. KPMG recently completed a similar project for the Commonwealth Parliament thus bringing considerable knowledge and experience of Parliamentary processes and procedures to the project, enabling existing templates to be used which resulted in substantial cost savings for the Parliament of NSW.

Based on the business risk assessment outcome, KPMG have drafted the following documents:

- A Business Risk Management Plan
- A Strategic Audit plan
- An Annual Internal Audit Plan
- A Fraud Control Plan
- A Security Risk Assessment
- An Occupational Health and Safety Risk Assessment
- A Business Continuity Risk Assessment

The next stage of the project is to be undertaken in the 2001/02 financial year. This involves implementation of the various plans with KPMG being retained to provide awareness sessions and training to the various parliamentary department and section managers. This will be followed by managers required to undertake an annual review of business risks and development of strategies to mitigate the Parliament's exposure to the risks identified in the business risk assessment.

## **Insurance**

The Parliament is a member of the NSW Treasury Managed Fund (TMF), which provides self-insurance to inner budget sector government agencies for worker's compensation, liability, motor vehicle, property and miscellaneous (including air travel and personal accident cover for Members of Parliament) insurance categories.

Consistent with previous years, workers compensation continues to represent the largest insurance cost for the Parliament. For the 2000/2001 financial year, the premium increased by approximately 5%, due to salary increases and a deterioration in the cost of claims incurred in the prior two calendar years. This resulted in the Parliament's workers compensation premium exceeding the benchmark funding provided by Treasury by \$114,467 (71%).

A total of 28 claims were lodged by parliamentary staff during the reporting year, compared with 25 in the previous financial year. The average cost per claim lodged during the year also increased to \$11,231, compared with \$6,016 for 1999/2000.

Legislative Council staff were responsible for five claims at an average per claim of \$778, which is well below both the Treasury Managed Fund cost average cost per claim of \$4,472 and the Parliament's cost of \$11,231.

One property claim was lodged by the Legislative Council during the reporting year, involving a cost of \$236 which compares favourably with the five claims lodged last year at an average cost of \$436. The claim this year related to the theft of a mobile telephone.

Consistent with trends experienced in both the private and public sector, the Parliament experienced an increase in liability claims during the reporting year. Two claims involved incidents within the Parliament House precincts and are currently being considered by the Treasury Managed Fund. A further four claims relate to the Legislative Assembly.

No motor vehicle claims were made for the three Legislative Council motor vehicles during the reporting year, which represents an improvement compared with 1999/2000, when one claim was made.

Two miscellaneous insurance claims were lodged during the 2000/2001 financial year for loss of personal property by Legislative Council Members whilst travelling overseas. These claims involved minor amounts and are unlikely to impact on future premiums.

# **Appendix 10**

## **Miscellaneous Reporting**

## Miscellaneous Reporting

### Amount of Recreation/Long Service Leave

The Legislative Council recreation leave liability as at 30 June 2001 was \$460,736.18. The long service leave liability is not recorded in the financial statements of the Legislature as under existing government accounting arrangements long service costs are reflected in The Crown Transactions Entity which is administered by Treasury. The value of the Legislative Council's long service leave included in the Crown Transactions Entity as at 30 June 2001 was \$728,343.87. This includes Legislative Council Members' staff, administrative and committee staff.

### Annual Report Information

275 copies of the Annual Report were printed of volume 1 at a cost of \$7.89 each and volume 2 at a cost of \$9.39 per each.

### Code of Conduct

A new paragraph was entered to the conclusion of the Code of Conduct which is hereunder:

*Staff should realise that they do not have the same freedoms and privileges of elected Members of Parliament.*

### Consumer response

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

### Consultants

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

*Consultants less than \$30,000* - Three consultants were engaged on three separate occasions at a total cost of \$4,066.10.

### Freedom of Information

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

### Funds granted to Non-Government Community Organisations

No funds were granted to non-Government community organisations.

### Land disposal and major works

No land or properties were disposed of and no major works were in progress during 2000/2001.

## **Legal change**

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

## **Major assets**

No major assets were purchased this financial year. (A major asset is defined as assets valued at \$20,000 and above.)

## **Overseas visits**

In July 2000 Mr John Evans (Clerk of the Parliaments) and Hon Tony Kelly MLC (Deputy President) attended the 31st Annual Conference of Presiding Officers and Clerks held in Fiji.

Cost: \$4,601 each

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

September/October 2000 – Hon Jan Burnswoods MLC to USA, Canada, England for Commonwealth Parliamentary Association Overseas Study Tour.  
Report completed.

Cost \$9,100

December/January 2000/2001 – Hon Jim Samios MLC to England, Greece, Singapore for Commonwealth Parliamentary Association Overseas Study Tour.  
Report completed.

Cost \$10,619

January 2001 – Hon Ian Macdonald MLC to New Zealand for Commonwealth Parliamentary Association Overseas Study Tour.  
Report completed.

Cost \$1,040

June/July 01 – The Hon H.W. Sham-Ho MLC to USA, Canada, England, South Korea for Commonwealth Parliamentary Association Overseas Study Tour.  
Report completed.

Cost \$18,100

### **Overseas Secondment of Senior Staff**

The secondment of senior staff to overseas Parliaments is viewed as an opportunity to develop strong links between countries, people, organisations and increase the sharing of ideas and expertise to the benefit of all participants.

### **East Timor**

The Deputy Clerk, Lynn Lovelock co-ordinated and conducted training for the Timorese National Council during September/December 2000 and again in March/April 2001 under the sponsorship of AusAid Australia. Committee Director, David Blunt assisted the Deputy Clerk in this training during October/November 2000 secondment.

## **Wales**

The Manager Procedure Office, Russell Keith is on secondment to the Wales National Assembly for 12 months from December 2000.

## **Committees**

There was no overseas travel by Legislative Council committees during the financial year.

## **Staff Overseas Travel**

There was no overseas travel by staff at Legislative Council expense during the financial year.

## **Green House Emissions Reduction**

### **Recycling**

Parliament has continued to implement waste reduction in the form of a waste-recycling programme. Specially labelled bins have been placed in the cafeteria to ensure recycled materials are sorted at the source.

Following a survey of the present programme a number of changes are to be implemented. It is estimated these changes will increase the amount of recycled material by at least forty per cent.

### **Energy Reduction**

Further energy reduction have been achieved this financial year by upgrading the lighting in the Library Stack and other areas of Parliament

Further studies on energy saving projects are underway to ensure Parliament continues its Energy Reduction Policy into the next financial year.

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