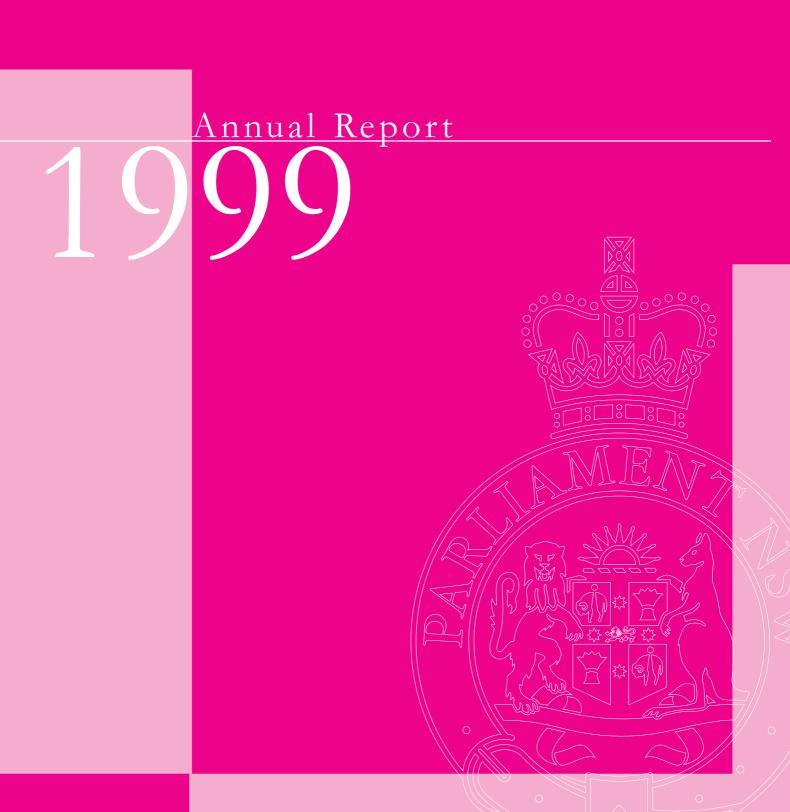


LEGISLATIVE COUNCIL



### Mission

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

## **Corporate Goals**

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

## **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 a timely and efficient manner. We ask about your needs and we will work with you to achieve solutions.

#### **Professional Performance**

We will build and maintain a reputation for absolute impartiality and trustworthiness. We pride ourselves on being competent and cost-effective in the eyes of customers. In our organisation, excellence in performance wins rewards. We encourage innovation and initiative.

## Access to Services

Located at: Parliament House Macquarie Street SYDNEY NSW 2000

#### Contact telephone & facsimile numbers

	Telephone	Facsimile
Switchboard		9230 2111
Members	9230 2111	
Clerk's Office	9230 2346	9230 2761
Procedure Office	9230 2331	9230 2876
Committee Office	9230 2641	9230 2812
Administration Office	9230 2824	9230 2876
Attendant's Reception Desk	9230 2319	9230 2876

#### E-mail address:

council@parliament.nsw.gov.au

## Legislative Council's Home Page on the Internet:

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

#### Office operating hours

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

#### Sitting Days

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

#### Visits by the public

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

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



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## 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 1999.

Meredith Burgmann President of the Legislative Council



#### LEGISLATIVE COUNCIL NEW SOUTH WALES

OFFICE OF THE CLERK

PARLIAMENT HOUSE SYDNEY N.S.W. 2000 PHL (02) 9230-2321 FAX (02) 9230-2361 enail.covum@gparlament.cov.gov.au

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 1999.

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

Yours sincerely

John Evans Clerk of the Parliaments

## Charter

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

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

The Department of the Legislative Council provides procedural, administrative and support services to assist the Members of the Legislative Council in performing their parliamentary duties. These services include research and advice on parliamentary practice and procedure, the preparation of documents for use in the House, and the provision of staff and equipment. 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.

# 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.

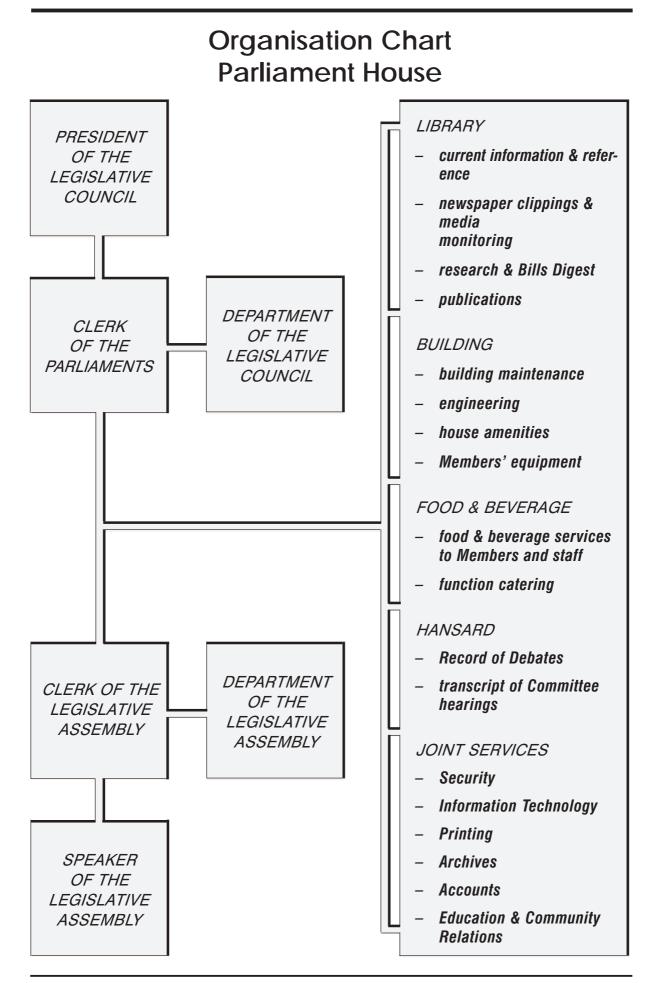
- \* Advisory and procedural services including:
  - advice to Members on parliamentary practice and procedure
  - preparation of documentation for use in the House
  - production of the records of proceedings of the House and its Committees.
- \* Administrative and support services including:
  - provision 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.
- \* <u>Corporate management</u> 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 Services Departments.

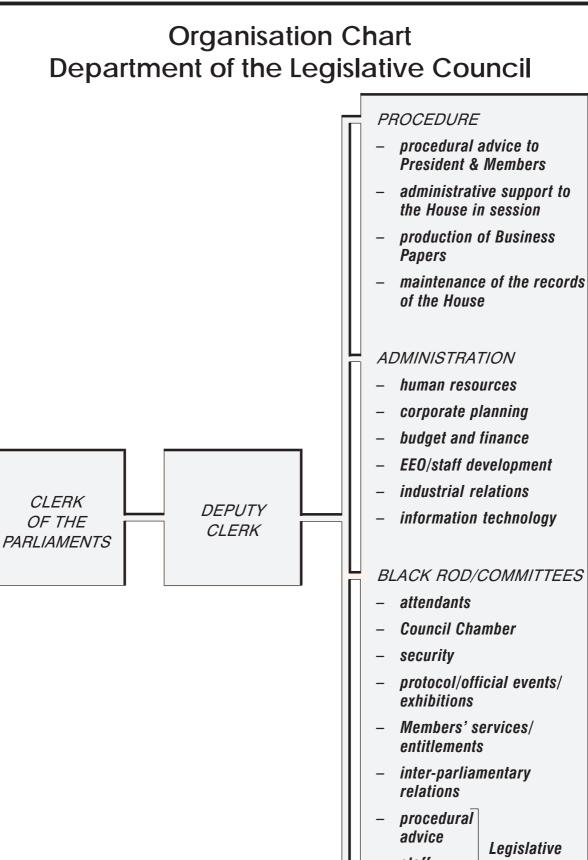
The Department of the Legislative Council also has administrative responsibility for the Departments of Parliamentary Building Services, Parliamentary Food and Beverage Services, and the Information Technology Services Section.

## Significant Events

The Periodic Council Election held on 27 March 1999 marked the retirement of eight Members of the Legislative Council. This, in conjunction with one Member not being re-elected, resulted in nine new Members being elected to the Legislative Council.

- On Tuesday 11 May 1999, the first session of the fifty-second Parliament was officially opened in the Legislative Council Chamber. The Hon Michael Egan, MLC, Treasurer, Minister for State Development, and Vice President of the Executive Council, the Hon Jeffrey Shaw, MLC, Attorney General and Minister for Industrial Relations, and the Hon John Della Bosca, MLC, Special Minister for State and Assistant Treasurer were appointed Commissioners in the name of His Excellency the Hon Gordon Samuels AC, Governor of New South Wales, to open the Parliament.
- Following the Commission Opening, the Honourable Dr Meredith Burgmann, MLC, was elected President of the Legislative Council by the Members of the House.
- His Royal Highness Crown Prince Maha Varjiralongkorn of Thailand attended a State lunch at Parliament House on 21 April 1999, hosted by the Deputy Premier, the Hon Dr Andrew Refshauge, MP. Prior to the lunch the former Chairman of Committees, the Hon Duncan Gay, MLC and the Speaker the Hon John Murray, MP officially welcomed His Royal Highness at a reception in the Jubilee Room. Members of both Houses were invited to attend the ceremony as well as a number of former Members who had been involved in the parliamentary delegation to Thailand in February – March 1997.
- As part of Australia Day celebrations held on 26 January 1999, the Parliament was open to the public to allow viewing of the Legislative Council and Legislative Assembly Chambers, the Jubilee Room and the Fountain Court. There were approximately 8000 visitors on the day. Many visitors expressed interest in the heritage of the building, current issues and parliamentary processes. Staff on duty provided information about the history and operation of Australia's first Parliament. The Australia Day citizenship ceremony, which was the principal civic event of the day, was held in the Parliament House Fountain Court.
- The Legislative Council played a major role in the Drug Summit, held from Monday 17 May 1999 to Friday 21 May 1999. Plenary sessions were held in the Council Chamber, where parliamentary and non-parliamentary delegates debated issues associated with the drug problem, drug policies, strategies and services. Legislative Council staff provided administrative, procedural and attendant support throughout the summit. More than 200 delegates attended the Summit which was modelled on the Constitutional Convention held in the old Parliament House, Canberra during February 1999. At the end of the summit a communique containing twenty principles, was adopted and issued.
- Commonwealth Day celebrations were held on 8 March 1999. This year marked the 50th anniversary of the modern Commonwealth. The central theme to commemorate this milestone was 'music', as music is a universal means of communication. The celebrations, attended by His Excellency the Governor of New South Wales, the Honourable Gordon Samuels AC and Mrs Samuels, began with a number of musical performances in the Martin Place Amphitheatre, where His Excellency read Her Majesty the Queen's message. Following this, a luncheon was held at Parliament House, hosted by former Presidents of the Legislative Council, the Hon Virginia Chadwick, MLC and the Hon Max Willis, MLC.
- The 29th annual Conference of Presiding Officers and Clerks was held at Parliament House in July 1998. Sixty delegates from Parliaments of Australia and the Pacific region participated in the conference. For the first time the conference included an observer from the United States. Presented papers during the four day conference were on issues ranging from procedures for censuring members of Parliament to the use of the Internet.
- On 13 May 1999 the House appointed five General Purpose Standing Committees reflecting Government Ministers' portofolio responsibilities. These committees were authorised to examine any matters referred to them by the House, the expenditure, performance or effectiveness of any department or government, statutory body or corporation, and any matter in an annual report of a department of government, statutory body or corporation. On 29 April 1999 the House resolved to refer the Budget Estimates and related documents representing the amounts to be appropriated from the consolidated fund for financial year 1999–2000 to the General Purpose Standing Committees for consideration.





- staff Council &
- resources joint
  - committees
- reports

## Clerk's Overview

#### New Members elected - Members retired

The Honourable Virginia Chadwick, MLC was elected President of the Legislative Council on 29 June, 1998 following the sudden resignation of the Honourable Max Willis on 28 June 1999. Mrs Chadwick held the office of President until her retirement in March 1999.

The fifty-first Parliament which began on 25 March 1995 expired 5 March, 1999 for the fifty-second general election. A Periodic Council election was held on 27 March 1999 for one half of the 42 seats in the Legislative Council. Prior to the election, the Labor Government held 16 seats, the Liberal – National Opposition 17 seats, and minor parties and independent members 9 seats.

When the people of New South Wales went to the polls on election day, they were confronted with a record 264 candidates, representing 80 groups or parties, from which they had to choose 21 people to represent them in the Legislative Council.

The election became known as the 'table cloth election' with a ballot paper measuring  $1.02 \text{ m} \ge 0.72 \text{ m}$ . Electors had to grapple with the problem of completing this huge paper; and then folding and fitting it into a ballot box with an opening designed for a much smaller paper.

The outcome of the election with the return of writs on 2 May 1999 resulted in Labor maintaining its representation of 16, Liberal-National Opposition numbers decreased from 17 to 13 and Cross Bench Members increased from 9 to 13. The Greens increased their numbers to 2, the Independents were reduced from 3 to 2 members, and 4 new parties gained representation in the Upper House.

The Honourable Meredith Burgmann was elected President of the Legislative Council on 11 May, 1999 at the beginning of the new Parliament. The new President was presented to the Governor at Government House on 27 May, 1999.

#### **Drug Summit**

The Legislative Council played a major role in the recent Drug Summit, held from Monday, 17 May to Friday 21 May. Plenary sessions were held in the Council Chamber, where parliamentary and non-parliamentary delegates debated issues associated with the drug problem, drug policies, strategies and services. Working groups met during the plenary sessions to develop resolutions for consideration by the summit.

Clerks, Managers and staff from both houses and all departments of the Parliament met regularly and worked together to assist the Drug Summit Project Group with logistical and procedural matters in the lead up to and during the summit. Legislative Council staff provided administrative, procedural and attendant support throughout the Summit. Committee staff from the Legislative Council and Legislative Assembly also provided support to the various Working Groups. At the end of the summit a communique was issued which contained twenty principles for dealing with the drug problem.

#### **SAP Implementation Project**

A major project was undertaken this year to resolve the millennium bug problem (Year 2000) in the areas of accounting, payroll and human resources. With the combination of all these areas into one management software package, the Systems, Application and Products in Data Processing (SAP) will allow the Parliament to control and streamline procedures. The Parliament's dedicated staff indicated that the SAP software would be ready to implement on 1 July, 1999.

#### Conduct of the Hon Franca Arena MLC

On 1 July 1998 the Legislative Council resolved that Mrs Arena provide to the House within five sitting days an apology and withdrawal in respect of certain imputations she had made on 17 September 1997 against prominent citizens. The House further resolved that if Mrs Arena failed to provide the apology and withdrawal as required, she would be suspended from the service of the House until they were supplied. It also resolved that two other persons to whom Mrs Arena had referred, be informed by the Clerk of the House's resolution providing procedures for a citizen's right of reply. On 16 September 1998, the fifth sitting day following the passing of the resolution, the House agreed on division to accept a "statement of regret" by Mrs Arena in specified terms as a sufficient response to the resolution requiring an apology. Mrs Arena then made the statement of regret to the House agreed.

#### Orders for Papers - Egan v Willis & Cahill; Egan v Chadwick, Evans & Cahill

On 19 November 1998, the High Court upheld the decision of the New South Wales Court of Appeal on 29 November 1996 that the Legislative Council has power to call for State papers from a Minister in the House and to suspend the Minister from the service of the House if the Minister fails to comply. (Egan v Willis (1998) 73 ALJR 75) In September 1998, the House called for papers related to Sydney's water supply. The Government complied in part with this order but did not table papers for which it claimed legal professional privilege and public interest immunity. The House continued to call for Members to have access to all papers except Cabinet documents. The Leader of the Government, Mr Egan, commenced an action in the Supreme Court against the President, the Clerk and Usher of the Black Rod challenging the right of the House to have access to the documents. Before the legal proceedings were resolved Mr Egan was suspended from the House on two separate occasions for failing to table the required papers.

On 2 December 1998, the House agreed to a sessional order setting out procedures for orders for papers from Ministers. This order provided that any privileged documents be kept by the Clerk. The inspection of such documents (except for Cabinet documents) was to be by Members only and an independent legal arbiter was to be appointed to resolve any disputes regarding claims of privilege.

On 10 June 1999, the Court of Appeal unanimously rejected Mr Egan's proceedings and found that the Legislative Council's power to call for documents extends to compel the Executive to produce documents in respect of which a claim of legal professional privilege or public interest immunity is made (*Egan v Chadwick & Ors* [1999] NSWCA, 176).

#### Members' Accommodation

Further modifications were undertaken to offices improve accommodation for Members and their staff on Level 11 of Parliament House. The modifications were needed because of the increased number of Cross Bench Members following the March election.

#### **Committee Activity**

The March 1999 election meant that the major focus of Committee activity in late 1998 and early 1999 was the completion of existing inquiries. During the year there were 20 committee inquiries under way and 21 reports tabled (including 298 recommendations). Much of the public consultation for these inquiries had already taken place prior to July 1998. Nevertheless, more than 1,300 people participated directly in committee inquiries during the year. This included 35 days of public hearings, 11 of which took place in country areas. The new Parliament saw the appointment of five General Purpose Standing Committees. Matters referred to these committees included consideration of the 1999-2000 budget estimates and related papers. This report for the first time, includes a report on the performance of the three Standing Committees of the Legislative Council. Previously these reports were published separately.

#### Code of Conduct adopted for Members

On 26 May 1999, the Legislative Council adopted a Code of Conduct for Members, identical in terms to the one adopted by the House in July 1998. The House also agreed that the Code would be a resolution of continuing effect so that it was not necessary to pass a motion to adopt it at the beginning of each Parliament.

#### Auditor General summoned to Bar of the House

On 29 October 1998, the House resolved to summon the Auditor General to the Bar of the House to give evidence in relation to the Appropriation (1997–98 Budget Variations) Bill (No. 2) 1998. The Auditor General, Mr Harris, was admitted onto the floor during a sitting of the House on 10 November 1998. The Clerk administered the affirmation and the House examined him for approximately two and a half hours.

#### ICAC Report into Parliamentary and Electorate Travel

The second report of the Independent Commission Against Corruption on the Investigation into Parliamentary and Electorate Travel was released in December 1998. The report detailed the results of an analysis of Members' use of their entitlements and allowances and the administrative systems operating within the Parliament. The report made 63 recommendations for reform of parliamentary administrative systems.

#### Presiding Officers and Clerks Conference

The 29th Annual Conference of Presiding Officers and Clerks from the Parliaments of Australia and the Pacific region was held at Parliament House from 10–17 July 1998. The last time the conference was held in Sydney was 1982. For the first time observers from Great Britain and the United States also attended.

#### Conclusion

In line with the Government's policy to reduce Government spending, the Council has again endeavoured to streamline operating procedures to ensure budget constraints are met. This process of improvement will continue in the next financial year. Since Members' programs are protected items of expenditure, the difference is being met from Council's operating expenditure, including committees.

Many improvements to the overall operations of the Legislative Council were made this financial year. I would like to congratulate all staff on their dedication and commitment to excellence. I look forward with confidence to another year of achieving our goals.



### Key Plans 1999-2000

In line with the Legislative Council's Corporate Goals to improve services to Members and promote efficiency within the Council, a number of activities have been planned for the coming year. Some of these are listed below.

- Review, consolidate and streamline the areas of the:
  - reference library
  - procedural processes, including paper practices, with a view to potential application of IT developments
  - record keeping
  - tabled documents
- Continued development of Lotus Notes for procedural information
- Implement a program of seminars for new Members and staff
- Compile, revise and publish manuals/rulings for:
  - Committees
  - President/Chairmen of Committees
  - Procedural Manuals for Parliament
- Research and write papers on many areas including the Role of the Legislative Council and legislation in the House
- Compile and publish the Journal for the period September 1997 to February 1999
- Prepare and publish Procedural Highlights
- Compile and publish Consolidated Index to Journals for the period 1843–1855
- Continued development and implementation of computerised systems and the management plan for Assets and Records
- Manage the Members' computer equipment upgrade project
- Develop and review staff inductions and awards
- Organise Australia Day and Commonwealth Day celebrations
- Review and enhance public information about the role and functions of the Legislative Council
- Compile and publish an account of the first ten years of the Legislative Council Standing Committee
- Develop project plan for media quality broadcast facility of proceedings in the Council Chamber for publication on the Internet
- Develop project plan for video recording of evidence of Standing and Select Committees

## Progress Report on Year 2000 Millennium Bug Projects

#### The scope and status of the Year 2000 project

The Year 2000 project was commenced in December 1997 to identify the impact of the Year 2000 on New South Wales Parliament's operations due to the potential incompatibility of computer hardware and software resources to handle dates at the end of the century and beyond.

The project is based on the methodology documented in the "Year 2000 Business Risk Analysis Handbook" developed and issued by the former Department of Public Works & Services. Each of the steps of the methodology has been considered and only those applicable to the Parliament adopted.

Questionnaires were sent out to all clients and their responses were collated to obtain an inventory of all computer hardware and software. From the analysis of the information provided, the impact of the Year 2000 in Parliament was identified and an estimate of costs for rectification determined.

Treasury has provided funding for Year 2000 projects across financial years 1998–99 and 1999 – 2000. The rectification projects completed in 1998–99 are:

- replacement of the non-compliant financial information system, Intergy, and the human resources system, CHRIS, with an integrated financial information system SAP. The system will come into production in July 1999
- replacement of half the non-compliant PCS and five servers. Rest of the non-compliant PCS to be replaced in 1999–2000
- redevelop system for the Print Shop

Other tasks carried out as part of the year 2000 project include the development of the IT Disaster Recovery Plan, development of the contingency plan for year 2000 date change over problems, and an independent audit of Parliament's Y2K project.

Work also commenced in June 1999 on a major project to convert the Parliament's word processing platform from WordPerfect to MS-Word 97. This project consists of three subprojects: conversion of business processes from WordPerfect to MS-Word 97, training of Members and staff in MS-Word, and installation and configuration of software in the Parliament and electorate offices.

#### The estimated total cost of the Year 2000 activities

Total estimate for year 2000 rectification is a capital cost of \$3.7million with a recurrent cost of \$225,000. It is estimated that the cost of producing an independent verification of Year 2000 compliance strategies, the Year 2000 disaster recovery plans and associated contingency plans will be \$50,000.

#### INFORMATION TECHNOLOGY PROJECTS

#### Information Policy and Information Management Strategy

A project to develop an Information Policy, an Information Management Strategy and an enterprise data model commenced in April 1999. A series of workshops have been held to collect information on the activities carried out by the departments and sections. The information management strategy and the enterprise data model will form the framework for the development of the Information Technology Strategic Plan. This will enable Information Technology Services to plan and implement new systems and services which will provide benefit to both Members and staff.

#### **Internet Redesign**

Information Technology Services is working on a project to redesign the current web site and provide Hansard, the Business Papers, Bills and Committee information in an easy to use format. The aim of the project is to develop a site which is customer focussed, fast, responsive and from which information is readily accessible. The project will also enable information to be kept current by making the creators of the information responsible for publishing it, thus ensuring that the process of publishing information is made efficient.

#### Year 2000 Project - Implementation of SAP

SAP (Systems, Applications, and Products in Data Processing) is a fully integrated management information system, which was developed in Germany in 1972. SAP is a type of enterprise resource planning (ERP) software developed to help companies of all sizes link their business processes, tying together disparate business functions and helping the whole enterprise run more smoothly. SAP is the largest supplier of business application software in the world and the world's fourth-largest independent software supplier.

The entire implementation project was conducted from December 1998, with total completion expected by 2 August 1999. SAP essentially combines all of the Parliament's major corporate support systems into one. SAP provides for management of human resources, payroll, assets, purchasing, plant maintenance, inventory, and many other aspects of an organisation's operation. The first stage of the SAP implementation in the Parliament was primarily concerned with Financial, Assets, Purchasing, Human Resources, Payroll and management reporting through use of costs centres and internal orders (project costing).

The ultimate aim of the project is to improve efficiency and corporate overheads of the Parliament. Furthermore, recent and anticipated demands for information from central government agencies, "watch dog" groups and the Parliamentary Remuneration Tribunal in respect of member entitlements, necessitates the use of a sophisticated integrated management information system.

The Parliament implemented SAP for the major purposes of resolving the millennium bug (Y2K) problem and the need to standardise certain business procedures. The Parliament's current financial management software was non-Y2K compliant and so were various other systems in the Parliament which manage personnel, payroll and assets. The SAP system is scheduled to "go live" from 1 July 1999 to counter the millennium bug issue which arises midway through the 1999–2000 financial year.

The successful implementation of the SAP system required dedicated cooperation by a core project team to develop each module in conjunction with external SAP contractors. This involved a selection of people from the areas of accounts, payroll, human resources, procurement and assets management. In addition to the project team, all staff possible in the relevant areas were involved in the consultation, testing and data entry stages to assist in bringing the system on line in as short a time as possible.

At the beginning of the project, a number of risks were documented which could potentially delay or hinder the implementation of the project by 1 July 1999. One of these risks was the impact the State Election would have on staff resources to the project. Accounts and human resources staff had to process a large volume of information to ensure outgoing and incoming members and their staff were paid and the appropriate administrative arrangements made. As a result the potential effects were measured and additional staff were employed where possible. When election time drew closer an enormous strain was put on the project team members to meet their commitment to both their own positions as well as the project. Despite a few obstacles, the progress of the project remained on track.

The operation of SAP will have a number of implications from a change management perspective. The most significant impact concerns the area of procurement with approximately 73 staff requiring training for operating the purchasing module. The SAP system which replaces the present systems possesses a significantly different "look and feel" and in a number of respects has a different functionality. A further challenge was presented due to the varying levels of exposure to information systems by staff. Due to the size of the task in training the relevant people, a staggered go-live for the purchasing module will continue until 2 August 1999.

On the whole, the project has remained within the target time frame and budget constraints. As with all projects of this scale, certain challenges were presented threatening timely completion of the project. It is anticipated however, that the targets will be met.



# **Procedural Advice and Support**

## GOAL 1

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

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

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

Following the 1999 election, the parties represented in the Council were: Australian Labor Party [16], Liberal Party of Australia (NSW Division) [9], National Party of Australia (NSW) [4], Christian Democratic Party [2], The Greens [2], A Better Future for our Children [1], Australian Democrats [1], Outdoor Recreation Party [1], Pauline Hanson's One Nation Party [1], Reform the Legal System [1], Shooters Party [1], Unity Party [1], and Independents [2]. Prior to the election, the Government held 16 seats, the Opposition held 17 seats, and minor parties and independent members held nine seats. The number of political parties and new members in the House continues to produce a greater complexity and volume of procedural advice required from the Clerk of the Parliaments and other senior officers.

Since the March 1988 election, the Government has been in a minority in the Legislative Council. At the most recent election, the minor party and independent representation increased to 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 play 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 requirements of the Standing and Sessional Orders, the Constitution Act, and other laws as they relate to Parliament. Parliamentary practice and procedure must also be followed to ensure bills pass through all the required stages of the legislative process.

# Significant issues arising during the reporting period

#### New Procedure for Private Members' Business

At the commencement of the Parliament in May 1999, the House adopted a sessional order to provide for a new method of handling private members' business. The sessional order provides for the order of precedence of private members' notices to be determined by a random draw and for time limits to be imposed on the debate on each item.

The sessional order establishes a new category of business of "Items in the Order of Precedence". This category contains up to 12 items drawn randomly from the names of Private Members who have given notice of one or more motions. A name is first drawn from Opposition Members, then from Cross-bench Members, then from Government Members and so on until 12 items are in the Order of Precedence. A new draw is made to fill up the Order of Precedence whenever it is necessary. Members with an item in the Order of Precedence may not participate in a draw. If a member whose name is drawn has given notice of more than one motion, they advise the Clerk which item they wish to go into the Order of Precedence.

Debate on an item of Private Members' Business is limited to three hours, with the mover speaking for not more than thirty minutes and other Members speaking for not more than twenty minutes. When fifteen minutes of the time for debate on the item remains, the Chair interrupts proceedings for the mover to speak in reply for up to ten minutes before the motion is put to a vote.

Notices for motions for leave to bring in a Private Member's Bill go into the same draw. Once a bill is introduced, all stages up to the mover's second reading speech proceed forthwith. After the mover's second reading speech, debate on the bill is adjourned and it falls to the bottom of the Order of Precedence. When the second reading of a Private Member's Bill has been passed, subsequent stages are dealt with on days set aside for Government Business.

The new procedure will enable more items of Private Members business to be dealt with and ensure an equal opportunity for Opposition, Cross-bench and Government Members.

#### Orders for Papers – Egan v Willis & Cahill; Egan v Chadwick, Evans & Cahill

On 19 November 1998, the High Court upheld the ruling in the New South Wales Court of Appeal on 29 November 1996 that the Legislative Council had power to call for State papers from a Minister in the House. That case was an action for trespass against the President and the Usher of the Black Rod commenced by the Hon Michael Egan MLC after the House suspended him for failure to comply with its order to table certain papers.

In September 1998, the House called for papers related to Sydney's water supply. The Government complied in part with this order but did not table papers for which it claimed legal professional privilege and public interest immunity. The House continued to call for members to have access to all papers except Cabinet documents and Mr Egan commenced an action in the Supreme Court (Egan v Chadwick, Evans & Cahill) claiming that the House had no power to order the production of papers subject to legal professional privilege or public interest immunity. On Mr Egan failing to table the papers ordered, the House suspended him and he amended his action to include a challenge to the validity of that suspension.

On 10 June 1999, the Court of Appeal unanimously rejected Mr Egan's proceedings and found that the Legislative Council's power to call for documents extends to compel the Executive to produce documents in respect of which a claim of legal professional privilege or public interest immunity is made. Two of the three judges, Spigelman CJ and Meagher JA, decided that the power does not extend to call for documents the production of which is inconsistent with responsible government, such as documents which reveal Cabinet deliberations. Priestley JA dissented on this point, holding that no legal right of absolute secrecy is given to any group of people in government as part of a truly representative The decision of the Court of democracy. Appeal is significant as it is the first time a court in Australia or in any comparable jurisdiction has been required to determine the question of the powers of a House of Parliament to enforce a call for documents in the face of Executive claims of privilege of immunity. (Egan v Chadwick & Ors [1999] NSWCA, 176).

On 2 December 1998, the House agreed to a sessional order providing procedures for privileged documents to be kept by the Clerk. The inspection of such documents (except for

Cabinet documents) was to be by Members only. An independent legal arbiter was to be appointed to resolve any disputes regarding claims of privilege. This sessional order was not adopted at the commencement of the new Parliament in May 1999.

#### **Review of Bills**

The Legislative Council was active in fulfilling its role as a House of Review. Out of 122 bills passed during the period from March to December 1998, 72 were considered in detail in Committee of the Whole for amendments. Fifty-one of those bills or 41% were amended by the Legislative Council.

# Auditor General summoned to Bar of the House

The Auditor-General, in volume 1 of his 1998 report to Parliament, raised concerns over the non-compliance with various legislative requirements concerning the authorisation of expenditure from the Consolidated Fund when budget estimates are exceeded. Following this, the House resolved, on the 29 October 1998, to summon the Auditor General to the Bar of the House to give evidence in relation to the Appropriation (1997–98 Budget Variations) Bill (No. 2) 1998, and in particular:

- unauthorised expenditure from the Consolidated Fund on recurrent services and capital works and services for the year 1997–98
- payments made from the "Advance to Treasurer" during 1997–98
- variations on authorised payments from the Consolidated Fund for recurrent payments and capital payments for the year 1997–98 and related matters.

In response to a summons issued by the Clerk of the Parliaments, the Auditor General, Mr Harris, was admitted onto the floor of the House on 10 November 1998 and examined for approximately 2  $\frac{1}{2}$  hours. This was the first occasion that a person had been summonsed to appear at the bar of the Legislative Council.

#### Citizen's Right of Reply

In response to an invitation from the House, the Hon Justice Sheahan submitted a Citizen's Right of Reply regarding statements made by the Hon Franca Arena MLC. The House resolved to incorporate Justice Sheahan's reply into Hansard.

On a motion to adopt Report No. 8 of the Standing Committee on Parliamentary Privilege and Ethics entitled "Report on Person Referred to in the Legislative Council (Professor Robert Walker), dated October 1998", the House resolved that the Report be recommitted to the Committee for further consideration, in particular whether the response by Professor Walker met with the guidelines agreed to by the House, and the appropriateness of the present guidelines.

#### **Disallowance of Statutory Rules**

During the reporting period, the House disallowed clause 16A of the Pawnbrokers and Second-hand Dealers Amendment (Records and Goods) Regulation 1998 and the Education Amendment (Home Schooling) Regulation 1998. Clause 12 of the Security Industry Regulation 1998 was disallowed on 23 September 1998. This resolution was later rescinded on 12 November 1998, following an undertaking by the Government to review the licence fee structure and introduce a one year licence option.

# Address by President of Ireland to both Houses

In response to an invitation from the Legislative Assembly, the members and officers of the Legislative Council attended the Legislative Assembly Chamber on 8 September 1998 to hear an address by Her Excellency, Mary McAleese, President of Ireland. This was the first time Members of both Houses had met in the Legislative Assembly Chamber.

#### Joint Sitting - Senate Vacancy

A joint sitting of both Houses was held on 14 October 1998, to fill a casual vacancy in the Australian Senate created by the resignation of Senator Belinda Neal. Mr Stephen Hutchins was chosen to fill the vacancy.

#### Parliamentary Precincts Act

A Memorandum of Understanding under the Parliamentary Precincts Act 1997, between the Presiding Officers and the Commissioner of Police, was signed on 23 June 1998. This Memorandum outlines the role of police officers in the exercise in their functions in the parliamentary precincts and zone.

#### Allegations made by a Member

As discussed in last year's Annual Report, in 1997-98 the Standing Committee on Parliamentary Privilege and Ethics inquired into conduct by the Hon Franca Arena MLC in making certain claims during a speech in the House on 17 September 1997. In its Report dated June 1998, the Committee found that Mrs Arena's conduct in the matter fell below the standards the House is entitled to expect from a Member and brought the House into disrepute. It recommended that Mrs Arena be required to submit an apology and a withdrawal of certain imputations contained in her speech within five sitting days, and that failing this, she be suspended from the service of the House until the apology and withdrawal were supplied.

On 1 July 1998 the Legislative Council passed a resolution substantially based on the terms of the resolution recommended by the Committee, although an amendment successfully moved by the Opposition deleted reference to two of the five people to be named by Mrs Arena in the apology. On the last of the five sitting days referred to in the resolution (16 September 1998), Mrs Arena moved a motion that the House accept a "statement of regret" in specified terms as a sufficient response to the resolution requiring an apology. The substance of the statement of regret was that Mrs Arena had not intended to imply a criminal conspiracy, but that if people had drawn such an inference, she withdrew any such implication. This motion was passed by the House with the support of the majority of Opposition and Cross Bench Members.

#### **Opening of Parliament**

On Tuesday 11 May 1999, the first session of the fifty-second Parliament was officially opened in the Legislative Council Chamber by the Hon Michael Egan, MLC, Treasurer, Minister for State General and Minister for Industrial Relations, and the Hon John Della Bosca, MLC, Special Minister for State and Assistant Treasurer, as Commissioners on behalf of the Governor. The Hon Michael Egan, MLC, read a message from His Excellency the Hon Gordon Samuels AC, Governor of New South Wales to open the session.

#### Code of Conduct

On 1 July 1998, the Legislative Council adopted a Code of Conduct for the purposes of section 9 of the Independent Commission Against Corruption Act 1988. This code was identical in terms to that adopted by the Legislative Assembly on 5 May 1998. The adoption of this code was recommended by the Standing Committee on Parliamentary Privilege and Ethics.

#### Parliamentary Ethics Adviser

Following a request from the Legislative Assembly, the House agreed to the appointment of Mr Ken Robson to the position of Parliamentary Ethics Adviser on 24 September 1998. The creation of the position of an Ethics Adviser followed a recommendation made by the Standing Committee on Privilege and Ethics in the Second Report on the Code of Conduct. Mr Robson resigned on 8 March 1999 owing to ill health.

The function of the Parliamentary Ethics Adviser is to advise any Member of Parliament, when asked to do so by that Member, on ethical issues concerning the exercise of his or her role as a Member of Parliament, including the use of entitlements and potential conflicts of interest. The Ethics Adviser is to be guided in giving this advice by any code of conduct or other guidelines adopted by the House, whether under the Independent Commission Against Corruption Act or otherwise. The Ethics Adviser must annually meet with the Standing Ethics Committee of each House.

#### Uniforms of Table Officers

On 20 October 1998, the Table Officers of the Legislative Council replaced their traditional uniform of wig and gown with modern attire. The traditional uniform will only be worn in future on special ceremonial occasions.

#### Presiding Officers and Clerks Conference

The 29th conference of Presiding Officers and Clerks was held at Parliament House from 10– 17 July 1998. Sixty delegates attended from Parliaments of Australia and the Pacific region. For the first time, observers attended from the United States and Great Britain. Papers were presented on topics such as, the change to party voting in the New Zealand Parliament, the theory and practice of censure, Parliament and the Internet, and orders for papers (*Egan v Willis and Cahill*). These conferences give Presiding Officers and Clerks the opportunity to meet and exchange ideas on parliamentary practice and procedure as well as other developments in Parliaments around the world.

# Key projects to improve effectiveness

#### **Bills register**

A joint electronic register of bills was developed by the Parliamentary Officer-Bills (Mr Malvyne Jong Wah), together with the Legislative Assembly Procedure Office and Information Technology Services, to provide information on the progress of bills through both Houses of Parliament. The register shows the current status of each bill for which a notice of motion has been given, and a record of the bill's progress through each House.

The register also includes a PDF file of the most recent print of the bill provided by the Parliamentary Counsel's Office. This allows users to see and print off any part or the whole of the bill. The text of the Explanatory Memorandum for a bill is also available on the database and amending bills are linked to the text of their principal Acts. The bills register is available on both Lotus Notes and the Parliament's Internet home page.

#### Tabled papers register

The Parliamentary Officer-Papers and Procedure, Ms Kate Cadell, and the Parliamentary Information Technology Service have also developed a register on the Parliament's Lotus Notes database for papers tabled in the Legislative Council. This register allows Members and staff to see when all papers, including annual reports, bills, petitions, assents, messages and statutory rules and instruments were tabled in the House and by whom. The register includes storage information to enable the Procedure Office to locate specific papers quickly. The register may be searched using the Lotus Notes search functions and different views allow the displaying of all papers by agency, committee, Act or regulation, Member or document type. Papers tabled since 1995 are included in the register.

# Lotus Notes – electronic document distribution

The use of the Parliament's Lotus Notes Intranet has continued to expand. The Legislative Council Minutes, Notice Paper, Questions and Answer Paper, Daily Program, bills, acts, regulations, standing and sessional orders, procedural briefing notes, Annual Report, policies and forms and Committee information are all available electronically to Members and staff. This has allowed a reduction in the number of paper copies of these documents being printed and has reduced the need to hold as many copies of the documents in storage.

# Seminars on parliamentary practice and procedure

As part of the orientation process for new Members elected in the March poll, a one day seminar was held in May 1999 which dealt with matters concerning parliamentary procedure, administration and information technology resources.

The Legislative Council also held a series of half day seminars in June 1999 on the practices and procedures of the Legislative Council. The seminars were presented by the Clerk-Assistant, Procedure and Administration, with the Parliamentary Counsel presenting a segment on the preparation of legislation. These seminars are given annually and continue to be well attended by Members' staff, representatives from various government offices and Ministers' Offices. The seminar topics included:

- Day in the life of the House
- Standing and sessional orders
- Understanding the Notice Paper
- Passage of Legislation and Procedures in Committee of the Whole

#### Ethics and accountability seminar

On 24 June 1999 a seminar on Ethics and Accountability was held at Parliament House for Members and staff of both Houses. The NSW Auditor-General, the Ombudsman, and the Deputy Commissioner of the ICAC each presented a paper. Topics covered included Members' accountability and obligations under relevant legislation and principles which might guide Members in approaching and resolving ethical questions arising from their duties.

#### Sessional rulings of the President

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

#### Journals

At the conclusion of each session of Parliament all the daily Business Papers of the House are bound and published as the Journals of the Legislative Council. The journals are the official records of the House which include: the indexed Minutes of the Proceedings; Notices of Motions; Questions and Answers; register showing the history of progress of bills, a report of the Divisions in Committee, a Register of Addresses and Orders of the House for Papers; Sessional, Standing, Joint and Select Committees appointed; abstracts of petitions presented; a return showing the attendance of Members; proclamations and reports of the Printing Committee. The journal covering the period April 1996 to July 1997 (second session of the fifty-first Parliament) were completed in July 1998.

## PARLIAMENTARY COMMITTEES

Parliamentary 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. In the case of Committees established under an Act of Parliament, the Act sets out ongoing functions to be performed.

Information about Committee Membership and reports produced during 1998–99 is included in the following appendices:

Appendix 2	Joint Committees
Appendix 3	Standing Committee on Privilege and Ethics
Appendix 4	Standing Committees on Law and Justice, Social Issues, and State Development
Appendix 5	General Purpose Standing Committees
Appendix 6	Legislative Council Sessional Committees

### LEGISLATIVE COUNCIL COMMITTEES

#### • Standing Committees

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 reflecting Government Ministers' portfolio responsibilities.

#### Select Committees

There were no Select Committees appointed or operational during 1998-99.

#### 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 were appointed during the reporting period:

- House Committee;
- Library Committee;

- Printing Committee;
- Standing Orders Committee.

#### • Statutory Committees

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

- Health Care Complaints Commission;
- Independent Commission Against Corruption;
- Ombudsman and Police Integrity Commission;
- Regulation Review.

#### • Joint Committees

Two Joint Committees were appointed during the reporting period:

- Staysafe (Road Safety);
- Small Business.

#### 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 reappointed 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 of the Legislative Council under Part 7A of the Independent Commission Against Corruption Act 1988.

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

During the reporting period the Committee held six meetings, and tabled three Reports.

#### Parliamentary Privilege

#### • Possible contempt

During the year the Committee conducted an inquiry into the Special Report of General Purpose Standing Committee No. 2 concerning a possible contempt of that Committee. The case involved allegations that the Deputy Premier and Minister for Health had attempted to deter a witness from giving evidence in the course of an inquiry.

In its report on the matter, the Privileges Committee found no evidence corroborate the witness' allegations. It concluded that, while the Minister had made statements critical of General Purpose Standing Committee No. 2, he had not attempted to intimidate the witness or coerce him not to attend the hearing. Therefore, no contempt or breach of privilege had occurred. The Committee expressed the view that, without reflecting in any way on the present case, caution should be exercised by Ministers and Members when in discussion with witnesses appearing before parliamentary committees.

#### • Office of profit

As recorded in last year's Annual Report, in the Fifty-first Parliament the Committee received a reference regarding the suitability and contemporary relevance of sections 13 and 13B of the Constitution Act 1902, concerning the disqualification from office of Members of Parliament holding contracts or agreements with the public service or an "office of profit under the Crown". The Committee was unable to complete this reference by the end of the Fifty-first Parliament due to work on other inquiries. The inquiry was re-referred to the Committee in the Fifty-second Parliament on 25 May 1999.

#### Ethics

Under the Independent Commission Against

Corruption Act 1988, the Committee has the following functions in relation to Members' ethics:

- prepare for consideration by the Legislative Council draft codes of conduct for Members of the Legislative Council and draft amendments to codes of conduct already adopted;
- carry out educative work relating to ethical standards applying to Members of the Legislative Council;
- give advice in relation to such ethical standards in response to requests for advice by the Legislative Council, but not in relation to actual or alleged conduct of any particular person.

There were several developments during the year which have an impact on the Committee's obligations and functions in this area.

#### Code of Conduct

On 1 July 1998 the Legislative Council adopted a code of conduct for Members. The code adopted by the House is the code which was proposed by the Government and recommended by the Committee as discussed in the 1997-98 Annual Report. The resolution of the House states that the code is adopted for the purposes of section 9 of the Independent Commission Against Corruption Act 1988. As a result, conduct which amounts to a "substantial breach" of the code of conduct, and which satisfies section 8 of the Act, constitutes "corrupt conduct" and may be investigated by the Independent Commission Against Corruption (ICAC).

The code of conduct was re-adopted by the Legislative Council in the fifty-second Parliament on 26 May 1999.

The Standing Committee on Parliamentary Privilege and Ethics is required to review the code of conduct every two years [*Independent Commission Against Corruption Act, 1988, s.* 72C(6)].

#### • Ethics adviser

By resolution on 24 September 1998, the Legislative Council directed the President to join with the Speaker in appointing Mr Ken Robson (a former NSW Auditor-General) as Parliamentary Ethics Adviser. The resolution states that the position is a part-time appointment for an initial period of twelve months.

The function of the Ethics Adviser is to advise any Member of Parliament, when asked to do so, on ethical issues concerning the exercise of his or her role as a Member including the use of entitlements and potential conflicts of interest. The Adviser is required to meet annually with the Standing Committee on Parliamentary Privilege and Ethics.

In March 1999 Mr Robson resigned from the position due to ill-health. A new Ethics Adviser has not yet been appointed.

#### Citizen's right of reply

On 13 November 1997, the Legislative Council adopted a procedure which gives a right of reply to citizens aggrieved by statements made about them in the House. Under that 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. The first two right of reply requests under the procedure were received during the reporting period.

#### • Hon. Justice Sheahan

In September 1998 Justice Terry Sheahan sought a right of reply to certain statements made by the Hon Franca Arena MLC concerning an alleged agreement to secure the suppression of the names of persons identified to the Royal Commission into the NSW Police Service. The Committee recommended that Justice Sheahan's response be incorporated in Hansard and published in the Minutes of the Proceedings. The House adopted the Committee's Report.

#### Professor Walker

In October 1998 Professor Robert Walker sought a right of reply to statements made by 2 Members of the House, concerning certain matters relating to his role as Chairman of the Council on the Cost of Government. In its report tabled on 29 October 1998, the Committee recommended that Professor Walker's response be incorporated in Hansard. However, on 12 November 1998, the motion for adoption of the Committee's Report was amended in the House to recommit the report to the Committee for further consideration as to whether the recommended response met with the guidelines for right of reply matters agreed to by the House. The amendment also required the Committee to consider the appropriateness of those guidelines.

#### Standing Committees on Law and Justice, Social Issues and State Development

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. A report on the performance of these three Standing Committees has been prepared and is included as Appendix 4.

During the latter part of 1998 and leading up to the general election in March 1999, the Standing Committees on Law and Justice, Social Issues, and State Development completed major inquiries. The consultative approach of these Committees provides opportunities for the community, to put their views directly to parliamentarians. More than 1,300 people participated in the inquiries during 1998–99, through 35 days of public hearings of which 11 were held in country areas.

The reports of the Committees covered a broad

range of issues including: workplace safety; parent education; Hepatitis C; future employment and business opportunities in the Hunter Region; and regional air services. Details of the outcomes of the Government's consideration of the recommendations in the reports of the Committees are included in Appendix 4.

The three Standing Committees were reappointed on 25 May 1999. One major change from the previous Parliament was a decrease in the number of Members from 7 to 5. Each Committee now has 3 Government members, 1 opposition member and 1 cross bench member.

#### **General Purpose Standing Committees**

Five General Purpose Standing Committees, reflecting Government Ministers' portfolio responsibilities, were first appointed in April 1997 and continued to operate until the end of the Parliament in March 1999. There are 5 members on each Committee, comprising 2 Government, 2 Opposition and 1 cross bench.

The Committees were reappointed on 13 May 1999, however the new Committees comprised 7 members: 3 Government, 2 Opposition and 2 cross bench.

The functions of the Committees were expanded and they may now inquire into and report on:

- any matters referred to them by the House
- the expenditure, performance or effectiveness of any department of government, statutory body or corporation
- any matter in any Annual Report of a department of government, statutory body or corporation.

Although these Committees were originally established in 1997 to conduct the budget estimates hearings, they have been recently been given references to inquire into specific issues.

#### • Budget Estimates

On 29 June 1999, the House referred the

budget estimates and related documents for 1999–2000, to the newly appointed General Purpose Standing Committees for inquiry and report. Each Committee is to examine the budget estimates for their relevant portfolio and report to the House by the first sitting day in November 1999.

Unlike previous years, the committees' consideration of the 1999-2000 budget estimates did not form part of the passage of the Appropriation Bills, which were passed on 2 July 1999. The separation of consideration of the budget estimates from the passage of the Appropriation Bills allows more time for detailed consideration. The consideration of the budget estimates is modelled on the Australian Senate and is particularly appropriate for the Legislative Council. The Council, while having a scrutiny function concerning Government expenditure, is not able to prevent the passage of Appropriation Bills for the ordinary annual services of the Government.

#### • Land Tax

General Purpose Standing Committee No. 1 completed its inquiry into Land Tax and tabled its report on 2 July 1998, concerning changes to land tax introduced as part of the 1997–98 budget. The inquiry attracted considerable interest and media coverage, with 416 submissions received and evidence taken from 36 witnesses during 3 public hearings. The report noted that the Government had introduced a number of adjustments to land tax in the 1998–99 budget, in response to concerns raised with the Committee. The report included a further 17 recommendations for reform.

On 1 October 1998, General Purpose Standing Committee No 1 decided to inquire into the impact of the national electricity market on the finances of the Government. The Committee received 16 submissions and 14 witnesses gave evidence at 2 public hearings. The Committee tabled an interim report on 25 November 1998, which included transcripts of evidence taken at the 2 public hearings.

#### • Area Health Services

In September 1997, General Purpose Standing Committee No. 2 decided to inquire into the financial management and budgetary processes of ten rural and regional health services. The Committee tabled an Interim Report on 21 July 1998, which made a number of preliminary observations about the performance of the ten health services against the objectives stated by the Government and the Department of Health.

Three public hearings were held during September and October 1998, at which 22 witnesses gave evidence. On 3 February 1999, the Committee tabled a further three reports. Report No. 4 contained evidence given by Dr Owen James on 19 October 1998. Report No. 5 contained the transcript of 18 public hearings held during the inquiry. Report No. 6 was the Second Interim Report of the inquiry, which included recommendations on the shortage of doctors and other health professionals, the adequacy of aged care services and the adequacy of mental health services in rural and regional New South Wales.

#### • Retrospective authorisation of expenditure

On 1 June 1999 the House referred the current provisions for the appropriation of moneys and authorisation of expenditure to General Purpose Standing Committee No. 1 for inquiry and report. The reference was made during the passage of the Appropriations (1998–99) Budget Variations Bill through the Legislative Council. The inquiry will focus on the practice of the retrospective authorisation of expenditure, referred to earlier.



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

LEGISLATIVE COUNCIL COMMITTEES	JOINT COMMITTEES	
Standing Committees	Joint Standing Committee	
General Purpose Standing Committees No. 1 – 5	Staysafe	
Law and Justice	Small Business	
Parliamentary Privilege and Ethics		
Social Issues	Joint Statutory Committees	
State Development	Health Care Complaints Commission	
	Independent Commission Against Corruption	
Sessional Committees	Ombudsman and Police Integrity Commission	
House	Regulation Review	
Library		
Printing		
Standing Orders		

## Summary of Activities of the House

,				
	1995–96	1996–97	1997–98	1998–99
<b>Sittings</b> sitting days hours of sitting average (hours) length of sitting days sittings after midnight	64 516.8 8.07 7	58 475.12 11 4	53 448.16 8.27 —	51 437.31 8.34 3
Bills initiated in Council – by Government – by private Member received from Assembly bills amended in Council bills passed	22 8 133 16 128	33 6 128 11 159	35 4 145 62 202	20 10 121 51 122
Documents tabled – petitions presented – reports – statutory instruments	140 482 566	70 376 417	28 456 517	38 384 418
Questions asked – without notice – on notice	1298 399	1851 443	1135 324	1281 189
<b>Divisions</b> <ul> <li>in House</li> <li>in Committee</li> </ul>	93 92	98 136	50 62	63 55
<ul> <li>Private Members' business</li> <li>notice given</li> <li>moved</li> <li>resolved</li> <li>withdrawn/discharged</li> <li>adjourned/interrupted</li> <li>motions under SO 13 to discuss an urgent matter of public importance</li> <li>matters of public interest</li> <li>replies to adjournment matters</li> </ul>	74 39 20 4 22 1 4 	56 43 21 4 9 3 5 —	81 31 21 2 8 1 	96 38 26 3 16 1 1
Ministerial Statements	8	9	7	—
Disallowance of Statutory Rules and Instruments – notice given – moved – agreed to – negatived – withdrawn	11 11 1 8 2	8 5 4 2	7 4 1 3 3	5 5 3 2

3446

3655

3387

#### 1 July 1995 - 30 June 1999

Hansard (Pages of debate)

2734

Legislative Council Standing Committees		
Inquiries	21	
Reports tabled	20	
Recommendations	298	
Meetings	76	
No of Submissions received	631	
Hearings	35	
Total Duration	160 hours	
Location – Sydney	24	
Regional NSW	11	
No of Witnesses:	264	
Participants in other forms of consultation	467	
Total participants in inquiries	1,362	

# SERVICES TO MEMBERS

## GOAL 2

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

These services are: recruitment and personnel administration of Members' staff, provision and administration of office facilities and equipment, and 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 13 cross bench Members. The Council also provides recruitment, training and employment administration support in relation to Members' staff. See also Goal 4 – Establishment.

### **MEMBERS' EQUIPMENT**

Following the General Election in March 1999, the home office facsimiles, photocopiers, answering machines and mobile telephones, issued to Members, were all replaced with equipment of superior technology. The Legislative Council provides a standard issue of all equipment for Members.

## MEMBERS' ALLOWANCES AND ENTITLEMENTS

In December 1998, the Independent Commission Against Corruption released its second report on Members' entitlements. The report provided an analysis of Members' use of their entitlements and allowances and the administrative systems operating within the Parliament. The report made over sixty recommendations for reform of parliamentary administration systems.

In regard to the Legislative Council, many of the recommendations concerning administrative procedures have been actioned. Some have also been addressed as a result of the SAP financial management system. The Legislative Council has continued to clarify and streamline administrative procedures and work practices for Members' entitlements. Other recommendations relate directly to the impending determination of the Parliamentary Remuneration Tribunal which cannot be actioned until it is published. The Legislative Council has also introduced initiatives of its own to further increase accountablity in relation to travel, with Members being required to forward boarding passes for travel undertaken.

The Members' Guide was continually updated throughout the year and changes in entitlements were notified to Members in a timely manner. The Legislative Council Members' Guide has been completely revised and updated and will shortly be released electronically on the Lotus Notes database.

## PARLIAMENTARY REMUNERATION TRIBUNAL

The Parliamentary Remuneration Amendment Bill 1998, passed in July 1998 provided a new role for the Parliamentary Remuneration Tribunal to determine a wider class of additional entitlements of Members of Parliament, such as allowances, services and facilities, in addition to its existing power to determine salaries and expense allowances. Previously, the Tribunal only had power to recommend additional entitlements, which were approved by the Premier. The Bill also provided for future appointees to the Tribunal to be a judicial member of the Industrial Relations Commission.

The Bill also provided a definition of parliamentary duties that members are ordinarily expected to undertake, including participation in the activities of recognised political parties, and covering for example the attendance at parliamentary committee meetings, parliamentary party meetings and annual of other party conventions.

Other amendments effected by the Bill include the requirement that the Tribunal seek the advice of the Secretary of the Treasury as to the financial implications of determinations and that a Presiding Officer of either House of Parliament may seek a ruling from the Tribunal on the interpretation or application of a determination of additional entitlements. The Bill requires the Tribunal to make a determination on additional entitlements before 1 December 1998 and with effect from 1 January 1999. The Parliamentary Remuneration Tribunal Further Amendment Bill 1998, passed in December 1998, postponed the initial determination of the Parliamentary Remuneration Tribunal on additional entitlements until after the 27 March 1999 general election, when the redistribution of electoral boundaries becomes operational. Since the initial determination would overlap with the annual determination the completion date for the annual review of Members' entitlements was extended to October 1999.

At the time of writing the Tribunal had not made a determination on additional entitlements under the new scheme.

## LEGISLATIVE COUNCIL ATTENDANTS

Legislative Council Attendants provide a wide range of support services to Members and their staff, staff of the Legislative Council and visitors to the Parliament. The Attendants organise and staff the Legislative Council Chamber during sittings of the House, control the Public Gallery and give talks in the Chamber to organised groups and casual visitors. They also have an important role preparing for, and facilitating, official ceremonies and receptions. The Attendant staff, led by the Principal Attendant, Mr Ian Pringle, strives, while adapting to an increasingly more specialised and demanding role, to provide the best possible service to Members, staff and the public.

# CORPORATE MANAGEMENT

## GOAL 3

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

## SYSTEMS DEVELOPMENT

#### **TRIM Records Management System**

The Legislative Council has completed the implementation of the TRIM records and document management system. The combination of the document management (mail) and records systems into one, has provided the Council with an improved, efficient and cost effective service to the Department. In the next reporting period, Administration staff will be examining the use of TRIM in managing retention and disposal schedules for documents and files.

#### Lotus Notes

The Lotus Notes database is being used widely within the Legislative Council and throughout the Parliament to enable members and staff to access current information on corporate and procedural information. In the corporate area, the Corporate Directions, Annual Reports, Legislative Council Newsletters and various personnel and administration policies are updated regularly.

In the procedural area, Lotus Notes contains a variety of information, including: Procedural Briefing Notes, Resolutions, Fact Sheets, Sessional Orders, Standing Orders, and statistical information. This information enables Members and staff to conveniently access procedural information. A committee menu provides access to the latest information about Committees, including their membership, current references and, more recently, the full text of Committee Reports. Committee reports are also being added to the Parliament House Internet Site. The Legislation Menu provides up-to-date Acts and Regulations. Users can cross-link related Acts and Regulations.

#### **SAP Implementation Project**

Details of the implementation of the SAP project are referred to earlier in this report, under 'Progress Report on Year 2000 Millennium Bug Projects'.

The Legislative Council actively participated in the project, with personnel and finance staff providing valuable input into all stages of the implementation. The Clerk Assistant – Procedure & Administration was on the Project Steering Committee and another seven Legislative Council staff were involved in varying capacities during the last six months of the reporting period. The Parliamentary Officer – Administration (Personnel & Training) worked full-time on the project from early March 1999.

The project has required a significant contribution of Legislative Council staff and this has taken them away from their normal duties and responsibilities, necessitating other projects and tasks to be postponed. The Council also offered office space and furniture to be used to accommodate the SAP Human Resource/Payroll project team of parliamentary staff and contractors.

The next reporting period will see further implementation and development of the system to suit the needs of Parliament. A number of Administration positions may need reviewing in the future once the impact of SAP is evident. Legislative Council and NSW Parliament policies, procedures and practices will also need to be reviewed and updated to account for the changes brought about by the new system. This will be a major challenge and add further constraints to Legislative Council resources.

## 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 services departments, particularly Information Technology Services, Parliamentary Building Services and Food and Beverage Services. During 1998-99 this took the form of recruitment assistance; job analysis and job evaluation of positions; advice to Members and Departmental Managers on human resources issues.



# A SAFE WORKING ENVIRONMENT

# GOAL 4

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

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

# OCCUPATIONAL HEALTH AND SAFETY

# Occupational Health and Safety Committees

The term expired for the employee representatives during the reporting period. Nominations were invited from interested staff wishing to represent employees on the OH&S Committee. The Presiding Officers gave approval for up to five employee representatives to sit on the Committee, in order to have a wider coverage of the Parliament.

An election was held on 15 June 1999 to elect employee representatives on the OH&S Committee for the next 2 years. The employee representatives have yet to meet to elect the chair for the Committee. Training for all new committee members will be organised in the next reporting period.

The Committee membership for Parliament House as at 30 June 1999 was:

### Management Representatives Employee Representatives

Stafford Bennett, Building Services Lyndall Davis, Legislative Assembly Sandra Vella, Legislative Council Ian Rasmus, Hansard

### Employee Representatives

Elaine Airth, Hansard Owen McLachlan, Security Services Cheryl Samuels, Legislative Assembly Jennifer Sparkes – Food & Beverage Services Sue Wilson – Library As a result of a number of OH&S issues at FAI House in Macquarie Street, committee staff at that location voted to establish their own OH&S Committee, under the Occupational Health and Safety Act 1983.

The OH&S Committee membership for FAI House is currently:

Management Representatives Les Gonye, Legislative Assembly

*Employee Representatives* Tanya Bosch, Legislative Assembly Phillipa Gately, Legislative Council Ian Thackeray, Legislative Assembly

# Safety Audit

A draft "Identification and Risk Control Policy", including an occupational health and safety inspection checklist, was prepared by Parliamentary Food and Beverage Services as a result of the 1998 safety audit. This document will be reviewed by the incoming Occupational Health and Safety Committee during the next reporting period.

# **Inspection Program**

The regular inspection program was suspended in the last half of the reporting period due to the state election held in March 1999 and the relocation of Legislative Council and Legislative Assembly Members and their staff between levels 11 and 12 of Parliament House.

Following the temporary relocation of the Legislative Council Standing Committee on Law

& Justice and Legislative Assembly Committees to FAI House, a number of continuing issues have been raised by staff.

# **Health Education Programs**

The Rehabilitation Co-ordinator organised a number of courses during the reporting period on behalf of the Committee. HealthQuest was selected as the training provider and all courses were conducted on site at Parliament House. The courses were tailored to target specific issues pertaining to different work groups and environments and are held over short periods ranging up to a maximum of 3 ½ hours. The courses are scheduled during the parliamentary recess in order to maximise the attendance of staff.

Courses held during the 1998–99 financial year were as follows:

3 August 1998	Kitchen Safety Course (15 participants)
4 August 1998	Kitchen Safety Course
	(9 participants)
3 December 1998	Introductory Course for
	Managers and Supervisors
	(13 participants)
3 December 1998	Ergonomic Information
	Session for VDU users
	(15 participants)

During the next reporting period, the Committee plans to continue offering courses in Manual Handling training, Ergonomics information sessions for VDU users, and the Healthy Back Program.

# Accommodation for members and their staff

The long-term problem of providing suitable accommodation for members and staff of the Legislative Council was addressed during the period. This project involved the exchange of Legislative Council and Legislative Assembly members' offices between levels 11 and 12 so that most Legislative Council Members and their staff were accommodated in offices on level 11 of Parliament House. The Legislative Council Standing Committee on Law and Justice and all Legislative Assembly Committees were relocated to FAI House in Macquarie Street which is opposite Parliament House. Unlike the previous offices on level 12, the new offices have ante-rooms for Members' staff. This provides a more effective and efficient work environment for Members and their staff as well as addressing the occupational health and safety concerns raised in relation to the previous accommodation. Building alterations were required to several rooms to accommodate the 2 staff for cross bench members of the Council.

# EMPLOYEE RELATIONS

# Salary increases

The last of the salary increases were paid to parliamentary staff as part of the Framework Document (a joint publication between the Public Employment Office, Public Service Association and Professional Officers Association) as follows:

- Effective 10 July 1998 3% increase plus a further 2 % increase
- Effective 14 January 1999 3% in-crease plus a further 2 % increase

# Senior Parliamentary Officers Classification

Following on from the Government's development of a Senior Officers Classification for the Public Service, the Parliament introduced a similar classification. A Senior Parliamentary Officers Salary Determination Policy was approved and implemented during the reporting period.

All positions which were equivalent to grade 12 or above were submitted for job analysis and job evaluation by Cullen Egan Dell. Two positions within the Legislative Council were subject to this process and were subsequently approved as being of a work value at the Senior Parliamentary Officer, level 1. These positions are the Clerk Assistant-Procedure & Administration and the Clerk Assistant-Committees & Usher of the Black Rod.

# Review of Flexible Working Hours Scheme

In November 1998, the Public Service Association made representations to discuss the feasibility of implementing a new flexible work hours agreement for Parliament House. The Legislative Council participated in a review of the flexible working hours, coordinated by the Legislative Assembly. Information on various schemes implemented by other government agencies was gathered. Managers were asked for their input and opinions of the various models. This project is continuing in the next reporting period.

# Grievances

No formal grievances were lodged by any Legislative Council staff. Ongoing advice was provided by Administration staff relating to informal grievances or queries from Secretary/ Research Assistants and other Legislative Council staff.

A number of informal and formal grievances from staff in Joint Service Departments were brought to the attention of the Parliament's grievance receivers. Some of the matters required consultation and negotiation with union representatives.

# STAFF DEVELOPMENT

# Training and Development

Few training and development opportunities were offered to Legislative Council staff this year due to budget constraints. Most training undertaken was in the form of staff attending external seminars, conferences and courses.

Internal training was arranged through Parliamentary Information Technology Services for new employees in a variety of software programs such as WordPerfect, MS Word, Lotus Notes and GroupWise.

The Legislative Council continued its program of offering a number of in-house procedural training seminars on practice and procedure. A variety of courses delivered by NSW Adult Migrant English Service were offered to staff under the NSW Government's Skillmax Program. This program is aimed at maximising the skills of overseas trained migrants and is directed at employees who are from non-English speaking backgrounds wishing to improve their workplace communication skills.

Human Resource, purchasing and accounting staff were all given introductory training in the use of the SAP system. Staff on the project team were given more intensive hands-on and formal training throughout the project.

The Legislative Council's Speaker's program, established to develop the senior management team, organised a number of speakers to address the monthly senior management meeting on topical issues. Areas covered included 360 degree appraisals, mentoring and directions for Public Sector Reform in New South Wales.

# **Staff Rotation Policy**

As a result of a turnover in the Procedure area and the fact that most existing staff had already been offered the opportunity for staff rotation, no rotations were offered during the reporting period. However, a number of Legislative Council staff were given appropriate higher duties allowance as a way of providing development opportunities and to allow them to gain experience in management roles.

# Financial Study Assistance

The Study Assistance Policy allows staff to claim reimbursement of compulsory tertiary fees up to a maximum of \$3,000 per person. This policy was introduced to assist employees in obtaining qualifications that would benefit them in undertaking their duties with the Legislative Council. Once proof is provided of successful completion of a subject or course, staff may seek reimbursement where the study will assist them in performing their duties and will assist the Council in the delivery of services.

The policy was reviewed during the reporting period. The most substantial change was the

removal of the opportunity for staff to receive reimbursement of fees paid under the Higher Education Contribution Scheme (HECS). This was removed effective 1 January 1999 because of liability for Fringe Benefits Tax (FBT) on any HECS fees reimbursed. This effectively doubled the amount of money needed to fund this policy.

During the year, 15 employees received study assistance, totalling \$19,984.47. This compares to 15 employees, totalling \$19,240.50 for the previous year. A sample of the courses undertaken by employees included: Master of Arts (Industrial Relations), Bachelor of Business, Bachelor of Laws, Diploma in Management, Bachelor of Arts, and Graduate Diploma in International Studies.

# HUMAN RESOURCES

# **Disability Action Plan**

The Legislative Assembly are co-ordinating the preparation of a Disability Action Plan for the Parliament. Legislative Council managers will be consulting with the Legislative Assembly and providing the necessary information. It is anticipated that this will be completed in the next reporting period.

# **Disability Employment Program**

A person with a disability was employed under a Commonwealth Rehabilitation Service training program and then placed on the Legislative Council's staff on a temporary basis in the previous reporting period. The person was placed in the Administration section and then given employment assisting the Legislative Council Attendants. The Legislative Council has continued to employ this person on a temporary basis when temporary vacancies occur within the Attendant Services area.

# **Employee Assistance Program**

The Employee Assistance Program (EAP) was introduced in 1995 and is funded jointly by the Legislative Council and Legislative Assembly. The current provider, Davidson Trahaire, is an independent confidential counselling service, which assists and supports staff with respect to stress, conflict, career matters and non-work related problems.

Davidson Trahaire's annual report for the period 1 December 1997 to 30 November 1998 indicates that 27 employees and their families were counselled during this period through telephone and office counselling. This is a slight reduction from 30 in the previous year.

The total time spent in counselling, case liaison, training and program management for these 27 clients was 90.25 hours (3.3 hours per client). In addition, 4.75 hours were utilised for conflict resolution and mediation and 2 hours were provided in training and consulting.

The Parliament has made a commitment to continue providing these services to staff, by renewing the contract with Davidson Trahaire for the period 1 December 1998 to 30 November 1999.

# Equal Employment Opportunity

At 30 June 1999, the Department employed 64 women or 59 % of a total of 108 staff. At the middle and senior management level (equal to or above \$47,867 per annum) women represent 66 % of the people who hold these positions. Below this level women represent approximately 52 % of the people who hold these positions. A detailed description of EEO statistics for the Legislative Council are provided in two tables at Appendix 6.

The Legislative Council continued to provide annual statistics to the Office of the Director for Equal Opportunity in Public Employment (ODEOPE).

# Establishment

The Treasurer approved funding for an additional four Secretary/Research Assistants following the state election in March 1999, due to the increase in Cross Bench Members in the Legislative Council. Each Cross Bench Member

is provided with two Secretary/Research Assistant positions. The total number of staff for Members increased from 45 to 49.

The Treasurer also approved of an additional position of Secretary to the Chair of Committees for 1998–99, with further funding for 1999–2000 awaiting the final determination of Member entitlements by the Parliamentary Remunerations Tribunal. The position is equivalent to a Secretary/Research Assistant in salary and conditions.

# **Executive Positions**

During the reporting period, the office of Deputy Clerk was added to Schedule 2, Part 2 of the Statutory and Other Offices Remuneration Act 1975. Action was taken by the Remuneration Tribunal to assess the appropriate level of remuneration for this position. Effective 1 October 1998, the Tribunal determined the salary for the office of Deputy Clerk. This position is currently occupied by a female officer.

The Clerk of the Parliaments is already subject to annual salary determinations by the Statutory and Other Officers Remuneration Tribunal.

# Job Analysis/Evaluation

Following the deletion of the position of Clerk Assistant C Administration in the last reporting period, the responsibilities were distributed between the Clerk Assistant – Procedure, Grade 12 and the Parliamentary Officer – Policy & Projects, Grade 7/8, Administration section. New position descriptions were written and evaluated. The Clerk Assistant position was included in the Parliament-wide project to analyse and evaluate positions under the Senior Parliamentary Officers Salary Determination Policy, with the other position evaluated separately and established as the Senior Policy & Projects Officer, Grade 9/10, Administration.

Under the Senior Parliamentary Officers Salary Determination Policy, the Legislative Council positions of Clerk Assistant – Procedure & Administration and Clerk Assistant – Committees & Usher of the Black Rod, were evaluated by consultants from Cullen Egan Dell. The positions were evaluated as being at the work value equivalent to a Senior Parliamentary Officer, level 1. Appointments were made to these positions effective 21 December 1998.

In addition to the positions sent for job 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 Legislative Assembly and joint service department positions.

# Performance Management

The Legislative Council's performance management system aims to ensure that all staff are aware of their key tasks and supervisor expectations in the overall context of the Department's corporate directions. The scheme is designed to provide constructive feedback to staff on their performance in a position, and identifies poor, satisfactory and outstanding performances. Appropriate action takes place in each case and can include further training and development in identified areas, increased focus and assistance on the job with problem areas, and may also include job rotation to broaden experience.

The majority of staff prepared work plans and discussed training requirements in consultation with their direct supervisor or Manager. These work plans are reviewed and updated on a regular basis to assist staff and managers to control work flows and meet deadlines.

# Policy Development/Review

Legislative Council policies which were developed, reviewed or updated during the reporting period include the Study Assistance Policy, Principles of Cultural Diversity, and Commitment to Ethical Work Practices. The Separation from Service Policy for staff in positions of Secretary/Research Assistant, Secretary to the Chair, or President's Office staff, was also updated as some areas appeared ambiguous.

Parliament-wide polices developed, reviewed or updated include Smoke Free Parliament and Ethical Dilemmas at Work.

# Principles of Cultural Diversity

The management and staff of the Legislative Council support the principles of cultural diversity, and reviewed and updated the statement of intent in May 1999.

# Sick Leave

Based on the available data, staff took an average of 3.05 days sick leave in 1998–99. This compares to an average of 3.65 in 1997–98. The figures are based on an average of 2.1 days for Members' staff, 4.9 days for procedural and administrative staff and 3.9 days per year for Committee staff. The total average sick leave taken has decreased by 0.6 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 8 occasions totalling 10.25 days.

# Workforce Profile

The Legislative Council is participating in the public sector's Workforce Profile, co-ordinated by the Corporate Services Reform Team, Premier's Department. The Workforce Profile will collect and analyse the characteristics of public sector employment on a regular basis. It will include 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.

The first data collection period will formally commence on 19 July 1999, with data returns being required by 20 August 1999. It is anticipated that this data will replace and streamline information currently collected by ODEOPE, Treasury, and the Public Sector Management Office.

# PARLIAMENTARY SERVICE AWARDS

The Parliamentary Service Awards for 1998 were held on Wednesday 25 November 1998, and presentations were made by the Presiding Officers to parliamentary staff. There were no Legislative Council staff eligible to receive an award this year.

# **SECURITY**

Enhanced technology in the form of a new photo ID system was introduced gradually during the reporting period. This replaced the previous photo pass access and security system, with a digitised system which will print an image directly on to a plastic card and record it electronically for use when security passes have been lost, misplaced or forgotten.

The Legislative Council previously issued visitors with a "Day Pass" which gave them access to the whole building. During the year, the Council introduced a new pass system for visitors to members of the Legislative Council. These passes are distinguished by the member's name which is clearly displayed on the pass and limits visitors access to that member only. This new system reduced the number of visitors lobbying other members while having access to the building.

# PROMOTING PUBLIC AWARENESS OF PARLIAMENT

# GOAL 5

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

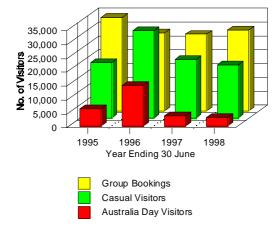
An important role of the Department of the Legislative Council is promoting public awareness of the functions and work of the Parliament and its Committees. The Council continued to provide an effective enquiry service for the public, education programs for visitors to Parliament House, as well as a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

# VISITS BY THE PUBLIC

The Legislative Council Attendants are available to assist visitors and to show them around the historic Council Chamber and other areas of the Parliament. The Attendants also give talks on the Council's role and history to groups booked for tours of the Parliament. As well, Attendants assist members of the public who wish to view proceedings in the House from the public gallery.

The Parliament was open to the public on Australia Day, January 26 1999. Parliamentary Attendants and staff were on duty to answer questions and to direct the 8000 visitors on that day. For one week from 17 May 1999 the Legislative Council Chamber was home to the Drug Summit which was open to the public.

Visitor numbers for the year 1998–1999 were:



The Attendants provide information and conduct tours for visitors to Parliament House. In addition a large number of people visited the Legislative Council for various special occasions during the year, the most notable being Australia Day, 26 January 1999, when Parliament House was open to the public as part of the Sydney Eastside celebrations.

In May 1999, the 13th Annual Schools in Parliament session took place at the Parliament, involving 55 Year 10 and 11 students from schools across New South Wales. This year's program coincided with the Drug Summit held in the Legislative Council and part of the debate focussed on the issue of youth and drugs. The program, which provides students with a "hands-on" experience of Parliament, is coordinated by the Law Week Committee and the Parliamentary Education and Community Relations Section.

In a series of 10 visits coordinated by the Office of the Governor, the Department of Education and Training, the Catholic Education Office and the Association of Independent Schools and the Parliamentary Education and Community Relations section, some 1,000 school leaders from almost 500 secondary schools visited Parliament, the Governor's Office and Government House in 1998. During these visits, school leaders have the opportunity to gain insights into the legislative and government systems, hear from and meet Members of both Houses, and visit the Chambers. The President, Members of Legislative Council and senior officers of the Council made presentations to and took part in these visits. Also during the year, some 1,000 American secondary school students, touring as part of the People to People Student Ambassadorial Program, visited the Legislative Council in a series of 15 visits arranged by the Parliamentary Education and Community Relations Section.

**Regional Schools Constitutional Conventions** are held for Year 11 students across New South Wales. This is a joint program originating with the Constitutional Centenary Foundation and coordinated by the Board of Studies assisted by the Department of Education and Training, the Catholic Education Commission, the Association of Independent Schools, the State Electoral Office and the Parliamentary Education and Community Relations section. This year the Parliament contributed to the organisation of the metropolitan regional convention, and hosted the State Convention which was held in the both the Legislative Council and the Legislative Assembly Chambers. Some 112 students from 105 schools took part in the State Convention.

# PROTOCOL

The Legislative Council arranges programs for official delegations from other Parliaments and associated organisations. These visits play an important role in promoting the Parliament's regional and international relations, and in facilitating the exchange of ideas on parliamentary issues. The Clerk Assistant Committee and Usher of the Black Rod is responsible for planning and co-ordinating all such visits. In this reporting year there were 12 visits by delegations from overseas countries and 14 official visit by Ambassadors, Consul Generals and Foreign Missions.

# Highlights:

During the year, the President's Dining Room continued to be made available for hospitality to visiting delegations from foreign countries. The Dining Room has also been available for use by Members of both Houses to host functions for community organisations and Members' constituents.

- In October 1998, the Principal Attendant, Mr Ian Pringle, accompanied by the Deputy Serjeant-at-Arms, Mr Greg Kelly, made an official visit to Thailand for two weeks. They were guests of the National Assembly, as part of an ongoing exchange program between the two parliaments. A great deal of information was shared and the strong ties between the parliaments and peoples of Thailand and New South Wales were strengthened.
- The President of Ireland, Mary McAleese addressed both Houses of Parliament at a Joint Meeting in the Legislative Assembly Chamber in September 1998. Ms McAleese is the eighth President of Ireland, and was inaugurated on 11 November 1997.
- As a part of a Head of State equivalent visit, His Royal Highness Crown Prince Maha Varjiralongkorn of Thailand attended a State lunch at Parliament House on 21 April 1999, hosted by the Deputy Premier, the Hon Dr Andrew Refshauge, MP. Prior to the lunch the former Deputy President, the Hon Duncan Gay, MLC and the Speaker officially welcomed His Royal Highness in a reception in the Jubilee Room. Members of both Houses were invited to attend the ceremony in the Jubilee Room, as well as a number of former Members who had a special interest in the visit following their involvement in the Parliamentary delegation to Thailand in February-March 1997.
- The Parliament once again opened its doors to the public on Tuesday 26 January 1999, for the Australia Day activities. The day proved to be a tremendous success, with the Parliament hosting over 8000 visitors throughout the day.
- The 50th anniversary of the modern Commonwealth was celebrated this year, with Commonwealth Day celebrations in

Sydney, attended by His Excellency the Governor of New South Wales, the Honourable Gordon Samuels AC and Mrs Samuels, on 8 March 1999. The central theme to commemorate this milestone was 'music', as music is a universal means of communication, but also highlights the cultural diversity of the various nations involved in the Commonwealth. The celebrations began with a number of musical performances in the Martin Place Amphitheatre, where His Excellency the Governor read Her Majesty the Queen's message. Following this, a luncheon was held at Parliament House, hosted by former Presidents the Hon Virginia Chadwick, MLC and the Hon Max Willis, MLC.

• The Legislative Council assisted in arrangements for a visit to the Parliament by

Ms Fatai Pale, Clerk of the Legislative Assembly, Tonga. Ms Pale briefed on the general operations of the House, records systems, administration, members' entitlements and accounts.

# PARLIAMENTARY INTERNET SITE

The Parliament's Internet site is http:// www.parliament.nsw.gov.au. As at 30 June 1999, the Internet site contained more than 3,000 files and is currently under review.

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

Visitors to Parliament House	1996/97	1997/98	1998/99
Drug Summit (delegates and visitors for the week	N/A	N/A	1,500
Casual Visitors	21,181	19,188	21,643
Bookings	27,632	29,268	
Australia Day	3,777	3,100	8,000
Total	52,590	51,566	62,111
Official Visits by His Excellency the Governor of New South Wales to Parliament House	5	4	2
Visits by delegations from foreign countries	16	15	12
Official visits by Ambassadors and Consuls General of Foreign Missions	18	16	14
Other visits, including Heads of State	22	15	4

# Public and Official Visits to the Legislative Council

# **EXHIBITIONS**

Arrangements for the staging of exhibitions in the Parliament House Fountain Court are coordinated through the Legislative Council. Ministers and members from both Houses may sponsor exhibits to promote their Departments' or constituents' programs. A total of seventeen exhibitions and displays were held in the reporting period.

Significant exhibits during the year included:

- The Honourable Carmel Tebutt, MLC sponsored an exhibition by Burnside, a child and family agency of the Uniting Church. The exhibition featured photography by Jim Rolon, from "They..." a book produced by Burnside, and a collection of ten powerful real life stories of people battling with issues such as child abuse, alcoholism, abandonment, illiteracy, and living with war.
- Mr Lawrence Gundabuka, a well known Australian sculptor, displayed a number of sculptures, made from a variety of materials such as plaster, brass, wax and stone. The exhibition incorporated Mr Gundabuka's innovative vision for Sydney as an Olympic city.
- On Wednesday 17 March 1999, St Patrick's Day was celebrated with a group of young Irish Dancers performing in the Fountain Court. The dancers welcomed guests to the Jameson's St Patrick's Day charity luncheon, which was held in the Strangers Dining Room, and was a huge success.
- As part of the Association of Independent Schools "Human Society and Its Environment" Conference, the Bangarra Dance Theatre performed. The dance was highly appreciated by participants in the Conference.
- The Spanish Consul General arranged an exhibition, which coincided with a visit to Australia by the Premier of Galicia, Sr Fraga Irabarne. The exhibition featured a number of large panels, which contained 40 large silk screened prints, with photographs and text

in Spanish and English, describing the historic relations between Australia and Galicia.

- During the Drug Summit, the Department of Education and Training and the Centre for Education and Information on Drugs and Alcohol used the Fountain Court area to each mount an information display stand. The displays were informative and helpful, providing a variety of viewpoints on a very important issue
- The Hon Janelle Saffin, MLC sponsored a display mounted by the Northern Rivers Regional Strategy (NRRS), a joint initiative of the Northern Rivers Regional Economic Development Organisation, the Northern Rivers Regional Organisation of Councils and the Department of Urban Affairs and Planning. The exhibition detailed the history and development of the NRRS, its progress and key achievements, which include the Industrial Land Audit, the Clarence Valley Settlement Strategy. The display consisted of a series of display panels, with information about the strategy, and also displayed the Royal Australian Planning Institute awards received for excellence in community planning and excellence in computer technology in planning. An interactive industrial land audit CD-ROM was an exciting highlight of the display.
- The Environment Protection Authority launched their Water Boards Plans with the former Minister for the Environment, The Hon Pam Allen, MP. Eight Regional Waste Boards displayed their Regional Waste Plans, which contained initiatives to reduce waste in their respective areas.
- The Hon Edward Obeid, MLC sponsored an exhibition entitled "Shifting Waves", created by the artist Marcelle Mansour, which dealt with the experiences of Arabic migrants in Australia. The exhibition was based on three major themes of Shifting Hearts, Shifting Views and Shifting Souls. Featuring a series of 16 portraits of successful Arabic speaking migrants and Australian born Arabic speakers who have contributed to building

and shaping Australian multicultural society, it was accompanied with brief autobiographies and captions of their thoughts.

- The Department of Education and Training celebrated the sesquicentenary of public education in NSW with a photography exhibition, which coincided with Education Week. The display featured historical photographs dating from 1860 to the present, giving insight into the development of school education across the State.
- The NSW Northcott Society celebrated Foliate Awareness Day with a display in the Fountain Court featuring a mural painted by a group of well-known Australian female personalities.
- The Consulate General of the Argentine Republic and the Hon Max Willis, MLC arranged an exhibition of paintings by Rachel Lebenas, an internationally known painter and actress from Buenos Aires. The exhibition, entitled "Love, That eternal Miracle" consisted of 21 paintings.
- The Hon Alan Corbett, MLC sponsored an exhibition of photography by students of visual arts, entitled "A Child's Eye View". It featured a variety of photographs of life as seen from the perspective of a child.
- An exhibition entitled "City of Tents and Kites", sponsored by the Hon Max Willis, MLC was designed and co-ordinated by the Design Centre Fundamentals Workshop, Enmore TAFE. The exhibition was a colourful display of tents, kites, and a poster display, where the works were hung inside and outside the glass enclosure, and suspended from the ceiling.
- A photographic exhibition sponsored by the Hon Ian Cohen, MLC by Mr Rob Allsop, depicted images of how people have rebuilt their lives after the tragedy of landmines in Cambodia. The exhibition focused on giving a message of hope rather than despair.

# WORK EXPERIENCE PROGRAM

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

Following discussions with the School of Political Science and the Parliament it was decided to offer an annual prize within the Internship Program run cooperatively between University of New South Wales (UNSW) and the Parliament. The prize consists of a certificate and the sum of \$100 and is known as 'The Presiding Officers' Prize' and recognises the best contribution made by a UNSW student to each year's Internship Program.

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

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

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

# **NEW CORPORATE IMAGE**

On 28 June 1999 the President, the Hon Meredith Burgmann, officially launched a new look corporate image for the Legislative Council through changes to its printed material. This new look is designed to convey to the public an image that combines historical significance and tradition and contributes towards enhancing the Legislative Council's identity.



# PHYSICAL ENVIRONMENT

# GOAL 6

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

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

A new sound system was installed in the Legislative Council and Legislative Assembly Chambers, to replace the system originally installed during the commissioning of the new building twenty years ago. The new system uses the latest technology for the various microphones in the Chamber and allows for additional equipment to be connected during special occasions.

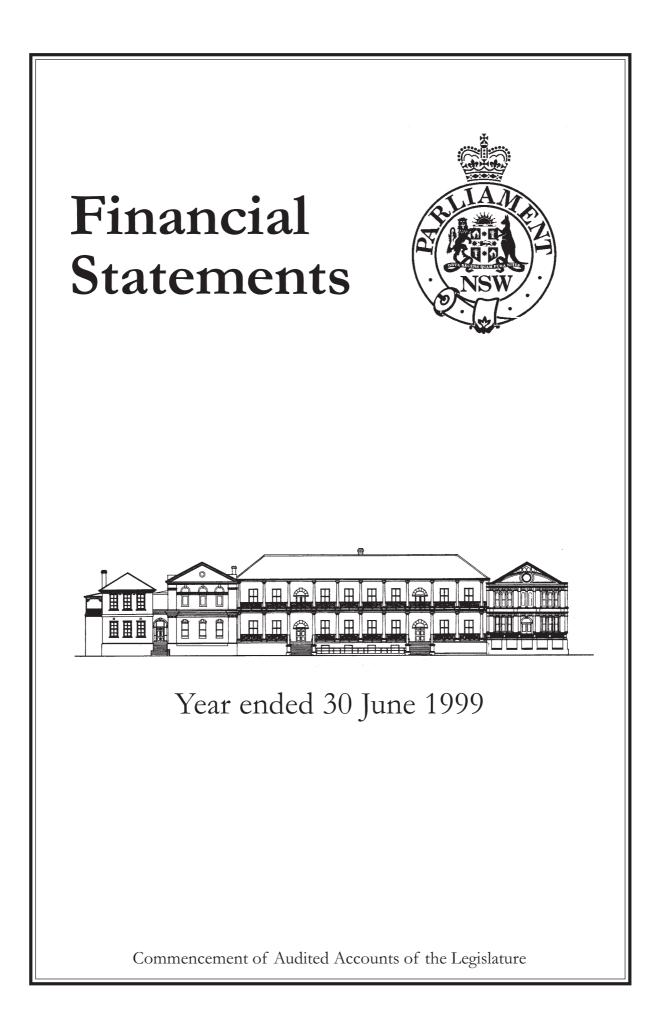
With an increase in the number of cross bench members in the Council from 9 to 13, is was necessary to change the seating arrangements in the Chamber to accommodate them. Writing shelves have also been installed on the backs of some benches with connections to the computer network. This allows members to access the Parliament's computer network and databases from the Chamber.

# Committee accommodation

The volume of committee work substantially increased during the last Parliament, which led to changes in the resourcing of committees. Greater use is now made of temporary senior project officers with specific expertise in the subject matter of particular inquiries.

With the employment of additional committee staff, existing accommodation was unsuitable. Alterations were made to the committee offices on level 8, in June 1999, to make more effective use of existing office space. Existing workstations were recycled for use in the new layout.







BOX 12 GPO 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 1999. 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, operating statement, 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 here to an assessment of the assumptions used in formulating budget figures disclosed in the financial report.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance 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 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.

### Qualification

As disclosed in the Summary of Compliance with Financial Directives, because the Treasurer did not obtain the Governor's approval in terms of section 22 of the *Public Finance and Audit Act 1983*, \$163,000 was unlawfully appropriated from the Consolidated Fund. In my opinion, this unlawful appropriation breaches section 45 of the *Constitution Act 1902* and other related statutory requirements. The unlawful appropriation has been recognised in The Legislature's financial report.

### **Qualified Audit Opinion**

In my opinion, except for the non-compliance with the *Constitution Act 1902* and other related statutory requirements referred to in the qualification paragraph, 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 1999 and the results of its operations and its cash flows for the year then ended.

R J Sendt Auditor-General

SYDNEY 23 November 1999

# FINANCIAL STATEMENTS FOR THE YEAR ENDED

### 30 JUNE 1999

### Statement by Department Heads

We state that:

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

Rusself D. Grove Clerk of the Legislative Assembly

17 November 1999

John D. Evans Clerk of the Parliaments

# Operating Statement for the Year Ended 30 June 1999

	Notes	<b>Actual</b> 1999 \$000	<b>Budget</b> 1999 \$000	<b>Actual</b> 1998 \$000
Expenses		<i><b>4</b>000</i>	<i>QOOO</i>	<i>Q</i>
Operating expenses				
Employee related	2(a)	35,024	32,856	32,163
Other operating expenses	2(b)	14,790	12,813	13,457
Maintenance	2(c)	1,250	420	1,059
Depreciation and amortisation	2(d)	3,546	2,480	2,520
Other expenses	2(e)	55,826	29,903	28,016
Total Expenses		110,436	78,472	77,215
Less:				
Retained Revenue				
Sale of goods and services	3(a)	1,059	990	1,255
Investment income	3(b)	56	10	62
Grants and contributions	3(c)	1,391	500	1,178
Other revenue	3(d)	1,072	250	418
Total Retained Revenue		3,578	1,750	2,913
Gain / (loss) on sale of non-current assets	4	66		(46)
NET COST OF SERVICES	18	106,792	76,722	74,348
Government Contributions				
Recurrent appropriation		63,857	64,452	61,989
Capital appropriation		4,632	4,200	1,989
Acceptance by the Crown Entity of employee entitlements and other liabilities	8	9,327	9,620	9,120
Total Government Contributions		77,816	78,272	73,098
SURPLUS / (DEFICIT) FOR THE YEAR		(28,976)	1,550	(1,250)

# Statement of Financial Position as at 30 June 1998

	Notes	Actual	Budget	Actual
		1999	1999	1998
		\$000	\$000	\$000
ASSETS				
Current Assets				
Cash	19,21	472	284	254
Receivables	10,21	747	536	566
Inventories	11 _		80	80
Total Current Assets	-	1,219	900	900
Non-Current Assets				
Land and Buildings	12(a)	97,469	110,556	110,309
Plant and Equipment	12(b)	13,044	21,899	20,426
Other	12(c)	15,709	3,349	3,349
Total Non-Current Assets	-	126,222	135,804	134,084
Total Assets	=	127,441	136,704	134,984
LIABILITIES				
Current Liabilities				
Accounts payable	13,21	1,299	1,022	1,022
Employee entitlements	14(a)	3,789	3,134	2,964
Total Current Liabilities	=	5,088	4,156	3,986
Non-Current Liabilities				
Employee entitlements	14(b)	178	157	157
Total Liabilities	=	5,266	4,313	4,143
Net Assets	-	122,175	132,391	130,841
EQUITY				
Reserves	1(i)	8,000	-	-
Accumulated Funds	-	114,175	132,391	130,841
Total Equity	15	122,175	132,391	130,841

# Cash Flow Statement for the Year Ended 30 June 1998

S000         \$000         \$000           1999         1999         1998           CASH FLOWS FROM OPERATING ACTIVITIES Payments         (31,755)         (30,390)         (29,279)           Cher         (31,758)         (36,682)         (65,161)           Receipts         (68,923)         (67,072)         (65,161)           Receipts         1,062         990         1,248           Interest received         45         40         122           Other         1,592         750         942           Total Receipts         2,699         1,780         2,312           Cash Flows From Government         63,857         64,452         61,989           Cash reimbursements from the Crown Entity         1,069         870         859           Net Cash Flows From Government         69,558         69,522         64,837           NET CASH FLOWS FROM OPERATING ACTIVITIES         20         3,334         4,230         1,988           CASH FLOWS FROM INVESTING ACTIVITIES         107         -         -           Purchases of property, plant and equipment         107         -         -           Purchases of property, plant and equipment         (3,116)         (4,200)         (1,874)		Notes	Actual	Budget	Actual
CASH FLOWS FROM OPERATING         ACTIVITIES         Payments         Employee related       (31,755)       (30,390)       (29,279)         Other       (36,682)       (35,882)         Total Payments       (68,923)       (67,072)       (65,161)         Receipts       1.062       990       1,248         Sale of goods and services       1.052       750       942         Other       1.592       750       942         Total Received       2,699       1,780       2,312         Cash Flows From Government       63,857       64,452       61,989         Capital appropriation       4.632       4,200       1,989         Cash reimbursements from the Crown Entity       1.069       870       859         Net Cash Flows From Government       69,558       69,522       64,837         Net Cash Flows From Operating       20       3,334       4,230       1,988         CASH FLOWS FROM OPERATING       20       3,334       4,230       1,988         CASH FLOWS FROM INVESTING       20       3,334       4,230       1,988         CASH FLOWS FROM INVESTING       23       (4,200)       (1,874)         NET CASH FLOW FROM INVESTING			\$000	\$000	\$000
ACTIVITIES         Payments         Employee related       (31.755)       (30.390)       (29.279)         Other			1999	1999	1998
Payments         (31,755)         (30,390)         (29,279)           Other         (37,168)         (36,682)         (35,882)           Total Payments         (68,923)         (67,072)         (65,161)           Receipts         (68,923)         (67,072)         (65,161)           Sale of goods and services         1,062         990         1,248           Interest received         45         40         122           Other         2,699         1,780         2,312           Cash Flows From Government         2,699         1,780         2,312           Cash reimbursements from the Crown Entity         1,069         870         859           Net Cash Flows From Government         69,558         69,522         64,837           NET CASH FLOWS FROM OPERATING ACTIVITIES         20         3,334         4,230         1,988           CASH FLOWS FROM INVESTING ACTIVITIES         20         3,334         4,230         1,988           Proceeds from sale of property, plant and equipment         107         -         -           Purchases of property, plant and equipment         (3,223)         (4,200)         (1,874)           NET CASH FLOW FROM INVESTING ACTIVITIES         (3,116)         (4,200)         (1,874)	CASH FLOWS FROM OPERATING				
Employee related         (31,755)         (30,390)         (29,279)           Other         (37,168)         (36,682)         (35,882)           Total Payments         (68,923)         (67,072)         (65,161)           Receipts         (1,062)         990         1,248           Interest received         45         40         122           Other         1,592         750         942           Total Receipts         2,699         1,780         2,312           Cash Flows From Government         63,857         64,452         61,989           Capital appropriation         4,632         4,200         1,989           Cash Flows From Government         69,558         69,522         64,837           Net Cash Flows From Government         69,558         69,522         64,837           Net Cash Flows FROM INVESTING         20         3,334         4,230         1,988           CASH FLOWS FROM INVESTING         20         3,334         4,230         1,988           CASH FLOWS FROM INVESTING         20         3,334         4,230         1,988           CASH FLOWS FROM INVESTING         23,223         (4,200)         (1,874)           NET CASH FLOW FROM INVESTING         3,116					
Other         (37,168)         (36,682)         (35,882)           Total Payments         (68,923)         (67,072)         (65,161)           Receipts         1,062         990         1,248           Interest received         45         40         122           Other         1,592         750         942           Total Receipts         2,699         1,780         2,312           Cash Flows From Government         2,699         1,780         2,312           Cash reimbursements from the Crown Entity         1,069         870         859           Net Cash Flows From Government         69,558         69,522         64,837           Net Cash Flows From Government         69,558         69,522         64,837           Net Cash Flows From Government         1069         870         859           Net Cash Flows From Government         1069,558         69,522         64,837           Proceeds from sale of property, plant and equipment         107         -         -           Proceeds from sale of property, plant and equipment         (3,116)         (4,200)         (1,874)           NET CASH FLOW FROM INVESTING         (3,116)         (4,200)         (1,874)           NET CASH FLOW FROM INVESTING <td< td=""><td>•</td><td></td><td></td><td></td><td></td></td<>	•				
Total Payments(68,923)(67,072)(65,161)ReceiptsSale of goods and servicesInterest received45Other1,592Total Receipts2,6991,7802,312Cash Flows From GovernmentRecurrent appropriation63,85764,45261,989Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,55264,837NET CASH FLOWS FROM OPERATING ACTIVITIESCASH FLOWS FROM INVESTING ACTIVITIESProceeds from sale of property, plant and equipment107- Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254 <t< td=""><td></td><td></td><td>,</td><td>. ,</td><td>. ,</td></t<>			,	. ,	. ,
Sale of goods and services Interest received1,062 45990 40 122 45Other1,592 2,699750 942Total Receipts2,699 2,6991,780 2,312Cash Flows From Government63,857 4,63264,452 4,200Recurrent appropriation63,857 4,63264,452 4,20061,989 4,632Cash reimbursements from the Crown Entity Net Cash Flows From Government1,069 					
Sale of goods and services Interest received1,062 45990 40 122 45Other1,592 2,699750 942Total Receipts2,699 2,6991,780 2,312Cash Flows From Government63,857 4,63264,452 4,200Recurrent appropriation63,857 4,63264,452 4,20061,989 4,632Cash reimbursements from the Crown Entity Net Cash Flows From Government1,069 69,558870 69,552859 64,837NET CASH FLOWS FROM OPERATING ACTIVITIES20 3,3343,334 4,2304,230 1,9881,988 69,552Proceeds from sale of property, plant and equipment Purchases of property, plant and equipment107 (3,223)- (4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116) (4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES218 3030 114Opening cash and cash equivalents218 25430 254114 254Opening cash and cash equivalents218 25430 254114 254	Receipts				
Other1,592750942Total Receipts2,6991,7802,312Cash Flows From Government63,85764,45261,989Recurrent appropriation63,85764,45261,989Capital appropriation4,6324,2001,989Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES203,3344,2301,988MET CASH FLOW FROM INVESTING ACTIVITIES107Proceeds from sale of property, plant and equipment equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH Opening cash and cash equivalents21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830114	Sale of goods and services				
Total Receipts2,6991,7802,312Cash Flows From GovernmentRecurrent appropriation63,85764,45261,989Capital appropriation4,6324,2001,989Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES107Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH140140					
Cash Flows From GovernmentRecurrent appropriation63,85764,45261,989Capital appropriation4,6324,2001,989Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES203,3344,2301,988Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830114					
Recurrent appropriation63,85764,45261,989Capital appropriation4,6324,2001,989Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES107Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830114				1,700	
Capital appropriation4,6324,2001,989Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES203,3344,2301,988Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830114	Cash Flows From Government				
Cash reimbursements from the Crown Entity1,069870859Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES107Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830114	Recurrent appropriation		63,857	64,452	61,989
Net Cash Flows From Government69,55869,52264,837NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES203,3344,2301,988Proceeds from sale of property, plant and equipment Purchases of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830114	Capital appropriation		4,632	4,200	1,989
NET CASH FLOWS FROM OPERATING ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES203,3344,2301,988Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH21830140	Cash reimbursements from the Crown Entity		1,069	870	859
ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES107Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH218254140	Net Cash Flows From Government		69,558	69,522	64,837
ACTIVITIES203,3344,2301,988CASH FLOWS FROM INVESTING ACTIVITIES107Proceeds from sale of property, plant and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH218254140	NET CASH FLOWS FROM OPERATING				
ACTIVITIES Proceeds from sale of property, plant and equipment Purchases of property, plant and equipment (3,223) (4,200) (1,874) NET CASH FLOW FROM INVESTING ACTIVITIES (3,116) (4,200) (1,874) NET INCREASE IN CASH 218 30 114 Opening cash and cash equivalents 254 254 140 CLOSING CASH AND CASH		20	3,334	4,230	1,988
and equipment107Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH218218214					
Purchases of property, plant and equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH111					
equipment(3,223)(4,200)(1,874)NET CASH FLOW FROM INVESTING ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH218218218			107	-	-
ACTIVITIES(3,116)(4,200)(1,874)NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH </td <td></td> <td></td> <td>(3,223)</td> <td>(4,200)</td> <td>(1,874)</td>			(3,223)	(4,200)	(1,874)
NET INCREASE IN CASH21830114Opening cash and cash equivalents254254140CLOSING CASH AND CASH254254254140					
Opening cash and cash equivalents254254140CLOSING CASH AND CASH	ACTIVITIES		(3,116)	(4,200)	(1,874)
CLOSING CASH AND CASH	NET INCREASE IN CASH		218	30	114
	Opening cash and cash equivalents		254	254	140
<b>EQUIVALENTS</b> 19 <u>472</u> <u>284</u> <u>254</u>	CLOSING CASH AND CASH				
	EQUIVALENTS	19	472	284	254

Program Statement – Expenses and Revenues (please refer to note 8 for program details)

Program Statement -	Expense	s and Re	Expenses and Revenues (please refer to note 9 for program details)	lease ref	er to note	9 for pr	ogram de	tails)		
	Program 1.1.1	111	Program 1.1.2	1.1.2	Program 1.2.1	ו 1.2.1	Not Attributable	butable	Tota	<u>1</u>
THE LEGISLATURE'S EXPENSES & REVENUES	1999 \$000	1998 \$000	1999 \$000	1998 \$000	1999 \$000	1998 \$000	1999 \$000	1998 \$000	1999 \$000	1998 \$000
Expenses										
Operating expenses										
Employee related	5,742	5,329	16,774	15,156	12,508	11,678	ı	I	35,D24	32, 163
Other operating expenses	3,082	2,527	9,110	8,584	2,598	2,346	ı	I	14,790	13,457
Maintenance	7	13	114	183	1,134	863	I	I	1,250	1,059
Depreciation and amortisation	177	195	949	729	2,420	1,596	I	I	3,546	2,520
Other expenses	8,014	8,092	19,455	19,924	28,357	I	ı	-	55,826	28,016
Total Expenses	17,017	16,156	46,402	44,576	47,017	16,483	I	I	110,436	77,215
Retained Revenue										
Sale of goods and services	14	34	13	166	1,032	1,055	I	I	1,059	1,255
Investment income	I	I	I	I	5 <b>6</b>	62	ı	I	56	62
Grants and contributions	ı	I	ı	ı	1,391	1,178	I	I	1,391	1,178
Other revenue	62	62	863	193	147	163	I	-	1,072	418
Total Retained Revenue	76	96	876	359	2,626	2,458	I	I	3,578	2,913
Gain / (loss) on sale of non-current assets	(6)	(7)	66	(8)	(24)	(31)	ı	I	66	(46)
NET COST OF SERVICES	16,950	16,067	45,427	44,225	44,415	14,056	I	I	106,792	74,348
Government contributions	•	15,698	•	43,656	I	13,744	77,816	I	77,816	73,098
NET EXPENDITURE /(REVENUE)	16,950	369	45,427	569	44,415	312	(77,816)	I	28,976	1,250

SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

THE LEGISLATURE

	Recurrent		Capital		Recurrent		Capital	
Ap	Appropriation	Expenditure	Appropriation	Expenditure	Appropriation		Expenditure Appropriation	Expenditure
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
ORIGINAL BUDGET APPROPRIATION /								
EXPENDITURE								
Appropriation Act	64,452	62,419	4,200	4,200	60,651	60,651	1,376	1,376
BUDGET VARIATIONS ACTS (IE ADDITIONAL								
APPROPRIATIONS	1,000	800	•			1		I
s21A PF&AA - special appropriation	ı	I	ı	I		I	1	I
s24 PF&AA - transfers of functions between								
departments	I	I	1	1	1	I	1	I
s26 PF&AA - Commonwealth specific purpose								
payments	I	I	I	I	1	1	I	Ĩ
	65,452	63,219	4,200	4,200	60,651	60,651	1,376	1,376
OTHER APPROPRIATIONS / EXPENDITURE								
Treasurer's Advance	638	638	1	163	1,338	1,338	I	ļ
Section 22 - expenditure for certain works and								
services	I	I	I	I	I	I	I	Ĩ
Transfers from another agency (s28 - Appropriation								
Act)	ı	I	269	269	I	I	613	613
	638	889	592	432	1,338	1,338	613	613
Total Appropriations / Expenditure (includes								
transfer payments)	66,090	63,857	4,469	4,632	61,989	61,989	1,989	1,989
Drawdowns From Treasury		23,857		4,632		61,989		1,989
TOTAL Unspent Appropriations				1		-		1

Summary of Compliance with Financial Directives for the Year Ended 30 June 1998

# and allowances (\$1,780,000), lower than anticipated staff separation costs following the March 1999 General Election (\$200,000) and repayments of amounts overadvanced by Treasury in the prior year (\$253,000).

(ii) The variation between the capital appropriation and expenditure of \$163,000 is represented by unauthorised drawdown of Capital Appropriation as Treasurer's Advance.

# Notes to and Forming Part of the Financial Statements

# 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

# (a) Reporting Entity

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

# (b) Basis of Accounting

The Legislature's financial statements are a general purpose financial report which has been prepared on an accrual basis and in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies.

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

The statements are prepared in accordance with the historical cost convention apart from Land, Buildings, Antiques, Archives, Artworks and Library Collections and certain items 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.

With the exception of depreciating the Parliament House building for the first time this year, the accounting policies adopted are consistent with those of the previous year.

# (c) Reduction to the Number of Programs

The Legislature has reduced the number of programs from eleven to three to reflect changes made to the presentation of the budget in the Treasury Budget papers. To facilitate comparison with the new programs the 1998 figures have been recast from those published in the 1998 Financial Statements. Further details of the components of each program are provided in Note 9 to these Financial Statements.

# (d) 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.

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)).

With effect from the financial year ended 30 June 1999, appropriations are received on an agency basis. Prior to 1998–99 The Legislature received appropriations on a program basis. This change has resulted in a change in the Summary of Compliance with Financial Directives as program information is no longer required in the Summary of Compliance.

## (e) Revenue Recognition

Revenue is recognised to the extent that it is probable that the economic benefits will flow to The Legislature and the revenue can be reliably measured. The following specific recognition criteria must also be met before revenue is recognised:

### Sales of Goods and Services

Revenue arising from the sale of goods and services or the disposal of other assets is recognised when all of the following conditions have been satisfied:

- (i) The Legislature has passed control of the goods or other assets to the buyer, or The Legislature controls a right to be compensated for services rendered,
- (ii) It is probable that the economic benefits comprising the consideration will flow to the entity, and
- (iii) The amount of revenue can be measured reliably

### Interest Income

Interest revenue is recognised on a time proportionate basis that takes into account the effective yield on cash balances.

### Grants and Contributions

Revenue arising from the contribution of an asset to The Legislature is recognised only when all of the following conditions are satisfied:

- (a) The Legislature gains control of the contribution or the right to receive the contribution
- (b) It is probable that the economic benefits comprising the contribution will flow to The Legislature
- (c) The amount of the contribution can be measured reliably

### 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.

### (f) 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 nonvesting 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.

### (g) 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.

### (h) 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.

### (i) Property, Plant and Equipment

The following valuation policies have been adopted by The Legislature in accordance with Treasury's Guidelines for the Valuation of Land and Heritage Assets in the NSW Public Sector dated May 1995, Australian Accounting Standard AAS29, "Financial Reporting by Government Departments" and the Treasury Financial Reporting Code.

### Land and Buildings

The land on which the Parliamentary building is sited was re-valued by the State Valuation Office as at 1 July 1998 using an existing use basis.

The Parliament House Building was re-valued by the Department of Public Works and Services as at 1 July 1998. This revaluation was on the basis of the estimated written down replacement cost of an appropriate modern equivalent replacement facility having a similar service potential excluding the unique heritage features.

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

### Plant and Equipment

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

Plant and machinery comprising building technical services assets have been revalued as at 1 July 1998 by the Department of Public Works and Services using written down replacement cost.

# (j) Other Assets

### Artworks and Antiques

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

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

The antique and period furniture collection was valued by Ms T. Cleary in June 1995. Further items acquired during 1998–99 have been added to the collection at their purchase cost value.

# Assets Not Previously Valued

The Legislature has obtained a valuation for its Archives and Library collections from Edward Rushton Australia Pty Ltd. The valuation was undertaken as at 30 June 1999 for the first time using guidelines devised by the Australian Valuation Office and in part utilising the recommendations of the NSW Treasury Valuation of Heritage Assets draft report dated November 1996 to establish a concept of deprival value.

Deprival value is defined as the value to the entity of the future economic benefits that the entity would forego if deprived of the asset. The value to the entity in most cases will be measured by the replacement cost of the services to benefits currently embodied in the asset. The replacement cost represents the amount of cash necessary to obtain an equivalent or identical asset.

Both the Archives and Library Collections have been brought to account through The Legislature's Accumulated Funds.

# **Archives Collection**

For valuation purposes the collection has been divided into the following categories:

	Ų
An Icon list of 23 items	1,847,000
Tabled Documents	2,855,000
Total Value of Archives Collection	4,702,000

# Library Collection

For valuation purposes the collection has been divided into the following categories:

	\$
An Icon list of 33 Publications	3,183,000
Monographs	2,912,000
Rare Books	1,288,000
Microfilms	209,000
Audio Tapes	6,000
Video Tapes	10,000
Total Value of Library Collection	7,608,000

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### (k) Revaluation of Physical Non-Current Assets

Buildings and improvements, plant and machinery and collection assets are valued on the basis of 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.

Each class of physical non-current asset is revalued every 5 years. As a result of the size and nature of the Legislature's assets, this revaluation is conducted over a 5 year period. The last such revaluation for Land, Buildings, and Plant and Machinery was undertaken as at 1 July 1998.

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.

### (l) Depreciation and Amortisation

Depreciation or amortisation is provided for on a straight line basis against all depreciable or amortisable assets except land so as to write off the depreciable amount of the asset as it is consumed over its useful life. Accelerated depreciation has been applied to those assets which are non Y2K compliant so that they are fully depreciated as at 30 June 1999.

After recognising accumulated depreciation of \$14,032,000 following the revaluation as at 1 July 1998, the Parliament House building has been depreciated for the first time in 1998–99.

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.

### (m) Leased Assets

All leases to which the Legislature is a party are operating leases with payments being charged to the Operating Statement in the periods in which they are incurred. Future lease costs on surplus unoccupied electorate offices have been recognised as a liability and an expense at 30 June 1999.

### (n) Inventories

The inventory of "Australia's First Parliament" has been written off as the publication has become outdated since the March 1999 General Election and has a minimal net realisable value.

### (o) Year 2000 Millennium Issue and Compliance Cost

The year 2000 issue is the result of shortcomings in many electronic data processing systems and other electronic equipment that may adversely affect The Legislature's operations on the date change from 1999 to 2000.

The Legislature implemented a program to address the potential computer system failures attributable to the date change from 1999 to 2000. The program includes risk analysis, remedial action including internal testing and contingency planning. There is no indication to suggest that the program will not be achieved.

Because of the unprecedented nature of the Year 2000 issue, its effects and the success of remedial action will not be fully determinable until the year 2000 and thereafter.

All expenditure incurred concerning the upgrading or replacement of computer systems in order to make them year 2000 compliant is expensed as it occurs, in line with the mandatory requirement. All external consulting and other external costs are included, except those of a capital nature. Please refer to Note 16 (a) for year 2000 capital expenditure commitments relating to computer hardware purchases.

### 2. EXPENSES

### (a) Employee Related Expenses

	1999	1998
	\$000	\$000
Salaries and wages (including recreation leave)	27,774	26,431
Redundancy payments (refer note 7)	840	-
Superannuation entitlements – staff	2,295	2,148
Long service leave	919	733
Workers Compensation Insurance	333	264
Payroll tax and fringe benefits tax	2,279	2,168
Other	584	419
	35,024	32,163

(c)

# (b) Other Operating Expenses

Maintenance	1999 \$000	1998 \$000
Maintenance	14,790	13,457
Auditor's remuneration	32	33
Consultancy fees	152	88
Contract and other fees	238	332
Insurance	260	244
Stores	460	318
Cleaning and laundry	465	482
Legal expenses	574	359
Gas and Electricity charges	785	815
Postage and State Mail charges	938	1,158
Miscellaneous	964	1,154
Travel expenses	1,289	1,851
Printing and stationery	1,637	1,368
Computer costs	1,673	631
Rental expense relating to operating leases	2,458	2,199
Telecommunication costs	2,865	2,425
	\$000	\$000
	1999	1998

	\$000	\$000
Maintenance undertaken by Department of Public Works		
and Services	791	678
Repairs and routine maintenance	346	203
Maintenance on Legislative Assembly offices	113	178
	1,250	1,059

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

### (d) Depreciation and Amortisation

	1999	1998
	\$000	\$000
Depreciation on buildings	772	_
Depreciation on plant and equipment	2,418	2,243
Amortisation of leasehold costs	356	277
	3,546	2,520
Other expenses		
	1999	1998
	\$000	\$000
Decrement on Revaluation of Assets (refer note 7)	28,357	_
Salaries and allowances of Members of Parliament	19,302	19,764
Superannuation entitlements - members	5,574	5,701
Payroll tax & fringe benefits tax - members entitlements	1,822	1,816
Payroll tax liability - members superannuation	382	391
Special projects	389	344
	55,826	28,016

# 3. **REVENUES**

# (a) Sale of Goods and Services

	1999	1998
	\$000	\$000
Sale of publications	69	172
Energy recoup from Sydney Hospital and State Library	431	377
Dining room functions	427	446
Parliamentary committee seminars	27	133
Miscellaneous	105	127
	1,059	1,255
(b) Investment Income		
	1999	1998
	\$000	\$000
Interest on operating account	56	62
	56	62
(c) Grants and Contributions		
	1999	1998
	\$000	\$000
Public Works & Services Maintenance Work	791	678
Contribution from House Committee	600	500
	1,391	1,178

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 (d) and 2 (c)).

# (d) Other Revenue

	1999	1998
	\$000	\$000
Assets acquired free of cost	45	21
Telecommunications rebate	276	22
Telstra ISDN refund (prior year abnormal item refer note 7)	645	-
Miscellaneous	106	17
	1,072	41
AIN/(LOSS) ON SALE OF NON-CURRENT ASSETS	1999 \$000	1998 \$000
AIN/(LOSS) ON SALE OF NON-CURRENT ASSETS Gain/ (loss) on disposal of plant and equipment		

# 5. CONDITIONS ON CONTRIBUTIONS

There were no conditions attached to the contribution received from The Legislature House Committee towards the cost of providing catering services referred to in note 3(c).

Net gain/ (loss) on disposal of plant and equipment

(46)

66

### 6. APPROPRIATIONS

	1999 \$000	1998 \$000
Total recurrent draw-downs from Treasury as per summary of Compliance & Operating Statement	63,857	61,989
Total capital draw-downs from Treasury as per Summary of Compliance & Operating Statement	4,632	1,989

In New South Wales, agencies are not required to separately record cash expenditures which are financed by the Consolidated Fund as distinct from cash expenditures financed by their own user charges. As a result, they are not able to determine accurately the exact amount of the expenditures that are related to the Consolidated Fund. However, the amount of revised appropriation should approximate the actual cash expenditure of the Consolidated Fund monies by agencies.

# 7. ABNORMAL ITEMS

	1999	1998
	\$000	\$000
Employee related – Redundancies Paid	840	_
Other expenses – Decrement on Revaluation	28,357	_
	29,197	_
Other revenue – Telstra Refund	645	_
	28,552	_

Employee related expenses are considered to be abnormally large this financial year as a result of redundancy payments. These payments were made to Legislative Assembly Electorate Officers \$739,000 and Legislative Council Secretary/Research Assistants \$101,000 whose services were not required following the March 1999 Election. No redundancy payments were made in the previous financial year.

Other operating expenses include an abnormal item relating to a decrement on the revaluation of the Parliament House building and associated items of plant and machinery. In accordance with AAS 10 "Accounting for the Revaluation of Non-Current Assets", the decrement was expensed through the operating statement. The specific decrement amounts for each asset class are:

	\$000
Buildings	23,934,000
Plant & machinery	4,423,000
Total Decrement on Revaluation	\$28,357,000

During the financial year The Legislature received a credit for ISDN telecommunication charges from Telstra that related to the 1997–98 financial year. This credit of \$645,000 is reflected in other revenue in the operating statement.

# 8. ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE ENTITLEMENTS AND OTHER LIABILITIES

	1999 \$000	1998
Employees	\$000	\$000
Superannuation	2,295	2,148
Long Service Leave	919	733
Payroll Tax on superannuation	157	147
	3,371	3,028
Members		
Superannuation	5,574	5,701
Payroll tax on superannuation	382	391
	5,956	6,092
	9,327	9,120

# 9. **PROGRAMS/ACTIVITIES OF THE LEGISLATURE**

. ,	rogram 1.1.1 bjective:	<b>Parliamentary Government – Legislative Council</b> To represent the people of New South Wales in the Upper House. To support the functions of the Legislative Council and its 42 Members.
A	ctivities:	<ul> <li>Members of the Legislative Council Representation</li> <li>Legislative Council Ministerial salaries</li> <li>Secretarial and research services for Members of the Legislative Council</li> <li>Procedural and administrative support</li> <li>Committee advisory, research and administrative support</li> <li>Overseas delegations</li> </ul>
` '	rogram 1.1.2 bjective:	<b>Parliamentary Government – Legislative Assembly</b> To represent the ninety three electorates throughout New South Wales and support the functions of the Legislative Assembly.
А	ctivities:	<ul> <li>Members of the Legislative Assembly Representation</li> <li>Legislative Assembly Ministerial salaries</li> <li>Secretarial and research services for Members of Parliament</li> <li>Procedural and administrative support</li> <li>Committee advisory, research and administrative support</li> <li>Commonwealth Parliamentary Association</li> <li>Overseas delegations</li> </ul>

10.

(c) <b>Program 1.2.1</b> <i>Objective:</i>	<b>Parliamentary Support Services – Joint Services</b> To provide support services to both Houses of Parliament.
Activities:	<ul> <li>Accounting and financial services</li> </ul>
	– Archival services
	<ul> <li>Building services</li> </ul>
	- Catering services
	- Education and community relations
	– Hansard
	<ul> <li>Information technology services</li> </ul>
	– Library services
	– Printing services
	<ul> <li>Security services</li> </ul>
CURRENT ASSETS	– RECEIVABLES
	1999 1998
	\$000 \$000
Sales of goods and	services 149 152

	747	566
Less: Provision for Doubtful Debts	3	3
	750	569
Other debtors/prepayments	568	394
Investment Income	33	23
Sales of goods and services	149	152

\$11,413 was written off during the year. No debts were written off in 1997–98.

# 11. CURRENT ASSETS – INVENTORIES

	1999	1998
Finished Goods - Books	_	80
	_	80

The inventory of "Australia's First Parliament" publication was written off during the financial year as the net realisable value has dissipated following the March 1999 General Election as the contents are now out of date.

### 12. NON-CURRENT ASSETS

# (a) Land and Buildings

Land and Buildings				<b>C</b> · · ·	
	Land	Buildings	Leasehold	Capital Works in Progress	Total
	\$000	\$000	\$000	\$000	\$000
Balance at 1 July 1998					
At Valuation	42,000	67,006	—	—	109,006
Revaluations reserve	8,000	-	_	_	8,000
Revaluation decrement	-	(9,918)	_	_	(9,918)
Transfers between asset categories	_	3,592	_	_	3,592
At Cost	_	517	2,080	157	2,754
Additions	_	716	440	6	1,162
Revaluation decrement	-	(645)	_	_	(645)
Disposals	_	—	(203)	—	(203)
Transfers between asset categories	_	190	95	(157)	128
Balance 30 June 1999					
At Valuation	50,000	60,680	_	_	110,680
At Cost	_	778	2,412	6	3,196
Total	50,000	61,458	2,412	6	113,876
Balance 1 July 1998 At Valuation Transfers between asset	_	_ 661	_	_	_ 661
Transfers between asset	_	661	—	—	661
categories Depreciation for the year		772			772
Depreciation adjustment ar from revaluation	ising –	13,371	_	_	13,371
At Cost	_	_	1,451		1,451
Depreciation for the year	_	_	355	_	355
Writeback on Disposal	_	_	(203)	_	(203)
Balance 30 June 1999					
At Valuation	_	14,804	_	_	14.804
At Cost	_		1,603	_	1,603
Total	_	14,804	1,603	-	16,407
Comming Value					
Carrying Value	50 000	16 654	800	6	97 469
At 30 June 1999	50,000 42,000	46,654 67 523	809 629	6 157	97,469 110 309
	50,000 42,000	46,654 67,523	809 629	6 157	97,469 110,309
At 30 June 1999	•				
At 30 June 1999 At 30 June 1998	•				

# (b) Plant & Equipment

I fait & Equipment		0.07			
	Plant & Machinery	Office Equip. & Furnishing	Computer Equip.	Capital Works In Progress	Total
	\$000	\$000	\$000	\$000	\$000
Balance at 1 July 1998	10.000	4 4 4 4	220		20 52 (
At Valuation	19,322	1,166	238	—	20,726
Revaluation Increment	3,175		—	—	3,175
Transfers between asset	(2,939)	(652)	_	—	(3,591)
categories Disposals		(0)	(16)		(25)
*	_	(9)		—	
At Cost	1,816	3,254	4,672	91	9,833
Additions	73	821	536	1,132	2,562
Revaluation Decrement	(1,392)		_	_	(1,392)
Disposals	_	(400)	(103)	(2)	(505)
Transfers between asset categories	(68)	7	21	(89)	(129)
Balance 30 June 1998					
At Valuation	19,558	505	222	_	20,285
At Cost	429	3,682	5,126	1,132	10,369
Total	19,987	4,187	5,348	1,132	30,654
Accumulated Depreciation	L				
Balance 1 July 1998					
At Valuation	5,339	880	198	_	6,417
Transfers between asset	(133)	(530)	(4)	_	(667)
categories					
Depreciation for the yea		46	11	—	928
Depreciation adjustmen		—	—	—	6,385
arising from revaluati	on				
Writeback on Disposal	—	(6)	(16)	—	(22)
At Cost	239	1,526	1,951	_	3,716
Transfers between asset categories	_	3	3	-	6
Depreciation for the yea	r 37	488	966	_	1,491
Depreciation adjustmen	t (179)		_	_	(179)
arising from revaluati	on				
Writeback on Disposal	_	(386)	(79)	_	(465)
Balance 30 June 1998					
At Valuation	12,462	390	189	_	13,041
At Cost	97	1,631	2,841	_	4,569
Total	12,559	2,021	3,030	_	17,610
	,	, -	- ,		
Carrying Value					
At 30 June 1999	7,428	2,166	2,318	1,132	13,044
At 30 June 1998	15,560	2,014	2,761	91	20,426
Fully Depreciated Assets At Valuation	105	92	112		309
Quantity (individual items)	2	92	7		309 17
At Cost		117	1,349	_	1,466
Quantity (individual items)	_	6	23		29
~		0			

# (c) Other

A	Antiques	Artworks	Library Collection	Archives Collection	Total
	\$000	\$000	\$000	\$000	\$000
Balance at 1 July 1998					
At Valuation	2,114	1,214	_	_	3,328
Gifts/Assets not previous Valued	ly –	45	7,608	4,702	12,355
Disposals	_	(1)	_	—	(1)
At Cost	18	3	_	_	21
Additions	5	1	_	_	6
Revaluation Decrement	_	_	_	_	_
Balance 30 June 1999					
At Valuation	2,114	1,258	7,608	4,702	15,682
At Cost	23	4	_	_	27
Total	2,137	1,262	7,608	4,702	15,709
Carrying Value					
At 30 June 1999	2,137	1,262	7,608	4,702	15,709
At 30 June 1998	2,132	1,217	_	-	3,349

## 13. CURRENT LIABILITIES – ACCOUNTS PAYABLE

	1999	1998
	\$000	\$000
Accrued Charges	671	518
Trade Creditors	628	504
	1,299	1,022

### 14. CURRENT AND NON-CURRENT LIABILITIES – EMPLOYEE ENTITLEMENTS

### (a) Current

	1999	1998
	\$000	\$000
Recreation leave	2,319	2,098
Accrued salaries and wages	1,444	840
On-cost on long service leave entitlements	26	26
Aggregate employee entitlements	3,789	2,964
	-,	<b>)</b>
Non-Current	1999	1998
	1999	1998

#### 15. CHANGES IN EQUITY

		nulated nds	Reval	set uation erve	Total	Equity
	1999 \$000	1998 \$000	1999 \$000	1998 \$000	1999 \$000	1998 \$000
Balance at the beginning of the financial year	130,841	132,091	_	_	130,841	132,091
Deficit for the year	(28,976)	(1,250)	_	-	(28,976)	(1,250)
Increment on revaluation of land	_	_	8,000	_	8,000	_
Assets recognised for the first time Archives collection	4,702	_	_	_	4,702	_
Library collection	7,608	_	_	_	7,608	_
Balance at the end of year	114,175	130,841	8,000	-	122,175	130,841

#### 16. COMMITMENTS FOR EXPENDITURE

### (a) Capital Commitments

Aggregate capital expenditure contracted for at balance date but not provided for at 30 June 1999:

	1999	1998
	\$000	\$000
Not later than one year	1,754	1,518
Later than one year but not later than 2 years	_	1,400
Total Capital Commitments	1,754	2,918

#### (b) Operating Lease Commitments

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

	1999	1998
	\$000	\$000
Not later than one year	1,699	1,811
Later than one year but not later than 2 years	912	1,123
Later than two years but not later than 5 years	903	691
Total Lease Commitments	3,514	3,625

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

	1999	1998
	\$000	\$000
Not later than one year	1,640	1,777
Later than one year but not later than 2 years	884	1,107
Later than two years but not later than 5 years	901	690
Total Non-cancellable		
Electorate Office Lease Commitments	3,425	3,574

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

### (c) Other Expenditure Commitments

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

	1999 \$000	1998 \$000
Not later than one year	7	10
	7	10

#### **17. CONTINGENT LIABILITIES**

The Legislature is currently involved in two separate legal proceedings involving the Speaker of the Legislative Assembly (being the employer) and former electorate officers relating to unfair contracts of employment. As a result of these proceedings The Legislature has an estimated potential liability of \$400,000 inclusive of legal fees and disbursements.

In a separate action the Legislative Assembly is the respondent to an alleged potential unfair dismissal action relating to an electorate officer. This matter is currently before the Industrial Relations Commission. The estimated potential liability in respect to this matter is \$70,000 including legal fees and disbursements.

#### **18. BUDGET REVIEW**

#### Net Cost of Services

Net cost of services for the year exceeded the budget by \$30,070,000. This was due to abnormal items totalling \$28,552,000 (see note 7), together with over expenditure on employee related expenses of \$1,328,000.

#### Assets and Liabilities

Current Assets exceeded budget by \$319,000 due to increases to cash on hand and receivables.

Non-current Assets reflect a net reduction of \$9,582,000 following revaluation decrements to buildings of \$23,934,000 and plant \$4,423,000. These decrements were partially offset by an \$8,000,000 increase to land value following revaluation and the bringing to account for the first time the Parliament's Library collection valued at \$7,608,000 and the Archive collection valued at \$4,702,000.

Current liabilities exceeded budget by \$932,000 mainly as a result of increase in employee entitlements following public sector pay increases during the year. Accounts payable also increased as a result of an increase in accrued capital works charges.

#### Equity

An asset revaluation reserve was created during the year following an increase of \$8,000,000 in the value of land on which Parliament House is situated. This increase in value was not foreseen when formulating the budget.

An overall decrease in accumulated funds of \$18,216,000 compared to budget has arisen following a deficit for the year of \$28,976,000 after taking into account abnormal items of \$28,552,000. This deficit has been partially offset by bringing to account through accumulated funds the Parliament's archives and library collections valued at \$12,310,000 for the first time in the 1998–99 financial year.

#### **Cash Flows**

Net cash flows from operating activities were \$896,00 less than budget due to total payments exceeding the budgeted amount by \$1,851,000. This over expenditure was due to increased employee related costs and other payment costs including redundancy payments of \$840,000 and the expensing of asset acquisition costs of \$934,000.

This over expenditure was partially offset by total receipts exceeding budget by \$919,000. An adjustment of \$645,000 for ISDN telecommunication charges relating to the previous financial year was the main component of this favourable variance.

Net cash flows from investing activities were \$1,084,000 below the budgeted amount. This was attributable to the need to expense \$934,000 on minor equipment acquisitions and rectification of year 2000 non-compliant computer systems which were funded as capital works projects by Treasury.

# 19. CASH AND CASH EQUIVALENTS

	1999	1998
	\$000	\$000
Cash	472	254
	472	254

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

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

	1999	1998
	Actual	Actual
	\$000	\$000
Net Cash used on operating activities	3,334	1,988
Depreciation	(3,546)	(2,520)
Bad debts expense	(11)	(3)
Increase/decrease in provisions	(249)	(174)
Decrease/ (increase) in prepayments and other assets	112	(477)
Increase/decrease in creditors	(369)	(38
Net (loss)/gain on sale of plant and equipment	66	(46)
Assets brought to account not previously capitalised	45	21
Decrement on revaluation of non-current assets	(28,357)	—
Long Service Leave	(919)	(733)
Superannuation	(6,801)	(6,990)
Payroll tax on superannuation	(539)	(538)
Less Cash flows from Government		
Capital Allocation	(4,632)	(1,989)
Recurrent Allocation	(63,857)	(61,989)
Cash reimbursements from the Crown Entity	(1,069)	(859)
Net Cost of Services	(106,792)	(74,347)

### 21. FINANCIAL INSTRUMENTS

Financial instruments give rise to positions that are a financial asset of The Legislature and a financial liability (or equity instrument) of the other party. They include cash at bank, receivables and creditors. All classes of financial instruments, including revenue, expenses or other cash flows arising from instruments, are recognised at cost on an accrual basis.

Amounts are carried in the accounts at net fair value which is considered to equate with the carrying amount as per the statement of financial position.

Interest rate risk affects cash at bank where the value of these instruments is subject to fluctuation due to changes in market interest rates.

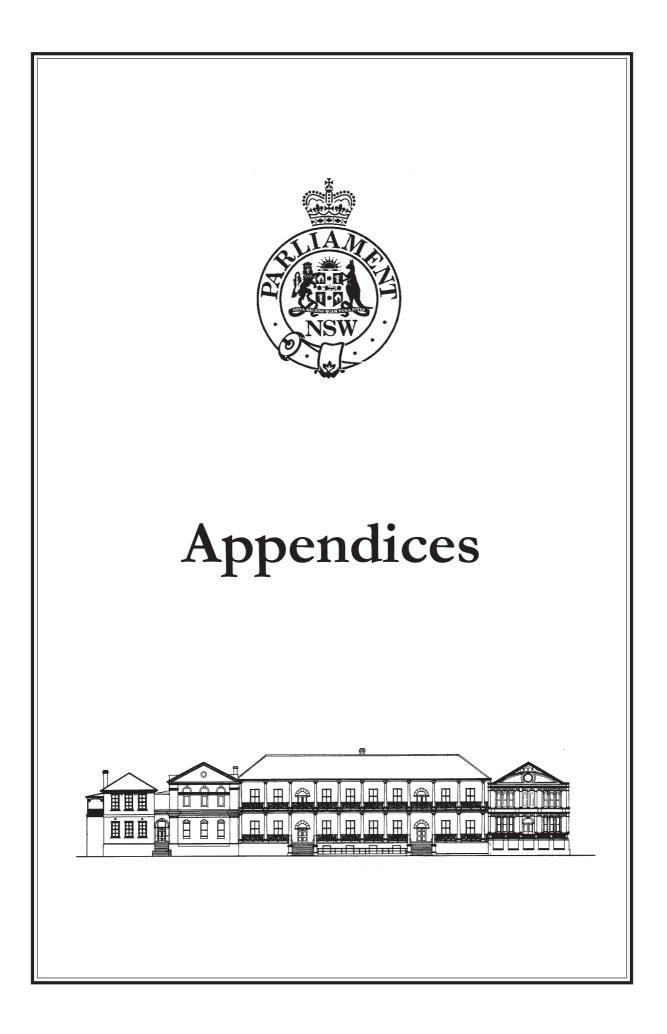
The Legislature's exposure to interest rate risk and the effective interest rates of financial instruments at year end are:

	1999	1998
	\$000	\$000
Cash	472	254 3.79 % (1998 4.04 %)
Receivables	747	566 All non-interest bearing
Creditors	1,299	1,022 All non-interest bearing

The effective interest rate during the reporting period was 3.86%.

Credit rate risk affects receivables where there is a risk of a trade debtor of The Legislature failing to meet their obligations. As at balance date, the greatest risk was represented by receivables which had been outstanding more than 90 days, totalling \$31,000 (97–98 \$42,000).

End of Audited Financial Statements



# APPENDIX 1 LIST OF MEMBERS

# MEMBERS OF THE LEGISLATIVE COUNCIL AS AT 5 FEBRUARY 1999

## Fifty-First Parliament of New South Wales

···· <b>·</b>	
Arena, The Honourable Franca, A.M.	IND NP
<b>Bull</b> , The Honourable Richard Thomas Marshall Deputy Leader of the Opposition	МР
Burgmann, The Honourable Doctor Meredith Anne, M.A.(Syd.), Ph.D.(Macq.)	ALP
<b>Burnswoods</b> , The Honourable Janice Carolyn, B.A.(Hons), Dip.Ed.	ALP
Chadwick, The Honourable Virginia Anne, B.A., Dip.Ed. President	LIB
Chesterfield-Evans, The Honourable Doctor Arthur, M.B., B.S., F.R.C.S.(Eng.), M.Appl.Sci.(OHS).	AD
Cohen, The Honourable Ian, B.A., Dip.Ed.	GRN
<b>Corbett</b> , The Honourable Alan Gordon, B.A., Dip.Ed., Dip.T.E.F.L., M.A.	BFC
Dyer, The Honourable Ronald David, Dip.Law, Dip.Crim.	ALP
Minister for Public Works and Services	
Egan, The Honourable Michael Rueben, B.A. Treasurer, Minister for State Development, and Vice-President of the Executive Council	ALP
Forsythe, The Honourable Patricia, B.A., Dip.Ed.	LIB
<b>Gallacher</b> , The Honourable Michael Joseph, B.Prof.St.	LIB
	NP
Gardiner, The Honourable Jennifer Ann, B.Bus. <i>Temporary Chairman of Committees</i>	INF
	NTD
Gay, The Honourable Duncan John Chairman of Committees	NP
<b>Goldsmith</b> , The Honourable Doctor Marlene Mary Herbert, B.A., M.Ed.(Hons), Ph.D.(Minn.) <i>Temporary Chairman of Committees</i>	LIB
	LIB
Hannaford, The Honourable John Planta, LL.B. <i>Leader of the Opposition</i>	LID
	ATD
Isaksen, The Honourable Dorothy May Government Whip	ALP
<b>Jobling</b> , The Honourable John Hughes, Ph.C., M.P.S. <i>Opposition Whip</i>	LIB
	ATD
Johnson, The Honourable John Richard Temporary Chairman of Committees	ALP
Jones, The Honourable Richard Stanley Leigh	IND
OLIOPUM OMEMBERS (	1.12.2

New South Wales	
Kaldis, The Honourable James	ALP
Kelly, The Honourable Anthony Bernard, A.L.G.A.	ALP
Kersten, The Honourable Mark Raymond	NP
Lynn, The Honourable Charlie John Stuart, p.s.c.	LIB
<b>Macdonald</b> , The Honourable Ian Michael, B.A.(Hons)	ALP
Manson, The Honourable Andrew Bruce Deputy Government Whip	ALP
<b>Moppett</b> , The Honourable Douglas Frederick, B.Sc.Agr. Deputy Opposition Whip	NP
Nile, The Honourable Elaine Blanche	CDP
Nile, The Reverend the Honourable Frederick John, E.D., L.Th. <i>Temporary Chairman of Committees</i>	CDP
Obeid, The Honourable Edward Moses, O.A.M.	ALP
Pezzutti, The Honourable Doctor Brian Patrick Victor, R.F.D., M.B., B.S.(Syd.), F.F.A.R.A.C.S., F.A.N.Z.C.A.	LIB
Primrose, The Honourable Peter Thomas, B.Soc.Stud.(Syd.)	ALP
<b>Ryan</b> , The Honourable John Francis, B.A.(Hons), Dip.Ed.	LIB
Saffin, The Honourable Janelle Anne Temporary Chairman of Committees	ALP
Samios The Honourable James Miltiadis, M.B.E., B.A., LL.B. Deputy Leader of the Liberal Party	LIB
<b>Sham-Ho</b> , The Honourable Helen Wai-Har, B.A., Dip.Soc.Wk., B.Leg.S. <i>Temporary Chairman of Committees</i>	IND
Shaw, The Honourable Jeffrey William, Q.C., B.A., LL.B. Attorney General, Minister for Industrial Relations, and Minister for Fair Trading	ALP
Smith, The Honourable Robert Baron Rowland	NP
Tebbutt, The Honourable Carmel Mary, B.Ec.	ALP
Tingle, The Honourable John Saxon	SP
Vaughan, The Honourable Bryan Henry, LL.B.	ALP

Willis, The Honourable Max Frederick, R.F.D.,

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

#### PARTY REPRESENTATION: HOUSE OF 42 MEMBERS

E.D., LL.B.

AD—Australian Democrats (1) ALP—Australian Labor Party (16) BFC—A Better Future for our Children (1) CDP—Christian Democratic Party (Fred Nile Group) (2) GRN—The Greens (1) IND—Independent (3) LIB—Liberal Party of Australia (NSW Division) (11) NP—National Party of Australia (NSW Division) (6) SP—Shooters Party (1) LIB

# NEW SOUTH WALES LEGISLATIVE COUNCIL LIST OF MEMBERS SHOWING TERMS OF SERVICE

#### 1 July 1991 – Reconstituted

#### ELECTED MEMBERS WHOSE TERM OF SERVICE EXPIRES ON **DISSOLUTION OR EXPIRY OF 51ST PARLIAMENT**

\*<sup>3</sup>**KERSTEN,** The Honourable Mark Raymond (19.9.95) **\*ARENA**, The Honourable Franca, A.M. \*BURGMANN, The Honourable Doctor \*4LYNN, The Honourable Charlie John Stuart, p.s.c. (19.10.95) Meredith Anne, M.A.(Syd.), Ph.D.(Macq.) \*BURNSWOODS, The Honourable Janice +MACDONALD, The Honourable Ian Michael, Carolyn, B.A.(Hons), Dip.Ed. B.A.(Hons) +CHADWICK, The Honourable Virginia Anne, B.A., Dip.Ed. B.Sc.Agr. \*9CHESTERFIELD-EVANS, The Honourable Arthur, M.B., B.S., F.R.C.S.(Eng.), John, E.D., L.Th. M.Appl.Sci.(OHS). 25.6.98) \*FORSYTHE, The Honourable Patricia, O.A.M. (12.9.91) B.A., Dip.Ed. \*GARDINER, The Honourable Jennifer Dip.Ed. Ann, B.Bus. +GOLDSMITH, The Honourable Doctor B.A., LL.B. Marlene Mary Herbert, B.A., M.Ed.(Hons), Ph.D.(Minn.) +1ISAKSEN, The Honourable Dorothy May (4.7.90)E.D., LL.B. +KALDIS, The Honourable James +Long term continuing Member vide Constitution Act 1902 Section 22B (5) (b).

**\*MOPPETT**, The Honourable Douglas Frederick, \*NILE, The Reverend the Honourable Frederick \*20BEID, The Honourable Edward Moses, \*RYAN, The Honourable John Francis, B.A.(Hons), \*SHAW, The Honourable Jeffrey William, Q.C., +SMITH, The Honourable Robert Baron Rowland \*VAUGHAN, The Honourable Bryan Henry, LL.B. \*WILLIS, The Honourable Max Frederick, R.F.D.,

Elected Fourth Periodic Election (19 March 1988).

\* Elected Members Fifth Periodic Election (25 May 1991).

#### ELECTED MEMBERS WHOSE TERM OF SERVICE EXPIRES ON **DISSOLUTION OR EXPIRY OF 52ND PARLIAMENT**

BULL, The Honourable Richard Thomas Marshall COHEN, The Honourable Ian, B.A., Dip.Ed. **CORBETT**, The Honourable Alan Gordon, B.A., Dip.Ed., Dip T.E.F.L., M.A. DYER, The Honourable Ronald David, Dip.Law., Dip.Crim. EGAN, The Honourable Michael Rueben, B.A. 'GALLACHER, The Honourable Michael Joseph GAY, The Honourable Duncan John HANNAFORD, The Honourable John Planta, LL.B. JOBLING, The Honourable John Hughes, Ph.C., M.P.S. JOHNSON, The Honourable John Richard JONES, The Honourable Richard Stanley Leigh

<sup>7</sup>**KELLY,** The Honourable Anthony Bernard, A.L.G.A. MANSON, The Honourable Andrew Bruce NILE, The Honourable Elaine Blanche PEZZUTTI, The Honourable Doctor Brian Patrick Victor, R.F.D., M.B., B.S.(Syd.), F.F.A.R.A.C.S., F.A.N.Z.C.A. <sup>5</sup>**PRIMROSE**, The Honourable Peter Thomas, B.Soc.Stud.(Syd.) SAFFIN, The Honourable Janelle Anne SAMIOS, The Honourable James Miltiadis, M.B.E., B.A., LL.B. SHAM-HO, The Honourable Helen Wai-Har, B.A., Dip.Soc.Wk., B.Leg.S. <sup>8</sup>**TEBBUTT,** The Honourable Carmel Mary, B.Ec. TINGLE, The Honourable John Saxon

#### Elected Member vide Section 22B (2). Sixth Periodic Election (25 March 1995).

1. Elected (4 July 1990) to vacancy caused by the resignation of the Hon. D.M. Grusovin

Elected (12 September 1991) to vacancy caused by the resignation of the Hon. J.R. Hallam

- 3. Elected (19 September 1995) to vacancy caused by the resignation of the Hon. R.J. Webster
- 4. Elected (19 October 1995) to vacancy caused by the resignation of the Hon. E.P. Pickering
- Elected (17 April 1996) to vacancy caused by the resignation of the Hon. P.F. O'Grady 5.
- 6. Elected (17 April 1996) to vacancy caused by the resignation of the Hon. S.B. Mutch
- 7. Elected (17 September 1997) to vacancy caused by the resignation of the Hon P.J Staunton Elected (30 April 1998) to vacancy caused by the resignation of the Hon. E.A. Symonds
- 9. Elected (25 June 1998) to vacancy caused by the resignation of the Hon. E. Kirkby

#### MEMBERS OF THE LEGISLATIVE COUNCIL AS AT 12 MAY 1999

#### Fifty-Second Parliament of New South Wales

<b>Breen,</b> The Honourable Peter James Dip.Law. <sup>2</sup>	RLS
<b>Bull,</b> The Honourable Richard Thomas Marshall <sup>1</sup>	NP
Deputy Leader of the Opposition	
<b>Burgmann,</b> The Honourable Doctor Meredith Anne, M.A.(Syd.), Ph.D.(Macq.) <sup>2</sup> <i>President</i>	ALP
<b>Burnswoods,</b> The Honourable Janice Carolyn, B.A.(Hons), Dip.Ed. <sup>2</sup>	ALP
Chesterfield-Evans, The Honourable Doctor Arthur, M.B., B.S., F.R.C.S.(Eng), M.Appl.Sci.(OHS) <sup>2</sup>	AD
Cohen, The Honourable Ian, B.A., Dip.Ed. <sup>1</sup>	GRN
<b>Corbett,</b> The Honourable Alan Gordon, B.A., Dip.Ed., Dip.T.E.F.L. M.A. <sup>1</sup>	BFFC
<b>Della Bosca,</b> The Honourable John Joseph, B.A. <sup>2</sup> Special Minister of State, and Assistant Treasurer	ALP
<b>Dyer</b> The Honourable Ronald David, Dip.Law., Dip.Crim. <sup>1</sup>	ALP
Egan, The Honourable Michael Rueben, B.A. <sup>1</sup> Treasurer, Minister for State Development, and Vice-President of the Executive Council	ALP
Forsythe, The Honourable Patricia, B.A., Dip.Ed. <sup>2</sup>	LIB
<b>Gallacher,</b> The Honourable Michael Joseph, B.Prof.St. <sup>4</sup> <i>Leader of the Opposition</i>	LIB
<b>Gardiner,</b> The Honourable Jennifer Ann, B.Bus. <sup>2</sup> Temporary Chair of Committees	NP
Gay, The Honourable Duncan John <sup>1</sup>	NP
Hannaford, The Honourable John Planta, LL.B. <sup>1</sup>	LIB
Harwin, The Honourable Donald Thomas, B.Ec.(Hons). <sup>2</sup>	LIB
Hatzistergos, The Honourable John, B.Ec., LL.M. <sup>2</sup>	ALP
Jobling, The Honourable John Hughes, Ph.C., M.P.S. <sup>1</sup>	LIB
Opposition Whip	
Johnson, The Honourable John Richard <sup>1</sup> Temporary Chair of Committees	ALP
Jones, The Honourable Malcolm Irving <sup>2</sup>	ORP
Jones, The Honourable Richard Stanley Leigh <sup>1</sup>	IND
Kelly, The Honourable Anthony Bernard, A.L.G.A. <sup>5</sup> Chairman of Committees	ALP
Lynn, The Honourable Charlie John Stuart, p.s.c. <sup>2</sup>	LIB

B.A.(Hon	<b>,</b> The Honourable Ian Michael, s). <sup>2</sup> <i>ary Secretary</i>	LP
Manson, T	he Honourable Andrew Bruce <sup>1</sup> overnment Whip	ALP
	he Honourable Douglas Frederick,	NP
Nile, The H	Ionourable Elaine Blanche <sup>2</sup>	CDP
John, E.D	Reverend the Honourable Frederick D., L.Th. <sup>2</sup> <i>Chair of Committees</i>	CDP
	Honourable Edward Moses, O.A.M. <sup>2</sup> r Mineral Resources, and r Fisheries	ALP
Oldfield, T	he Honourable David Ernest <sup>2</sup>	PHON
<b>Pezzutti</b> Th Victor, R. F.A.N.Z.	he Honourable Doctor Brian Patrick F.D., M.B., B.S.(Syd), F.F.A.R.A.C.S., C.A. <sup>1</sup>	LIB
	Chair of Committees	A T D
B.Soc.Stu Governmen		ALP
Rhiannon,	Ms Lee <sup>2</sup>	G
<b>Ryan,</b> The Dip.Ed <sup>2</sup>	Honourable John Francis, B.A.(Hons).,	LIB
Saffin The l	Honourable Janelle Anne <sup>1</sup>	ALP
Temporary	Chair of Committees	
B.A., LL.		LIB
1 0	ader of the Liberal Party	
Dip.Soc.V	The Honourable Helen Wai-Har, B.A., Wk., B.Leg.S. <sup>1</sup> <i>Chair of Committees</i>	IND
1 5	Honourable Jeffrey William, Q.C.,	ALP
	General, and Minister for Industrial Relations	
Minister fo the Premier	e Honourable Carmel Mary, B.Ec. <sup>6</sup> r Juvenile Justice, Minister Assisting r on Youth, and Minister Assisting the r the Environment	ALP
Tingle The	Honourable John Saxon <sup>1</sup>	SP
Tsang The B.Arch.(N	Honourable Henry Shiu-Lung, O.A.M., ISW)., Dip.Bdg., Sc.(Syd.), Fellow.(UTS). <i>Chair of Committees</i>	ALP
Wong The	Honourable Doctor Peter, A.M., Syd.)., B.Pharm.(Syd.). <sup>2</sup>	U

#### PARTY REPRESENTATION: HOUSE OF 42 MEMBERS

AD—Australian Democrats (1) ALP—Australian Labor Party (16) BFFC—A Better Future for our Children (1) CDP—Christian Democratic Party (Fred Nile Group) (2) G—The Greens (2) IND—Independent (2) LIB—Liberal Party of Australia (NSW Division) (7) NP—National Party of Australia (NSW) (4) ORP—Outdoor Recreation Party (1) PHON—Pauline Hanson's One Nation (1) RLS—Reform the Legal System (1) SP—Shooters Party (1) U—Unity (1)

- 1. Elected Members whose term of service expires on dissolution or expiry of 52nd Parliament.
- 2. Elected Members whose term of service expires on dissolution or expiry of 53rd Parliament.
- 3. Elected (17 April 1996) to vacany caused by the resignation of the Hon. P. F. O'Grady. Term of service expires on the dissolution or expiry of the 52nd Parliament
- 4. Elected (17 April 1996) to vacany caused by the resignation of the Hon. S. B. Mutch. Term of service expires on the dissolution or expiry of the 52nd Parliament
- 5. Elected (17 September 1997) to vacany caused by the resignation of the Hon PJ Staunton. Term of service expires on the dissolution or expiry of the 52nd Parliament
- 6. Elected (30 April 1998) to vacany caused by the resignation of the Hon EA Symonds. Term of service expires on the dissolution or expiry of the 52nd Parliament

# APPENDIX 2 JOINT COMMITTEES

# JOINT COMMITTEES OF THE LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Joint Standing Committee On	Mr Jobling Mr Manson	(1) "STAYSAFE 43: Electronic driver licensing", dated November 1998.	25/11/98
Road Safety (Staysafe)	Mr Tingle	(2) "STAYSAFE 44: Developing safer motor vehicles for Australia", dated November 1998.	25/11/98
51st Parliament		(3) "STAYSAFE 45: Injury prevention and infection control in the taking of blood samples from drivers suspected of alcohol or other drug impairment", dated November 1998.	25/11/98
		(4) "STAYSAFE 46: Falling asleep at the wheel-Legal and licensing implications of driver fatigue", dated November 1998.	25/11/98
		(5) "STAYSAFE 47: Review of the road safety situation in New South Wales in 1997", dated November 1998.	25/11/98
52nd Parliament		(6) "Addendum to STAYSAFE 39—Young drivers", dated November 1998. Nil.	25/11/98
Joint Standing Committee upon Small Business 51st Parliament	Mr Obeid (Chairperson) Mr Jones Mr Kersten	(1) Report No. 2 of the Joint Standing Committee on Small Business entitled "Discussion Paper—Security of Payment for the New South Wales Building Industry", dated August 1998.	13/10/98
		(2) Report No. 3 entitled "Security of Payment Deemed Trusts: The Full Debate", dated August 1998.	13/10/98
		(3) Report No. 4 entitled "Security of Payment for the New South Wales Building Industry", dated September 1998.	13/10/98
Committee on the Health Care Complaints Commission	Dr Chesterfield-Evans Mr Johnson Dr Pezzutti	(1) Report entitled "Report of the Second Meeting on the Annual Report of the Health Care Complaints Commission", dated August 1997, together with transcripts of evidence.	17/9/97
51st Parliament		(2) Report entitled "Report on Localised Complaint Resolution Procedures", dated August 1997, together with Minutes of Proceedings.	17/9/97
		(3) Report entitled "Report on Coopers & Lybrand: Management Review of the Health Care Complaints Commission", dated August 1997, together with associated documentation.	17/9/97
		(4) Report entitled "Report on the Study Tour to Canada and the USA, May-June 1997", dated June 1997.	17/9/97
		(5) Report entitled "Third meeting on the Annual Report of the Health Care Complaints Commission", dated May 1998.	7/5/98
		The Adequacy and Appropriateness of Current Mechanisms for Resolving Complaints", dated July 1998.	8/9/98
52nd Parliament	Dr Pezzutti Mr Tsang Dr Wong	Nil.	

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Committee on the Independent Commission Against Corruption 51st Parliament	Mr Gay Mr Macdonald Mr Vaughan	Nil.	
52nd Parliament	Mr Hatzistergos Mr Oldfield Mr Ryan	Nil.	
Committee on the Office of the	Mr Gallacher Mr Kelly	(1) Seventh General Meeting with the Ombudsman, dated August 1998.	8/9/98
Ombudsman and the Police Integrity	Mrs Nile	(2) Third General Meeting with the Commissioner of the PIC, dated August 1998.	8/9/98
Commission 51st Parliament		(3) Second General Meeting with the PIC Inspector, dated August 1998.	8/9/98
		(4) Report on Matters arising from the 7th General Meeting with the Ombudsman; the 3rd General Meeting with the Commissioner of the PIC; 2nd General Meeting with the PIC Inspector and Talks with Head of Agencies—Ombudsman, Commissioner of the PIC, PIC Inspector, Commissioner of the NSW Police Service, dated August 1998, together with minutes and evidence.	8/9/98
		(5) Review of Ombudsman and Police Integrity Commission Reports, dated November 1998.	25/11/98
52nd Parliament	Mr Breen Miss Gardiner Mr Hatzistergos	Nil.	
Regulation Review Committee	Mr Ryan Ms Saffin	(1) Report No. 15/51 entitled "Report on Regulations", dated September 1998.	10/9/98
51st Parliament		(2) Report No. 16/51 entitled "Report on the Pawnbrokers and Second-hand Dealers Regulation 1997", dated September 1998.	17/9/98
		(3) Report No. 17/51 entitled "Report on the Education Amendment (Home Schooling) Regulation 1998", dated November 1998, together with certain transcripts of evidence and submissions.	12/11/98
52nd Parliament	Mr Ryan Mr Harwin	Nil.	
Joint Select Committee on Victims Compensation 51st Parliament	Ms Burnswoods Mr Gallacher Mr Jones Mr Vaughan	(1) Report of the Joint Select Committee on Victims Compensation entitled "The Collection of Restitution from Convicted Offenders—4th Interim Report", dated September 1998.	22/9/98

# APPENDIX 3

# LEGISLATIVE COUNCIL STANDING COMMITTEE ON PRIVILEGE AND ETHICS

# Standing Committee on Parliamentary Privilege and Ethics – 1999

Members of the Committee 1/7/1998 – 5/5/1999 (expiry of 51st Parliament) Dr Burgmann (Chair) Miss Gardiner Mr Johnson Mr Jones Mr Kelly Mr Lynn Mr Manson Revd Mr Nile Mr Primrose *Committee Clerk* Lynn Lovelock

Senior Project Officer Velia Mignacca

*Committee Officer* Daniel Noll – to 4/9/98 Janet Williams – from 2/10/98

Members of the Committee From appointment in 52nd Parliament to 30/6/1999 Mrs Sham-Ho (Chair) Mr Hannaford (Deputy Chair) Miss Gardiner Mr Johnson Mr Kelly Mr Primrose Ms Saffin

Reports tabled between 1 July 1998 and 30 June 1999:

- Report No. 7 of the Standing Committee on Parliamentary Privilege and Ethics entitled Report on person referred to in the Legislative Council (Hon. Justice Sheahan), dated September 1998. (Tabled 17 September 1998)
- Report No. 8 of the Standing Committee on Parliamentary Privilege and Ethics entitled *Report on person referred to in the Legislative Council (Professor Robert Walker)*, dated June 1998. (Tabled 29 October 1998)
- Report No. 9 of the Standing Committee on Parliamentary Privilege and Ethics entitled Report on Special Report from General Purpose Standing Committee No. 2 concerning a possible contempt, dated November 1998. (Tabled 10 November 1998)

# **APPENDIX 4**

LEGISLATIVE COUNCIL STANDING COMMITTEES

# **Report on Performance**

# Standing Committees of the Legislative Council

Law and Justice Social Issues State Development

(1 July 1998 to 30 June 1999)

51st Parliament (1 July 1998 to 5 March 1999) 52nd Parliament (11 May 1999 to 30 June 1999)

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# STANDING COMMITTEES IN THE LEGISLATIVE COUNCIL

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.

Standing Committees are one of several different types of committees which can be formed by the Legislative Council. They are established for the life of the Parliament.

They investigate and report on:

- proposed legislation,
- government activities, or
- matters of public policy.

Standing Committee membership includes representatives of the Government, Opposition and Independents. They strive to operate in a non-partisan manner.

This report on performance contains information on the following Standing Committees:

- Law and Justice,
- Social Issues, and
- State Development.

Legal and constitutional issues are the primary focus of the **Law and Justice Committee**. This includes law reform, family law, criminal and administrative law and parliamentary matters. This Committee also looks at issues concerned with the police, Attorney General, industrial relations, emergency services, corrective services, fair trading and juvenile justice.

The **Social Issues Committee** examines matters relating to the social development of people in New South Wales. Areas covered include arts, citizenship, urban affairs and planning, aboriginal affairs, housing, health, education and training, community services, ageing, disability services, women, gaming and racing, sports and recreation.

The **State Development Committee** considers opportunities for growth and development throughout New South Wales. Portfolio areas include Treasury, state development, the Olympics, transport and roads, information technology, energy, forestry, Western Sydney, agriculture, land and water conservation, environment, local government, regional development, rural affairs, public works and services, small business, tourism, mineral resources and fisheries.

The resolutions establishing these Committees require the preparation each year of a report on the performance of these Committees. Information on other Standing Committees of the Legislative Council may be found in the Annual Report of the Legislative Council, under Corporate Goal 1 and Appendix 3.

For further information regarding the Standing Committees of the Legislative Council please contact the Acting Clerk Assistant - Committees, Mr David Blunt, on phone (02) 9230 2464, fax (02) 9230 2876 or email: davidblunt@parliament.nsw.gov.au

# STATISTICAL SUMMARY – 1998–99

Inquiries:	13
Reports tabled:	11
Recommendations:	278
Meetings:	54
Public Consultation:	
No of Submissions received:	612
Hearings	
No of hearings Total duration Location – Sydney Regional NSW	30 130 hours 20 10
Witnesses	
No of Witnesses	228
Participants in other forms of consultation:	
Seminars	185
Round table meetings	30
Briefings	41
Community consultations	163
Site visits	48
Total participants in inquiries:	1,311

# **Report on Performance**

# Standing Committee on Law and Justice

# 1998–99

including:

51st Parliament (1 July 1998 to 5 March 1999)

52nd Parliament (11 May 1999 to 30 June 1999)

#### 1.1 Membership

51st Parliament (1 July 1999 to 5 March 1999) The Hon Bryan Vaughan MLC (ALP) The Hon John Ryan MLC (Lib) The Hon Jan Burnswoods MLC (ALP) The Revd Hon Fred Nile MLC (CDP) The Hon Peter Primrose MLC (ALP) The Hon Janelle Saffin MLC (ALP) The Hon Max Willis MLC (Lib) The Hon Helen Sham-Ho MLC (Lib) Discharged 6 July 1998

52nd Parliament (11 May to 30 June 1999) The Hon Ron Dyer MLC (ALP) The Hon John Ryan MLC (Lib) The Hon Peter Breen MLC (RLS) The Hon John Hatzistergos MLC (ALP) The Hon Janelle Saffin MLC (ALP) Chairman Deputy Chair (from 6 July 1998)

Appointed 6 July 1998 Deputy Chair (up to 6 July 1998)

Chair Deputy Chair

Committee staff	tee staff
-----------------	-----------

Committee Director:	David Blunt
Senior Project Officer:	Vicki Mullen (to 31 January 1999)
	Steven Reynolds (from 17 May 1999)
Committee Officer:	Phillipa Gately

#### Contact Details

Phone:(02) 9230 3311Fax:(02) 9230 3371email:lawandjustice@parliament.nsw.gov.auwebsite:http://www.parliament.nsw.gov.au/lc/committs/lawjust.html

#### 1.2 Statistical Summary – 1998/99

Inquiries:	3
Reports tabled:	3
Recommendations:	46
Meetings:	14
Public Consultation:	
No of Submissions received:	42
Hearings	
No of hearings	8
Total duration	44.5 hours
Location – Sydney	8
Regional NSW	_
Witnesses	
No of Witnesses	72
Participants in other forms of consultation:	
Seminars	185
Round table meetings	30
Briefings	44
Total participants in inquiries:	373

# 1.3 Inquiries

### 1.3.1 Inquiry into the Motor Accidents Scheme – (Compulsory Third Party Insurance)

#### Terms of Reference:

- (1) That the Standing Committee on Law and Justice inquire into and report on the Motor Accidents Scheme and compulsory third party insurance, and in particular:
  - (a) examine and report on the role of insurers participating in the scheme;
  - (b) examine the accountability and oversight mechanisms of insurers and the Motor Accidents Authority under the scheme; and
  - (c) examine the concerns of insurees, levels of claims and compensation as well as legal fees and other such matters as the Committee finds appropriate.

Date and Source of Reference: 12 December 1995, Legislative Council (The Hon John Hannaford MLC)

Status of Inquiry:

Complete (Final Report tabled 17 November 1998)

Reports tabled	Take Note Debate	Government response
Proceedings of Public Seminar (date tabled 28 May 1996)	N/A	N/A
Interim Report (date tabled 9 December 1996)	7 May 1997, 14 May 1997 21 May 1997, 28 May 1997	4 December 1997
Proceedings of Seminar on Legal Costs (date tabled 15 December 1997)	N/A	N/A
Second Interim Report (date tabled 15 December 1997)	31 March 1998, 17 June 1998 9 September 1998 16 September 1998	
Final Report (date tabled 17 November 1998)	Second Reading debate on Motor Accidents Compensation Bill 1999 – 22 June 1999	Second reading speech of Special Minister of State on Motor Accidents Compensation Bill 1999 – 3 June 1999

Public Consultation:	1998–99	<b>Prior to 1998–99</b>
Submissions		
No of submissions received	_	127
Hearings		
No of hearings	3	5
Total duration	18 hours	36.5 hours
Location – Sydney	3	5
Regional NSW	_	_
Witnesses		
No of Witnesses	28	47
Participants in other forms of consultatio	n: –	379
Seminars	_	189
Round table meetings	_	47
Briefings	—	143

#### Outcomes/comments

Many of the recommendations contained in the Interim Report of December 1996 (concerning the role and accountability of private insurers and the Motor Accidents Authority) and the Final Report of November 1998 (concerning legal costs and section 45 of the Motor Accidents Act) were adopted in the Motor Accidents (Amendment) Act 1998 and the Motor Accidents Compensation Act 1999. [For further details including an analysis of the extent to which the Committee's recommendations were implemented in the 1999 legislation see the contribution of The Hon Ron Dyer MLC during the second reading debate on 22 June 1999.]

The recommendations contained in the Second Interim Report, concerning long term care, are under active consideration by Government. The recommendations concerning structured settlements have been taken up, resulting in a submission from the Government to the Commonwealth Government for an amendment to the Tax Act.

#### 1.3.2 Inquiry into Workplace Safety

#### **Terms of Reference:**

That the Standing Committee on Law and Justice inquire into and report on workplace safety matters, with particular reference to:

- (a) integrating management systems and risk management approaches aimed at reducing death and injury in the workplace;
- (b) social and economic costs to the community of death and injury in the workplace; and
- (c) the development of an appropriate legislative framework for regulatory reform and/or codes of practice in relation to occupational health and safety in the workplace.

Date and Source of Reference: 26 June 1996, Legislative Council (The Hon Michael Egan MLC)

Status of Inquiry:	Complete (Final Report tabled 26 November 1998)

Reports tabled	Take Note Debate	Government response
Proceedings of Public Seminar (18 February 1997)	N/A	N/A
Interim Report (date tabled 22 December 1997)	23 September 1998 14 October 1998	
Issues Paper No 1 (date tabled 27 February 1998)	N/A	N/A
Final Report – Volumes one and two (date tabled 26 November 1998)		

Public Consultation:	1998/99	<b>Prior to 1998/99</b>
Submissions		
No of submissions received	9	70
Hearings		
No of hearings	4	6
Total duration	20.5 hours	38 hours
Location – Sydney	4	4
Regional NSW	_	2 (Newcastle and
		Tamworth)
Witnesses		
No of witnesses	38	40
Participants in other forms of consul	tation: 74	278
Seminars	_	167
Round table meetings	30	28
Briefings	<b>44</b> <sup>1</sup>	83

#### Outcomes/comments

In August 1998 the Government implemented the key recommendation from the Interim Report of December 1997, by launching a major community awareness campaign concerning workplace safety.

The Attorney General and Minister for Industrial Relations announced in March 1999 the Government's intention to fully implement all 29 recommendations contained in the Final Report of November 1998. The Attorney General described the Report in the following terms:

The inquiry by the Standing Committee [on Law and Justice] has been an historic opportunity for progressing debate and reforms of occupational health and safety in NSW. The inquiry has played an important role in promoting the growing awareness of health and safety issues, focussing public attention on the importance of health and safety at work and new directions in prevention...

I would like to announce this morning that the Carr Government will implement all 29 recommendations of the Upper House Committee's Final Report on Workplace Safety.

This is a distinguished report which is now a reference point for OH&S practitioners internationally and we believe the implementation of the recommendations will place NSW at the forefront of OH&S best practice.

<sup>1</sup>38 of these were during a study tour of UK, Scandinavia, Germany and the ILO in July 1998.

### 1.3.3 Inquiry into Crime Prevention through Social Support

#### **Terms of Reference:**

That the Standing Committee on Law and Justice undertake an inquiry into and report on the relationship between crime and the types and levels of social support afforded to families and communities, with particular reference to:

- (a) the impact of changes in the social services support system on criminal participation rates;
- (b) support programs that can assist in protecting people from developing delinquent or criminal behaviours; and
- (c) the type and level of assistance and support schemes needed to change offending behaviour.

## Date and Source of Reference: 20 May 1998, The Hon Jeff Shaw QC, MLC, Attorney General and Minister for Industrial Relations

Status of Inquiry:

Ongoing

Reports tabled	Take Note Debate	Government response
Proceedings of the Conference on Crime	N/A	No
Prevention through Social Support (date tabled		
2 December 1998		

Public Consultation:	1998/99
Submissions	24
No of submissions received	34
Hearings	
No of hearings	1
Total duration	6 hours
Location – Sydney	1
Regional NSW	_
Witnesses	
No of witnesses	6
Participants in other forms of consultation	
Seminars	185

#### Outcomes/comments

In June 1998 the Committee came to an agreement with the Attorney General to commence the inquiry with a major public conference in late 1998, and leave the detailed work on the reference until the new Parliament.

This inquiry was reactivated by the Legislative Council on 25 May 1999. The new Committee held its first public hearing on 17 June 1999 and will be actively pursuing this inquiry through the remainder of 1999. The Director of the Crime Prevention Division in the Attorney General's Department has recently outlined the scope of this inquiry in the following terms:

The Attorney General thought it was important that we give due consideration to the longer term, underlying causes of crime. So, in that sense he wished to establish a venue in which the full gamut of the issues could be explored in the considered and thorough way that is required... We are talking about generational change in many respects and we are talking about social and economic factors which are difficult to address and which are quite broad. ... This is a forum in which you can explore the underlying causes and make recommendations that could be used to guide the government of the day in how to proceed with focussing on crime prevention.

Туре	Date tabled	Title	
Report 1	16 November 1995	Crimes Amendment Mandatory Life Sentences Bill	
Report 2	28 May 1996	Motor Accidents Scheme – Proceedings of Public Seminar	
Report 3	9 December 1996	Motor Accidents Scheme – Interim Report	
Report 4	12 March 1997	Workplace Safety – Proceedings of Public Seminar	
Report 5	4 June 1997	Motor Accidents Scheme (Legal Costs) – Proceedings of Public Seminar	
Report 6	25 November 1997	Family Impact Commission Bill	
Report 7	15 December 1997	Motor Accidents Scheme – Second Interim Report	
Report 8	22 December 1997	Workplace Safety – Interim Report	
Issues Paper 1	27 February 1998	Workplace Safety – Issues Paper	
Report 9	17 November 1998	Motor Accidents Scheme – Final Report	
Report 10	26 November 1998	Workplace Safety – Final Report Volumes One and Two	
Report 11	2 December 1998	Crime Prevention through Social Support – Proceedings of Public Conference	

# 1.4 List of Committee Reports

# **Report on Performance**

# Standing Committee on Social Issues

# 1998–99

# including:

51st Parliament (1 July 1998 to 5 March 1999)

52nd Parliament (11 May 1999 to 30 June 1999)

# 2.1 Membership

51st Parliament (1 July 1998 to 5 March 1999) The Hon Jan Burnswoods MLC (ALP) The Hon Dr Marlene Goldsmith (Lib) The Hon Jim Kaldis MLC (ALP) The Hon Doug Moppett MLC (NAT) The Hon Peter Primrose MLC (ALP) The Hon Carmel Tebbutt MLC (ALP) The Hon Dr Arthur Chesterfield Evans MLC (Dem)

52nd Parliament (11 May to 30 June 1999) The Hon Jan Burnswoods MLC (ALP) The Hon Doug Moppett MLC (NAT) The Hon Dr Arthur Chesterfield Evans MLC (Dem) The Hon Andrew Manson MLC (ALP) The Hon Henry Tsang (ALP) Chair Deputy Chair

Chair Deputy Chair

#### Committee staff

Dr Jennifer Knight (on leave from 3 March 1999)	
Tony Davies (acting from 3 May 1999)	
Beverly Duffy	
Julie Langsworth	
Anita Tang (up to 11 September 1998)	
Alexandra Shehadie (leave without pay from 20 August 1997)	
Glen Baird (leave without pay from 7 April 1997)	
Heather Crichton	

#### Contact Details

Phone:	(02) 9230 3078
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#### 2.2 Statistical Summary – 1998/99

To a later	r
Inquiries:	5
Reports tabled:	4
Recommendations:	221
Meetings:	21
Public Consultation:	
No of Submissions received:	419
Hearings	
No of hearings	6
Total duration	23 hours
Location – Sydney	6
Regional NSW	—
Witnesses	
No of Witnesses	27
Participants in other forms of consultation:	
Briefings – Sydney	1
Community consultations	163
Total participants in inquiries:	610

#### 2.3 Inquiries

#### 2.3.1 Parent Education and Support Programs

#### **Terms of Reference:**

- (1) That the Standing Committee on Social Issues inquire into, and report on, the state of parent education in New South Wales and in particular:
  - the developmental needs of children, especially children under five, and the role and benefits to parents and the wider community in fulfilling these needs;
  - the value and support accorded to parents and parenting by the community;
  - the accessibility, relevance and flexibility of existing parent education and support programs;
  - the accreditation, funding, co-ordination, monitoring and evaluation of parent education and support programs, and the professional education and development of parent educators;
  - the appropriate role of parents, government, non-government organisations and educational institutions in the development, delivery and promotion of parent education and support programs; and
  - any other relevant matters.

The Committee will consider parent education and support programs for children aged 0 to 12 years. However the primary emphasis of the Inquiry is on parent education and support programs for children aged 0 to 5 years.

## Date and Source of Reference: 12 December 1997, Legislative Council (The Hon Alan Corbett MLC)

Status of Inquiry:	Complete (Final Report tabled 23 September 1998)
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Reports tabled	Take Note Debate	Government response
Working for Children:	_	_
Communities Supporting		
Families. Inquiry into Parent		
Education and Support		
Programs (date tabled		
23 September 1998)		

Public Consultation:	1998–99	<b>Prior to 1998–99</b>	
Submissions			
No of submissions received	3	102	
Hearings			
No of hearings	—	9	
Total duration	_	60 hours	
Location – Sydney	—	8	
Armidale	_	1	
Witnesses			
No of Witnesses	_	57	
Participants in other forms of consultation:			
Site Visits – Sydney	_	1	
Melbourne	_	1	
Video Conference	—	2	
Briefings – Sydney	1	7	
Victoria	_	14	

#### Outcomes/comments

The Report includes 89 recommendations to assist the Government to meet its responsibility to ensure the availability of adequate parent education and support programs. Whilst the Report did not generate substantial media coverage, the Report and Recommendations have been well received by individuals and organisations with an interest in this area.

The Government has not yet provided a formal response to the Report.

## 2.3.2 Inquiry into Hepatitis C in New South Wales

### Terms of Reference:

That the Standing Committee on Social Issues inquire into, and report on, the incidence and impact of Hepatitis C in New South Wales, and in particular:

(a) the social and economic impact of Hepatitis C in New South Wales and the implications for future policy and funding of health and community services;

- (b) the extent of the disease and its aetiology and epidemiology;
- (c) the adequacy of policies, and diagnostic and treatment services with particular attention to strategies for prevention, given current health budget constraints;
- (d) the groups and individuals in the community at increased risk of infection;
- (e) the extent of the infection in specific population groups at risk, and the adequacy of education/prevention and care treatment services available to them; and
- (f) the risks involved for health care workers and the adequacy of policies and procedures on occupational health and safety.

#### Date and Source of Reference: May 1997, Dr Andrew Refshauge MP, Minister for Health

#### Status of Inquiry:

Complete (Final Report tabled 11 November 1998)

Reports tabled	Take Note Debate	Government response
Hepatitis C: The Neglected Epidemic. Inquiry into Hepatitis C in New South Wales (date tabled 11 November 1998)		

Public Consultation:	1998–99	<b>Prior to 1998–99</b>
Submissions		
No of submissions received	_	123
Hearings		
No of hearings	_	11
Total duration	_	30 hours
Location – Sydney	_	11
Regional NSW	-	_
Witnesses		
No of witnesses	_	69
Participants in other forms of consultation	on:	
Site Visits	_	3 agencies

#### Outcomes/comments

The Report was extremely well received and its release was the subject of considerable media coverage. Following the release of the Report, the Committee received letters of support from a range of organisations and individuals, including the Anti-Discrimination Board, the Hepatitis C Council, the Australian National Council on Aids and Related Diseases and Dr Geoffrey Farrell, Professor of Hepatic Medicine at Westmead Hospital.

Whilst a formal Government response has not yet been received, the Government has announced that it will adopt some of the key measures recommended in the Report. On 1 August 1999, the Minister for Health, The Hon Craig Knowles MP, announced a doubling of recurrent funding for Hepatitis C programs to almost \$1.5 million for 1999–2000. The Minister announced that recommendations to be implemented by NSW will include:

• upgrading the departmental Hepatitis Advisory Committee to a Ministerial Advisory Committee

- Increased funding and better integration of the Needle and Syringe Program
- Development of new education resources and a public education campaign
- Enhancement of recurrent funding for treatment care, support and laboratory services.

Some of the issues raised by the Report have also been dealt with by the Government in the context of the recent Drug Summit.

### 2.3.3 Inquiry into Dedicated Seats in the New South Wales Parliament

#### **Terms of Reference:**

That the Standing Committee on Social Issues inquire into, and report on, the provision of legislation for dedicated Aboriginal seats in the Parliament of New South Wales

Date and Source of Reference: 20 September 1995, The Hon Franca Arena MLC

**Status of Inquiry:** Complete (Final Report tabled 23 November 1998)

Reports tabled	Take Note Debate	Government response
Aboriginal Representation in Parliament, Issues Paper No 3 (date tabled April 97)	N/A	N/A
Enhancing Aboriginal Political Representation. Inquiry into Dedicated seats in the NSW Parliament (date tabled 23 November 1998)		
Public Consultation:	1998–99	Prior to 1998–99
Submissions No of submissions receive	ed 5	35
Hearings		
No of hearings	2	3
Total duration	6 hours	10 hours
Location – Sydney	2	3
Regional NSW	-	_
Witnesses	-	10
No of witnesses	7	12
Participants in other forms		-
No of consultations	4	5
Total duration	28 hours	30.5 hours
Location – Redfern Parramatta	—	60 22
Armidale	—	22 95
Moree	_	30
Lismore	_	65
Wagga Wagga	55	_
Batemans' Bay	48	_
Coffs Harbour	45	_
Dubbo	15	_

#### Outcomes/comments

The Committee made several conclusions regarding the possible establishment of an Aboriginal Assembly (not supported by the non-government members), the role of political parties in encouraging Aboriginal participation, funding of an education program for indigenous people about the electoral system and the extension of the local government Aboriginal mentoring program.

A formal response by the Government is not required as the report did not include any recommendations.

#### 2.3.4 Inquiry into Past Adoption Practices

#### Terms of Reference:

That the Standing Committee on Social Issues inquire into, and report on:

- (1) The professional practices in the administration and delivery of adoption and related services, particularly those services relating to the taking of consents, offered to birth parents and children in New South Wales from 1950 to 1998;
- (2) Whether adoption practices referred to in clause one involved unethical and unlawful practices or practices that denied birth parents access to non adoption alternatives for their child; and
- (3) If so, what measures would assist persons experiencing distress due to such adoption practices.

The Committee will consider adoption practices in New South Wales from 1950 to 1998. However, the primary emphasis of the Inquiry will be on the practices occurring before the introduction of the Adoption Information Act 1990.

#### Date and Source of Reference: June 1998, The Hon Faye Lo Po', MP,

Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Women.

#### Status of Inquiry:

Ongoing

Reports tabled	Take Note Debate	Government response
Interim Report on Inquiry into Adoption Practices: Transcript of Evidence (date tabled 17 November 1998)	N/A	N/A

Public Consultation:	1998–99
<b>Submissions</b> No of submissions received	276
Hearings	
No of hearings	4
Total duration	17 hours
Location – Sydney	4
Regional NSW	_
Witnesses	
No of witnesses	20
Participants in other forms of consultation	: –

#### Outcomes/comments

The inquiry is ongoing.

### 2.3.5 Inquiry into De Facto Relationships (Amendment) Bill 1998

#### Terms of Reference:

That the Standing Committee on Social Issues inquire into, and report on:

- The rights and obligations of persons in interdependent personal relationships other than those defined in the De Facto Relationships Act, 1984; and
- The extension of those rights in the De Facto Relationships Amendment Bill, 1998, introduced into the Legislative Council on 24 June 1998.

### Date and Source of Reference: 15 October 1998, The Hon Jeff Shaw QC MLC, Attorney General and Minister for Industrial Relations

Status of Inquiry: Ongoing

Reports tabled	Take Note Debate	Government response
-	_	_
Public Consultation:	1998/99	
Submissions		
No of submissions received	135	
Hearings		
No of hearings	_	
Total duration	-	
Location – Sydney	-	
Regional NSW	-	
Witnesses		
No of witnesses	_	
Participants in other forms of	consultation: –	

The inquiry is ongoing.

Туре	Date tabled	Title
Report 1	October 1989	Accessing Adoption Information
Report 2	December 1990	Drug Abuse Among Youth
Report 3	October 1991	Medically Acquired HIV
Report 4	May 1992	Juvenile Justice in New South Wales
Report 5	March 1993	Births, Deaths and Marriages: An Open Register?
Report 6	December 1993	Sexual Violence: The Hidden Crime Part 1
Report 7	November 1994	Suicide in Rural New South Wales
Report 8	September 1995	Youth Violence in New South Wales
Report 9	April 1996	Sexual Violence: Addressing the Crime Part 2
Report 10	September 1996	Children's Advocacy
Report 11	June 1997	Caring for the Aged: An Interim Report of the Inquiry into Aged Care and Nursing Homes
Report 12	July 1997	Children of Imprisoned Parents
Report 13	August 1997	Clinical Trials and Guardianship: Maximising the Safeguards
Report 14	September 1997	Caring for the Aged: Final Report of the Inquiry into Aged Care and Nursing Homes
Report 15	September 1998	Working for Children: Communities Supporting Families. An Inquiry into Parent Education and Support Programs
Report 16	November 1998	Hepatitis C: The Neglected Epidemic. Inquiry into Hepatitis C in New South Wales
Report 17	November 1998	Interim Report on Inquiry into Adoption Practices: Transcripts of Evidence from 27 August to 19 October 1998
Report 18	November 1998	Enhancing Aboriginal Political Representation. Inquiry into Dedicated Seats in the New South Wales Parliament

# 2.4 List of Committee Reports

# **Report on Performance**

# Standing Committee on State Development

# 1998-99

including:

51st Parliament (1 July 1998 to 5 March 1999)

52nd Parliament (11 May 1999 to 30 June 1999)

#### 3.1 Membership

51st Parliament (1 July 1998 to 5 March 1999)
The Hon Tony Kelly MLC (ALP)
The Hon Dr Brian Pezzutti MLC (LIB)
The Hon Ian Cohen MLC (GRN)
The Hon John Johnson MLC (ALP)
The Hon Ian Macdonald MLC (ALP)
The Hon Jennifer Gardiner MLC (NAT)
The Hon Eddie Obeid MLC (ALP)

52nd Parliament (11 May 1999 to 30 June 1999) The Hon Tony Kelly MLC (ALP) The Hon Dr Brian Pezzutti MLC (LIB) The Hon Ian Cohen MLC (GRN) The Hon John Johnson MLC (ALP) The Hon Ian Macdonald MLC (ALP) Chairman Deputy Chair

Chairman Deputy Chair

Committee staff	
Committee Director	Anna McNicol
Senior Project Officers	Steven Carr
	Anna George (to 6 May 1999)
Committee Officer	Annie Marshall (from 30 November 1998) Matthew Scott (to 30 October 1998) Kylie Haines (5 November 1998 – 24 December 1998)

#### Contact Details

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#### 3.2 Statistical Summary – 1998/99

Inquiries:	5
Reports tabled:	4
Recommendations:	11
Meetings:	19
Public Consultation:	
No of submissions received:	151
Hearings	
No of Hearings	16
Total Duration	62.5 hours
Location – Sydney	6
Regional NSW	10
Witnesses	129
Participants in other forms of consultation:	
Site Visits	48
Total participants in inquiries:	328

### 3.3 Inquiries

#### 3.3.1 Inquiry into Future Employment and Business Opportunities in the Hunter Region and the Downsizing of the Rack Rite Investment Proposal

#### **Terms of Reference:**

1.0

That the Standing Committee on State Development investigate and report on future employment and business opportunities in the Hunter region, including environmentally sustainable industries.

#### Additional:

That the Standing Committee on State Development, in conjunction with its Hunter reference, inquire into and report on the matter relating to the downsizing of the Rack Rite investment proposal.

Date and Source of Reference: 23 June 1997, Legislative Council (The Hon Michael Egan MLC)

Date and Source of	
Additional Reference:	6 February 1998, The Hon Harry Woods MP,
	Minister for Regional Development and Rural Affairs

#### Status of Inquiry: Complete (Final Report tabled 1 July 1998)

Reports tabled	Take Note Debate	Government response
Discussion Paper on Future Employment and Business Opportunities in the Hunter Region (published October 1997)	N/A	_
Report on Future Employment and Business Opportunities in the Hunter Region and The Downsizing of the Rack Rite Investment Proposal. (date tabled 1 July 1998)	21 October 1998 28 October 1998 (incomplete)	29 July 1998 (Rack Rite) 6 July 1999 (Hunter)

Public Consultation:	1998–99	<b>Prior to 1998–99</b>
Submissions		
No of submissions received	-	46
Hearings		
No of Hearings	-	9
Total duration	-	43 hours
Location – Sydney	-	1
Newcastle	-	8
Witnesses		
No of witnesses	-	75
Participants in other forms of consulta	ation: –	10
Briefings – Sydney	-	1
Site Visits – Hunter Region	_	9

#### Outcomes/comments

The report, which was welcomed by the Hunter community, made twenty recommendations relating to future employment and business opportunities in the Hunter region. The government provided a generally favourable response to the Committee's recommendations, particularly those relating to industry and infrastructure development.

The Committee's recommendation relating to Rack Rite resulted in the Minister for Regional Development making representation to the Federal Minister for Immigration. As a result, the Federal Department of Immigration advised it would be reviewing its processing of visa applications to help prevent the loss of future investment proposals to New South Wales.

#### 3.3.2 Inquiry into the Role of Government in Facilitating the International Competitiveness of Agriculture in New South Wales

#### **Terms of Reference:**

That the Standing Committee on State Development inquire into and report on the role of Government in facilitating the international competitiveness of agriculture in New South Wales, including:

- innovation and diversification of the industry, including the development of new products and the application of new technology;
- business enhancement services (for example, marketing and market intelligence, industry links/network, and leadership);
- regulatory impediments, and inter and intra government coordination;
- cost structures of the industry (for example, transport costs, packaging costs, state taxes and charges, and utility charges); and
- the development of sustainable management of agricultural resources.

Date and Source of Reference: 7 July 1995, The Hon Richard Amery MP, Minister for Agriculture

Ongoing

Status of Inquiry:

Reports tabled	Take Note Debate	Government response
Discussion Paper on the International Competitiveness of Agriculture in New South Wales (published May 1998)	N/A	N/A
Public Consultation:	1998–99	<b>Prior to 1998–99</b>
Submissions		
No of submissions receive	ed 20	13
Hearings		
No of hearings	7	3
Total duration	29.5 hours	10.5 hours
Location – Sydney	2	1
Coffs Harbour	1	_
Griffith	1	—
Lismore	2	_ 1
Orange Wagga Wagga	- 1	1
Wellington	-	- 1
Witnesses		1
No of witnesses	57	19
Participants in other forms		11
Site Visits – Dubbo		3
Yanco	9	_
Narranderarra	2	-
Lismore	26	-
Coffs Harbour	5	-
Round table discussion	-	8

#### Outcomes/comments

As of 30 June 1999, the Standing Committee had received a substantial amount of evidence relating to the role of Government in facilitating the international competitiveness of agriculture in New South Wales. The Committee will draw on the information it has already received, along with new material, when continuing the inquiry.

# 3.3.3 Inquiry into the Provision and Operation of Rural and Regional Air Services in New South Wales

#### Terms of Reference:

That the Standing Committee on State Development inquire into and report on the provision and operation of rural and regional air services in New South Wales, and in particular the impact on country communities of:

- landing fees at Sydney (Kingsford Smith) Airport;
- landing fees at regional airports;
- the allocation of slot times at Sydney (Kingsford Smith) Airport;

- proposals to limit access to Sydney (Kingsford Smith) Airport and direct country services to Bankstown Airport; and
- the impacts of deregulation of New South Wales air services on the provision of services to smaller regional centres and towns in New South Wales including consideration of measures to maintain services.

#### Date and Source of Reference: 28 May 1998, The Hon Carl Scully MP, Minister for Transport

Status of Inquiry:	Partially complete. Terms of reference lapsed at the	
	end of the 51st Parliament.	

Reports tabled	Take Note Debate	Government response
Interim Report on the provision and operation of rural and regional air services in New South Wales (date tabled 24 September 1998)	_	_

Public Consultation:	1998–99	<b>Prior to 1998–99</b>
Submissions		
No of submissions received	79	3
Hearings		
No of hearings	8	1
Total duration	28 hours	2 hours
Location – Sydney	3	_
Coffs Harbour	1	_
Newcastle	1	_
Lismore	1	_
Orange	-	1
Griffith	1	_
Wagga Wagga	1	—
Witnesses		
No of witnesses	55	2
Participants in other forms of consu	ultation:	
Site visits – Sydney	6	_

#### Outcomes/comments

The Committee's interim report contained ten recommendations relating to landing fees and slot allocations at Sydney (Kingsford Smith) Airport, and to the direction of regional services to Bankstown Airport (all Federal Government issues). It also recommended that the State Government defer deregulating regional air services until the Committee further investigated the matter, but did not make any recommendations about landing fees at regional airports.

While the government has not yet provided a formal response to the report, the New South Wales Minister for Transport wrote to the Chair of the Committee in February 1999 advising he had written to the Federal Minister for Transport seeking the Federal Minister's views on those recommendation relating to Federal Government issues. In that letter, the New South Wales Minister for transport undertook to provide a copy of the Federal Minister's response, to the Standing Committee. Correspondence sent directly to the Chair of the Committee from Federal Minister for Transport, dated 27 November 1998, indicated that the Federal Government felt there was no need to implement the recommended actions.

#### 3.3.4 Inquiry into the Use and Management of Pesticides in New South Wales

#### **Terms of Reference:**

In the light of:

- its inquiry into the Role of Government in Facilitating the International Competitiveness of Agriculture in New South Wales, and
- the widespread community consultation that was conducted in 1997 by the NSW Environment Protection Authority in conjunction with the Government's Discussion Paper on Improving Pesticide Management in NSW;

the Standing Committee on State Development inquire into and report on issues associated with all pesticide use in NSW and options for future policy and/or programs related to the management of pesticides, including all agricultural chemicals, having particular regard to:

- the sustainability of agricultural activities which currently rely on intensive pesticide use;
- the social, health, environmental and trade interests of the agricultural and wider community, including the need for avoiding and reducing the risks associated with pesticide use;
- the role of pesticide users, local government, State agencies and other stakeholders (including environment and other community groups) in the resolution of local conflicts in relation to pesticide use; and
- any opportunities for industry to address the issues through research and development (on aspects such as less pesticide-dependent plant varieties, improved pesticide products and application techniques) and the development and implementation of best management practices for pesticide use.

For the purposes of the inquiry, the Minister for the Environment has advised that the term pesticides includes herbicides, bactericides, pest baits, fungicides, insecticides, pest lures, rodenticides and pest repellents.

Date and Source of Reference: 23 November 1998, The Hon Pam Allen MP, Minister for the Environment

#### Status of Inquiry:

Ongoing

Reports tabled	Take Note Debate	Government response
_	_	_

Public Consultation:	1998–99
Submissions No of submissions received	52
<b>Hearings</b> No of hearings Total duration Location – Sydney	1 5 hours 1
Witnesses No of witnesses	17

#### Outcomes/comments

The Committee will continue the pesticides inquiry during the second half of 1999, with additional hearings scheduled for regional New South Wales and Sydney in July and August. The Committee intends to table a report in the Legislative Council in September 1999, detailing its findings and recommendations for action.

# 3.3.5 The Impact of Long-term Caravan Park Residents on the Goods and Services Provided by Local Government

#### **Terms of Reference:**

That the Standing Committee on State Development inquire into and report on the impact of long-term caravan park residents on the goods and services provided by local government, including:

- the nature and quantity of local infrastructure utilised by long-term residents of caravan parks, and
- the financial and planning implications of such usage for local governments.

#### Date and Source of Reference: 3 November 1996, The Hon Ernie Page MP, Minister for Local Government

Status of Inquiry:

Uninitiated. Terms of reference lapsed at the end of the 51st Parliament.

# 3.4 List of Committee Reports

Туре	Date tabled	Title
Discussion Paper 1	May 1989	Discussion Paper on Public Sector Tendering & Contracting in New South Wales: A Survey
Report 1	August 1989	Report on Public Sector Tendering & Contracting in New South Wales: Supply of Goods and Services
Report 2	October 1989	Report on Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting
Discussion Paper 2	November 1989	Discussion Paper on Coastal Development in New South Wales: Public Concerns and Government Processes
Discussion Paper 3	June 1990	Discussion Paper on Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting: Management Options
Report 3	April 1991	Report on Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting: Volume A
Report 4	September 1991	Report on Coastal Planning and Management in New South Wales: A Framework for the Future: Volume
Supplement to 4	September 1991	An Alternative Dispute Resolution Primer
Report 5	December 1991	Report on Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting: Volume B
Report 6	December 1991	Report on Payroll Tax Concessions for Country Industries: Volume I
Report 7	June 1992	Report on Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting: Follow Up Report
Report 8	October 1992	Report on Coastal Planning and Management in New South Wales: the Process for the Future: Volume ii
Report 9	April 1993	Report on Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting: Follow Up Report
Discussion Paper 4	August 1993	Discussion Paper on Regional Business Development in New South Wales: Trends, Policies and Issues
Report 10	May 1994	Report on Regional Business Development in New South Wales: Achieving Sustainable Growth: Principles for Setting Policy, Volume One

Туре	Date tabled	Title
Report 11	November 1994	Report on Regional Business Development in New South Wales: Achieving Sustainable Growth: Initiatives for Setting Policy, Volume Two
Report 12	August 1996	Report on Rationales for Closing the Veterinary Laboratories at Armidale and Wagga Wagga and the Rydalmere Biological and Chemical Research Institute
Report 13	October 1996	Report on Factors Influencing the Relocation of Regional Headquarters of Australian and Overseas Corporations to New South Wales
Report 14	April 1997	Report on Interim Report on The Fisheries Management Amendment (Advisory Bodies) Act 1996
Report 15	April 1997	Report on Waste Management and Minimisation
Report 16	June 1997	Report on Fisheries Management Amendment Advisory Bodies Act 1996
Report 17	September 1997	Report on Fisheries Management and Resource Allocation in New South Wales
Discussion Paper 5	October 1997	Discussion Paper on Future Employment and Business Opportunities in the Hunter Region
Report 18	March 1998	Report on Operations of the Sydney Market Authority (Dissolution) Bill from Commencement until 31 December 1997
Discussion Paper 6	May 1998	Discussion Paper on The Role of Government in Facilitating the International Competitiveness of Agriculture in New South Wales
Report 19	July 1998	Report on Future employment and business opportunities in the Hunter region and the Downsizing of the Rack Rite Investment Proposal
Report 20	September 1998	Interim Report on Provision and operation of rural and regional air services in New South Wales Vol 1 & Vol 2

# 3.4 List of Committee Reports—continued

# **APPENDIX 5**

### LEGISLATIVE COUNCIL GENERAL PURPOSE STANDING COMMITTEES

### General Purpose Standing Committee No. 1

Members of the Committee: 1 July 1998 – 5 March 1999 (expiry of 51st Parliament) Revd Mr Nile (Chair) Mr Johnson (Deputy Chair) Mr Gallacher Mr Moppett Mr Primrose

From appointment in 52nd Parliament to 30 June 1999: Revd Mr Nile (Chair) Mr Kelly (Deputy Chair) Mrs Forsythe Mr Moppett Mr Primrose Mr Tsang Dr Wong

Reports tabled between 1 July 1998 and 30 June 1999:

- Report on the Inquiry into Changes in Land Tax in New South Wales, dated July 1998 (Tabled 2 July 1998)
- Interim Report on the Inquiry into the Impact of the National Electricity Market on the Finances of the New South Wales Government, dated November 1998 (Tabled 25 November 1998)

### General Purpose Standing Committee No. 2

Members of the Committee: 1 July 1998 – 5 March 1999 (expiry of 51st Parliament) Miss Gardiner (Chair) Dr Chesterfield-Evans Mr Kelly Dr Pezzutti Ms Saffin From appointment in 52nd Parliament to 30 June 1999: Dr Pezzutti (Chair) Dr Chesterfield-Evans (Deputy Chair) Mr Corbett Mr Dyer Mr Moppett Ms Saffin Mr Tsang

Reports tabled between 1 July 1998 and 30 June 1999:

• Interim Report: Inquiry into Rural and Regional New South Wales Health Services, dated July 1998 (Tabled out of session on 21 July 1998)

- Inquiry into Rural and Regional New South Wales Health Services: Transcript of Evidence given by Dr Owen James at a Public Hearing of General Purpose Standing Committee No 2 on 19 October 1998, dated February 1999 (Tabled out of session on 3 February 1999)
- Inquiry into Rural and Regional New South Wales Health Services: The Transcripts of Evidence for Public Hearings held between 14 November 1997 and 23 October 1998, dated February 1999 (Tabled out of session on 3 February 1999)
- Second Interim Report of the Inquiry into Rural and Regional Health Services: Rural Doctors, Aged Care & Mental Health, dated February 1999 (Tabled out of session on 3 February 1999)

### **General Purpose Standing Committee No.3**

Members of the Committee: 1 July 1998 – 5 March 1999 (expiry of 51st Parliament) Mr Vaughan (Chair) Dr Burgmann Mr Gallacher Mr Lynn Mrs Nile From appointment in 52nd Parliament to 30 June 1999: Mrs Sham-Ho (Chair) Mr Hatzistergos (Deputy Chair)

Mr Harwin Mr Johnson Mr Manson Ms Rhiannon Mr Samios

No reports were tabled between 1 July 1998 and 30 June 1999.

### General Purpose Standing Committee No. 4

Members of the Committee: 1 July 1998 – 5 March 1999 (expiry of 51st Parliament) Mr Macdonald (Chair) Mr Cohen (Deputy Chair) Dr Goldsmith Mr Obeid Mr Smith From appointment in 52nd Parliament to 30 June 1999: Miss Gardiner (Chair) Mr Cohen (Deputy Chair) Mr Hatzistergos Mr Lynn Mr Macdonald Mr Manson Mr Oldfield Ms Saffin

No reports were tabled between 1 July 1998 and 30 June 1999

### General Purpose Standing Committee No. 5

Members of the Committee: 1 July 1998 – 5 March 1999 (expiry of 51st Parliament) Mr Jones (Chair) Ms Burnswoods Mr Kersten Mr Ryan Ms Tebbutt

From appointment in 52nd Parliament to 30 June 1999: Mr R Jones (Chair) Mr Dyer (Deputy Chair) Ms Burnswoods Mr Gay Mr Jobling Mr Johnson Mr M Jones Mr Ryan

No reports were tabled between 1 July 1998 and 30 June 1999.

# **APPENDIX 6**

### LEGISLATIVE COUNCIL SESSIONAL COMMITTEES

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
House	The President (Chairman) The Hon. Dr M. A. Burgmann (ALP) The Hon. A. G. Corbett (BFFC) The Hon. J. H. Jobling (LIB) The Hon. J. R. Johnson (ALP) The Hon. J. R. Johnson (ALP) The Hon. A. B. Kelly (ALP) The Hon. I. M. Macdonald (ALP) The Hon. A. B. Manson (ALP) The Hon. D. F. Moppett (ALP) The Hon. H. W. Sham-Ho (ALP) The Hon. H. S. Tsang (ALP)	Nil	N/A
Joint Library	The President (Chairman) The Hon. Dr M. A. Burgmann (ALP) The Hon. J. C. Burnswoods (ALP) The Hon. Dr A. Chesterfield-Evans (AD) The Hon. A. G. Corbett (BFFC) The Hon. R. D. Dyer (ALP) The Hon. J. A. Gardiner (NP) The Hon. J. A. Gardiner (NP) The Hon. J. R. Johnson (ALP) The Hon. J. R. Johnson (ALP) The Hon. A. B. Kelly (ALP) The Hon. J. A. Saffin (ALP)	Nil	N/A
Printing	The Hon. A. B. Manson (ALP) (Chairman) The Hon. A. G. Corbett (ALP) The Hon. J. Hatzistergos (ALP) The Hon. J. F. Ryan (LIB) The Hon. J. A. Saffin (ALP)	Report No. 2 Report No. 3 Report No. 4	2/7/98 26/11/98 3/12/98
Standing Orders	The President (Chairman) The Hon. Dr M. A. Burgmann (ALP) The Hon. R. T. M. Bull (ALP) The Hon. J. J. Della Bosca (ALP) The Hon. J. P. Hannaford (LIB) The Hon. J. P. Hannaford (LIB) The Revd the Hon. F. J. Nile (CDP) The Hon. E. M. Obeid (ALP) The Hon. E. M. Obeid (ALP) The Hon. H. W. Sham-Ho (IND) The Hon. J. W. Shaw (ALP) The Hon. C. M. Tebbutt (ALP)	Nil	Nil

# APPENDIX 7 STATISTICS

### HUMAN RESOURCES STATISTICS

#### NUMBER OF CES/SES POSITIONS

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

#### **ESTABLISHMENT LIST**

#### Legislative Council Staff Establishment for Four Years

	30/6/96	30/6/97	30/6/98	30/6/99
Chamber Officers				
Clerk	1	1	1	1
Deputy Clerk	1	1	1	1
Clerk Assistant – Procedure	1	1	_	—
Clerk Assistant – Committees				
and Usher of the Black Rod	1	1	1	1
Clerk Assistant – Procedure				
and Administration	_	_	1	1
Total	4	4	4	4
Office of the Clerk				
Executive Secretary, Office of the Clerk	1	1	1	1
Secretary, Office of the Clerk	1	1	1	-
Project Officer	1	- 1	1	1
Senior Project Officer	1	1	1	1
Administrative Assistant – Projects		1	1	1
		-	-	-
Total	4	4	4	4
Procedure Office				
Manager, Procedure Office and				
Deputy Usher of the Black Rod	1	1	1	1
Parliamentary Officer – Bills	1	1	1	1
Parliamentary Clerical Officer	1	1	1	1
Parliamentary Officer – Papers and Procedure	1	1	1	1
Total	4	4	4	4
Office of the Usher of the Black Rod				
Parliamentary Officer – Members Services	1	1	1	1
Parliamentary Officer – Members & Committees	1	1	1	1
Parliamentary Officer – Protocol	1	1	1	1
Parliamentary Clerical Officer	1	1	1	1
Total	4	4	4	4
	•	•	•	•

	30/6/96	30/6/97	30/6/98	30/6/99
Administration Office				
Clerk Assistant – Administration	1	1	_	_
Parliamentary Officer – Administration				
(Policy and Projects)	1	1	1	_
Parliamentary Officer – Administration	1	1	1	4
(Projects)	1	1	1	1
Parliamentary Officer – Administration (Projects) (Part time)	0.5	0.5	0.5	0.5
Parliamentary Officer – Administration	0.5	0.5	0.5	0.5
(Personnel and Training)	1	1	1	1
Parliamentary Officer – Administration	-	_	-	-
(Finance)	1	1	1	1
Parliamentary Officer – Administration				
(Records)	1	1	1	_
Parliamentary Clerical Officer	1	_	_	_
Parliamentary Officer – Administrative				
Assistant	—	1	1	1
Senior Policy and Projects Officer	_	_	_	1
Parliamentary Officer – Administration				4
(Document Management)	—	—	—	1
Total	7.5	7.5	6.5	6.5
President's Staff				
Executive Officer	1	1	1	1
Secretary to President	1	1	1	1
Assistant Secretary	1	_	_	_
General Assistant	1	1		_
Secretary/Research Assistant	—	1	1	2
Assistant	_	_	1	_
Total	4	4	4	4
Attendants				
Principal Attendant	1	1	1	1
Deputy Principal Attendant	1	1	1	1
Senior Chamber Attendant	1	1	1	1
Chamber Attendant	1	1	1	1
Relieving Chamber Attendant	3	3	3	3
Attendant	3	3	3	3
Total	10	10	10	10
Members' Staff				
Secretary/Research Assistants	45	45	45	49
Secretary to Chair of Committees	—	_	—	1
Total	45	45	45	50
Committees Staff				
Director	3	3	3	3
Senior Project Officer	4	4	4	4
Secretary to Chair	0.5	0.6	0.75	0.75
Committee Officer	3	3	3	3
Assistant Committee Officer	3	3	3	3
Total	13.5	13.6	13.75	13.75
Total Staff Employed by the				
Legislative Council	96	96.1	95.25	100.25
0				

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

## EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT

Table 1 Percent of Total Staff by Level

		Subgroup as Percent of Total Staff at each Level			Subgroup as Estimated Percent of Total Staff at each level				
LEVEL	Total Staff (Number)	Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno- Religious Minority Groups	People whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Adjust- ment at Work
<\$25,761	0								
\$25,761 - \$37,825	12	83%	58%	42%	0.0%	40%	20%	10%	0.0%
\$37,826 - \$47,866	40	60%	45%	55%	0.0%	17%	8%	0%	0.0%
\$47,867 - \$61,899	44	82%	27%	73%	0.0%	33%	19%	0%	0.0%
> \$61,899 (non SES)	12	92%	58%	42%	0.0%	19%	0%	8%	8.3%
SES	0								
TOTAL	108	75%	41%	59%	0.0%	26%	13%	2%	0.9%
Estimated Subgroup	Totals	81	44	64	0	28	14	2	2

### Table 2 Percent of Total Staff by Employment Basis

		Subgroup as Percent of Total Staff at each category			Subgroup as Estimated Percent of Total Staff in each Employment Category				
EMPLOYMENT BASIS	Total Staff (Number)	Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno- Religious Minority Groups	People whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Adjust- ment at Work
Permanent Full-Time	72	83%	38%	63%	0%	28%	15%	3%	1.7%
Permanent Part-Time	8	63%	38%	63%	0%	20%	0%	0%	0%
Temporary Full-Time	17	71%	53%	47%	0%	25%	17%	0%	0%
Temporary Part-Time	11	36%	45%	55%	0%	25%	0%	0%	0%
Contract SES	0								
Contract non SES	0								
Casual	0								
TOTAL	108	75%	41%	59%	0%	27%	13%	2%	1.1%
Estimated Subgroup	Totals	81	44	64	0	29	14	2	1

Note: Figures for EEO groups other than women have been adjusted to compensate for the effects of non-response to the EEO data collection. EEO statistics reported in years prior to 1998 may not be comparable due to a change in the method of estimating EEO group representation.

# APPENDIX 8 PUBLICATIONS

Various publications dealing with the functions and activities of the Department were available to the public in 1998/99. This material was of two types: publications relating directly to the functioning of the House and its Committees; and material intended primarily for the information of the public.

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

- *Alphabetical List of Acts.* A record of all acts passed by the Legislative Council since 1856, and whether they have been repealed, reprinted or are still in force.
- A Precis of Business and Procedures
- Guide to Occupants of the Chair
- *Journal of the Legislative Council.* The Department produces on a sessional basis bound volumes of the Minutes of Proceedings together with an index and other information related to proceedings in the House.
- List of Members.
- Manual for Estimates Committees
- Manual on Practices and Procedures for Committee Members
- *Minutes of the Proceedings*. These are the records of the decisions and proceedings of the House.
- Notices of Motions and Orders of the Day paper.
- *Parliamentary Record.* Contains details of Members from 1824 including date of election, ministerial portfolios held, date and manner of ceasing to be a Member. Also contains information concerning the duration of Parliaments and composition of Ministries.
- Procedural Highlights
- Questions and Answers paper
- Register of Members' Interests. Scheme of Disclosure of Pecuniary and other interests of Members of Parliament (Explanatory Notes).
- Sessional Orders
- Sessional Resolutions
- Sessional Rulings of the President
- Standing Committee and Select Committee Reports.
- Standing Orders
- *Statutory Rules and Instruments paper.* Contains details of statutory rules or regulations which appear in the Government Gazette.

• The Notice Paper: How it works - manual

#### Material for the information of the public

- Australia's First Parliament (2nd Edition)
- Booklet commemorating the 50th anniversary of the end of World War II
- Booklet on the Legislative Council
- Booklet on Black Rod
- *"Fact sheets".* Information sheets dealing with aspects of the history and functions of the Legislative Council and procedures followed in the House.
- Witnesses appearing before Committees Making a submission before a Committee Role of a Member of the Legislative Council – Pamphlets
- *History Bulletins* nine pamphlets on historical aspects of the parliament, the building and some of the notable people associated with it.
- Photographic publication of the Members and officers of the Legislative Council
- Presiding Officers of the Legislative Council

# APPENDIX 9 GUARANTEE OF SERVICE

#### OUR ROLE

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

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

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

#### **OUR CLIENTS**

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

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

#### HOW WE WORK WITH OUR CLIENTS

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

#### 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
- fairness • conscientiousness
- impartiality
- compassion
- professionalism • trustworthiness
- loyalty to the interests of Members

### 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 10

### **RISK MANAGEMENT AND INSURANCE**

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

Of the five categories, worker's compensation represents the largest premium cost and risk management challenge in achieving a reduction in both the number and cost of claims incurred. For the 1998–99 financial year 28 worker's compensation claims were lodged by all Parliamentary and Electorate staff, at a cost of \$315,356.

None of these 28 claims related to Legislative Council staff which is an excellent result when compared with the five claims accepted last financial year and the overall numbers of claims lodged by other Parliamentary employees. Notwithstanding this achievement it is necessary to continue with the existing education and injury prevention awareness program to ensure a similar result is achieved in subsequent years.

The Legislative Council lodged one motor vehicle insurance claim for minor damage during the reporting year at a cost of \$1,978 compared with a total of three claims by the Parliament as a whole at a cost of \$6,063. This is expected to lead to an increase in premiums for the subsequent financial year.

A total of 16 property insurance claims were lodged by the Parliament during the reporting year which represents a significant improvement on the 22 claims lodged in the previous year. Of these 16 claims eight were for loss or theft of mobile telephones. During the year a policy on the loss of portable equipment and mobile telephones was developed in order to make the custodians more accountable for equipment under their control and reduce the incidence of loss and theft. The overall value of the 16 claims lodged totalled \$12,285 for which the Legislative Council was responsible for 2 claims at a cost of \$961.

No liability insurance claims were lodged during the reporting year which continues the Parliament's excellent record in adopting a pro-active response to the adoption of risk management strategies and practices in public areas of the Parliament House building.

In respect to the miscellaneous category of insurance one claim was lodged by the Legislative Council relating to Health and Medical expenses incurred by one person whilst overseas on official business. The cost of this claim was \$433 and this is unlikely to impact on future premiums for this category of insurance.

# APPENDIX 11 MISCELLANEOUS REPORTING

#### AMOUNT OF RECREATION/LONG SERVICE LEAVE

The Legislative Council Recreation Leave Liability as at 30 June 1999 was \$411,245.69. 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 AThe Crown Transactions Entity@ which is administered by Treasury. The value of the Legislative Councils Long Service Leave included in the Crown Transactions Entity as at 30 June 1999 was \$654,073.28. This includes Legislative Council Members staff, Administrative and Committee staff.

#### ANNUAL REPORT INFORMATION

300 copies of the Annual Report were printed at an estimated average cost of \$10.00 per copy. In addition, 500 copies of a short form version of the Annual Report were printed at an estimated average cost of 50 cents per copy.

#### CODE OF CONDUCT

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

#### CONSUMER RESPONSE

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

#### CONSULTANTS

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

*Consultants less than* \$30,000 – Two consultants were engaged on three separate occasions at a total cost of \$14,007.

#### 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 1998–99.

#### LEGAL CHANGE

#### Egan v Willis (1998) 158 ALR 152

The High Court upheld the decision of the NSW Court of Appeal in *Egan v Willis & Cahill* (1996) 40 NSWLR 650 that the Legislative Council had the power to call for State papers from a Minister in the House.

#### Egan v Chadwick [1999] NSWCA 176

The New South Wales Court of Appeal held that the Legislative Council had the power to compel a Minister in the House to table State papers which were subject to claims of legal professional privilege or public interest immunity. The majority also considered that the Council's power to compel did not extend to documents which revealed the deliberations of the Cabinet.

#### MAJOR ASSETS

The Legislative Council made one acquisition of a major asset (defined as assets valued at \$20,000 and above) with a value of \$37,774 for Sound (Audio) Equipment for the Chamber.

#### **OVERSEAS VISITS**

In October 1998, the Principal Attendant, Mr Ian Pringle, accompanied by the Deputy Serjeantat-Arms, Mr Greg Kelly, made an official visit to Thailand. They were guests of the National Assembly, as part of an ongoing staff exchange program, for two weeks. The Thai Parliament developed an extensive program of meetings with the staff of both the Senate and the House of Representatives. These meetings saw a valuable exchange of information and ideas which allowed for a better understanding of both Parliaments. A great deal of information was shared and the strong ties between the Parliaments were further strengthened.

#### **RECYCLING ACTIVITIES**

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

# APPENDIX 12 LEGISLATIVE COUNCIL STAFF

#### AS AT 30 JUNE 1999

#### **Chamber Officers**

Clerk of the Parliaments and Clerk of the Legislative Council Deputy Clerk Clerk Assistant – Procedure & Administration Clerk Assistant – Committees and Usher of the Black Rod

#### Office of the Clerk

Senior Project Officer Project Officer Executive Officer, Office of the Clerk Administrative Assistant – Projects

#### **Procedure Office**

Manager, Procedure Office and Deputy Usher of the Black Rod Parliamentary Officer – Bills Parliamentary Officer – Papers and Procedure Parliamentary Clerical Officer

#### **Administration Office**

Senior Policy and Projects Officer Parliamentary Officer – Administration (Personnel and Training) Parliamentary Officer – Administration (Finance) Parliamentary Officer – Administration (Records) Parliamentary Officer – Administration (Projects) Parliamentary Officer – Administration (Projects) Parliamentary Officer – Administrative Assistant

#### Office of the Usher of the Black Rod

Parliamentary Officer – Members and Committees Parliamentary Relations Officer Parliamentary Officer – Members' Services Parliamentary Clerical Officer Temporary Parliamentary Clerical Officer

#### **Parliamentary Attendants**

Principal Attendant Deputy Principal Attendant Senior Chamber Attendant Chamber Attendant Relieving Chamber Attendants

Parliamentary Attendants

Mr John Evans

Ms Lynn Lovelock Mr Mike Wilkinson Mr Warren Cahill

Ms Velia Mignacca Ms Roza Lozusic Ms Jovy Cano Ms Janet Williams

Mr Russell Keith

Mr Malvyne Jong Wah Ms Catherine Cadell Ms Elizabeth Robertson

Ms Sandra Vella Mr Tim Growden

Ms Anne Livingston vacant wacant Ms Judy Bartlett (Part-Time) Ms Jacqueline Mead

Mr Stuart Lowe vacant Mr Adrian Sanders Ms Ashley Nguyen Ms Sally Buckingham

Mr Ian Pringle Mr Maurice Rebecchi (on leave) Mr Michael Santiago Mr Michael Jarrett Mr George Moutsos Mr Charles Barden Mr Mark Muscat (on leave) Mr Robert Proud Ms Lucy McNeil Ms Katrina Jones Ms Lisa Aridah

#### **Committee Staff**

Standing Committee on State Development Director Senior Project Officer Committee Officer Assistant Committee Officer Secretary to Chairman (Part time)

Standing Committee on Social Issues Director Temporary Director Senior Project Officer Senior Project Officer Temporary Senior Project Officer (Part-time) Temporary Senior Project Officer (Part-time) Committee Officer Assistant Committee Officer Secretary to Chairman (Part time)

Standing Committee on Law and Justice Director Senior Project Officer Committee Officer Assistant Committee Officer

Standing Committee on Privilege & Ethics Secretary to the Chairman (Part-Time)

#### **President's Office**

Executive Officer Secretary

Secretary/Research Assistant Secretary/Research Assistant Ms Anna McNicol Mr Steven Carr Ms Annie Marshall Vacant Mr Stephen Fenn

Dr Jennifer Knight (on leave) Mr Tony Davies Ms Alexandra Shehadie (on leave) vacant Ms Beverly Duffy Ms Julie Langsworth Ms Heather Crichton Vacant Vacant

Mr David Blunt Mr Stephen Reynolds Ms Phillipa Gately Vacant

#### Vacant

Ms Yvette Andrews Mr Andrew Beattie (part-time) Ms Jo Tilly (part-time) Ms Helen Buttigieg Ms Rose Tracey (part-time) Mr Nicholas Coates (part-time)

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

Ms Penelope Andrews Ms Suzanne Fosbery Mr Nicholas Andronicos (T) Ms Pamela Ball Ms Jan Barham (Part-time) Ms Jules Bastable Dr Cintina Blaney Mr Marcus Bleechmore Mr Paul Bodisco (T) Ms Lila Borjesson Ms Violeta Brdaroska Ms Fiona Cameron Ms Anna Collins (Part-time) (T) Mr Adam Deutsch (T) Mr Simon Disney Ms Belinda Dover (T) Mr Guy Ellicott Ms Jenni Emblem Ms Sheila Fairhurst Mr Stephen Fenn (Part-time) (T) Ms Lee Findlay

- Mr Galloway-Smith Ms Sally Girgis Ms Anita Gylseth Ms Katrina Hadjimichael Ms Joanne Hassan Mr Cameron Horn (Part-time) (T) Ms Gloria Klyne Mr Danny Koutoulas (T) Ms Kylie Laurence (T) Ms Leellen Lewis Ms Katherine Mandas Ms Lucy Mannering (Part-time) (T) Ms Joanne May (Part-time) (T) Mr David Miles Mr Samuel Moreton (T) Ms Emma Murphy Ms Melissa Nalder Mr Craig Nelson (T) Mr Rodney Nyols (Part-time) (T)
- Mr Jamie Parker (T) Ms Edwina Pearce Ms Bridgid Pearse (Part-time) (T) Mr Keith Perkins (Part-time) Ms Judith Russell Ms Adriana Sammartano Mr Stephen Senise Ms Jacqueline Silsbey Mr Jeff Sorrell Mr Christopher Spence (Part-time) (T) Mr Carl St-Leon Mr Alexander Stewart (Part-time) (T) Ms Dominique Stewart (Part-time) Mr Nicholas Turnball (T) Ms Katherine Walsh (Part-time) (T) Ms Yeuhui Wang (T) Ms Emma Watts Ms Elisia Yeo (Part-time) (T)

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# **Senior Officers**

Clerk of the Parliaments and Clerk of the Legislative Council John Evans B.Leg.S.

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

Deputy Clerk

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

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

#### Clerk Assistant – Procedure & Administration Michael Wilkinson B.A.(Hons)

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

# Director, Standing Committee on Law and Justice **David Blunt** B.A.(Hons), M.Phil

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

#### Director, Standing Committee on Social Issues Dr Jennifer Knight B.A.(Hons), Dip Ed. M.P.H., Ph.D.

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

#### Acting Director Standing Committee on Social Issues **Tony Davies** BA 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.

#### Director, Standing Committee on State Development Anna McNicol B.Sc.

Anna was appointed as Director Standing Committee on State Development, in March 1998 after performing a similar role in the South Australian Legislative Council. Anna has also worked for the South Australian Cabinet Office and Department of Treasury in both policy and operational areas.