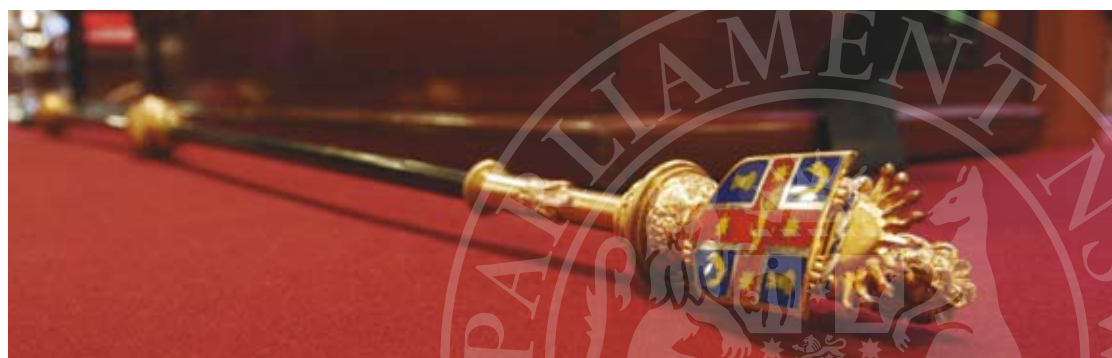
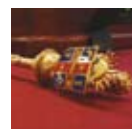
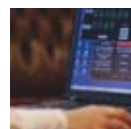
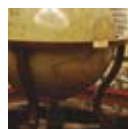


DEPARTMENT OF THE LEGISLATIVE COUNCIL
annual report



Letter of transmittal

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

Dear Mr President

I am pleased to submit for your information and presentation to the House the annual report of the Department of the Legislative Council for the year ended 30 June 2007.

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

Yours sincerely



Lynn Lovelock
Clerk of the Parliaments

Contact us

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

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

Legislative Council Question Time takes place at 4.00pm on Tuesdays and 12.00 noon on Wednesdays and Thursdays.

Details of sitting periods are available at **www.parliament.nsw.gov.au**



Cover photo: The Legislative Council in session in 2006.

*Selected imagery throughout the report is by Bob Hughes
Photography and www.zoomproductions.com.au*

Who we are and what we do

Department of the Legislative Council

The Department of the Legislative Council provides a range of support services to the sitting of the Legislative Council and committees and to enable members to effectively perform their parliamentary and constituent duties.

The department provides support across three functional areas:

- Procedure
- Corporate Support
- Committees

The work of the department is principally of a research and advisory nature. The department is small, by public sector standards, with an establishment of 50 full time equivalent (FTE) staff. There are also 43 FTE staff working as Secretary/ Research Assistants to members. The Department of the Legislative Council is independent of the New South Wales public service, although most public sector policies and practices are adopted or followed by the department.

The department is accountable to the President of the Legislative Council, who is elected by the members of the House at its first sitting after each election.

The year at a glance

	2006/07	2005/06
Department staff establishment	50 FTE	47 FTE
Secretary/Research Assistants to members	43 FTE	50 FTE
Sitting days	40	47
Sitting hours	344	401
Bills passed	107	99
Amendments to bills (circulated)	267	270
Amendments to bills (agreed to)	100	66
Order for papers	38	44
Notices of motions given	208	322
Committee inquiries	22	39
Committee reports tabled	15	28
Submissions to Committees	245	1,021
Inquiry witnesses	399	774

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

The Hon Dr Meredith Burgmann MLC, President since April 1999, did not seek re-election when her term of service expired at the end of the 53rd Parliament. On 8 May 2007, following the taking of the Pledge of Loyalty by the newly elected members, the House elected the Hon Peter Primrose MLC as its President.

The Chief Executive Officer of the department is the Clerk of the Parliaments. The Clerk directs and controls the operation of the Legislative Council and provides expert advice and counsel on parliamentary law, practice and procedure to the President, Ministers and other members of the House. The Clerk also manages the department and, together with the Clerk of the Legislative Assembly, jointly manages all the joint services of the Parliament.



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Lynn Lovelock

Clerk's review

The last year has been one of significant change for the Legislative Council.

Six members retired at the periodic election in March 2007, including the former President, the Hon Dr Meredith Burgmann.

A further 2 members were unsuccessful in standing for re-election. Eight new members were elected to the House.

The cross bench has been reduced to 8 members, down from a high of 13 following the "tablecloth" ballot paper election in 1999 and 11 in the previous Parliament. The 8 cross bench members are now drawn from 3 parties: 4 Greens, 2 Christian Democrats and 2 Shooters Party. There are no longer any so called "micro" parties represented in the Legislative Council.

With the Government having 19 seats (including the President) and the Opposition 15 seats, it is now easier for the Government to obtain a majority of 21 votes on the floor of the House than in recent Parliaments. The impact of this can be seen in the statistics set out on pages 16-18, demonstrating the reduced numbers of amendments to bills, fewer orders for the production of state papers, and the referral of fewer matters to committees for inquiry.

Nonetheless there have been many interesting procedural challenges. A number of these arose from the Human Cloning and Other Prohibited Practices Amendment Bill 2007, which was the subject of extensive debate, including contributions by 29 members, and a "conscience" vote, as set out on page 16. In addition, in recent months a number of major public policy issues have been referred to the Legislative Council's standing committees for inquiry and report.

Significant change has also been experienced at the departmental level. It has been my privilege to be appointed Clerk of the Parliaments, following the retirement of John Evans after 37 years service to the Parliament, 18 of them in the top job. I had the honour of serving as John's deputy for 17 years. Details of John's distinguished career are set out on pages 4 and 5. I am supported in my role by what is an entirely new management team, as set out on page 8 and 9.

I have set myself a number of key goals for my time as Clerk. Firstly, I intend to continue the work of consolidating the expert procedural knowledge that resides in the Department of the Legislative Council. I look forward to the publication during the year ahead of *Upper House Practice on the New South Wales Legislative Council*, a comprehensive account of parliamentary procedure in the Council. This book will be a lasting legacy to current and future members, staff and other stakeholders. I am keen to complement this book by the consolidation and digitisation of the Department's extensive procedural precedents database. In addition our program of professional development and chamber experience will be enhanced to further develop the capabilities of departmental staff and provide a solid support base for the operations of the House.

Secondly, at a corporate level Council management has been working in a collaborative and positive manner with the Legislative Assembly and joint service departments and sections. As we have found over the last 12 months, it is only by working together that we can meet the pressures and demands being imposed upon the Parliament. In this regard, I pay tribute to all parliamentary staff, and particularly my hard working corporate staff, on their achievement of budget savings targets over the last year. I also commend all of the staff of the Department on their work with our joint services on a variety of important corporate projects over recent months.

Farewells



Dr Meredith Burgmann

Retirement of President Dr Meredith Burgmann MLC

President Burgmann was elected to the Legislative Council in 1991. She was elected President in April 1999, a position she held until she retired from Parliament in March 2007.

The following speech was given by the Hon John Della Bosca MLC, Leader of the Government, on the last sitting day of the 53rd Parliament, on 23 November 2006:

I thank you, Madam President, as you have allowed this Chamber to undertake its important work and to debate the day-to-day issues before us. You have maintained order and dignity in the Chamber and have kept the House focused on its proper business. I thank you and your staff. Madam President, as I know you are retiring at the coming election I congratulate you on your distinguished contribution to the New South Wales Parliament. You have served 15 years as a member of the Legislative Council of New South Wales, the last seven as its President, the first woman President from the nation's oldest political party and the longest-serving woman President of this place. Prior to that you distinguished yourself in committee work, with a thorough knowledge of the House and its procedures that marks your most competent role as President. You have been, and remain, a distinguished academic and a public intellectual.

Madam President, you entered State Parliament as a well-known activist not only in the Australian Labor Party and the trade union movement but also in the broader community. You were part of what we called the "progressive movement" during simpler times. Your strong stand on many controversial issues in which you believed and for which you were an outspoken and intelligent advocate is known and respected, even by those who have opposed some of the positions you have taken. None were more marked than your well-known stands on East Timor, apartheid, the Vietnam War, your general activism against all war, your commitment to the cause of peace and your campaign for justice in both the Australian and global contexts.

You are of course a staunch feminist, and exquisitely feminine. You are a supporter of many, many important causes that have stood you and your reputation as both a radical thinker and a radical political activist in good stead. I congratulate you on being a person who has managed to uphold the dignity of a very important traditional institution as President of the Legislative Council but who has not once compromised her beliefs or her principles throughout what I believe has been a very successful parliamentary career.



John Evans

Retirement of the Clerk of the Parliaments Mr John Evans PSM

John Evan's career with the Legislative Council spanned 35 years. John was appointed Clerk in 1989, a position he held until his retirement in 2007. Prior to being appointed Clerk, John was Deputy Clerk from 1986 to 1989.

The following is an extract from a speech given by the President, the Hon Meredith Burgmann MLC, on the last sitting day of the 53rd Parliament, on 23 November 2006:

John commenced employment with the Legislative Council as the office junior in the grandly titled position Clerk of Printed Papers in December 1971. From there, with considerable talent but also a degree of luck as his senior officers either retired, or in one case died in office, John rose through the ranks.

He was appointed to the position of Usher of the Black Rod in August 1977, the youngest ever appointed. During his time here John has served under five Presidents - Sir Harry Budd, Johnno Johnson, Max Willis, Virginia Chadwick and me.

John has achieved and been involved in some remarkable milestones in the history of this noble House. In 1977 he clerked the select committee on the bill to reform the Legislative Council, and organised and clerked the Free Conference of Managers held in 1978 under the deadlock provisions of the Constitution Act. He oversaw the establishment of the Council's committee



system in 1988, and has been active in the ongoing development of the committee process, which has seen the growth of a strong estimates process and the advent of general purpose standing committees.

John is a staunch supporter of this House's powers and privileges, and its role in superintending the executive government. He was a key adviser to the then President when the power of this House to order the production of documents was challenged by the executive, resulting in legal battles in both the Supreme Court and the High Court of Australia.

As we all know, the Council triumphed on both occasions. The last 10 years have seen far-reaching changes to the way in which the Council does its business, and this has resulted in a significant increase in the workload and complexity of the role of Clerk of the Council.

Throughout this period John has provided strong leadership and professional management to a highly skilled and competent staff, achieving the first major revision of the standing orders in over 100 years, and overseeing the drafting of a major work on upper House practice in New South Wales, due for publication in 2008, which draws together in one scholarly volume the history and procedures of the Council since its inception as an appointed Council in 1824.

In addition to his services as Clerk of the Parliaments, we are all aware of John's outstanding skills in the fields of calligraphy and woodworking. Many of us here have benefited from his expertise in these areas, not least the office of President, where John's ability to craft magnificent inscriptions in the official Visitors Book has been truly appreciated. Such is his skill in calligraphy he has been called upon on numerous occasions to write inscriptions on behalf of Her Excellency the Governor.

In 2002 John was awarded the Public Service Medal in the Australian honours system for services to the Parliament of New South Wales. John is an extraordinarily knowledgeable Clerk. His professionalism and commitment to the institution of Parliament and to the Council in particular are acknowledged by his colleagues, both here and throughout the Commonwealth.

He will be remembered well by all who have worked with him and his presence will be sadly missed by members and staff alike. Enjoy your retirement John. You deserve it.

Farewell to Warren Cahill, Clerk-Assistant – Committees

The following is extracted from a speech given by the President, the Hon Dr Meredith Burgmann MLC, on 14 November 2006 following Warren Cahill's resignation to take up a post with the United Nations Development Program to the Solomon Islands Parliament.

Warren joined the Parliament in 1987 as a senior officer in the research services section of the Parliamentary Library. He was appointed as Usher of the Black Rod on 17 June 1991, and subsequently as Clerk Assistant Committees. Warren was the Usher until September 2004, making him the longest-serving Usher of the Black Rod in New South Wales since the Second World War and the fourth-longest serving since 1856. As Usher, the twin peaks of his career were probably greeting the Queen and throwing out Michael Egan.

Warren organised many openings of Parliament, particularly in the era of President Max Willis, but the biggest was in 1992 when he met Princess Di, Prince Charles and the Queen for the first royal opening since 1954. When Michael Egan was ejected by Warren on 27 November 1998 the Treasurer claimed to be intimidated by the big, beefy, burly Usher of the Black Rod. In his letter on retirement Michael Egan expressed his admiration for the parliamentary staff:... with the exception of the violent and vicious Warren Cahill. Please remind Mr Cahill that he now has a record and a second offence should see him behind bars.

Warren's role as Clerk-Assistant – Committees became increasingly important as the Legislative Council committee system in this period became the most active in the history of the council, with the establishment of standing committees such as the law and justice committee and the five general purpose standing committees.

The position grew with him, encompassing the members' entitlements area and procedural advice in the Chamber. Warren left the Legislative Council in September 2005 for a six-month position in the National Parliament of the Solomon Islands, working for the United Nations Development Program, which was extended at the request of the Solomon Islands Government.

He has now been offered, and has accepted, a four-year contract to work with the Regional Development of Parliaments in the Pacific, a role that I believe is crucial to the development of democracy in that area and a role in which I know he is already excelling and will continue to excel. Warren will be sorely missed by all those who have had the privilege to work with him, and that includes me.



Our corporate goals

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

Highlights of 2006 – 2007

Staff of the procedure and committee sections continued to provide high level procedural support, advice and research necessary for the effective functioning of the House and its committees.

Significant achievements included the opening of the 54th Parliament, the continued development of electronic databases for the storage and retrieval of records of the House, the completion of 22 inquiries and tabling of 16 committee reports.

Page 13 – Procedure: page 35 Committees

Looking forward to 2007 – 2008

In April 2008 the Procedure office is expecting to publish 'Upper House Practice: The New South Wales Legislative Council'. This book will be a comprehensive reference document specific to the Council on parliamentary law, practice and procedure. To improve access to vital information and decrease the time taken to source material Procedure staff will continue to electronically record all procedural precedents. (p13 and 32)

Committees were re-established in May 2007 following the March 2007 election. Committee staff will continue to provide high level advice and support to Committee chairs and members. (p35)

Provide effective services to members and other client groups

Highlights of 2006 – 2007

Corporate Support staff increased their output of processed claims. (p31)

This was assisted by the continued updating and refinement of the members' Entitlement System (MES). (p32)

Corporate Support staff produced and delivered to all members an updated members' Guide which will assist members in understanding and claiming their entitlements. Following substantial testing the MES was enhanced by the addition of a commercial air travel module as well as a module to capture private and rental vehicle claims. The section also provides members with services and equipment for their Parliament House and home offices. Corporate Support Page 32.

Looking forward to 2007 - 2008

The Corporate Support unit will develop a precedent database to comprehensively record management decisions in the interpretation of members' entitlements. Policies relating to the administration of members' entitlements will be reviewed and updated to ensure they are appropriate and in line with regulatory requirements.

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

Highlights of 2006 – 2007

On Australia Day there were over 10,000 visitors to the Parliament; throughout the year there were many national and international delegations. Chamber and Support Services staff have a key role in contributing to public awareness of the Legislative Council and this year they conducted over 700 tours of Parliament House. The Committee secretariats continued to interact with the public and facilitate public participation in the inquiry process. There were 318 submissions made to 22 inquiries and 401 witnesses giving evidence to the committees at these public hearings.

Protocol page 20 Chamber and Support page 22 Committees page 35.

Looking forward to 2007 – 2008

Staff of the Legislative Council will continue to play an important role in welcoming the thousands of visitors, both from the general public and from international delegations, to Australia's oldest Parliament. Committee staff will continue to assist members in the inquiry process and interface with the public and facilitate their participation in these inquiries. (p35)

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

Highlights of 2006 – 2007

The Corporate Support unit formalised the staff mentoring program and rotation policy and continues to provide sound advice in relation to human resource and industrial relations as well as investigate and resolve grievances where necessary. (p25)

Looking forward to 2007 – 2008

The Voicemap induction program will be developed and established. It is designed so that staff and visitors undertake a self-guided tour of Parliament House and have an awareness of key security and safety procedures. The parliament will also launch its Anti-Bullying Policy in 2007 – 2008. (p29 and 26)

**Enhance organisational capability in planning
and service delivery**

Highlights of 2006 – 2007

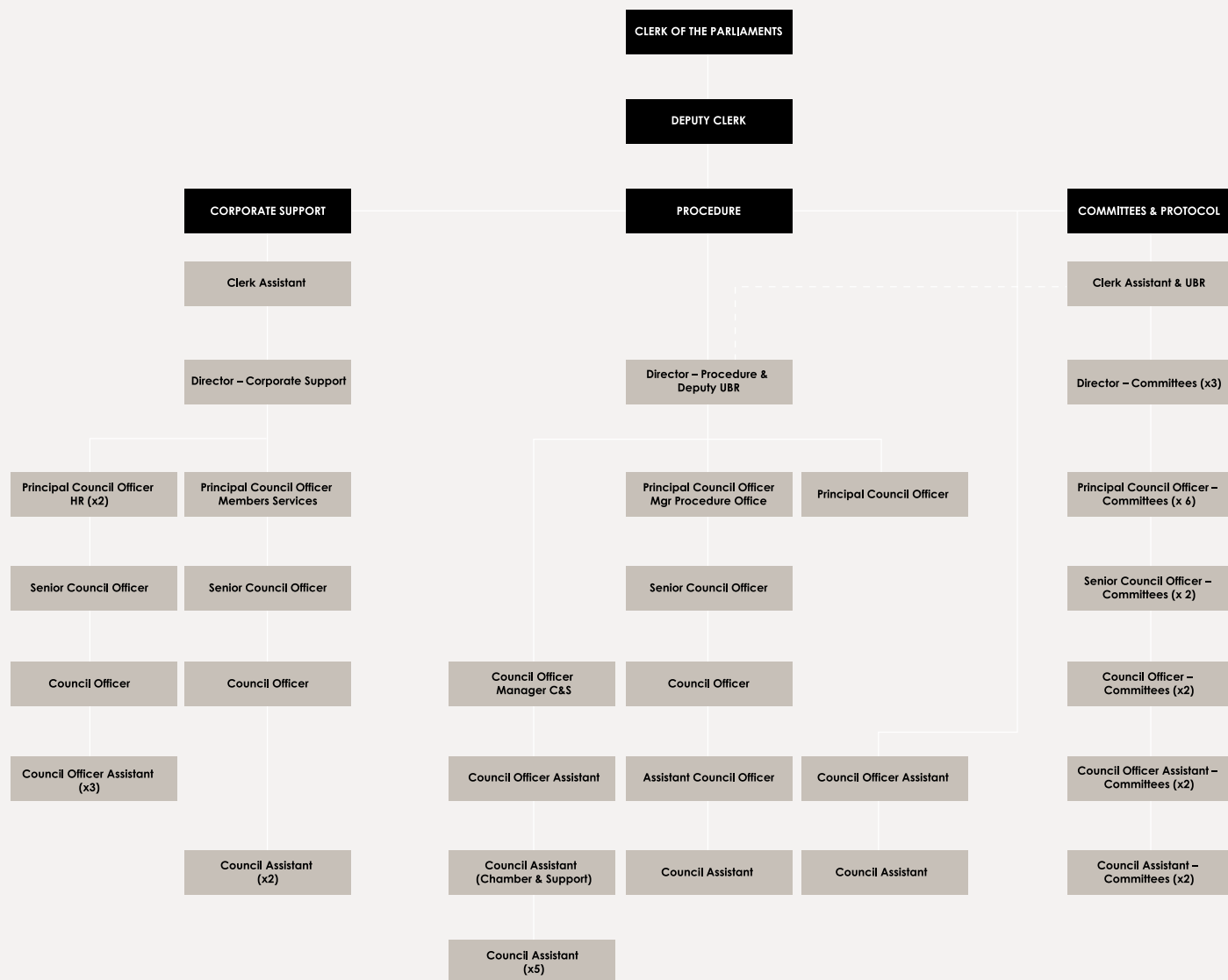
The Department further developed its corporate governance plans to improve future service delivery. Projects included the enhancement of the Results and Services Plan and the development of the Heritage Plan. Reforms were also implemented in Food and Beverage Services (Page 25).

Looking forward to 2007 – 2008

For 2007/08 there are plans to develop consistent parliament-wide recruitment procedures, develop and implement e-procurement policy and a marketing strategy for Food and Beverage Services (page 23).

Our people





Left to right:

Clerk – Lynn Lovelock

Clerk Assistant – Corporate Support, Rob Stefanic

Clerk Assistant – Procedure Support & Usher of the Black Rod, Steven Reynolds

Director – Procedure, Stephen Frappell

Director – Corporate Support, Julie Langsworth

Director – Committees, Rachel Callinan

Director – Committees, Beverly Duffy

Director – Committees, Rachel Simpson

Deputy Clerk, David Blunt

Our clients

Our clients and stakeholders include:

- the President of the Legislative Council
- all 42 members of the Legislative Council including the current six Ministers in the Upper House
- members' staff
- the parliamentary joint service departments
- the Legislative Assembly
- government agencies such as Parliamentary Counsel's Office, Cabinet Office and Premier's Department
- other Parliaments particularly from the Asia Pacific region and Commonwealth countries
- schools and community groups
- the people of New South Wales.

The Legislative Council

The Parliament of New South Wales is a bicameral (two house) Parliament. The Legislative Council is the Upper House, or state senate.

The Legislative Council consists of 42 members, elected by the people of New South Wales under a system of proportional representation. One half of the members are elected every four years, in conjunction with elections for the Legislative Assembly (Lower House). All members have a statewide electorate and are engaged in activities representing the interests of constituents across the state.

The House includes a diverse membership. No government has had majority control of the Legislative Council since the 1988 election.

Following the 24 March 2007 election, the make up of the House is:

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

The House sits for approximately 16-20 weeks per year, during which proposed legislation is subject to detailed debate and scrutiny and the Executive Government is called to account for its performance through questions to Ministers, orders for the production of documents and a range of other procedures. The Legislative Council also has an active committee system, and committee meetings take place on approximately 100 days per year.





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Procedure

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HIGHLIGHTS

Procedure

- The opening of the 54th Parliament (p15)
- The election of the Hon Peter Primrose as President of the Legislative Council (p15)
- The maintenance of a very high standard of procedural and research assistance to members of the Legislative Council (p16)
- Ongoing progress in delivering the records of the House in electronic format (p17)

HIGHLIGHTS

Protocol

- A Commission Opening of Parliament was held after the New South Wales election (p20)
- The Parliament hosted the prestigious Parliament of New South Wales Indigenous Art competition (p21)
- Over 700 school tours were conducted as well as numerous delegations hosted, giving valuable public access to the Parliament.

Procedure

Procedural advice and support

Procedure Office staff provide a range of services to members of the Legislative Council including procedural support, advice and research necessary for the effective functioning of the House, secretariat support to the Privileges Committee and Procedure Committee (p39 – Committees), protocol services and chamber support.

Workloads and deadlines of the Procedure Office are subject to external, political and practical considerations beyond the control of the Department of the Legislative Council. Factors affecting the operations of the office include:

- the electoral cycle,
- the days and hours of the sittings of the House,
- the business considered by the Council and the schedule of proceedings,
- the legislative workload, including the number of bills introduced, the number and complexity of amendments to bills, and disagreements between the Houses on disputed bills,
- the number and complexity of questions on notice submitted by members,
- the number of documents tabled, and
- the number and complexity of inquiries and requests for information from members, their staff and members of the public.

Much of the work of the office involves frequent direct contact with members and their staff and responding to requests for advice and procedural information on a range of issues including orders for papers, motions of urgency, motions for disallowance of statutory rules and instruments, variations to standing and sessional orders, private members' notices of motions, provisions for the tabling of papers, the format and content of petitions, references to committees, arrangements for joint sittings with the Legislative Assembly, the routine of business and procedures for bills and amendments. All requests for assistance were met within agreed timeframes and to a high standard.

The office also provides procedural advice and support to committee staff regarding the tabling of reports, take note debates, government responses and tabled papers.

In addition, staff contributed to public awareness of the Legislative Council and its work by responding to enquiries from the public regarding the role and function of the Legislative Council, the progress and status of bills, members' contact and biographical details and by the timely maintenance of online databases.

Publications

In 2006/07 the Legislative Council Procedure Office continued to publish biannual procedural bulletins highlighting significant procedures in the House, rulings of the Chair and important precedents. The *Procedural Highlights* are circulated to all Legislative Council members and staff as a means of disseminating relevant information on parliamentary precedent and procedures and to support the ongoing education and training of Council staff. The publication is also circulated to parliaments in other jurisdictions. The Legislative Council also contributed to the ANZACATT Half Yearly Bulletin and to the annual journal of the Society of Clerks at the Table.

One of the key goals of the 2006/07 year was the continued drafting and editing of *Upper House Practice: The New South Wales Legislative Council*, a comprehensive reference work on the history and procedures of the Legislative Council. Significant progress was achieved during the year, and publication is expected by early 2008.

Procedural databases

An ongoing responsibility of the Procedure Office is the entry of precedent material from 1824 onto the precedent system database. As the backlog of material is considerable, the task of entering material is being undertaken by a number of staff.

Bills database

Following changes to the Legislative Assembly Standing Orders, amendments were made to the bills database to reflect the new terminology used by the Assembly to identify the stages reached by a bill. The database is updated immediately after each stage in the progression of a bill.

Web based Q&A database

The web based Questions and Answers database is functioning well, and most of the technological issues that arose in the previous reporting period have been addressed. The Procedure Office continues to liaise with Information Technology Services to further develop the system.

Business Papers

Procedure Office staff produce three daily business papers:

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

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

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

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

Journals

At the conclusion of each session of Parliament the indexed *Minutes of Proceedings* and certain other records and documents of the House are bound and published as the official Journal of the Legislative Council. In addition to the Minutes, Notice Paper and Questions and Answers Papers, the Journal contains registers showing the history of the passage of bills during the session, the register of addresses and orders for papers, sessional and select committees appointed, an abstract of petitions presented, and a return showing the attendance of members. Journals relating to several sessions of Parliament were prepared and published by the Procedure Office during the current reporting period.

Induction/seminars and training

Following the recruitment of a number of new ministerial staff, the Procedure Office devised a new Procedural Induction Seminar series to familiarise staff with parliamentary practice and procedures. Topics covered included parliamentary privilege, standing and sessional orders of the Legislative Council, the order of Business of the House, House papers, rules regarding the submission of questions to Ministers, the passage of legislation, and committees. Plans are underway to adapt these seminars to cater to new staff of the Legislative Council.

In 2006/07, the program to train senior staff of the Legislative Council in the procedures of the House continued. The three-day program provides an opportunity to gain experience in the chamber and to learn about the operations of the Procedure Office. Committee and Corporate Support staff continue to be rostered to work in the chamber.

Experience in the Legislative Council chamber and the Procedure Office was also provided to the successful candidates of the 2006/07 'Working in the Legislative Council' program (p28 Committees).

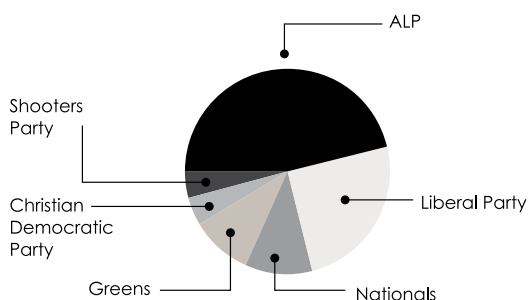
Ninth periodic election for the Legislative Council

The ninth periodic Council election since the 1978 reconstitution of the House was held on 24 March 2007. There were 333 nominations received by the Returning Officer at the close of nominations.

Five members of the Council whose term of service expired at the end of the 53rd Parliament did not seek re-election: the then President, the Hon Dr Meredith Burgmann (ALP), the Hon Jan Burnswoods (ALP), the Hon John Ryan (Lib), the Hon Peter Wong (Unity) and the Hon David Oldfield (Independent). The Hon Jon Jenkins resigned prior to the expiration of the 53rd Parliament.

The 21 members elected to the Council at the election on 24 March comprised 13 returning members and 8 new members, including a former member of the Legislative Assembly, the Hon Marie Ficarra. The Hon Peter Breen (Ind) and the Hon Dr Arthur Chesterfield-Evans (Australian Democrats) sought re-election but were unsuccessful.

The election result again did not provide an absolute majority in the House for any party. The party representation following the election is: ALP 19, Liberal Party 10, the Nationals 5, the Greens 4, the Christian Democratic Party 2 and the Shooters Party 2.



On the opening of Parliament on 8 May 2007, the 21 newly elected members took the Pledge of Loyalty before the appointed Commissioners, the Hon John Della Bosca, the Hon Michael Costa and the Hon John Hatzistergos.

Office Holders

Election of the President and Deputy President

On 8 May 2007, following the taking of the Pledge of Loyalty by the newly elected members, the House elected the Hon Peter Primrose (ALP) as its President and the Hon Amanda Fazio (ALP) as Deputy President and Chair of Committees.

Election of an Assistant Deputy President

On 28 June 2007, the House agreed to a motion to establish the position of Assistant Deputy President. The position has continuing effect until amended or rescinded, there being no provision for the position in either the Standing Orders or the *Constitution Act 1902*. The Revd the Hon Fred Nile (CDP) was elected as the Council's first Assistant Deputy President.



Procedure staff ensure that proof editions of all business papers are completed within 30 minutes of the adjournment of the House and made available on the Internet.

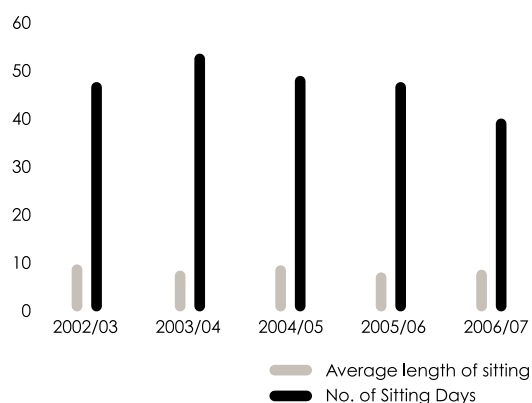
Sittings of the House

Before the commencement of the sitting of the House each day, Procedure Office staff meet to discuss procedural or other issues which could arise during the day. These meetings, chaired by the Clerk, ensure that the team preparing for the sitting of the House is fully informed, as far as is possible, of all matters which could arise in the House during the day. As a consequence, Procedure Office staff prepared all relevant documentation, and met all requests for advice within deadlines for the sitting of the House.

The House sat on 40 occasions for a total of 344 hours during the reporting period. This represents a decline in the average number of sitting days compared to the previous reporting period, attributable to the prorogation of Parliament for the 2007 periodic election. Prorogation is an act of the Governor by proclamation published in the Government Gazette which specifies the date from which the Council is adjourned and its business suspended.

The average length of sitting days during the reporting period was 8.6 hours per sitting day. On three occasions the House sat beyond midnight. This was unchanged from the previous reporting period.

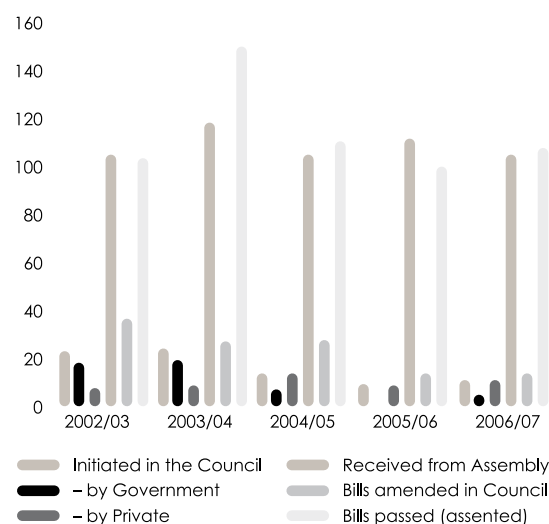
No. of sitting days and average length of sitting



Legislation

The Legislative Council passed 107 bills during the reporting period, in keeping with the general trend of the past two reporting years.

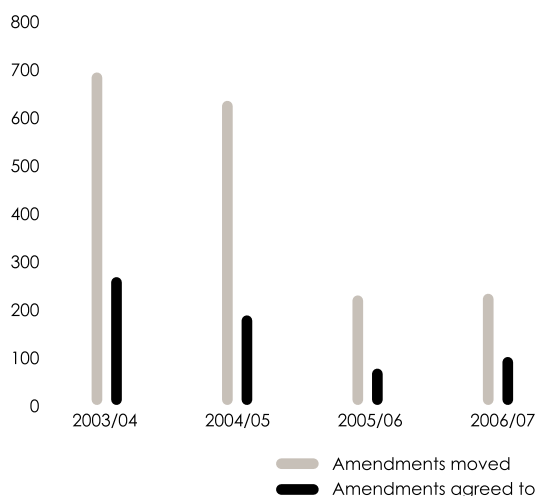
Bills considered in the Legislative Council



As in other years, a number of complex and contentious bills were dealt with during the reporting period including the James Hardie Former Subsidiaries (Winding up and Administration) Amendment (Trust Funds) Bill, the Human Cloning and Other Prohibited Practices Amendment Bill 2007, the Drug Summit and Other Response Amendment (Trial Period Extension) Bill 2007, and the Brothels Legislation Amendment Bill 2007. Members of the Government and Opposition were allowed a conscience vote on the Human Cloning and Other Practices Amendment Bill 2007 and the Liberal Party allowed its members a conscience vote on the Drug Summit and Other Response Amendment (Trial Period Extension) Bill 2007.

The Procedure Office prepares each bill before the Council for consideration in committee of the whole. This includes an assessment of the admissibility of each amendment circulated, preparation of a schedule of amendments to be moved, and the provision of advice to members and the Chair of Committees. In 2006/07, 267 amendments to 32 bills were circulated. Of these, 235 (88 per cent) were moved in committee of the whole and 100 (43 per cent) were agreed to.

Amendments moved and agreed to



Tabled documents

During 2006/07, 999 documents were tabled in the Legislative Council, the majority being annual reports and statutory instruments. The Procedure Office prepared all documents for presentation in the House and entered details of each document in the *Minutes of Proceedings* and on the tabled papers register. The target of entering all details in the register on the next day was achieved in all but a very few occasions.

In early 2007 the tabled documents register was published on the Parliament's Intranet. Members can now search for documents tabled in the House since 1995.

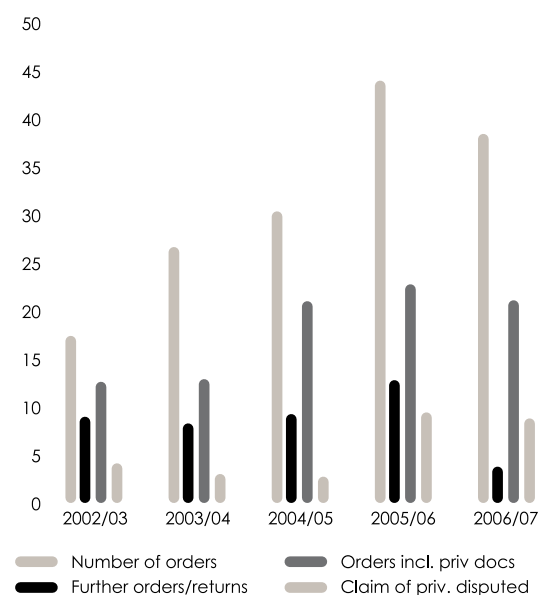
The House receives a large number of papers each year. The need to find storage for these documents on their arrival, and in the long term, is an ongoing challenge. Consequently, on 23 November 2006, the House passed a resolution authorising the Clerk to enter into a memorandum of agreement with the State Records Authority for the transfer of records of the Legislative Council to the care, but not control, of the State Records Authority. Under the resolution, which has continuing effect until rescinded or amended, documents transferred to the care of State Records will be under public access orders with regard to the spirit of Part 6 of the *State Records Act 1998*. It is anticipated that the memorandum of agreement will be finalised, and records transferred, during late 2007.

Orders for Papers

Thirty eight Orders for Papers under standing order 52 were agreed to by the House in 2006/07, a decrease of 14 per cent from the previous year. One of the contributing factors to this decrease was the change in party composition in the House that followed the 2007 periodic election.

Of the 38 Orders for Papers agreed to, 25 were initiated by members of the Opposition, 12 by The Greens and one by the Outdoor Recreation Party. Privilege was claimed on documents contained in 21 of the returns to these orders, and on eight occasions the validity of these claims of privilege were disputed. Three orders sought to obtain further documents related to a previous resolution of the House, not previously received in a return to order. In total, the House received almost 500 boxes of documents in response to resolutions of the House under standing order 52.

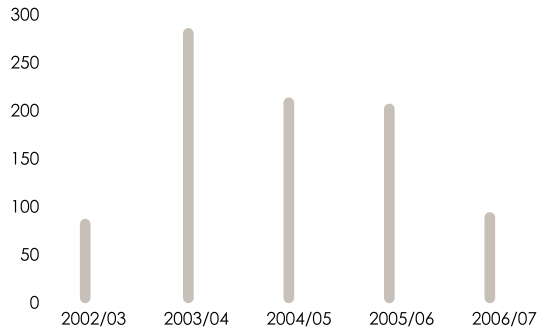
Orders for Papers



During the reporting period, Orders for Papers covered a number of controversial topics and, as a consequence, the Procedure Office continued to receive many requests to view the documents received. Procedure Office staff were responsible for coordinating viewing times, allocating space for viewing the documents and supervising access by members of the public. In order to ensure the security of documents and integrity of the process, a high level of supervision over the documents was maintained.

Petitions

Petitions presented to the Legislative Council



Ninety eight petitions were presented to the House during 2006/07, a decrease of over 50 per cent from the previous year. An average of two petitions were prepared for presentation in the House each sitting day, although this generally increased to 10 or more petitions on the first sitting day of the week. Procedure Office staff ensured that each petition presented in the House complied with the standing rules and orders and, according to standing orders, forwarded each petition presented to the relevant Minister.

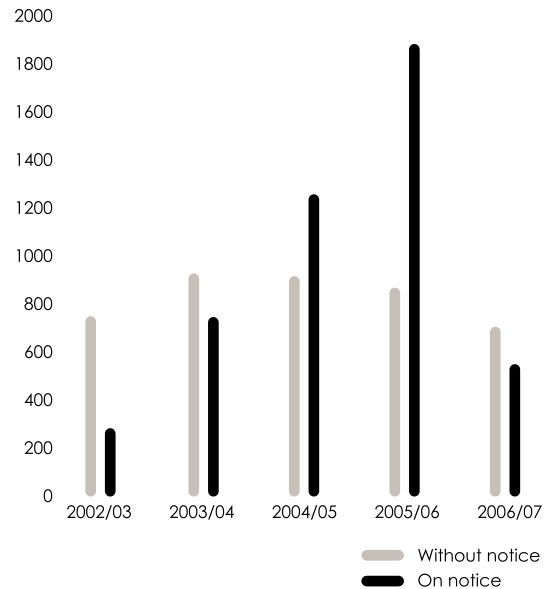
Many and varied subjects were covered by the petitions presented. Issues about which the Legislative Council received a large number of petitions included the proposed sale of Snowy Hydro Limited, the protection of unborn foetuses, same sex marriage, religious freedoms, mining development, health services and various environmental issues. The petitions with the highest number of petitioners related to health services in the Lower Clarence (7,451 petitioners), access to public land and waterways (7,067 petitioners), expansion of the Northern Rivers rail system (6,674 petitioners) and Killalea State Park (6,116 petitioners).



999 documents were tabled in the Legislative Council during 2006-2007.

Questions and answers

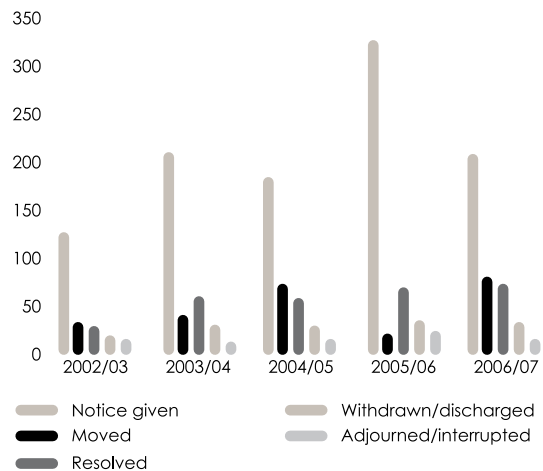
Questions asked in the Legislative Council



During the reporting period, there was a considerable decrease in the number of questions asked, down from 1844 in 2005/06 to 585 in 2006/07 on notice. This can be explained by the exclusion of budget estimates questions from the Questions and Answers paper in 2006/07.

Questions asked without notice have remained fairly static over the last few years. Seven hundred and eighteen answers to questions without notice were received in 2006/07 compared to 850 in 2005/2006 and 901 in 2004/05.

Private members' business



Note: notices not moved have not been included in this graph.

Notices of motion

During the reporting period, 208 notices of motions were given in the House, the majority having been drafted with the assistance of Procedure Office staff. At prorogation, all notices on the *Notice Paper* lapsed and, with the commencement of the new Parliament following the periodic election, members were required to give notices again in the new session if desired. Of the 208 notices given during this reporting period, 82 were moved in the House, with 76 of these reaching conclusion before the winter adjournment.

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

Joint sitting to fill a casual vacancy

At a joint sitting held on 28 September 2006, the Hon Matthew Mason-Cox was nominated and elected to fill the vacant seat in the Legislative Council caused by the resignation of the Hon Patricia Forsythe. Mr Mason-Cox took the Pledge of Loyalty before the President and signed the roll of the House on 17 October 2006.

The Procedure Office prepared official documentation to assist in the organisation of the joint sitting, including the preparation of rules governing proceedings, the official program and the pledge of loyalty for the new member. Following the election, staff prepared *Minutes of Proceedings* of the sitting, and liaised with the Governor's Office in relation to the outcome of the election. In conjunction with Members' Services, the Procedure Office also provided written and oral advice on procedures of the House, entitlements, administrative arrangements and other services provided by the Department of the Legislative Council.

Replacement of the Royal Arms in the chamber with the State Arms

The *State Arms, Symbols and Emblems Act 2004*, initiated in the Council by the Honourable Peter Breen (Ind), received assent and commenced on 2 March 2004. The Act provides that the State Arms or State symbols, rather than the Royal Arms of the United Kingdom, are to represent the authority of the State in a building of the Parliament, a courthouse, an office or official residence of the Governor and a Government office.

On 26 September 2006, the House agreed to a motion noting that 11 October 2006 marked the centenary of the granting of the State Arms and authorising the President to relocate the Royal Arms in the Legislative Council chamber and replace it with the State Arms of New South Wales.

On 11 October 2006, the Royal Arms were removed from the Legislative Council chamber and the State Arms mounted in their place.

The Royal Arms were restored before being displayed in the Jubilee Room at Parliament House in accordance with the resolution of the House.

Future outlook for 2007 – 2008

During the following year the Procedure Office is looking forward to:

- the publication of 'Upper House Practice: The New South Wales Legislative Council'. This is expected to occur early in 2008 and will provide a comprehensive reference document specific to the Council on parliamentary law, practice and procedure
- the continuation of work on the project to electronically record all procedural precedents. This will improve access to vital information and decrease the time taken to source referenced information.

Protocol

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

During 2006/07 these protocol functions of the Usher were supported by staff of the Procedure Office and, where required, the Office of the Clerk. Despite the challenge of managing the dual roles of procedural support and protocol services, particularly during the sittings of the House, Procedure Office staff have effectively assisted the Usher of the Black Rod in the delivery of protocol advice and services.

Ceremonial events

Ceremonial events for the Parliament include Official Openings, Joint Sittings and attendance on the Governor.

The Usher and Procedure Office staff, liaising with the Office of the Governor, organised for all members to visit to Government House on 22 November 2006 to present the Address in Reply, a traditional response by the House to the speech given by the Governor (or Lieutenant Governor in this case) on the official Opening of Parliament held on 22 May 2007.

The Commissioned Opening of the new Parliament on 7 May 2006 was a major event during this year. Ministers Della Bosca, Costa and Hatzistergos were appointed by Her Excellency the Governor to officially open the 54th Parliament and swear in the 21 members elected at the election held on 24 March 2007.

The strong relationship between parliamentary staff and the office of the Governor has also ensured that when the Governor of New South Wales attends Parliament House for official functions the protocol and security aspects of this important duty are given a high priority.

Delegations

The Usher and the Procedure Office coordinated the visits of many delegations during 2006-2007. Some of the more extensive visits included:

- A two day visit from the Norwegian Parliament's Standing Committee on Labor and Social Affairs
- Visits in November and February from up to 20 parliamentary officers from national Parliaments as part of the House of Representatives InterParliamentary Study Group program
- A four day visit in December from Representatives of the Eastern Cape Province of South Africa
- A World Bank/CPA course involving over 40 delegates from national parliaments and Audit Offices.

Official visit by the Deputy
President of South Africa,
Ms Phumzile Mlambo
– Ngcuka



Deputy President of South Africa visiting the Parliament – 2006

During this year the President, supported by the Clerk and the Usher, met with many of the 160 Sydney based Consuls General. Visiting dignitaries included the Deputy President of South Africa and the President of Timor Leste and ambassadors from other countries. In total there were 51 delegations and official visits with which the Usher was involved. The President and the Clerk also attended a number of other functions in their official capacity.

Fountain Court exhibitions

The Fountain Court is the venue for free monthly art exhibitions which are relevant to New South Wales and hosted by a sitting Member of Parliament. The Usher and the Procedure Office continued to manage these exhibitions. Each application is assessed for compliance with the Fountain Court exhibition guidelines and recommendations made to the Presiding Officers to ensure that the works conform to policy and guidelines. Bookings by members currently extend into 2009. Chamber and Support staff also provided assistance through the installation of art works, including the best means for displaying artworks.

This year the Parliament of New South Wales hosted its second Indigenous Art Competition. On 17 October 2006, at a function well attended by the Indigenous art community, Mr Garth Lena was announced as the winner of the New South Wales Indigenous Art Prize for his work entitled "Spirit Man and Black Dog". The prize is a joint partnership of the Parliament of NSW and Campbelltown City Council. From 2006, Museums and Galleries NSW has met the catalogue production costs and the costs of touring the exhibition to regional art galleries in Coffs Harbour, Bega and Cowra. The College of Fine Arts has also joined the Parliament in providing a scholarship prize for professional development of young indigenous artists.

Room Bookings

The Usher and the Procedure Office staff continue to coordinate room bookings on behalf of members convening meetings of political parties or community groups and activities associated with ministerial, parliamentary or electorate duties. On a regular basis, assistance and advice was provided to the Federal Parliament committees in regard to holding public hearings within Parliament House.



Left: Installation of Xiao Ping Artwork in the Fountain Court.

Right: The winner of the 2006 Indigenous Art prize – Spirit Man and Black Dog by Garth Lena.

Legislative Council Chamber and Support staff ready to conduct tours on Australia Day.

Staff assisting some of the 10,000 visitors who passed through the Parliament on Australia Day this year.



Chamber and Support Services

In 2006/07 Chamber and Support staff effectively supported members and the sittings of the House through the delivery of a diverse range of duties including:

- providing a front of house function
- assisting with visitor inquiries and telephone inquiries at the Legislative Council foyer,
- providing assistance and support to members by delivering mail and messages,
- assisting in various aspects of the chamber during sittings
- receiving tabled documents, delivering messages and providing logistical support for committee hearings, including Estimates inquiries,
- delivering presentations in the Legislative Council chamber
- hosting tours of the Parliament, and
- making room bookings and preparing rooms for committee meetings and functions.

Chamber & Support staff are the first point of contact for visitors and guests to the Legislative Council. As well as playing an important security function, in this front of house role staff welcome visitors to the building, answer questions and provide information on the operations of the Parliament. During the reporting period more than 96,000 people visited the building. On the Australia Day Open Day, for instance, more than 10,000 visitors pass through the Parliament.

A key role of Chamber & Support Services is contributing to public awareness of the Legislative Council through delivering presentations on the functions and history of the Legislative Council to a range of groups including school captains, other school groups and visiting delegations. Over the past

year, Chamber & Support Services conducted about four presentations in the chamber each non-sitting day, in total over 700 tours of Parliament House. Chamber & Support staff also contributed to the Legislative Council newsletter "House Matters" and provided editorial and desktop publishing assistance in the production of the newsletter.

During the sittings of the House, Chamber & Support staff provide a fundamental service to Ministers, members and the Clerks to ensure the effective and efficient functioning of the House. Chamber & Support staff convey messages and deliver papers during debate and Question Time, manage and monitor the circulation of amendments to bills, locate and provide copies of tabled papers and legislation and exchange messages with the other House.

Chamber and Support staff restructure

As a result of budget cuts imposed upon the Parliament the permanent positions in the Chamber Support services were reduced from 9 positions to 7 during 2006-2007. This necessitated a reduction in some services previously provided to members such as internal mail deliveries and support in committee hearings.

Future outlook for 2006 – 2007

Staff of the Legislative Council will continue to play an important role in welcoming the thousands of visitors, both from the general public and from international delegations, to Australia's oldest Parliament.

To enhance administrative efficiency, the processes involved in co-ordinating exhibitions in the Fountain Court are to be streamlined. It is expected that this will be completed within the next reporting period.

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HIGHLIGHTS

Human resources

- The implementation of the Budget Savings Plan (p24)
- Increased staff movements as a result of the 2007 State Election (p25)
- Formalising of Staff Mentoring Program (p26)

Members' services

- Increased output of processed claims as a result of the NSW State Election (p31)
- Continued updating and refinement of the Members' Entitlement System (MES) (p32)
- Production and distribution of a new Members' Guide (p32)

Corporate planning

- Refinement of Results and Services Plan and Total Asset Management Plan (page 33)
- Development of Heritage Plan (page 33)
- Implementation of reforms in Food and Beverage Services (page 25)

Corporate Support

The Corporate Support unit performs three core functions for the Department of the Legislative Council:

- Human resources
- Members' entitlements
- Information and governance

Corporate Support provides services that are essential for the effective performance of functions by a number of clients, including members of the Legislative Council and their staff, the staff of the department; and parliamentary joint services:

- provision of timely and sound advice in relation to human resources and industrial relations
- maintenance of accurate personnel records, including processing employee entitlements, for appointments, leave, allowances, study assistance, and salary increments
- co-ordination and facilitation of the advertising of vacant positions and the selection of new employees
- research, development and review of human resource and corporate policies and procedures
- investigation and resolution of grievances and facilitation of mediation with independent mediators
- co-ordination of the performance development program
- undertaking of job analysis and job evaluation for Legislative Council and joint departments
- provision of timely and accurate advice regarding members' entitlements
- timely and accurate administration of the system of members' parliamentary entitlements, including processing of claims in accordance with service targets
- procurement, asset management and supply and maintenance of equipment to members
- document management and advising on and enhancement of paper-based and electronic records management for the department and some joint services

- corporate planning and reporting, including contributions to the Parliament's Results and Services Plan, and Total Asset Management Plan.

Corporate Support has also undertaken a number of significant projects including overseeing the implementation of internal controls and business development planning for Parliamentary Food and Beverages Services and the 'Working in the Legislative Council' professional development program. These projects are outlined in further detail below.

Human resources

In 2006/07, Corporate Support maintained its commitment to providing effective and efficient personnel services to Legislative Council staff, members and their staff and the parliamentary joint services. The unit absorbed a significant additional workload resulting from major organisational change associated with the implementation of the Parliament's budget savings plan and the March 2007 NSW State Election. The 2006/07 financial year marked a period of significant activity within the Corporate Support unit.

Budget Savings Plan

In accordance with the Parliament's budget savings plan and subsequent restructure of affected departments, all permanent parliamentary support services staff, including the two House departments and joint services, were invited to submit expressions of interest for voluntary redundancy packages. As a result, four voluntary redundancy packages were offered and accepted by Department of the Legislative Council staff. An additional nine Building Services staff and 15 Food and Beverage Staff were also offered and accepted a package. The Legislative Council now maintains personnel responsibility for three parliamentary joint services – Information Technology Services, Building Services and Food and Beverage Services. With the inclusion of Building Services and Food and Beverage Services in the last financial year, our human resources staff processed 28 voluntary redundancy packages.

The redundancy packages offered to Food and Beverage staff resulted from a funding reduction directly targeted at Food and Beverage Services in addition to the savings plan required by NSW Treasury. On 23 May 2007, the Treasurer of NSW informed the Presiding Officers that no future funding would be made available (approximately \$1.4 million per year) for the Food and Beverage Services operation from the 2006/2007 budget year and that the Parliament was expected to operate Food and Beverage Services on a cost-neutral basis. This went further than the 23 February 2006 media release announcing a reduction in funding to Food and Beverage Services by \$800,000 for 2006/2007.

As a result, Corporate Support staff were significantly engaged with managing the strategic, operational, human resources and industrial relations consequences from the funding withdrawal. The human resources and industrial relations roles are expected to continue through the next year, while the delivery of services is reviewed and matching organisational structure is developed and implemented.

2007 State Election

The March 2007 NSW State Election resulted in considerable change in the membership of the Legislative Council and the subsequent departure of members' staff. As a result of the election, 17 separation from service packages were offered to members' staff. Sixteen members' staff accepted the offer and one person found employment with another Legislative Council member. Other features of the election period include:

- Separation from Service policy: as the result of a review in 2005/06 that assessed the considerable workload and planning involved in the pre and post election period, with a view to improving efficiency, the Separation from Service policy for Secretary/Research Assistants was changed to ensure the smooth transition of staff
- Recruitment: 13 Secretary/Research Assistants were employed for eight new members
- Induction: induction programs were conducted for new members in April 2007 and for new members' staff in June 2007. The programs featured information on employment conditions and personnel matters delivered by human resources staff. (p32 Members' Services)

- Members' Guide: the Corporate Support unit produced an entirely redrafted Members' Guide for 2007 (p32 Members' Services).

Personnel

With the departure of two senior officers in the Legislative Council in 2006/07, including the Clerk of the Parliaments, the Legislative Council saw for the first time in its history the recruitment of staff at all levels – from Council Assistant to the Clerk of the Parliaments. Eleven existing departmental staff were successful in achieving a promotion, and a number of external appointments of staff added to our pool of talented people.

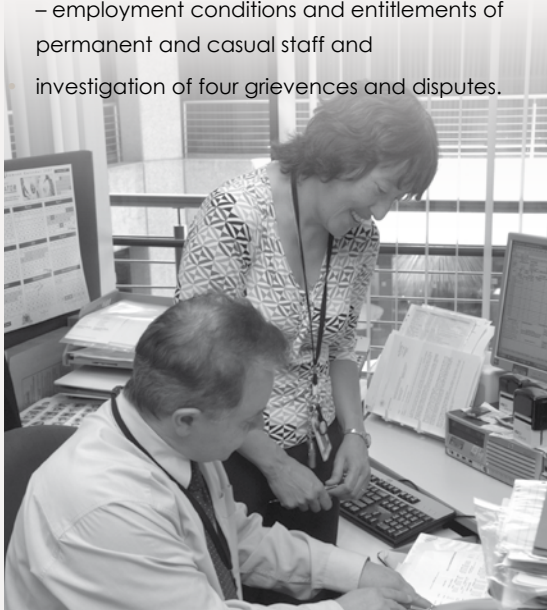
The Corporate Support unit managed the recruitment and induction of 37 permanent and long-term temporary employees (including members' staff).

Industrial Relations

The Corporate Support unit also provided advice on industrial relations matters. Advice and negotiations were undertaken through participation in joint consultative committee meetings with the Department of the Legislative Assembly and the Public Service Association (PSA), and on an ad hoc basis as issues or problems were identified.

Industrial relations advice was provided for the following matters in 2006/07:

- management of Building Services
- review of the Parliamentary Security structure
- review of Enterprise Agreements in Building Services
- the PSA's Dignity and Respect in the Workplace campaign and associated policies, including antibullying and code of conduct
- review of Food and Beverage Services – employment conditions and entitlements of permanent and casual staff and investigation of four grievances and disputes.



Policy development

In line with its corporate goals for 2006/07, the Corporate Support unit continued to revise and update existing Legislative Council human resource and corporate policies to ensure currency and relevance, and to reflect the Department's restructure changes. Existing policies that were reviewed and updated include the Rotation Policy and the Termination and Exit Interviews policies and Separation from Service Policy. New policies that were developed include the Mentoring Policy and the Internship Policy. In conjunction with staff from the Legislative Assembly, Corporate Support staff also contributed to the development of Parliament-wide policies, such as the Breastfeeding Policy and Anti-bullying Policy.

Mentoring Policy and Program

Following the success of the informal mentor program, which began in 2004/05, the department formalised its Mentoring Policy and Program in 2006/07. The program provides an opportunity for staff to establish relationships, exchange knowledge, ideas and experience, and gain an understanding of the role of the department. It aims to foster a positive and supportive environment for all staff by providing new staff with ongoing advice and support when they commence with the department, and more experienced staff with opportunity for personal development and career progression.

Rotation Policy and Program

The Rotation Policy and Program was reviewed in 2006/07 with the aim to not only develop the skills and experience of staff and enhance retention, but to improve the department's flexibility and capacity to manage workloads across sections and ensure that corporate knowledge is shared. In particular, the program was revised to put into effect the rotation cycle for entry level positions – that is, Council Assistant, Clerk Grade 1/2, and Council Officer Assistant, Clerk Grade 3/4. The program has been implemented on a trial basis and will be reviewed in 12 months with a view to formalising and extending it to other department staff. Progress will be reported on in the 2007/08 annual report.

Staff development

Performance Development Program

The Performance Development Program provides staff and management with an opportunity for timely communication and constructive feedback about current work and future directions. Reflective of the department's commitment to providing development opportunities to assist staff in reaching career goals, the program requires the completion of a 6-monthly review and Personal Development Action Plan to identify goals, issues and strategies.

The program continued in 2006/07, following its introduction in December 2002 and review in December 2005. Further reviews will take place in 2007/08 to ensure the program's continued relevance and value.

Training

The department supports staff wishing to develop their skills or gain knowledge in areas of direct relevance to their position. In 2006/07, a range of opportunities for staff development was provided through training. Training undertaken by both department and members' staff included courses in writing and editing, the use of specialized computer programs and the development of management skills.

Professional development

Staff in the Corporate Support unit are actively encouraged to participate in a range of activities to expand and update knowledge in the ever-changing areas of human resources and corporate planning and governance. Our staff regularly attend professional development seminars and forums, both within work hours and in their own time. For example, during the 2006/07 period, Corporate Support staff attended 'Jobs NSW Training' conducted by the Department of Commerce for advertising public sector positions on the internet and press.

A number of staff also belong to formal and informal networking groups such as the Institute of Public Administration Australia (IPAA) (NSW), the Records Management Association of Australasia (RMAA), the National Institute for Governance, Leadership, Learning and Development networks administered through Premier's Department and the Corporate Services Reform Network administered by the Department of Commerce.

Executive Development Program

During 2006/07, Ms Julie Langsworth, Director – Corporate Support, was selected to attend the Executive Development Program. Conducted over a ten month period, the program is supported by the NSW Premier's Department and provided by The Nous Group to build the skills of future leaders in the NSW public sector. A major objective of the course is to develop the participant's personal leadership style, approach and behaviour to prepare them for future leadership roles. The department has supported a staff member attending the program over the past several years. Ms Langsworth was successful in obtaining central agency funding to participate in this year's program.

Secondments

Department staff were given an opportunity to develop their knowledge, skills and experience by undertaking secondments to other public sector departments and agencies in 2006/07. One staff member was seconded to the NSW Premier's Department to work on the Sydney Harbour Bridge 75th anniversary celebrations and another was seconded to the NSW Attorney General's Department.

Employee Assistance Program

Since 1995, the Parliament has provided personal and professional support services to parliamentary staff and members through the Employee Assistance Program. The current provider of this program, Davidson Trahaire Corpsych, provides independent confidential counselling to assist with both work and non-work related issues, including stress and pressure, conflict at work, and child and family concerns. In addition, managers are able to access expert advice on dealing with people management issues. In the 2006/07 financial year, five department staff accessed the Employee Assistance Program.

Workforce planning

Corporate Support staff compile workforce profile information to provide indicators of current and future planning requirements, in terms of equal employment opportunity, and the growing concern over implications of an ageing workforce. A range of workforce profile information is also supplied to the NSW Premier's Department for public sector-wide reporting and planning. The following charts show the current profile of staff of the department:



Corporate Support staff provide personnel services for Legislative Council members and their staff, the Department of the Legislative Council, and three of the Parliament's joint services:

- Building Services
- Food and Beverage Services
- Information Technology

Professional development

The Australia and New Zealand Association of Clerks-at-The-Table (ANZACATT) is the professional development body for Australasian parliamentary officers.

The intensive ANZACATT Parliamentary Law, Practice and Procedure course run by the Queensland University of Technology was held in July 2006 and was attended by Ms Rachel Callinan, Director, and Mr Stephen Frappell, Principal Council Officer. The course develops understanding of the fundamental principles of parliamentary law, practice and procedure, and provides an overview of parliamentary systems in Australia and New Zealand.

The fifth annual ANZACATT Professional Development Seminar was held in Perth in January 2007. The aim of these annual seminars is twofold: to advance the professional development of attendees by improving knowledge of parliamentary practice and procedure, and to encourage networking and collaboration among parliamentary officers. The 80 attendees were from every parliament in Australia, as well as the parliaments of New Zealand, Ohio, Canada, Romania, South Africa, the United Kingdom, Scotland and Wales.

This year's theme was 'Committees: Investigations, privilege and related matters'. Principal Council Officers Mr Simon Johnston and Ms Madeleine Foley participated in the seminar which was also attended by the Clerk of the Parliaments, Mr John Evans, the Clerk of the Legislative Assembly, Mr Russell Grove, and three other staff members from the Legislative Assembly.

Working in the Legislative Council Professional Development Program

The third *Working in the Legislative Council Professional Development Program* took place between August and December 2006. This year the successful applicants were Ms Emma Chandler from the Roads and Traffic Authority and Ms Jocelyn Yem from the Office of Fair Trading.

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

On joining the Council Emma and Jocelyn were initially part of the budget estimates secretariat, and provided invaluable assistance in implementing procedural and administrative changes to the 2006/07 estimates process. They also gained experience in the Legislative Council chamber and each assisted on an inquiry; Emma on the Law and Justice Committee's inquiry into the Impact of the *Family Law Amendment (Shared Parental Responsibility) Act 2006*, and Jocelyn on General Purpose Standing Committee No. 2's inquiry into Health Impacts of Air Pollution in the Sydney Basin.

Emma: "I am certain that the skills and knowledge I have gained over the last four months will improve the RTA's corporate knowledge of parliamentary and committee processes."

Jocelyn: "I have thoroughly enjoyed my experience in the Working in the Legislative Council Program. I have found it to be an educational, informative and interesting program, and an invaluable experience that I would not have obtained by any other means."



Left to right:
Emma Chandler
and Jocelyn Yem.

Department of Aboriginal Affairs Professional Development Program

Two staff members from the Department of the Legislative Council, Ms Natasha O'Connor, Council Officer Assistant, and Ms Cathy Nunn, Senior Council Officer, undertook a professional development program with the NSW Department of Aboriginal Affairs (DAA). Cathy and Natasha were seconded to the Aboriginal Affairs Research and Policy unit. The Program provided valuable experience working in a Government department and enabled them to broaden their skill base through work on a range of projects relating to the implementation of the Aboriginal Affairs Plan, *Two Ways Together*.

Future outlook for 2007 – 2008

The department has an ongoing commitment to staff development and training. Policies and programs will continue to be reviewed and developed in the next financial year and beyond to ensure that development opportunities are available for all staff. Moreover, restrictions now faced by the public sector in using print media for job advertising means that innovative approaches will be needed to attract quality people into a parliamentary career.

The department will continue to provide operational and strategic support to the parliamentary joint services. In particular, the Corporate Support unit will assist with the implementation of organisational restructures across Building Services, Food and Beverage Services and Information Technology Services, and the recruitment processes to follow.

Corporate Support will continue to research, develop and review human resource and corporate policies and procedures, such as the Maternity Leave Policy. The Anti-bullying Policy will be launched and rolled out in the next financial year. Policies on the intranet will also be regularly reviewed and updated.

The Voicemap Induction Program will be developed and established in 2007/08. The program aims to provide all personnel, including Parliamentary staff, ministerial and departmental staff, contractors and volunteers, with comprehensive and effective education to ensure that Parliament House is a safe and healthy work environment. It is designed to ensure that staff and visitors understand and are ready to respond to security and safety threats and emergency incidents.

Corporate Support staff assessed and processed approximately 8,400 claims for payment this year. Most of these included multiple items.

Staff Numbers by Level

Level	TOTAL Staff	Number							
			Men	Women	Aboriginal people & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment
< \$33,910		< \$33,910	0	0	0	0	0	0	0
\$33,910 – \$44,537	2	\$33,910 - \$44,537	1	1	1	0	0	0	0
\$44,538 – \$49,791	8	\$44,538 - \$49,791	3	5	1	1	1	0	0
\$49,792 – \$63,006	65	\$49,792 - \$63,006	28	37	0	2	2	2	2
\$63,007 – \$81,478	10	\$63,007 - \$81,478	3	7	0	1	1	0	0
\$81,479 – \$101,849	17	\$81,479 - \$101,849	6	11	0	2	0	0	0
> \$101,849 (non SES)	5	> \$101,849 (non SES)	4	1	0	1	1	2	0
> \$101,849 (SES)		> \$101,849 (SES)	0	0	0	0	0	0	0
TOTAL	107		45	62	2	7	5	4	2

Percent of Total Staff by Employment Basis

Employment Basis	TOTAL Staff (Number)	Sub-group as a % of total staff in each category		Sub-group as estimated % of total staff in each employment category				
		Men	Women	Aboriginal people & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment
Permanent Full-time	72	42%	58%	3.4%	24%	17%	10%	3.4%
Permanent Part-time	24	33%	67%				25%	25%
Temporary Full-time	3	67%	33%					
Temporary Part-time	7	57%	43%					
Contract – SES								
Contract – Non SES								
Training Positions	1	100%		100.0%				
Retained Staff								
TOTAL	107	47%	53%	2.7%	13%	9%	10%	6.5%
Estimate Range (95% confidence level)				1.5% to 5.6%	6.4% to 20.1%	3.8% to 15.5%	3.1% to 20.0%	1.5% to 15.3%
SUBTOTALS								
Permanent	96	40%	60%	2.6%	18%	13%	14%	8.8%
Temporary	10	60%	40%					
Contract								
Full-Time	75	43%	57%	3.3%	23%	17%	10%	3.3%
Part-Time	31	39%	61%				19%	19.4%

Members' Entitlements

Corporate Support provides services to members in relation to facilities and equipment and is responsible for the administration of the system of members' parliamentary entitlements.

Members' basic salary and any additional salary payable as a result of being a recognised office holder are prescribed by the *Parliamentary Remuneration Act 1989*. The Act established the Parliamentary Remuneration Tribunal (PRT), which makes an annual determination for additional entitlements and which also sets out guidelines for the use, receipt and accounting of this expenditure.

Examples of entitlements for members are allowances such as the Electoral allowance, Sydney allowance and Committee allowance or fixed allocations for electorate to Sydney travel, Logistic Support Allocation, equipment services and facilities.

The Corporate Support unit has developed administrative systems and processes to administer these entitlements. They are designed to assist members to comply with the conditions of the PRT, meet the increased standards of accountability and, ultimately, satisfy audit requirements. These systems are modified each year following the release of the PRT's annual determination.

To satisfy the administrative requirements under the determination, members must substantiate all expenditure, meaning that members are required to submit separate applications for payment/reimbursement of sometimes very small amounts. Approximately 700 applications for payment/reimbursement are made each month under the current system. In the reporting period approximately 8400 claims were assessed and processed. Of the 8400 applications considered most included multiple items requiring separate consideration.

During 2006/07, LSA expenditure for members of the Legislative Council totalled \$1,619,430. This is a significant increase from the last reporting period in which expenditure was \$823,764. The change reflects the increased level of members' activity in the period leading up to the NSW State Election in March 2007.

Expenditure for members of the Legislative Council

	06/07	05/06
Claims per month	700	500
Total claim p.a	8400	6000
Total	\$1,619,430	\$823,764

At the time of a general election, the existing members' entitlements budgets are closed and new ones established for the remainder of the financial year. Consequently, the workload for officers of the section remained at a higher than normal level throughout the post election period when many of the claims had to be apportioned according to pre and post election budgets. At the same time, priority had to be given to finalising the affairs of members who concluded their term of service at the end of the 53rd Parliament and attending to the needs of new members beginning their terms with the commencement of the 54th Parliament.

Corporate Support's service target provides that correct and substantiated applications will be assessed, processed and approved within two working days. Of the applications received approximately 80% were submitted correctly with all relevant paperwork and processed according to the service guarantee. The remaining 20% required various levels of consultation with members' offices to obtain information and documentation essential to assessing the application. This was particularly difficult during the election period when some members or their staff were not as readily available to assist with queries.

Corporate Support staff seek to work closely with members' offices to establish a high level of cooperation and ensure that processes implemented are efficient and effective. Designated senior officers consult directly with members to resolve complex queries.

Members' Entitlement System (MES)

The Members' Entitlements System (MES) is a computer database that assists in the processing of applications against members' entitlements. In 2006/07, the development of MES continued as a joint project between the Department of the Legislative Council, Information Technology Services and the Office of the Financial Controller.

Each module within MES is designed to process a particular type of entitlement. The development of the system has improved the efficiency of processing. The system has been designed to monitor any relevant allocations or allowances, prevent duplicate entries being made and provide an audit trail for entries that have to be reversed or cancelled. All modules have been linked to allow cross referencing, replacing manual internal audit processes.

Following significant redevelopment of the commercial air module in 2005/06, substantial testing of this module was undertaken in this reporting period, and by November 2006 the enhancements were successfully released to MES users. Work was also undertaken to develop a function within the private and rental vehicle module to capture private vehicle kilometers travelled in a financial year to determine when the Pay As You Go threshold had been reached by members. These enhancements were released in January 2007. MES is continuing to be developed with the aim that all entitlements will ultimately be entered into the system.

Annual audit

All additional entitlements of members are the subject of an external audit conducted by the Auditor-General of NSW. In its report to Parliament, the Auditor-General recommended that members submit annual Sydney Allowance reconciliations and expenditure claims within the prescribed time frame. The Auditor's recommendations are monitored on an ongoing basis.

Equipment

Members of the Legislative Council are issued with a standard set of equipment to assist them in performing their parliamentary duties. During this reporting period, members' notebooks, printers and mobile phones were replaced.

2007 NSW State Election

The 2007 election was a very busy period for Corporate Support with staff being responsible for coordinating the departure of retiring members and assisting with the setting up process for incoming members.

New members' inductions

Following the election, Corporate Support, in conjunction with staff from other sections of the Department, participated in a comprehensive induction program for the new members of the Legislative Council. Over two consecutive days, new members were provided with a detailed introduction to Parliament and the role of the Department of the Legislative Council in supporting and advising members. During this time, the new members were briefed by Corporate Support staff on the background of the current entitlement system, key features of the entitlement system and the role of Corporate Support.

2007 Members' Guide

In April 2007, the Department of the Legislative Council issued a new Legislative Council Members' Guide for the 54th Parliament. The guide replaced the previous edition issued to members in July 2003.

The guide is comprehensive, up to date, and user-friendly, and will assist members in performing their parliamentary duties. The guide is utilised as a day to day resource by members and their staff, as well as departmental staff in assisting members with advice on entitlements, staffing matters and Parliamentary services and facilities. Feedback from members and staff has been very positive, on both design and content.

Future outlook for 2007 – 2008

Precedent System

During the reporting period, preliminary work commenced on a project to design and develop a precedent database to comprehensively record management decisions on the interpretation of members' entitlements. By providing a searchable database, completion of the project will facilitate electronic recording of corporate memory and enhance the speed of the decision making process regarding the use of entitlements.

Policy Review

Staff will review policies relating to the administration of members' entitlements to ensure currency and relevance.

Corporate Planning

During 2006/07 staff from across the parliament made a significant contribution to a number of Parliament-wide corporate governance projects. These include the further development of the Parliament's Results and Services Plan, the Total Asset Management Plan, the development of a Heritage Plan and the implementation of reforms in Food and Beverage Services.

Results and Services Plan (RSP)

Under the Government's financial management framework, agencies are required to submit to Treasury a Results and Services Plan (RSP). The RSP is a high-level service delivery plan which assists each agency to demonstrate the relationship between the services it delivers and the results it is working towards. The development of the Parliament's RSP involves Legislative Council staff working closely with officers from the Department of the Legislative Assembly and the Financial Controller. During the year the project team has made considerable progress on the development of Key Performance Indicators which reflect outcomes within the control of parliamentary support services. The development of these indicators and the collection of relevant statistical data will be the subject of further work during 2007/08.

Total Asset Management Plan (TAM)

Like RSPs, agencies are required to submit Total Asset Management Plans (TAMs) annually as an integral part of the budget process. The Parliament is required to provide detailed information to Treasury, aligning asset management planning and reporting with corporate plans and the RSP. Staff across the Parliament contributed to the collection of information on the Parliament's asset portfolio, current and future service requirements, risks and risk management strategies and performance measures. A major objective of the TAM process has been to address the critical need for an enhancement of the funds available for the maintenance of Parliament House, including the heritage features of the building. This is an ongoing project with the TAM undergoing further refinement during 2007/08.

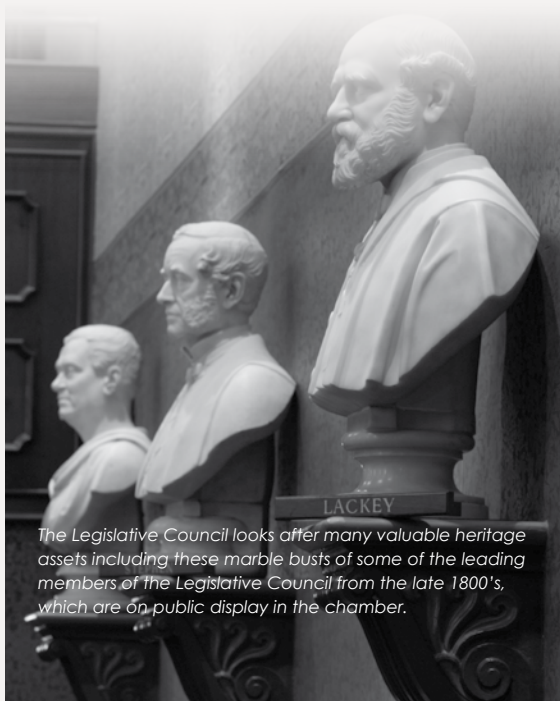
Heritage Plan

NSW Parliament House and many of the historical items it contains are subject to the *NSW Parliament House Heritage Protocol and the Heritage Act 1977* (NSW). These provide guidelines for the preservation of heritage within the NSW Parliamentary Precinct and historical collections including artworks, antiques, library assets, archives, the parliament building and chambers. During the reporting period staff of the Legislative Council have worked in conjunction with staff from across the Parliament to establish policies and procedures that help officers manage these valuable heritage assets from acquisition or donation to disposal.

Future outlook for 2006 – 2007

The coming year promises to be extremely busy in terms of planning for the future. Projects and challenges include:

- The development of consistent Parliament-wide recruitment procedures and documentation
- The development and implementation of e-procurement policy and staffing arrangements
- The implementation of marketing strategy for Food and Beverage Services, including the development of function kit material and website
- Restructures and recruitment actions in three joint services
- Review and update of all Legislative Council policies that appear on the intranet.



The Legislative Council looks after many valuable heritage assets including these marble busts of some of the leading members of the Legislative Council from the late 1800's, which are on public display in the chamber.

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HIGHLIGHTS

- Update of administrative procedures for select and joint select committees
- Streamlining of administrative practices within the committee secretariat (p36 and 38)
- Standardisation of minutes across Legislative Council committees (p38)

Information on Legislative Council committees is available at www.parliament.nsw.gov.au or from the individual committees:

General Purpose Standing Committees

www.parliament.nsw.gov.au/committees
Email gpscsecretariat@parliament.nsw.gov.au

Law and Justice Committees

www.parliament.nsw.gov.au/lawandjustice
Email lawandjustice@parliament.nsw.gov.au

Social Issues Committee

www.parliament.nsw.gov.au/socialissues
Email socialissues@parliament.nsw.gov.au

State Development Committee

www.parliament.nsw.gov.au/statedevelopment
Email statedevelopment@parliament.nsw.gov.au

Privileges Committee

www.parliament.nsw.gov.au/committees
Email privilege@parliament.nsw.gov.au

Procedure Committee

(02) 9230 2346

Committees

During 2006/07 there were 13 Legislative Council committees in operation, including five standing committees, five general purpose standing committees, two select committees and one joint select committee.

These committees were supported by the staff of the Legislative Council's committee section, which has 18 permanent full-time positions.

Role of Legislative Council committees

Legislative Council committees assist the Council in its twin functions of executive oversight and legislative review.

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

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

Committee membership reflects the diverse political make-up of the House. Most members of the House (excluding ministers) are members of one or more of its committees. Members may also be on one or more of the joint standing committees administered by the Legislative Assembly.

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

Impact of NSW State Election

Committee activities were reduced during the second half of the reporting period as a result of the prorogation of Parliament in January 2007 in the lead up to the NSW State Election in March 2007. The downturn in committee activity is similar to that experienced prior to the last state election in 2003¹. The committees of the 54th Parliament were re-established in May 2007.

The hiatus from regular committee activity gave committee staff a once-in-four-years opportunity to undertake much-needed corporate projects. The diverse array of assignments included cross-Parliament projects as well as projects specific to committee operations (p38).

Overview of committee activity

Committee inquiries examined a wide variety of legislative and policy issues, including the impact of the WorkChoices legislation, unfair terms in consumer contracts, the health impacts of air pollution in the Sydney basin, the operations of the Home Building Service, and continued public ownership of Snowy Hydro Ltd.

Summary of committee activity	2006/07 ²	2005/06	2004/05	2003/04	2002/03 ³
Meetings	107	174	152	196	100
Inquiries	22	39	39	36	35
Consultation and public participation					
Submissions	245	1021	3005	1169	409
Hearings	56	99	90	93	36
Witnesses	399	774	631	794	200
Public forums	1	8	124	70	-
Site visits	1	9	117	122	15
Briefings received by committee	0	11	67	14	79
Reports	15	28	21	20	33

¹ Prorogation is the act of the Governor that brings to an end a session of Parliament and terminates all business before the House, including parliamentary committees.

² Committees in 2006/07 ceased operation in December 2006 when the House was prorogued for the March 2007 NSW State election. Figures therefore represent six months' activity.

³ Committees in 2002/03 ceased operation in December 2002 when the House was prorogued for the March 2003 NSW State election. Figures therefore represent six months' activity.

Government responses

Under standing order 233(1), the Government is required to respond to the recommendations of a committee's inquiry within six months of the tabling of the report. This requirement, however, lapses if the response is due after the prorogation of the Council, as occurred in January 2007. Following the opening of the 54th Parliament in May 2007, the Government, nevertheless, provided responses to several inquiries completed in the latter part of 2006.

Select committees

Two select committees tabled reports during the reporting period – the Joint Select Committee on the Cross City Tunnel and the Select Committee on the continued public ownership of the Snowy Hydro Ltd. A third select committee, the Select Committee on Electoral and Political Party Funding, was established on 27 June 2007. The Committee's membership had not been determined before the end of the reporting period. Committee membership and activity will be reported in the next Annual Report.

Budget estimates inquiry

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

The NSW Treasurer, the Hon Michael Costa (MLC), delivered the 2006/07 budget in the Legislative Assembly on 6 June 2006. Committee examination of the Budget Estimates began with an initial round of 25 hearings in August and September. As in previous years, these hearings were conducted by the GPSCs according to their portfolio responsibilities, and were attended by the relevant Ministers and accompanying departmental officials.

The hearings were held according to a timetable agreed to by the House, which provided significantly more time for questioning Ministers than had been available in previous years.

Following the initial round of hearings all committees, except General Purpose Standing Committee No. 1, held supplementary hearings to further examine spending in particular portfolios. A total of 14 supplementary hearings were held in 2006/07, compared to 13 the previous year.

The resolution agreed to by the House allowed members to lodge questions on notice with committee staff. Over 5,000 questions were lodged during the initial estimates period. The Health portfolio received the largest number of questions directed to a single portfolio (610 questions). While most committees set deadlines of 21 days for the return of answers to Questions on Notice, Ministers generally returned answers in the usual 35-day period allowed for questions placed on the Notice Paper in the House.

The five General Purpose Standing Committees reported to the House on or before the due date of 23 November 2006. The estimates reports provide a summary of the issues raised during the hearings, but do not contain a detailed analysis of issues as is common in other committee reports. Transcripts of Budget Estimates hearings are available on each committee's web page.

The 2007/08 Budget was delivered on 19 June 2007, and the Budget Estimates and related papers were referred to the General Purpose Standing Committees on 28 June 2007. Committee examination of the 2007/08 budget estimates will be covered in the next Annual Report.

Improving service delivery

During the period, staff worked on a significant number of projects aimed at improving committee secretariat service delivery. In 2006, for the first time, witnesses who gave evidence to the committees were asked for their feedback on the work of committee staff in dealing with witnesses and arranging hearings⁴.

Questionnaires were sent to 93 witnesses who gave evidence at six inquiries. Three of these inquiries were standing committee inquiries, and three were General Purpose Standing Committee inquiries. The results of the survey are summarised in the table:

⁴ The questionnaire was based on a witness survey used in the Scottish Parliament. It was initiated by Ms Merrin Thompson, Principal Council Officer, who participated in a staff exchange to Scotland in the last reporting period. The introduction of the witness questionnaire is an example of the benefits gained through the staff exchange program.

Survey of inquiry participants

	Number	Percentage
Questionnaires distributed	93	100
Responses	35 ⁵	37.8
	Number	% (of respondents)
First-time witnesses	9	25.7
Committee staff professional and helpful		
Agreed	10	28.5
Strongly agreed	25	71.5
Clarity of information on administrative arrangements		
Agreed	9	28.5
Strongly agreed	26	71.5
Committee staff approachable at hearings		
Agreed	10	28.5
Strongly agreed	25	71.5
Satisfaction with witness experience ⁶		
Good/very good	28	80
Neither good nor bad	6	17
Poor/bad	1	3

⁵ In some cases, one response was sent to represent the views of multiple witnesses from the same organisation. The witnesses who responded represented a diverse range of organisations, including government agencies, industry organisations, advocacy groups, unions and private sector organisations.

⁶ Satisfaction with their experience as a witness seemed to be unrelated to whether a person had previously given evidence to a parliamentary committee, but could be linked to the whether the subject matter of the inquiry was controversial, leading the Committee to operate in an adversarial manner.

Other service delivery initiatives

Other projects undertaken by committee staff, and the organisational benefits, are summarised in the table:

Project	Outcome/benefit
Committee brochures Update existing brochures to reflect new 2004 standing orders and provide guidance on how to access committee information on the Internet	Information provided to the public, witnesses and others interested in the committee inquiry process, available on the committees' website: - standing committees - making a submission - committee hearings.
Register of committee reports Register of all reports tabled by Legislative Council and joint committees since 1978.	The register was first published in 1996. The updated version is publicly available on the committees' website.
Standardised minutes A template for minutes of all committee meetings	Increased consistency of minutes across committees.
Short course: An introduction to the Legislative Council A training tool for new and existing staff	Included in induction and training program for new staff and visitors.
Database of precedent material Organisation and storage of significant procedural advice.	Easy access for committee staff and guidance when providing procedural advice to committee chairs and members.
Administration manual Manual on administrative practices for staff of Legislative Council committees	Increased consistency among committees, available as a staff training tool and facilitating staff rotation.
Report writing workshop Training tool for new and existing staff on committee report writing	Greater familiarisation with committee reporting writing techniques, and the report writing process.

Standing Committees

The five standing committees in operation in 2006/07 were:

- *Privileges Committee*
Considers matters relating to parliamentary privilege referred to it by the House or the President, citizens' rights of reply to statements made about them in the House, and undertakes functions relating to members' ethical standards under Part 7A of the *Independent Commission Against Corruption Act 1988*. Known as the Standing Committee on Parliamentary Privilege and Ethics between 1995 and 2003.
- *Standing Committee on Law and Justice*
Conducts inquiries and reports to the Legislative Council on matters concerned with legal and constitutional issues including law reform, parliamentary matters, criminal and administrative law and the criminal justice system, police, corrective services and juvenile justice, industrial relations, emergency services and fair trading.
- *Standing Committee on Social Issues*
Conducts inquiries and reports to the Legislative Council on matters concerned with the social development of the people of New South Wales, including health, education, housing, ageing, disability, and children's and community services provided by the government and non-government sector.
- *Standing Committee on State Development*
Conducts inquiries and reports to the Legislative Council on the following key areas: economics and finance, commerce, infrastructure and planning, energy and utilities, natural resources, transportation, tourism, public administration, local government, primary industry, agriculture and fisheries, mineral resources, industrial and technological developments, science and medical research, environmental issues, and issues unique to, or predominant in, rural areas.
- *Procedure Committee*
Required by standing order to consider any amendments to the standing orders, propose changes in practice and procedures of the House, and consider any matter relating to the procedures referred to it by the House or the President.



Standing Committee membership

Most members of the House (excluding ministers) are members of one or more committee. Membership of the five standing committees in the 53rd Parliament (to March 2007) and the 54th Parliament (from May 2007) is summarised in the following table:

Standing Committee membership – 53rd Parliament

Member	Party	Law and Justice Committee	Social Issues Committee	State Development Committee	Privileges Committee	Procedure Committee
Burgmann, Meredith	ALP					Chair
Burnswoods, Jan	ALP		Chair			
Catanzariti, Tony	ALP			Chair		
Chesterfield-Evans, Arthur	AD					
Clarke, David	LP	Deputy Chair				
Cohen, Ian	G					
Colless, Rick	N					
Della Bosca, John	ALP					
Donnelly, Greg	ALP					
Fazio, Amanda	ALP					
Forsythe, Patricia	LP			Deputy Chair ⁷	Deputy Chair (to 19/09/06)	
Gallacher, Michael	LP					
Gardiner, Jenny	N					
Gay, Duncan	N					
Griffin, Kayee	ALP					
Harwin, Don	LP				Deputy Chair (from 19/09/06)	
Kelly, Tony	ALP					
Lynn, Charlie	LP					
Macdonald, Ian	ALP					
Nile, Fred	CDP					
Parker, Robyn	LP		Deputy Chair			
Pavey, Melinda	N					
Primrose, Peter	ALP				Chair	
Rhiannon, Lee	G					
Robertson, Christine	ALP	Chair				
Sharpe, Penny	ALP					
West, Ian	ALP					
Wong, Peter	UP					

• ALP – Australian Labor Party • CDP – Christian Democratic Party • G – The Greens • LP – Liberal Party • N – The Nationals • U – Unity Party

 Membership

⁷ On 22 September 2006 the Hon Patricia Forsythe resigned as a member of the Legislative Council. Mrs Forsythe's position was not filled, as the Committee did not meet for the remainder of the 53rd Parliament.

Standing Committee membership – 54th Parliament

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

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

☐ Membership



Committee activities

Statistical summary – all standing committees

	Privileges	Law and Justice	Social Issues	State Development
Inquiries	4	5	1	1
Submissions	18	75	5	0
Meetings	5	8	12	1
Hearings	0	3	5	0
Witnesses	0	33	50	0
Forums	0	0	1	0
Site visits	0	0	0	0
Reports	2	3	1	0

Privileges Committee inquiries

Inquiry into the draft Constitution (Disclosures by Members) Amendment Regulation 2006 and draft amendments to the Code of Conduct for members	
Referred by	Legislative Council
Date:	8 June 2006
Report date:	3 October 2006
Submissions:	17
Hearings:	0
Summary of terms of reference:	Inquire into and report on the draft Constitution (Disclosures by Members) Amendment Regulation 2006, tabled in the House on 7 June 2006 in accordance with section 14A (5) of the Constitution Act 1902, and the draft amendments to the Code of Conduct for Members of the Parliament, also tabled in the House on 7 June 2006.
Summary of report/ recommendations	In relation to the draft Constitution (Disclosures by Members) Amendment Regulation 2006, the Committee expressed support for greater disclosure of members' income and secondary employment, as proposed by the draft regulation, but was concerned that the proposed provisions were unduly complex and unclear. It also identified difficulties with the proposed new system of pecuniary interests returns. In relation to the draft amendments to the Code of Conduct for Members, the Committee expressed support for a number of the proposed measures, but made recommendations for some changes. The Committee also once again supported the introduction of legislation to codify parliamentary privilege
Other comments and background to the inquiry:	The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics conducted a similar inquiry into the draft Constitution (Disclosures by Members) Amendment Regulation 2006 and draft Code of Conduct for Members. It tabled its report in September 2006. In November 2006, it tabled a further report identifying areas in which the two Committees agreed and in which they diverged.

Following the tabling of the reports of both committees, the Constitution (Disclosures by Members) Amendment Regulation 2007 was gazetted on 2 March 2007, with a commencement date of 24 March 2007.

A new Code of Conduct for Members was adopted by the Assembly on 20 June 2007 and by the Council on 21 June 2007, by resolution expressed to have 'continuing effect unless and until amended or rescinded by further resolution of the House'. The new code addresses a number of the issues raised by the Privileges Committee.

Inquiry into the comments of Cardinal Pell

Referred by	President of the Legislative Council
Date:	12 June 2007
Report date:	Inquiry still proceeding at 30 June 2007
Submissions:	0
Hearings:	0

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

Other comments and background to the Inquiry: The Committee met to discuss the terms of reference on 27 June 2007. On 4 June 2007, the Catholic Archbishop of Sydney, Cardinal George Pell, released a written media statement in which he called on members of the NSW Parliament to reject the provisions of the Human Cloning and Other Prohibited Practices Amendment Bill 2007.

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

Citizens right of reply

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

During the reporting period, the committee tabled one report concerning a citizen's right of reply from the NRMA. Following a resolution of the House, the reply was incorporated into Hansard.

Law and Justice Committee inquiries

Inquiry into unfair terms in consumer contracts	
Referred by	Minister for Commerce
Date:	28 August 2006
Report date:	23 November 2006
Submissions:	29
Hearings:	1
Summary of terms of reference:	Inquire into and report on the incidence and impact of unfair terms in consumer contracts for the supply of personal or domestic goods and services, the adequacy of the legal and regulatory framework in New South Wales and specific purpose legislation to protect consumer rights, such as that used in Victoria and the UK.
Summary of report/ recommendations:	Most of the evidence to the Committee suggested that the current regulatory framework in New South Wales does not adequately address unfair terms in consumer contracts. Inquiry participants expressed strong support for additional protection for consumers. Therefore, the Committee's key recommendation was that New South Wales adopt specific legislation, similar to the scheme that has been adopted in Victoria and in the UK, to ensure that consumers' rights are protected.
Government response:	26 June 2007

Inquiry into the impact of the Family Law Amendment Act 2006 (Cth)	
Referred by	Minister for Community Services; Attorney General
Date:	19 September 2006
Report date:	28 November 2006
Submissions:	27
Hearings:	1
Summary of terms of reference:	Inquire into and report on the impact of the Commonwealth's Family Law Amendment (Shared Parental Responsibility) Act 2006 on women and children in NSW and on the operation of court orders that can prevent family violence perpetrators from coming into contact with their families.
Summary of report/ recommendations	Many of the 14 recommendations stressed the need for the NSW Government to work with the Commonwealth Government. Recommendations focused on improving the processes for proving, identifying and dealing with family violence issues, improving access to Family Relationship Centres for all NSW residents and monitoring any change in the incidence of Apprehended Domestic Violence Order applications."
Other comments and background to the inquiry:	This inquiry was unusual in that it addressed the impact of a Commonwealth law on the people of NSW.
Government response:	29 May 2007

Inquiry into the exercise of the functions of the MAA and the MAC – Seventh Review	
Referred by	Statutory review under section 210 of the <i>Motor Accidents Compensation Act 1999 (NSW)</i> 7th review – the committee resolved to commence the inquiry on 17 November 2005
Report date:	20 September 2006
Submissions:	19
Hearings:	1
Summary of terms of reference:	The Committee has an ongoing role in reviewing the exercise of the functions of the Motor Accidents Authority (MAA) and the Motor Accidents Council (MAC). The MAA is a statutory corporation that regulates the NSW Motor Accidents Scheme. It was established under the <i>Motor Accidents Act 1988</i> on 10 March 1989 and continues to be constituted under the <i>Motor Accidents Compensation Act 1999</i> .
Summary of report/recommendations	The Committee reported that the MAA and MAC continue to perform their functions under the Act in an appropriate and competent manner. The Committee made several recommendations in response to issues raised during the review. The Committee noted that CTP premiums continued to fall in 2004-2005, both in dollar terms and as a percentage of weekly earnings.
Other comments and background to the inquiry:	The terms of reference for this Inquiry were derived from a resolution of the Legislative Council of 25 June 2003 designating the Law and Justice Committee to be the Committee for the purposes of section 210.
Government response:	16 August 2007
Inquiry into the exercise of the functions of the MAA and the MAC – Eighth Review	
Referred by	Statutory review under section 210 of the <i>Motor Accidents Compensation Act 1999 (NSW)</i> The committee resolved to commence the inquiry on 16 June 2007
Report date:	This inquiry was still proceeding at 30 June 2007
Submissions:	0 as of 30 June 2007
Hearings:	0 as of 30 June 2007
Summary of terms of reference:	The Committee has an ongoing role in reviewing the exercise of the functions of the Motor Accidents Authority (MAA) and the Motor Accidents Council (MAC). The MAA is a statutory corporation that regulates the NSW Motor Accidents Scheme. It was established under the <i>Motor Accidents Act 1988</i> on 10 March 1989 and continues to be constituted under the <i>Motor Accidents Compensation Act 1999</i> .
Summary of report/recommendations	The committee is yet to report as the inquiry is still proceeding.
Other comments and background to the inquiry:	In the 54th Parliament, the Law and Justice Committee was again designated as the Committee for the purposes of section 210, following a resolution of the Legislative Council on 30 May 2007. The evidence-gathering phase of the Eighth Review will commence in the next reporting period.
Government response:	Not received yet as it is outside the reporting period

Review of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council	
Referred by	Statutory review under the <i>Motor Accidents (Lifetime Care and Support) Act 2006 (NSW)</i>
Report date:	Inquiry not yet commenced
Submissions:	0
Hearings:	0
Summary of terms of reference:	The Act requires a committee of the Legislative Council to 'supervise the exercise of the functions' of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council.
Other comments and background to the inquiry:	The <i>Motor Accidents (Lifetime Care and Support) Act 2006</i> (the Act) established the Lifetime Care and Support Scheme to provide care and support for those who suffer catastrophic injuries in motor vehicle accidents. The Act established the Lifetime Care and Support Authority to manage the scheme and the Lifetime Care and Support Advisory Council to advise the Government on the operation of the scheme. The Law and Justice Committee was appointed to this role on 22 November 2006 and reappointed on 30 May 2007 for the 54th Parliament. Due to the infancy of the Scheme and the bodies which the Committee is to supervise, the Committee will commence its inquiry function in 2008.

Social Issues Committee inquiry

Inquiry into the impact of the Commonwealth WorkChoices legislation	
Referred by	Minister for Industrial Relations
Date:	28 March 2006
Report date:	23 November 2006
Submissions:	5 (in 2006/07) 47 (in 2005/06)
Hearings:	5 (in 2006/07) 2 (in 2005/06)
Public forums:	1
Summary of terms of reference:	Inquire into and report on the impact of the Commonwealth WorkChoices legislation on the people of New South Wales and, in particular, on rural communities, gender equity, work and family balance, injured workers, and employers, especially small businesses.
Summary of report/ recommendations	The Committee called for the repeal of the <i>Workplace Relations (WorkChoices) Amendment Act 2005</i> . Failing that, the Committee recommended that the NSW Government take action to ameliorate where it can some of the effects of WorkChoices on the people of NSW.
Government response:	30 May 2007

State Development Committee inquiry

Inquiry into aspects of agriculture in NSW	
Referred by	Minister for Agriculture
Date:	28 June 2007
Report date:	Inquiry still proceeding at 30 June 2007
Submissions:	0
Hearings:	0
Summary of terms of reference:	Inquire into and report on the contribution of agriculture to the New South Wales economy, impediments to sustaining appropriate levels of productive capacity, and initiatives to address those impediments.

Procedure Committee inquiry

Inquiry into the provisions of standing order 210(10)	
Referred by	Legislative Council
Date:	28 June 2007
Report date:	Inquiry still proceeding at 30 June 2007
Summary of terms of reference:	On 28 June 2007, the House resolved, during the present session and unless otherwise ordered, to adopt a new standing order 210(10) dealing with conflict of interest of members serving on a committee. The House referred the new standing order to the Procedure Committee for inquiry and report.
Other comments and background to the Inquiry:	This matter arose after terms of reference were referred to the State Development Committee for an inquiry into the agriculture industry in NSW. Concerns were raised whether the Chair of the State Development Committee could participate in the inquiry under the provisions of the previous standing order 210(10).

Inquiry into acknowledging, after the Prayer, the sacrifice of Australian servicemen and women	
Referred by	Legislative Council
Date:	21 September 2006
Report date:	Inquiry expired prior to reporting at the end of the 53rd Parliament
Submissions:	0
Hearings:	0
Summary of terms of reference:	Inquire into the desirability of the President acknowledging, after the Prayer on the first sitting day of each week, the sacrifice made by Australian servicemen and women, in particular those who gave their lives in defence of the freedom we enjoy today, and related matters.

General Purpose Standing Committees

The Legislative Council has five General Purpose Standing Committees (GPSCs) which were first appointed in 1997. These accountability-oriented committees have a majority of non-government members and have been re-established at the beginning of each new Parliament. Each committee deals with several ministerial portfolio responsibilities, as shown in the table⁸:

GPSC Ministerial portfolio responsibilities

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

⁸ The portfolio areas listed are those current at 28 June 2007.



Committee membership

Membership of the five General Purpose Standing Committees in the 53rd Parliament (to March 2007) and the 54th Parliament (from April 2007) is summarised in the following table:

General Purpose Standing Committee membership – 53rd Parliament

Member	Party	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Burnswoods, Jan	ALP					
Catanzariti, Tony	ALP		Deputy Chair			
Chesterfield-Evans, Arthur	AD					
Clarke, David	LP					
Cohen, Ian	G					Chair
Colless, Rick	N					Deputy Chair
Cusack, Catherine	LP					
Donnelly, Greg	ALP					
Fazio, Amanda	ALP			Chair		
Forsythe, Patricia	LP		Chair ^a (to 22/09/06)			
Gardiner, Jenny	N				Chair	
Griffin, Kayee	ALP					
Hale, Sylvia	G				Deputy Chair	
Harwin, Don	LP					
Jenkins, Jon	ORP					
Lynn, Charlie	LP					
Nile, Fred	CDP	Chair				
Obeid, Eddie	ALP					
Oldfield, David	I					
Parker, Robyn	LP	Deputy Chair	Chair (from 25/09/06)			
Pavey, Melinda	N					
Pearce, Greg	LP			Deputy Chair		
Primrose, Peter	ALP					
Rhiannon, Lee	G					
Robertson, Christine	ALP					
Sharpe, Penny	ALP					
Tsang, Henry	ALP					
West, Ian	ALP					

- ALP – Australian Labor Party • CDP – Christian Democratic Party • G – The Greens • I – Independent • LP – Liberal Party • N – The Nationals
• ORP – Outdoor Recreation Party • U – Unity Party

 Membership

^a On 22 September 2006, the Hon Patricia Forsythe, Chair, resigned as a member of the Legislative Council. Mrs Forsythe was replaced by the Hon Robyn Parker on 25 September 2006. Ms Parker was elected Chair of the Committee on this day.

General Purpose Standing Committee membership – 54th Parliament

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

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

 Membership

Committee activities

While GPSCs may receive terms of reference from the House, inquiries are generally initiated by the committees themselves, under their powers to self-refer.

In addition to undertaking inquiries into specific issues, GPSCs are responsible for the annual examination of the Budget Estimates.

Statistical summary – all General Purpose Standing Committees

	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Inquiries	1	4	2	2	1
Submissions	0	56	45	36	0
Meetings	6	24	14	15	9
Hearings	5	14	9	12	5
Witnesses	30	99	59	69	31
Reports	1	3	1	1	1

General Purpose Standing Committee No 1 inquiry

Budget Estimates 2006-07	
Referred by	Legislative Council
Date:	8 June 2006
Report date:	27 October 2006
Hearings:	5
Summary of terms of reference:	Inquire into and report on the Budget Estimates and related papers for the financial year 2006-2007, for the portfolios of Premier, State Development, Citizenship, Education and Training, Commerce, Finance, Industrial Relations, Treasury, Infrastructure, the Hunter and The Legislature.



General Purpose Standing Committee No 2 inquiries

Budget Estimates 2006-07	
Referred by	Legislative Council
Date:	8 June 2006
Report date:	23 November 2006
Hearings:	5
Supplementary hearings:	5
Summary of terms of reference:	Inquire into and report on the Budget Estimates and related papers for the financial year 2006-2007, for the portfolios of Health, Community Services, Youth, Ageing, Disability Services, Tourism and Sport and Recreation, Women and Aboriginal Affairs.

Health impacts of air pollution in the Sydney Basin	
Referred by	Self-referred
Date:	14 March 2006
Report date:	November 2006
Submissions:	41
Hearings:	2
Summary of terms of reference:	Inquire into and report on levels of air pollution in the Sydney Basin over the last three decades, the health impacts and costs of air pollution and the impact of environmental laws on air pollution.
Summary of report/ recommendations	There was a high level of community concern regarding air pollution from road tunnels. Recommendations addressed the regulatory framework for air pollution, the measurement standards for air pollutants and specific practical strategies intended to reduce current sources of air pollution.
Government response:	14 August 2007

Review of inquiry into complaints handling in NSW Health	
Referred by	Self-referred
Date:	14 March 2006
Report date:	21 November 2006
Submissions:	15
Hearings:	1
Summary of terms of reference:	To inquire into and report on the implementation of the recommendations of the Committee's previous inquiry into complaint handling in NSW Health, which was completed in June 2004.
Summary of report/ recommendations	Recommendations included a review of the nature and extent of privilege relevant to incident investigations by NSW Health, timely feedback regarding the outcomes of investigations, public awareness of and confidence in patient safety initiatives and more frequent publication of Incident Management Reports.
Government response:	22 May 2007

Inquiry into evidence given during Budget Estimates on 7 and 13 November 2006	
Referred by	Self-referred
Date:	4 December 2006
Report date:	This inquiry expired before reporting with the issuing of the writs in March 2007 for the state election.
Hearings:	1
Summary of terms of reference:	Inquire into and report on evidence given by the Director General of the Department of Community Services, Dr Neil Shepherd, during hearings for the Inquiry into the Budget Estimates 2006/07 on 7 and 13 November 2006.
Other comments and background to the inquiry	The Committee established the Inquiry to examine whether new child protection legislation had been introduced as a consequence of a judgement delivered in a child protection matter heard in a closed court, as stated by Dr Shepherd in his evidence during the budget estimates. Several procedural issues arose concerning the Committee's desire to publish the closed court transcript and judgement provided by Dr Shepherd in response to questions taken on notice, which had been requested to remain confidential.

General Purpose Standing Committee No 3 inquiries

Budget Estimates 2006-07	
Referred by	Legislative Council
Date:	8 June 2006
Report date:	23 November 2006
Hearings:	5
Supplementary hearings	4
Summary of terms of reference:	Inquire into and report on the Budget Estimates and related papers for the financial year 2006-2007, for the portfolios of Police, Attorney General, Justice, Juvenile Justice, Emergency Services, Lands, Rural Affairs, Gaming and Racing and the Central Coast.



Correctional Services Legislation Amendment Bill 2006	
Referred by	Legislative Council
Date:	7 June 2006
Report date:	The inquiry expired before reporting with the issuing of the writs in March 2007.
Submissions:	45
Hearings:	0
Summary of terms of reference:	Inquire into and report on the <i>Correctional Services Legislation Amendment Bill 2006</i> .
Other comments and background to the inquiry	The primary purpose of the Bill was to prohibit inmates serving sentences for serious indictable offences, or awaiting sentencing for such offences, from providing their reproductive material for use or storage for reproductive purposes.

General Purpose Standing Committee No 4 inquiries

Budget Estimates 2006-07	
Referred by	Legislative Council
Date:	8 June 2006
Report date:	23 November 2006
Hearings:	6
Supplementary hearings	4
Summary of terms of reference:	Inquire into and report on the Budget Estimates and related papers for the financial year 2006-2007, for the portfolios of Planning, Redfern Waterloo, Science and Medical Research, Local Government, Roads, Housing, Transport, Western Sydney and Fair Trading.

Operations of the Home Building Service	
Referred by	Self-referred
Date:	27 September 2006
Report date:	The inquiry expired before reporting with the issuing of the writs in March 2007. On 27 July 2007 the Inquiry was effectively resumed by GPSC No. 2, the Committee now responsible for the Fair Trading portfolio in the new Parliament, when the Committee adopted terms of reference relating to the operations of the Home Building Service. This Inquiry will be covered by the next annual report.
Submissions:	36
Hearings:	2
Summary of terms of reference:	Inquire into the operations of the Home Building Service of the Office of Fair Trading, with particular reference to the builder licensing system, the Home Warranty Insurance Scheme, the resolution of complaints and the enforcement of relevant regulatory provisions.

General Purpose Standing Committee No 5 inquiry

Budget Estimates 2006-07	
Referred by	Legislative Council
Date:	8 June 2006
Report date:	16 November 2006
Hearings:	4
Supplementary hearings	1
Summary of terms of reference:	Inquire into and report on the Budget Estimates and related papers for the financial year 2006-2007, for the portfolios of Environment, Arts, Water Utilities, Regional Development, Illawarra, Small Business, Natural Resources, Primary Industries, Mineral Resources, Energy, Ports, and Waterways.

Select committees

Select committees are formed to inquire into a particular issue. Joint Select Committees, made up of members from both Houses, can also be formed. Once its inquiry has been completed, a select committee is discontinued.

Two select committees tabled reports during the reporting period – the Joint Select Committee on the Cross City Tunnel and the Select Committee on the continued public ownership of the Snowy Hydro Ltd, which reported during the 53rd Parliament. A third select committee, the Select Committee on Electoral and Political Party Funding, was established on 27 June 2007.

Select Committee membership – 53rd Parliament

Member	Party	Cross City Tunnel (joint) ⁹	Snowy Hydro continued public ownership
Legislative Council			
Catanzariti, Tony	ALP		
Donnelly, Greg	ALP		
Fazio, Amanda	ALP		
Forsythe, Patricia	LP		(to 20/09/06)
Hale, Sylvia	G		
Lynn, Charlie	LP		(from 20/09/06)
Moyes, Gordon	CDP		Chair
Nile, Fred	CDP	Chair	
Pavey, Melinda	N		Deputy Chair
Pearce, Greg	LP		
Rhiannon, Lee	G		
Legislative Assembly			
Constance, Andrew	LP		
Daley, Michael	ALP		
Keneally, Kristina	ALP		
Pringle, Steven	LP		

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

⁹ Since the Committee was established in the previous reporting period, the membership changed on a number of occasions. Mr Michael Daley MP replaced Mr Matt Brown MP from 22 February 2006 to 2 March 2006. Mr Michael Daley MP also replaced Mr Paul McLeay MP from 25 May 2006. Ms Kristina Keneally MP replaced Mr Matt Brown MP from 7 June 2006. Mr Steven Pringle MP replaced Mr John Turner MP from 7 June 2006.

 Membership

Statistical summary – all select committees

	Cross City Tunnel (joint) ¹⁰	Snowy Hydro continued public ownership
Inquiries	1	1
Submissions	0	10
Meetings	2	6
Hearings	0	3
Witnesses	0	28
Site visits	0	1
Reports	1	1

**Joint Select Committee on the Cross City Tunnel**

The Joint Select Committee on the Cross City Tunnel was established on 17 November 2005. The Committee's inquiry had three stages resulting in three separate reports: first, issues directly related to the Cross City Tunnel project, second, the role of government agencies in entering into public private partnerships more generally, and third, issues relating to the Lane Cove Tunnel project.

Third report – The Lane Cove Tunnel	
Referred by	Legislative Council
Date:	Original reference – 15 November 2005 (LC); 16 November 2006 (LA). Lane Cove Tunnel reference – 4 April 2006 (LC) 6 April 2006 (LA)
Report date:	23 August 2006
Submissions:	0 (46 in 2005-06)
Hearings:	0 (3 in 2005-06)
Summary of terms of reference:	Inquire into and report on the role of government agencies in negotiating the Lane Cove Tunnel contract, the extent to which the contract was determined by community consultation, and the methodology used by the Roads and Traffic Authority for tendering and contract negotiation.
Summary of report/ recommendations	This final Report noted that many of the concerns raised in the First and Second Reports in relation to the Government's engagement in Public Private Partnerships remained relevant to the Lane Cove tunnel project. The report highlighted the need for more comprehensive community information about the surface road changes that will take effect once the Lane Cove Tunnel opens. The report also made recommendations on the issue of air quality improvement.
Government response	23 February 2007

¹⁰ Since the Committee was established in the previous reporting period, the membership changed on a number of occasions. Mr Michael Daley MP replaced Mr Matt Brown MP from 22 February 2006 to 2 March 2006. Mr Michael Daley MP also replaced Mr Paul McLeay MP from 25 May 2006. Ms Kristina Kenedy MP replaced Mr Matt Brown MP from 7 June 2006. Mr Steven Pringle MP replaced Mr John Turner MP from 7 June 2006.

Select Committee on the continued public ownership of Snowy Hydro Limited

Following the withdrawal of the proposal to sell Snowy Hydro Limited, the Legislative Council referred terms of reference for the establishment of a Select Committee into the continued public ownership of Snowy Hydro Limited on 7 June 2006, in the previous reporting period.

Continued public ownership of Snowy Hydro Limited	
Referred by	Legislative Council
Date:	7 June 2006
Report date:	26 October 2006
Submissions:	10 (53 in 2005-06)
Hearings:	3 (2 in Sydney, 1 in Cooma)
Public Forums:	1 (18 speakers)
Site visits	1
Summary of terms of reference:	Inquire into the impact of the continued public ownership of Snowy Hydro Limited on the financial position of the NSW Government, the future capital expenditure requirements for the company and the control of water regulation.
Summary of report/ recommendations	The Committee recommended that the Commonwealth acquire Snowy Hydro Limited and that any acquisition must guarantee the retention of existing water entitlements and the public ownership of the corporation and that the Snowy Scientific Committee be established immediately to monitor the impact of the environmental water flows Snowy River.
Government response	Not received during reporting period

Future outlook 2007-08

Legislative Council committees will continue to strive for excellence in the provision of services to the members and making the parliamentary process accessible to the public. Staff will:

- benefit from the standardisation of committee practices
- become increasingly flexible in their work practices as they are required to work across several committee inquiries simultaneously
- continue to maintain their high service standards following changes to staff structure in 2006-2007.



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Financial commentary

The Parliament

The net cost of services allocation to the Parliament in the 2006/07 budget was \$103.597 million.

This represented a reduction of the Parliament's budget of \$ 2.293 million. This consisted of a \$1.4 million reduction in funding for Food and Beverage Services (equivalent to the subsidy required to run the service in 2005/06), and a reduction of \$ 893,000 from parliamentary support services (the two House Departments, committees and joint services). With approximately 70% of the Parliament's budget consisting of matters over which the Parliament has no discretion (eg members' salaries and allowances), this represents a cut of almost 8.2% in the Parliament's discretionary operational budget.

The Parliament implemented a savings plan, which involved significant restructures in Food and Beverage Services, the Department of the Legislative Council, Legislative Assembly Committees and Parliamentary Building Services. As a result of these restructures, a total of 35 parliamentary staff took voluntary redundancies.

During 2006/07 a total of \$ 9.441 million was received in supplementation from NSW Treasury, largely in respect of redundancy payments for parliamentary staff and members' staff, and the funding of members' programs.

As a result of the savings achieved and the supplementation provided, the end of year financial result for the Parliament for 2006/07 was a surplus of \$ 887,000.

Department of the Legislative Council

The budget of the Legislative Council (including members programs and the Department of the Legislative Council) represents 21.38 % of the Parliament's total budget. The budget for the Department of the Legislative Council alone (ie Procedure, Corporate Support and Committees, but excluding expenditure on Legislative Council members' programs) represents 4.86 % of the Parliament's total budget.

The end of year financial result for the Department of the Legislative Council (operations and committees) for 2006/07 was a surplus of \$ 455,444. This was a result of savings achieved from restructures within the Department, and the limited expenditure relating to committee activities due to the March 2007 election.

Outlook

The Parliament's net cost of services budget allocation for 2007/08 is \$ 110.073 million.

Since the 2007/08 budget was handed down the Parliament has received supplementation of \$ 3.064 million. This supplementation largely relates to the funding of members' programs but also includes funds to begin the implementation of enhanced security measures for Parliament House.

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



GPO BOX 12
Sydney NSW 2001

INDEPENDENT AUDITOR'S REPORT

The Legislature

To Members of the New South Wales Parliament

I have audited the accompanying financial report of The Legislature, which comprises the balance sheet as at 30 June 2007, and the income statement, statement of changes in equity, cash flow statement, program statement - expenses and revenues, and summary of compliance with financial directives for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Auditor's Opinion

In my opinion, the financial report presents fairly, in all material respects, the financial position of The Legislature as of 30 June 2007, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations)

The Clerks' Responsibility for the Financial Report

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

Auditor's Responsibility

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

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

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

Independence

In conducting this audit, the Audit Office has complied with the independence requirements of the Australian Auditing Standards and other relevant ethical requirements. The PF&A Act further promotes independence by:

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



Peter Achterstraat
Auditor-General

23 October 2007
SYDNEY



18 October 2007

File ref: A700

THE LEGISLATURE

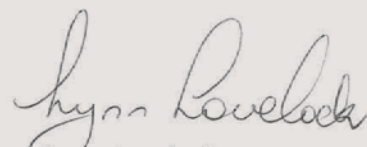
FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2007

Statement by Department Heads

We state that:

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


Russell D. Grove
Clerk of the Legislative Assembly


Lynn Lovelock
Clerk of the Parliaments

THE LEGISLATURE

Operating Statement for the Year Ended 30 June 2007

	Notes	Actual 2007 \$000	Budget 2007 \$000	Actual 2006 \$000
Expenses excluding losses				
Operating expenses				
Employee related	2(a)	50,120	45,936	47,659
Other operating expenses	2(b)	26,258	23,136	25,382
Depreciation and amortisation	2(c)	4,215	3,977	4,262
Other expenses	2(d)	<u>37,611</u>	<u>35,668</u>	<u>36,187</u>
Total Expenses excluding losses		<u>118,204</u>	<u>108,717</u>	<u>113,490</u>
Less:				
Revenue				
Sale of goods and services	3(a)	4,541	4,810	4,321
Investment revenue	3(b)	120	60	58
Grants and contributions	3(c)	1,193	-	1,277
Other revenue	3(d)	<u>1,654</u>	<u>250</u>	<u>507</u>
Total Revenue		<u>7,508</u>	<u>5,120</u>	<u>6,163</u>
Gain / (loss) on disposal	4	<u>(59)</u>	<u>-</u>	<u>(16)</u>
Net Cost of Services	20	<u>110,755</u>	<u>103,597</u>	<u>107,343</u>
Government Contributions				
Recurrent appropriation	5	97,171	87,805	88,340
Capital appropriation	5	3,202	3,267	2,878
Acceptance by the Crown Entity of employee benefits and other liabilities	6	<u>11,269</u>	<u>11,815</u>	<u>11,726</u>
Total Government Contributions		<u>111,642</u>	<u>102,887</u>	<u>102,944</u>
SURPLUS / (DEFICIT) FOR THE YEAR		<u>887</u>	<u>(710)</u>	<u>(4,399)</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Statement of Changes in Equity for the Year Ended 30 June 2007

	Notes	Actual 2007 \$000	Budget 2007 \$000	Actual 2006 \$000
Net increase / (decrease) in property, plant and equipment asset revaluation reserve		<u>(892)</u>	<u>-</u>	<u>8,401</u>
TOTAL INCOME AND EXPENSE RECOGNISED DIRECTLY IN EQUITY		<u>(892)</u>	<u>-</u>	<u>8,401</u>
Surplus / (Deficit) for the year		<u>887</u>	<u>(710)</u>	<u>(4,399)</u>
TOTAL INCOME AND EXPENSE RECOGNISED FOR THE YEAR	16	<u>(5)</u>	<u>(710)</u>	<u>4,002</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Balance Sheet as at 30 June 2007

	Notes	Actual 2007 \$000	Budget 2007 \$000	Actual 2006 \$000
ASSETS				
Current Assets				
Cash and cash equivalents	8	2,509	803	803
Receivables	9	1,714	1,819	1,749
Inventories	10	152	257	257
Total Current Assets		4,375	2,879	2,809
Non-Current Assets				
Property, Plant and Equipment	11			
- Land and Buildings		133,260	136,411	137,532
- Plant and Equipment		9,249	9,874	9,112
- Collection Assets		38,367	36,004	36,004
Total Property, Plant and Equipment		180,876	182,289	182,648
Intangible Assets	12	363	212	563
Total Non-Current Assets		181,239	182,501	183,211
Total Assets		185,614	185,380	186,020
LIABILITIES				
Current Liabilities				
Payables	13	4,735	5,032	5,162
Provisions	14	4,566	5,015	4,815
Other	15	323	49	49
Total Current Liabilities		9,624	10,096	10,026
Non-Current Liabilities				
Provisions	14	38	37	37
Total Non-Current Liabilities		38	37	37
Total Liabilities		9,662	10,133	10,063
Net Assets		175,952	175,247	175,957
EQUITY				
Reserves	16	32,294	33,186	33,186
Accumulated Funds		143,658	142,061	142,771
Total Equity		175,952	175,247	175,957

The accompanying notes form part of these statements.

THE LEGISLATURE

Cash Flow Statement for the Year Ended 30 June 2007

	Notes	Actual 2007 \$000	Budget 2007 \$000	Actual 2006 \$000
CASH FLOWS FROM OPERATING ACTIVITIES				
Payments				
Employee related		(47,720)	(42,733)	(44,195)
Other		<u>(57,186)</u>	<u>(52,582)</u>	<u>(53,467)</u>
Total Payments		<u>(104,906)</u>	<u>(95,315)</u>	<u>(97,662)</u>
Receipts				
Sale of goods and services		4,322	4,810	4,255
Interest received		70	50	89
Other		<u>3,562</u>	<u>2,650</u>	<u>2,867</u>
Total Receipts		<u>7,954</u>	<u>7,510</u>	<u>7,211</u>
Cash Flows From Government				
Recurrent appropriation	5	97,429	87,805	88,346
Capital appropriation	5	3,267	3,267	2,868
Cash reimbursements from the Crown Entity		<u>-</u>	<u>-</u>	<u>-</u>
Net Cash Flows From Government		<u>100,696</u>	<u>91,072</u>	<u>91,214</u>
NET CASH FLOWS FROM OPERATING ACTIVITIES	20	<u>3,744</u>	<u>3,267</u>	<u>763</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Proceeds from sale of land and buildings, plant and equipment		4	-	9
Purchases of land and buildings, plant and equipment		<u>(2,042)</u>	<u>(3,267)</u>	<u>(2,377)</u>
NET CASH FLOWS FROM INVESTING ACTIVITIES		<u>(2,038)</u>	<u>(3,267)</u>	<u>(2,368)</u>
NET INCREASE / (DECREASE) IN CASH		1,706	-	(1,605)
Opening cash and cash equivalents		<u>803</u>	<u>803</u>	<u>2,408</u>
CLOSING CASH AND CASH EQUIVALENTS	8	<u>2,509</u>	<u>803</u>	<u>803</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Program Statement - Expenses and Revenues for the year ended 30 June 2007

	Program 1.1.1* Legislative Council		Program 1.1.2* Legislative Assembly		Program 1.2.1* Joint Services		Not Attributable		Total	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000	2007 \$000	2006 \$000	2007 \$000	2006 \$000	2007 \$000	2006 \$000
THE LEGISLATURE'S EXPENSES & REVENUES										
Expenses excluding losses										
Operating expenses	9,104	9,119	24,068	22,246	16,948	16,294	-	-	50,120	47,659
• Employee related	3,455	2,955	17,165	16,672	5,638	5,755	-	-	26,258	25,382
• Other operating expenses	291	236	1,343	1,433	2,581	2,593	-	-	4,215	4,262
Depreciation and amortisation	11,706	11,200	25,905	24,987	-	-	-	-	37,611	36,187
Other expenses										
Total Expenses excluding losses	24,556	23,510	68,481	65,338	25,167	24,642	-	-	118,204	113,490
Revenue										
Sale of goods and services	404	405	405	405	3,732	3,511	-	-	4,541	4,321
Investment revenue	-	-	-	-	120	58	-	-	120	58
Grants and contributions	-	-	-	-	1,193	1,277	-	-	1,193	1,277
Other revenue	58	51	331	111	1,265	345	-	-	1,654	507
Total Revenue	462	456	736	516	6,310	5,191	-	-	7,508	6,163
Gain / (loss) on disposal	2	-	(2)	3	(59)	(19)	-	-	(59)	(16)
Net Cost of Services	24,092	23,054	67,747	64,819	18,916	19,470	-	-	110,755	107,343
Government contributions**	-	-	-	-	-	-	111,642	102,944	111,642	102,944
NET EXPENDITURE /(REVENUE) FOR THE YEAR	24,092	23,054	67,747	64,819	18,916	19,470	(111,642)	(102,944)	(887)	4,399

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

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

THE LEGISLATURE

SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

	2007				2006			
	Recurrent Appropriation \$000	Expenditure / Net Claim on Fund \$000	Capital Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Recurrent Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Capital Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000
ORIGINAL BUDGET APPROPRIATION / EXPENDITURE • Appropriation Act • Additional Appropriations • s21A PF&AA – special appropriation • s24 PF&AA – transfers of functions between departments • s26 PF&AA – Commonwealth specific purpose payments	87,805	87,730	3,267	3,202	85,956	85,950	2,075	2,037
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
OTHER APPROPRIATIONS / EXPENDITURE • Treasurer's Advance • Section 22 – expenditure for certain works and services • Transfers to/from another agency (s28 – Appropriation Act)	87,805	87,730	3,267	3,202	85,956	85,950	2,075	2,037
	9,935	9,441	-	-	2,390	2,390	846	841
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
Total Appropriations / Expenditure / Net Claim on Consolidated Fund (includes transfer payments) Amount drawn down against Appropriation Liability to Consolidated Fund*	9,935	9,441	-	-	2,390	2,390	846	841
	97,740	97,171	3,267	3,202	88,346	88,340	2,921	2,878
		97,429		3,267		88,346		2,921
		258		65		6		43

The Summary of Compliance is based on the assumption that Consolidated Fund monies are spent first (except where otherwise identified or prescribed).
 *The Liability to Consolidated Fund represents the difference between the "Amount drawn down against Appropriation" and the "Total Expenditure / Net Claim on Consolidated Fund".

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting Entity

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

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

This financial report for the year ended 30 June 2007 has been authorized for issue by the Clerk of the Legislative Assembly and the Clerk of the Parliaments on 18 October 2007.

(b) Basis of Preparation

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

- ❖ Applicable Australian Accounting Standards (which include Australian equivalents to International Financial Reporting Standards (AIFRS));
- ❖ The requirements of the *Public Finance and Audit Act 1983* and Regulation, and
- ❖ The Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies, or issued by the Treasurer.

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

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

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

(c) Statement of Compliance

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

(d) Income Recognition

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

(i) Parliamentary Appropriations and Contributions

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

An exception to the above is when appropriations are unspent at year end. In this case, the authority to spend the money lapses and generally the unspent amount must be repaid to the Consolidated Fund in the following financial year. As a result, unspent appropriations are accounted for as liabilities rather than revenue. The liability is disclosed in note 15 as part of "Current liabilities – Other". The amount will be repaid and the liability will be extinguished next financial year.

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

- (ii) Sales of Goods

Revenue from the sale of goods is recognised as revenue when the agency transfers the significant risks and rewards of ownership of the assets.
- (iii) Rendering of Services

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

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

Those items classified as other revenue are recognised as revenue according to the most applicable policy listed above, having regard for the type of revenue received.
- (e) **Employee Benefits and other provisions**
 - (i) Salaries and Wages, Annual Leave, Sick Leave and On- Costs

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

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

Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the benefits accrued in the future.

The outstanding amounts of payroll tax, workers' compensation insurance premiums and fringe benefits tax, which are consequential to employment, are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised.
 - (ii) Long Service Leave and Superannuation

The Legislature's liabilities for long service leave and defined benefit superannuation are assumed by the Crown Entity. The Legislature accounts for the liability as having been extinguished, resulting in the amount assumed being shown as part of the non-monetary revenue item described as "Acceptance by the Crown Entity of employee benefits and other liabilities". Prior to 2005/06 the Crown Entity also assumed the defined contribution superannuation liability.

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. This is based on the application of certain factors (specified in NSWTC 06/09) to employees with five or more years of service, using current rates of pay. These factors were determined based on an actuarial review to approximate present value.

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

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

(f) Insurance

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

(g) Accounting for the Goods and Services Tax (GST)

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

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

(h) Acquisitions of Assets

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

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

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

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

(i) Capitalisation Thresholds

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

(j) Revaluation of Property, Plant and Equipment

Physical non-current assets are valued in accordance with the "Valuation of Physical Non-Current Assets at Fair Value" Policy and Guidelines Paper (TPP 05-3). This policy adopts fair value in accordance with *AASB 116 Property, Plant and Equipment*.

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

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

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

Land	30 June 2007	Valustate Pty Ltd
Buildings	30 June 2007	HP Consultants Pty Ltd
Plant & Equipment		
(Building Technical Services Assets)	30 June 2007	HP Consultants Pty Ltd
Collection Assets:		
Library Collection	30 June 2007	Simon Storey Valuers
Archives Collection	30 June 2007	Simon Storey Valuers
Antiques	30 June 2007	Simon Storey Valuers
Artworks	30 June 2007	Art Gallery of NSW

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

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

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

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

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

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

As a not-for-profit entity, revaluation increments and decrements are offset against one another within a class of non-current assets, but not otherwise.

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

(k) Impairment of Property, Plant and Equipment

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

(l) Depreciation of Property Plant and Equipment

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

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

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

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

(m) Maintenance

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

(n) Leased Assets

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

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

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

(o) Intangible Assets

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

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

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

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

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

(p) Loans and Receivables

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

Short-term receivables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(q) Inventories

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

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

(r) Other Assets

Other assets are recognised on a cost basis.

(s) Impairment of financial assets

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

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

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

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

(t) Payables

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

(u) Budgeted Amounts

The budgeted amounts are drawn from the budgets as formulated at the beginning of the financial year and with any adjustments for the effects of additional appropriations, s 21A, s 24 and / or s 26 of the *Public Finance and Audit Act 1983*.

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

(v) Accounting Standards and Interpretations Issued, but not Yet Effective

The following accounting standards issued but not yet effective have not been applied:

- ❖ AASB 7 – *Financial Instruments: Disclosures* (potentially more substantial risk related disclosures relating to credit, liquidity and market risk). AASB 7 will be implemented for the year ending 30 June 2008 and will include comparative information for the year ended 30 June 2007;
- ❖ AASB 101 – *Presentation of Financial Statements* as issued in October 2006 will be implemented for the year ending 30 June 2008 and will include comparative information for the year ended 30 June 2007;
- ❖ AASB 2005-10 *Amendments to Australian Accounting Standards* (September 2005) amending AASB 132 *Financial Instruments: Disclosure and Presentation*, AASB 101 *Presentation of Financial Statements*, AASB 114 *Segment Reporting*, AASB 139 *Financial Instrument: Recognition and Measurement* and AASB 1 *First-time Adoption of Australian Equivalents to International Reporting Standards*. AASB 2005-10 will be implemented for the year ending 30 June 2008 and will include comparative information for the year ended 30 June 2007 and
- ❖ AASB 2007-4 *Amendments to Australian Accounting Standards* arising from ED 151 and Other Amendments. AASB 2007-4 will be implemented for the year ending 30 June 2008 and will include comparative information for the year ended 30 June 2007.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

2. EXPENSES EXCLUDING LOSSES

(a) Employee Related Expenses	2007	2006
	\$000	\$000
Salaries and wages (including recreation leave)	40,724	38,271
Superannuation – defined benefit plans	1,283	1,341
Superannuation – defined contribution plans	2,464	2,410
Payroll tax and fringe benefits tax	2,731	2,692
Long service leave	1,002	1,404
Worker's compensation insurance	463	490
Employment agency staff	1,492	1,087
Other	(39)	(36)
	50,120	47,659

(b) Other Operating Expenses including the following:	2007	2006
	\$000	\$000
Auditor's remuneration		
– Audit of the financial reports	50	52
– Audit of Members' additional entitlements under Parliamentary Remuneration Tribunal Determination	53	55
Cost of Sales - House Committee	1,221	1,437
Operating Lease Rental Expense-Minimum Lease Payments	4,499	4,189
Maintenance	1,824	1,815
Insurance	318	373
Printing and stationery	6,914	6,014
Telecommunication costs	1,217	1,338
Travel expenses	1,605	2,110
Computer costs	3,109	2,272
Stores	319	640
Postage and state mail charges	1,449	852
Miscellaneous	1,278	1,876
Energy charges	1,101	1,052
Cleaning and laundry	541	548
Contract and other fees	760	759
	26,258	25,382

	2007	2006
	\$000	\$000
<i>Reconciliation – Total maintenance</i>		
Maintenance expense – contracted labour and other (non-employee related), as above	1,824	1,815
Employee related maintenance expense included in Note 2 (a)	3,337	3,325
Total maintenance expenses included in Note 2(a) + 2(b)	5,161	5,140

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

(c) Depreciation and Amortisation expense	2007	2006
	\$000	\$000
Depreciation:		
– buildings	1,266	1,369
– plant and equipment	1,787	1,750
– collection assets	125	102
	3,178	3,221
Amortisation:		
– leasehold improvements	708	680
– intangibles	329	361
	1,037	1,041
Total Depreciation and Amortisation Expense	4,215	4,262

(d) Other Expenses	2007	2006
	\$000	\$000
Salaries and allowances of Members of Parliament	26,620	25,396
Superannuation entitlements – Members	8,520	8,397
Payroll tax & fringe benefits tax – Members’ entitlements	2,224	2,128
Special Projects	247	266
	37,611	36,187

3. REVENUE

(a) Sale of Goods and Services	2007	2006
<u>Sale of Goods</u>	\$000	\$000
House Committee sales of food and beverages	2,970	2,398
Energy recoup from Sydney Hospital and State Library	536	503
Sale of publications	18	33
	3,524	2,934
<u>Rendering of Services</u>		
Rent on Parliament House ministerial offices	807	809
House Committee functions	–	377
Miscellaneous	210	201
	1,017	1,387
	4,541	4,321

House Committee functions revenue, which involves the recovery of labour costs at functions, is now included in House Committee sales of food and beverages.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

(b) Investment Revenue	2007	2006
	\$000	\$000
Interest	120	58
	120	58

(c) Grants and Contributions	2007	2006
	\$000	\$000
Sesquicentenary of Responsible Government	—	38
Department of Commerce – Enhancement to electorate office network	—	15
Department of Commerce maintenance work	1,193	1,224
	1,193	1,277

(d) Other Revenue	2007	2006
	\$000	\$000
Increment from asset valuation offsetting prior decrement	954	188
Miscellaneous	700	249
Contribution of assets	—	70
	1,654	507

4. GAIN/(LOSS) ON DISPOSAL

	2007	2006
	\$000	\$000
Loss on disposal of plant and equipment		
Proceeds from disposal	4	9
Written down value of assets disposed	(63)	(25)
Net gain/(loss) on disposal of plant and equipment	(59)	(16)

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

5. APPROPRIATIONS	2007	2006
Recurrent Appropriations	\$000	\$000
Total recurrent drawdowns from Treasury (per Summary of Compliance)	97,429	88,346
Less: Liability to Consolidated Fund (per Summary of Compliance)	(258)	(6)
	97,171	88,340
Comprising:		
Recurrent Appropriations (per Operating Statement)	97,171	88,340
	2007	2006
Capital Appropriations	\$000	\$000
Total capital drawdowns from Treasury (per Summary of Compliance)	3,267	2,921
Less: Liability to Consolidated Fund (per Summary of Compliance)	(65)	(43)
	3,202	2,878
Comprising:		
Capital Appropriations (per Operating Statement)	3,202	2,878

6. ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE BENEFITS AND OTHER LIABILITIES

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

	2007	2006
Employees	\$000	\$000
Superannuation	1,283	1,341
Long service leave	1,002	1,404
Payroll tax on superannuation	76	80
	2,361	2,825
Members		
Superannuation	8,404	8,397
Payroll tax on superannuation	504	504
	8,908	8,901
	11,269	11,726

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

7. PROGRAMS/ACTIVITIES OF THE LEGISLATURE

Program 1.1.1 Parliamentary Government - Legislative Council

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

Activities:

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

Program 1.1.2 Parliamentary Government - Legislative Assembly

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

Activities:

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

Program 1.2.1 Parliamentary Support Services - Joint Services

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

Activities:

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

8.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

CURRENT ASSETS – CASH AND CASH EQUIVALENTS

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

	2007	2006
	\$000	\$000
Cash at Bank and on hand	2,509	803
	<u>2,509</u>	<u>803</u>

Cash at bank and on hand includes restricted Consolidated Fund Monies of \$323,000. Refer to Note 15.

The Legislature has the following banking facilities as at 30 June 2007:

- Cheque cashing authority of \$20,000, which is the total encashment facility provided to enable recoupment of advance account activities.
- Tape negotiation authority of \$3,000,000. This facility authorised the bank to debit The Legislature's operating bank account up to the above limit when processing the electronic payroll and vendor files.
- MasterCard facility of \$335,000, which is the total credit limit for all issued credit cards.

	2007	2006
9. CURRENT ASSETS – RECEIVABLES	\$000	\$000
Sales of goods and services	829	609
Less: Allowance for impairment	16	8
	<u>813</u>	<u>601</u>
G.S.T. recoverable from A.T.O.	429	524
Other debtors	19	74
Prepayments	379	525
Investment income	74	25
	<u>1,714</u>	<u>1,749</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

10. CURRENT ASSETS – INVENTORIES	2007	2006
	\$000	\$000
Food and beverage stock at cost	152	257
	<u>152</u>	<u>257</u>

11 NON-CURRENT ASSETS - PROPERTY, PLANT AND EQUIPMENT

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
At 1 July 2006				
Gross Carrying Amount	196,914	37,535	45,019	279,468
Accumulated depreciation and impairment	<u>59,382</u>	<u>28,423</u>	<u>9,015</u>	<u>96,820</u>
Net Carrying Amount at fair value	<u>137,532</u>	<u>9,112</u>	<u>36,004</u>	<u>182,648</u>
At 30 June 2007				
Gross Carrying Amount	174,059	42,555	47,508	264,122
Accumulated depreciation and impairment	<u>40,799</u>	<u>33,306</u>	<u>9,141</u>	<u>83,246</u>
Net Carrying Amount at fair value	<u>133,260</u>	<u>9,249</u>	<u>38,367</u>	<u>180,876</u>

Reconciliation

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

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
Year ended 30 June 2007				
Net carrying amount at start of year	137,532	9,112	36,004	182,648
Additions	998	991	96	2,085
Disposals	(121)	(1,696)	-	(1,817)
Net Revaluation Increments less Revaluation Decrements	(3,296)	966	2,392	62
Accumulated depreciation written back on disposal	121	1,663	-	1,784
Depreciation Expense	<u>(1,974)</u>	<u>(1,787)</u>	<u>(125)</u>	<u>(3,886)</u>
Net carrying amount at end of year	<u>133,260</u>	<u>9,249</u>	<u>38,367</u>	<u>180,876</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
At 1 July 2005				
Gross Carrying Amount	186,216	36,294	43,258	265,768
Accumulated depreciation and impairment	<u>54,612</u>	<u>26,673</u>	<u>8,913</u>	<u>90,198</u>
Net Carrying Amount at fair value	<u>131,604</u>	<u>9,621</u>	<u>34,345</u>	<u>175,570</u>
At 30 June 2006				
Gross Carrying Amount	196,914	37,535	45,019	279,468
Accumulated depreciation and impairment	<u>59,382</u>	<u>28,423</u>	<u>9,015</u>	<u>96,820</u>
Net Carrying Amount at fair value	<u>137,532</u>	<u>9,112</u>	<u>36,004</u>	<u>182,648</u>

Reconciliation

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

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$000	\$000	\$000	\$000
Year ended 30 June 2006				
Net carrying amount at start of year	131,604	9,621	34,345	175,570
Additions	1,325	992	98	2,415
Disposals	(311)	(1,187)	-	(1,498)
Net Revaluation Increments less Revaluation Decrements	6,738	188	1,663	8,589
Accumulated depreciation written back on disposal	306	1,167	-	1,473
Transfers	(81)	81		
Depreciation Expense	<u>(2,049)</u>	<u>(1,750)</u>	<u>(102)</u>	<u>(3,901)</u>
Net carrying amount at end of year	<u>137,532</u>	<u>9,112</u>	<u>36,004</u>	<u>182,648</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

12. INTANGIBLE ASSETS

Software

	\$000
At 1 July 2006	
Cost (gross carrying amount)	2,355
Accumulated amortisation and impairment	1,792
Net carrying amount	<u>563</u>
At 30 June 2007	
Cost (gross carrying amount)	2,380
Accumulated amortisation and impairment	2,017
Net carrying amount	<u>363</u>
Reconciliation	
Year ended 30 June 2007	
Net carrying amount at start of year	563
Additions	160
Disposals	(134)
Accumulated amortisation written back on disposal	103
Amortisation (recognised in depreciation and amortisation)	(329)
Net carrying amount at end of year	<u>363</u>
At 1 July 2005	
Cost (gross carrying amount)	2,340
Accumulated amortisation and impairment	1,432
Net carrying amount	<u>908</u>
At 30 June 2006	
Cost (gross carrying amount)	2,355
Accumulated amortisation and impairment	1,792
Net carrying amount	<u>563</u>
Reconciliation	
Year ended 30 June 2006	
Net carrying amount at start of year	908
Additions	16
Amortisation (recognised in depreciation and amortisation)	(361)
Net carrying amount at end of year	<u>563</u>

13. CURRENT LIABILITIES – PAYABLES

	2007	2006
	\$000	\$000
Accrued wages, salaries, on-costs	1,973	1,750
Creditors	2,762	3,412
	<u>4,735</u>	<u>5,162</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

14. CURRENT AND NON-CURRENT LIABILITIES – PROVISIONS

	2007	2006
	\$000	\$000
(a) Current		
Recreation leave	3,598	3,800
On-cost on employee benefits	968	1,015
	<u>4,566</u>	<u>4,815</u>
(b) Non-Current		
On-cost on employee benefits	38	37
	<u>38</u>	<u>37</u>
(c) Aggregate employee benefits and related on-costs:		
Provisions – Current	4,566	4,815
Provisions - Non-Current	38	37
Accrued salaries, wages and on-costs (note 13)	1,973	1,750
	<u>6,577</u>	<u>6,602</u>

Of employee benefits for recreation leave \$2,568,000 is expected to be settled within twelve months and \$1,030,000 is expected to be settled after twelve months. All accrued wages and salaries are expected to be settled within twelve months.

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

15. CURRENT LIABILITIES – OTHER

	2007	2006
	\$000	\$000
Liability to Consolidated Fund	323	49
	<u>323</u>	<u>49</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

16. CHANGES IN EQUITY

	Accumulated Funds		Asset Revaluation Reserve		Total Equity	
	2007	2006	2007	2006	2007	2006
	\$000	\$000	\$000	\$000	\$000	\$000
Balance at the beginning of the financial year	142,771	147,158	33,186	24,797	175,957	171,955
<u>Changes in equity - other than transactions with owners as owners</u>						
Surplus/(Deficit) for the year	887	(4,399)	-	-	887	(4,399)
Increment/(Decrement) on revaluation of:						
• Land and Buildings		-	(3,296)	6,738	(3,296)	6,738
• Plant and Equipment	-	-	12	-	12	-
• Collection Assets	-	-	2,392	1,663	2,392	1,663
<u>Total</u>	<u>887</u>	<u>(4,399)</u>	<u>(892)</u>	<u>8,401</u>	<u>(5)</u>	<u>4,002</u>
<u>Transfers within equity</u>						
Asset revaluation reserve balance transferred to accumulated funds on disposal of asset	-	12	-	(12)	-	-
<u>Total</u>	<u>-</u>	<u>12</u>	<u>-</u>	<u>(12)</u>	<u>-</u>	<u>-</u>
Balance at the end of the financial year	143,658	142,771	32,294	33,186	175,952	175,957

Asset Revaluation Reserve

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

17. COMMITMENTS FOR EXPENDITURE

(a) Operating Lease Commitments

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

	2007	2006
	\$000	\$000
Not later than one year	3,219	3,787
Later than one year but not later than five years	3,680	3,821
Later than five years	152	247
Total (including GST)	7,051	7,855

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

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

The above total includes GST input tax credits of \$603,000 (\$673,000 – 2006), which will be recoverable from Australian Taxation Office (ATO).

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

	2007	2006
	\$000	\$000
Not later than one year	2,668	3,256
Later than one year but not later than five years	3,527	3,164
Later than five years	152	247
Electorate Office Lease Commitments (including GST)	6,347	6,667

The above total includes GST input tax credits of \$583,000 (\$565,000 – 2006), which will be recoverable from the ATO.

(b) Other Expenditure Commitments

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

	2007	2006
	\$000	\$000
Not later than one year	175	152
Total (including GST)	175	152

The above total for 2007 includes GST input tax credits of \$16,000 (\$14,000 – 2005/6) that will be recoverable from the ATO.

18. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

At reporting date there were no contingent liabilities and contingent assets.

19. BUDGET REVIEW

Net Cost of Services

Net Cost of Services exceeded budget by \$7,158,000 due to higher than estimated employee related, other operating, depreciation and amortisation, and other expenses, which includes Members' salaries. These higher expenditures were partially offset by higher revenue. Other operating expenses include an amount of \$1,193,000, which was the value of maintenance and restoration work carried out by the Department of Commerce. The same amount was credited to the income category, grants and contributions.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

Assets and Liabilities

Total assets were higher than budget by \$234,000 due to a higher than estimated cash at bank.

Cash Flows

Net cash inflows from operating activities were \$477,000 higher than budget as higher operating outflows were offset by higher inflows from government.

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

	2007	2006
	\$000	\$000
Net Cash used in operating activities	3,744	763
Depreciation	(4,215)	(4,262)
(Increase) / decrease in provisions	248	(401)
(Decrease) / increase in receivables, inventories and other assets	(140)	242
(Increase) / decrease in creditors and other liabilities	355	(987)
Gain / (Loss) on sale of non-current assets	(59)	(16)
Asset acquired via grant / donation	-	70
Valuation increment recognised in Operating Statement	954	188
Long Service Leave	(1,002)	(1,404)
Superannuation	(9,687)	(9,738)
Payroll tax on superannuation	(580)	(584)
Less cash flows from government:		
Capital Allocation	(97,171)	(2,868)
Recurrent Allocation	(3,202)	(88,346)
Net Cost of Services	(110,755)	(107,343)

21. FINANCIAL INSTRUMENTS

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

Cash

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

At period end the deposits were earning 5.25% (4.75% in 2005/2006) while the effective interest rate during the reporting period was 5.17% (4.90% in 2005/2006).

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2007

Receivables

All trade debtors are recognised as amounts receivable at balance date. Collectability of trade debtors is reviewed on an ongoing basis. Debts, which are known to be un-collectable, are written off. An allowance for impairment is raised when there is objective evidence that the Legislature will not be able to collect all amounts.

The credit risk is the carrying amount (net of any provision for doubtful debts). As at balance date, the greatest risk was represented by receivables, totalling \$165,000 (\$98,000 in 2005/2006), which had been outstanding for more than 90 days.

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

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

Bank Overdraft

The Legislature does not have any bank overdraft facility.

Trade Creditors and Accruals

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

Fair value

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

22. After Balance Sheet Date Events

There are no after balance sheet date events.

End of Financial Statements

Department of the Legislative Council unaudited financial statements

Legislative Council

	2006/2007 ACTUAL \$000	2006/2007 BUDGET \$000	2005/2006 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	9,103	9,066	9,120
Other Operating Expenses	3,461	2,227	2,968
Depreciation and amortisation	292	242	235
Other Expenses	11,701	11,068	11,187
Total Expenses	24,557	22,603	23,510
Revenue			
Sale of Goods and Services	404	400	405
Other Revenue	58	50	51
Total Revenue	462	450	456
Gain (loss) on sale of assets	2	-	-
NET COST OF SERVICES	24,093	22,153	23,054
Less:			
Depreciation and amortisation	292	242	235
Long Service Leave	203	251	258
Superannuation	3,006	3,084	2,961
NET CONTROLLABLE COST OF SERVICES	20,592	18,576	19,600
CAPITAL WORKS EXPENDITURE	102	572	147

Estimated Expenditure and Revenue for 2007/2008:

LEGISLATIVE COUNCIL

Description	\$000
Salaries and related payments	9,794
Other operating expenses	2,763
Depreciation and amortisation	273
Other expenses	12,047
<i>Total Expenses</i>	24,877
Less Retained Revenue	460
Less Non-controllable items	3,218
Net Controllable Cost of Services	21,199

Department of the Legislative Council unaudited financial statements

Parliamentary Representation - Legislative Council

	2006/2007 ACTUAL \$000	2006/2007 BUDGET \$000	2005/2006 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	4,590	4,515	4,259
Other Operating Expenses	2,670	1,281	1,637
Depreciation and amortisation	163	125	122
Other Expenses	11,701	11,068	11,187
Total Expenses	19,124	16,989	17,205
Revenue			
Sale of Goods and Services	404	400	405
Other Revenue	29	25	11
Total Revenue	433	425	416
Gain (loss) on sale of assets	1	-	-
NET COST OF SERVICES	18,690	16,564	16,789
Less:			
Depreciation and amortisation	163	125	122
Long Service Leave	131	76	65
Superannuation	2,824	2,899	2,781
NET CONTROLLABLE COST OF SERVICES	15,572	13,464	13,821
CAPITAL WORKS EXPENDITURE	102	572	106

Estimated Expenditure and Revenue for 2007/2008:

Parliamentary Representation L.C.

Description	\$000
Salaries and related payments	5,175
Other operating expenses	1,822
Depreciation and amortisation	149
Other expenses	12,047
<i>Total Expenses</i>	19,193
Less Retained Revenue	435
Less Non-controllable items	2,799
Net Controllable Cost of Services	15,959

Department of the Legislative Council unaudited financial statements

Operation of the Legislative Council

	2006/2007 ACTUAL \$000	2006/2007 BUDGET \$000	2005/2006 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	3,046	2,866	3,211
Other Operating Expenses	407	277	639
Depreciation and amortisation	30	24	21
Total Expenses	3,483	3,167	3,871
Revenue			
Sale of Goods and Services	-	-	-
Other Revenue	27	15	40
Total Revenue	27	15	40
Gain (loss) on sale of assets	1	-	-
NET COST OF SERVICES	3,455	3,152	3,831
Less:			
Depreciation and amortisation	30	24	21
Long Service Leave	19	140	157
Superannuation	153	153	149
NET CONTROLLABLE COST OF SERVICES	3,253	2,835	3,504
CAPITAL WORKS EXPENDITURE	0	0	22

Estimated Expenditure and Revenue for 2007/2008:

OPERATION of the LC

Description	\$000
Salaries and related payments	2,879
Other operating expenses	268
Depreciation and Amortisation	25
Other Expenses	-
Total Expenses	3,172
Less Retained Revenue	20
Less Non-controllable items	248
Net Controllable Cost of Services	2,904

Department of the Legislative Council unaudited financial statements

Legislative Council Committees

	2006/2007 ACTUAL \$000	2006/2007 BUDGET \$000	2005/2006 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	1,467	1,685	1,650
Other Operating Expenses	378	646	679
Depreciation and amortisation	99	93	92
Total Expenses	1,944	2,424	2,421
Revenue			
Sale of Goods and Services	-	-	-
Other Revenue	2	10	-
Total Revenue	2	10	-
Gain (loss) on sale of assets			
NET COST OF SERVICES	1,942	2,414	2,421
Less:			
Depreciation and amortisation	99	93	92
Long Service Leave	53	35	36
Superannuation	29	32	31
NET CONTROLLABLE COST OF SERVICES	1,761	2,254	2,262
CAPITAL WORKS EXPENDITURE	0	0	19

Estimated Expenditure and Revenue for 2007/2008:

LC COMMITTEES

Description	\$000
Salaries and related payments	1,740
Other operating expenses	650
Depreciation and Amortisation	99
Other Expenses	-
Total Expenses	2,489
Less Retained Revenue	5
Less Non-controllable items	171
Net Controllable Cost of Services	2,313

Department of the Legislative Council unaudited financial statements

Other Services - L.C.

	2006/2007 ACTUAL \$000	2006/2007 BUDGET \$000	2005/2006 ACTUAL \$000
<i>Expenses</i>			
Staff Salaries and Related Payments			
Other Operating Expenses	6	23	13
Depreciation			
Total Expenses	6	23	13
<i>Revenue</i>			
Sale of Goods and Services	-	-	-
Other Revenue			
Total Revenue	-	-	-
Gain (loss) on sale of assets	-	-	-
NET COST OF SERVICES	6	23	13
Less:			
Depreciation	-	-	-
Long Service Leave	-	-	-
Superannuation	-	-	-
NET CONTROLLABLE COST OF SERVICES	6	23	13
CAPITAL WORKS EXPENDITURE	-	-	-

Estimated Expenditure and Revenue for 2007/2008:

SPECIAL PROJECTS

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

Additional Financial Information for the Legislative Council 2006/2007 Annual Report

Insurance

The NSW Parliament is a member of the NSW Government Treasury Managed Fund Self Insurance Scheme that provides coverage for the following categories of insurance –

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

For the 2006/2007 reporting year a total of 30 workers' compensation claims were lodged by Parliamentary employees, compared with 38 claims in 2005/2006. The average cost of these claims was \$5,907 per employee, which includes a reserve for subsequent costs associated with these claims. This cost represents a 41 percent reduction on the \$9,986 average cost per claim for last financial year. Of the 30 claims lodged, two relate to the Legislative Council employees. While the number of claims lodged was the same number as 2005/2006, the average claim costs has increased from \$572 to \$2,750 for the 2006/2007 reporting year.

For the property category of insurance, the Parliament made 29 claims in 2006/2007 at an average cost of \$6,641. This included one substantial claim of \$137,512 for water damage to the Parliament's computer server room, requiring the replacement of a Storage Area Network. There were no specific claims for Legislative Council property or equipment.

There were no motor vehicle or miscellaneous insurance claims made in 2006/2007 whilst one minor liability insurance claim was registered for which an estimated reserve cost of \$1,000 has been provided for in the event of the claim proceeding.

Internal Audit

Deloitte Touche Tohmatsu continued to provide Internal Audit services to the Parliament under a four year contract arrangement, which expired at the end of the 2006/2007 financial year. Audits undertaken during the year comprised –

- Finalisation of the Strategic Risk Assessment for the Parliament;
- Finalisation of the FBT, GST, PAYG and Payroll Tax Audit;
- Audit of the Parliament's Accounts Payable Systems and procedures including a forensic data analysis of transactions;
- IT Security Audit of the Parliament's Oracle Corporate Data Base and General Access Systems; and
- Heritage Assets and Asset Management.

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

Risk Management

The Parliament's risk management strategies for the 2006/2007 financial year were largely based on the Strategic Risk Assessment undertaken by Deloitte Touche Tohmatsu in late 2005/2006, while security and information technology services have been based on their own specific reviews due to their specialised requirements.

The Parliament's existing Internal Audit Plan has been based on the results of this business risk assessment with the key risks identified comprising –

- adequacy of funding to provide existing standard of services;
- business continuity planning and systems;
- occupational health and safety assessments, policies and practices both within the Parliament and Electorate Offices; and
- security and maintenance of the Parliament's assets.

Members' of Parliament Salaries and Entitlement

Members salaries and allowances increased by seven percent from 1 July 2006, representing a flow-on from increases granted to Federal Members of Parliament as provided for under Section 4 of the Parliamentary Remuneration Act 1989. Salaries of office and expense allowances paid to recognised office-holders also increased by the same percentage. Effective from 1 July 2006 the base salary for a Member of the Legislative Council was \$118,450 per annum, whilst electorate allowances determined by the Parliamentary Remuneration Tribunal also increased from 1 July 2006, by three percent to \$42,905 per annum.

Audit Committee

The Parliament's Audit Committee met on two occasions during the 2006/2007 financial year, following the appointment of Mr Jim Mitchell as the independent Chairperson. Other members of the committee were Mr John Evans, Clerk of the Parliaments and Mr Russell Grove, Clerk of the Legislative Assembly. Internal and External Audit representatives together with the Financial Controller also attended each meeting in their capacity as observers at the invitation of the Audit Committee.

Activities of the committee during the reporting year included –

- undertaking a self assessment of Audit Committee best practice based on a survey provided by the NSW Audit Office;
- structuring the Internal Audit Plan based on the Strategic Risk Assessment, undertaken by Deloitte Touche Tohmatsu the Parliament's internal auditor, in late 2005/2006;
- review both internal and external audit reports issued during the year and follow up on implementation of recommendations made in those reports;
- Made recommendations to the Presiding Officers on the appointment of the external auditor (NSW Audit Office) to the Presiding Officers for the 2006/2007 financial year.

Asset Acquisitions

Member's offices on Level 11 were fitted out at a cost of \$80,000. Three photocopiers were replaced, costing \$22,000. A new crest for the Legislative Council Chamber was acquired for \$23,000.

Other asset acquisition expenditure incurred during the year impacting on the Legislative Council's operations were undertaken by the Parliament's Joint Services and comprised –

• Upgrading the Parliament's IT communications and network infrastructure including server replacements	1,033,000
• Purchase of Artworks	49,000
• Additional cameras for security system	15,000
• Minor office equipment	24,000
	\$1,121,000



Appendices

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Appendix 1

Members of the Legislative Council

53 rd Parliament 2nd Session as at 16 February 2007

Breen ^A The Honourable Peter James DipLaw	HRP
Brown ^B The Honourable Robert Leslie ^B	SP
Burgmann ^A The Honourable Doctor Meredith Anne MA(Syd) PhD(Macq) President	ALP
Burnswoods ^A The Honourable Janice Carolyn BA(Hons) DipEd	ALP
Catanzariti ^B The Honourable Antonio	ALP
Chesterfield-Evans ^A The Honourable Dr Arthur MB BS FRCS(Eng) MAppSci(OHS)	AD
Clarke ^B The Honourable David	LIB
Cohen ^B Mr Ian BA DipEd	G
Colless ^B The Honourable Richard Hargrave HD App Sci(Agric) Deputy Opposition Whip	NAT
Costa ^B The Honourable Michael Treasurer, Minister for Infrastructure, and Minister for the Hunter	ALP
Cusack ^B The Honourable Catherine Eileen BEc(SocSc)	LIB
Della Bosca ^A The Honourable John Joseph BA Minister for Commerce, Minister for Finance, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, and Vice President of the Executive Council	ALP
Donnelly ^B The Honourable Gregory John BEc MIR ⁶ Temporary Chair of Committees	ALP
Fazio ^A The Honourable Amanda Ruth ¹ Chair of Committees	ALP
Gallacher ^B The Honourable Michael Joseph BProf St Leader of the Opposition	LIB
Gardiner ^A The Honourable Jennifer Ann BBus Temporary Chair of Committees	NAT
Gay ^B The Honourable Duncan John Deputy Leader of the Opposition	NAT
Griffin ^B The Honourable Kayee Frances Temporary Chair of Committees	ALP
Hale ^B Ms Sylvia Phyllis	G
Harwin ^A The Honourable Donald Thomas BEc(Hons) Opposition Whip	LIB
Hatzistergos ^A The Honourable John BEc LLM Minister for Health	ALP

Kelly ^B The Honourable Anthony Bernard ALGA Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs	ALP
Lynn ^A The Honourable Charlie John Stuart psc	LIB
Macdonald ^A The Honourable Ian Michael BA(Hons) Minister for Natural Resources, Minister for Primary Industries, and Minister for Mineral Resources	ALP
Mason-Cox ^A The Honourable Matthew Ryan ⁷	LIB
Moyes ^B The Reverend the Honourable Dr Gordon Keith Mackenzie AC BA DD LLD LitD FAIM FRGS FAICD MACE	CDP
Nile ^A The Reverend the Honourable Frederick John ED LTh5 Temporary Chair of Committees	CDP
Obeid ^A The Honourable Edward Moses OAM	ALP
Oldfield ^A The Honourable David Ernest	IND
Parker ^B The Honourable Robyn Mary	LIB
Pavey ^A The Honourable Melinda Jane ²	NAT
Pearce ^B The Honourable Gregory Stephen BA LLB	LIB
Primrose ^B The Honourable Peter Thomas B SocStud(Syd) Government Whip	ALP
Rhiannon ^A Ms Lee	G
Robertson ^B The Honourable Christine Mary BHlthSc(Nurs) Temporary Chair of Committees	ALP
*Roosendaal ^B The Honourable Eric Michael BA LLB ⁴ Minister for Roads, and Minister Assisting the Minster for Transport	ALP
Ryan ^A The Honourable John Francis BA(Hons) DipEd Deputy Leader of the Liberal Party	LIB
Sharpe ^B The Honourable Penelope Gail ⁷ Temporary Chair of Committees	ALP
Tsang ^A The Honourable Henry Shiu-Lung OAM BArch(NSW) DipBdg Sc(Syd) Fellow(UTS) Parliamentary Secretary	ALP
West ^B The Honourable Ian William Deputy Government Whip	ALP
Wong ^A The Honourable Doctor Peter AM MB BS(Syd) BPharm(Syd) <i>*Indicates new or amended entry since last list</i>	U

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

Party representation: house of 42 members

AD – Australian Democrats	1
ALP – Australian Labor Party	18
CDP – Christian Democratic Party (Fred Nile Group)	2
G – The Greens	3
HRP – Human Rights Party	1
IND – Independent	1
LIB – Liberal Party of Australia (NSW Division)	9
NAT – The Nationals	4
ORP – Outdoor Recreation Party	-
SP – Shooters Party	1
U – Unity	1
Vacancy	1
Total	42

Officers of the Legislative Council

President

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

Chair of Committees

The Honourable Amanda Ruth Fazio

Acting Clerk of the Parliaments

Lynn Carole Lovelock BA(Hons) DipEd

Deputy Clerk

David Michael Blunt M Phil LLB (Hons)

Clerk Assistant-Corporate Support

Clerk Assistant-Committees

Warren Cameron Cahill DipT BEdSt GradDiplM-Lib

Usher of the Black Rod & Director-Procedure

Steven Reynolds BEc LLB MPS

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Parliament House, Macquarie St, SYDNEY 2000

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Fax: (02) 9233 3661

Email: council@parliament.nsw.gov.au

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

- A. Elected Members whose term of service expires on dissolution or expiry of 53rd Parliament.
- B. Elected Members whose term of service expires on dissolution or expiry of 54th Parliament.
 1. Elected (30.8.2000) to vacancy caused by the resignation of the Hon JW Shaw. Term of service expires on the dissolution or expiry of the 53rd Parliament
 2. Elected (3.9.2002) to vacancy caused by the resignation of the Hon DF Moppett. Term of service expires on the dissolution or expiry of the 53rd Parliament
 3. Elected (29.10.2003) to vacancy caused by the resignation of the Hon MI Jones. Term of service expires on the dissolution or expiry of the 53rd Parliament
 4. Elected (24.6.2004) to vacancy caused by the resignation of the Hon AS Burke. Term of service expires on the dissolution or expiry of the 54th Parliament
 5. Elected (21.10.2004) to vacancy caused by his resignation. The term of service expires on the dissolution or expiry of the 53rd Parliament
 6. Elected (23.2.2005) to vacancy caused by the resignation of the Hon MR Egan. The term of service expires on the dissolution or expiry of the 54th Parliament
 7. Elected (11.10.2005) to vacancy caused by the resignation of the Hon CM Tebbutt. The term of service expires on the dissolution or expiry of the 54th Parliament
 8. Elected (3.5.2006) to vacancy caused by the resignation of the Hon JS Tingle. Term of service expires on the dissolution or expiry of the 54th Parliament
 9. Elected (28.9.2006) to vacancy caused by the resignation of the Hon P Forsythe. Term of service expires on the dissolution or expiry of the 53rd Parliament

Members of the Legislative Council

54th Parliament 1st Session as at 30 June 2007

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

⁴Indicates new or amended entry since last list

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SP – Shooters Party	2
Total	42

Officers of the Legislative Council

President

The Honourable Peter Thomas Primrose
B SocStud(Syd)

Deputy President and Chair of Committees

The Honourable Amanda Ruth Fazio

Acting Clerk of the Parliaments

Lynn Carole Lovelock BA (Hons) DipEd

Deputy Clerk

David Michael Blunt M Phil LLB (Hons)

Clerk Assistant-Corporate Support

Robert Stefanic B Com LLB (Hons)

Usher of the Black Rod & Clerk Assistant-

Procedural Support

Steven Reynolds BEc LLB MPS

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

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

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

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

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

Appendix 2

Legislative Council members' travel

Member	2006/2007 Total \$	Members' LSA Travel \$	Members' Spouse / Approved Relative LSA Travel \$	Members' Staff LSA Travel \$	Members' Home Travel \$
Ajaka	-	-	-	-	-
Breen	14,401	-	-	1,871	12,530
Brown	14,384	12,001	1,085	1,298	-
Burgmann	1,230	1,127	-	103	-
Burnswoods	358	358	-	-	-
Catanzariti	20,047	3,401	4,092	572	11,982
Chesterfield-Evans	3,621	3,621	-	-	-
Clarke	-	-	-	-	-
Cohen	23,811	8,040	-	9	15,762
Colless	47,205	24,819	1,699	2,098	18,589
Costa	-	-	-	-	-
Cusack	33,850	7,695	574	532	25,049
Della Bosca	418	418	-	-	-
Donnelly	-	-	-	-	-
Fazio	2,039	1,815	224	-	-
Ficarra	-	-	-	-	-
Forsythe	91	91	-	-	-
Gallacher	1,860	674	-	1,186	-
Gardiner	32,241	11,120	-	765	20,356
Gay	6,678	4,293	2,385	-	-
Griffin	-	-	-	-	-
Hale	9,098	8,918	-	180	-
Harwin	9,261	1,614	-	5	7,642
Hatzistergos	-	-	-	-	-
Khan	2,527	-	456	-	2,071
Jenkins	4,714	3,810	176	-	728
Kaye	1,837	1,837	-	-	-
Kelly	26,304	3,252	9,123	-	13,929
Lynn	3,754	1,362	-	-	2,392
Macdonald	-	-	-	-	-
Mason - Cox	13,616	1,673	1,207	-	10,736
Moyes	25,907	13,277	3,340	-	9,290
Nile	14,566	2,114	-	-	12,452
Obeid	-	-	-	-	-
Oldfield	-	-	-	-	-
Parker	17,434	4,866	-	-	12,568
Pavey	39,628	16,521	1,933	1,219	19,955
Pearce	20,035	9,872	584	-	9,579
Primrose	94	94	-	-	-
Rhiannon	7,827	7,167	660	-	-
Robertson	26,874	7,707	4,151	832	14,184
Roosendaal	62	62	-	-	-
Ryan	1,038	635	403	-	-
Sharpe	5,830	5,812	-	18	-
Smith	662	388	274	-	-
Tsang	2,157	1,443	-	714	-
Veitch	3,820	-	28	1,262	2,530
Voltz	166	166	-	-	-
West	838	838	-	-	-
Westwood	-	-	-	-	-
Wong	-	-	-	-	-
Total	440,283	172,901	32,394	12,664	222,324

Appendix 3

Committee travel expenditure 2006-2007

The following tables set out all travel expenditure incurred by Committee members and Committee staff (including Hansard staff) for 2006-2007. The Committees that are not represented in these tables incurred no travel related expenses in this reporting period.

Total for all Committee travel expenses – \$14,116.98

Social Issues

Date	Inquiry	Minute No.	Destination	Activity	In attendance	Item	Cost
17/07/2006	Impact of Commonwealth WorkChoices legislation	83	Penrith	Hearing in Western Sydney	Burnswoods	Catering	\$837.33
					Griffin	Venue hire	\$220.00
					Chesterfield-Evans		
					Lynn Parker West 2 x Committee staff 1 x Chamber and Support staff	Equipment hire (PA)	\$1127.58
27/07/2006	Impact of Commonwealth WorkChoices legislation	85	Wollongong	Hearing in the Illawarra region	Burnswoods Chesterfield-Evans Griffin West	Catering	\$540.00
TOTAL							\$1887.58

Appendix 4

Member attendance at Legislative Council committee meetings 2006-2007

Denotes attendance as a participating member

* Denotes attendance as a substitute member

~ Ms Parker was appointed to GPSC2 on 25/9/2006. Prior to this, Ms Parker attended 3 meetings as a substitute member.

- Mr Harwin replaced Mrs Forsythe on the Privileges Committee on 19 September 2006

∞ Mr Lynn replaced Mrs Forsythe on the Select Committee on the continued public ownership of Snowy Hydro Limited on 20 September 2006.

53rd Parliament

	Member	L & J	SI	SD	GPSC1	GPSC2	GPSC3	GPSC4	GPSC5	PRIV	CPO of Snowy Hydro	Cross City Tunnel	Total
GOVERNMENT MEMBERS	Burnswoods		8		1*	2*		12	2*				25
	Catanzariti					14		2*	7		6		29
	Donnelly	6			1*	1*	2*	11	6		6		33
	Fazio	6			1*	5*	12	1*	1*	4	6	1	37
	Griffin		8			3*		12	2*	5			30
	Obeid					1*	7		1*				9
	Primrose				6			1*	1*	4			12
	Robertson	7				23	1*	2*					33
	Sharpe				3	3*	2*	4*		4			16
	Tsang				1*	19	1*						21
OPPOSITION MEMBERS	West		8		5		8	2*					23
	Clarke	7			1*		7*	3					18
	Colless	6					2*		6				14
	Cusack					6*	1# + 4*	1*					12
	Forsythe					8				1	3		12
	Gallacher				1*		4*						5
	Gardiner							14		4			18
	Gay					1*	1*		2*				4
	Harwin				1*	1*		2*	6	2-			12
	Lynn		4				1	5*			2∞		12
	Parker		6		2	15+3*~							23
	Pavey				1*	11	2*		1*				15
	Pearce				2*		2	4*	1*			1	9
	Ryan				2*	2*		2*	1*				7
CROSS BENCH MEMBERS	Breen						2*						2
	Chesterfield-Evans		7			24	6*	8*					45
	Cohen					1*	1*		9				11
	Hale					20		12	5				37
	Jenkins						3						3
	Moyes										6		6
	Nile				6					3		1	10
	Oldfield				5			4					9
	Rhiannon	3				1*	10	1*	1*			1	17

54th Parliament

	Member	L & J	SI	SD	GPSC1	GPSC2	GPSC3	GPSC4	GPSC5	PRIV	Total
GOVERNMENT MEMBERS	Catanzariti			2		1			1		4
	Donnelly	1				1	1			1	4
	Fazio	1								1	2
	Griffin				1			1		1	3
	Obeid										
	Robertson	1		2		1					4
	Sharpe				1						1
	Tsang							1			1
	Veitch		1	2							3
	Voltz							1	1		2
	West		1		1				1	1	4
	Westwood						1				1
OPPOSITION MEMBERS	Ajaka	1					1				2
	Clarke	1									1
	Colless								1		1
	Cusack										
	Ficarra		1			1					2
	Gallacher										
	Gardiner						1			1	2
	Gay										
	Harwin						1#	1*	1	1	4
	Khan		1				1				2
	Lynn								1		1
	Mason-Cox			2	1						3
	Parker					1					1
	Pavey			2	1						3
	Pearce										
CROSS BENCH MEMBERS	Brown										
	Cohen								1		1
	Hale	1						1			2
	Kaye		1		1						2
	Moyes					1					1
	Nile			2	1					1	4
	Rhiannon					1	1				2
	Smith						1	1			2

Denotes attendance as a participating member

* Denotes attendance as a substitute member

Appendix 5

MLC membership of Joint committees administered by the Legislative Assembly

Member	Committee on Children and Young People	Committee on Electoral Matters	Committee on Health Care Complaints	Committee on the ICAC	Legislation Review Committee	Joint Statutory Committee on the Office of the Valuer General	Committee on the Office of the Ombudsman and the PIC	Joint Standing Committee on Road Safety (Staysafe)	Joint Select Committee on Threatened Species Conservation Amendment (Biodiversity Banking) Act 2006
GOVERNMENT MEMBERS									
Burnswoods	•						•		
Catanzariti	•								
Donnelly				•					
Fazio				54th Parliament	•				
Griffin	•					•			
Primrose				•					
Robertson			•	53rd Parliament					
Sharpe	•	•							
West								•	
Ajaka				•					
Clarke			•	54th Parliament			•		
Colless								•	•
Gardiner		•		•					
Harwin		•		53rd Parliament					
Lynn						•			
Parker					•				
Pavey	•								
Brown								•	
Chesterfield Evans		•							
Cohen									•
Hale	•								
Moyes									•
Nile				•					
Rhiannon							•		
Smith									•
Wong			•						
CROSS BENCH MEMBERS									
OPPOSITION MEMBERS									

Appendix 6

Committee reports and government responses

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

Committee	Report no.	Report title	Date tabled	Government response due	Government response tabled
Law and Justice	30	Community based sentencing options for rural and remote areas and disadvantaged populations	30/03/06	30/09/06	21/02/07
	31	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council, Seventh report	20/09/06	20/03/07	16/08/07
	32	Unfair terms in consumer contracts	23/11/06	23/05/07	Pending (response received after current reporting period)
	33	Impact of the Family Law Amendment (Shared Parental Responsibility) Act 2006 (Cth)	28/11/06	28/05/07	29/05/07
Social Issues	33	Report on the Inebriates Act 1912	27/08/04	28/02/05	3/01/07
	37	Dental Services	31/03/06	29/09/06	29/09/06
	38	Public disturbances at Macquarie Fields	16/06/06	18/12/06	18/12/06
	39	Impact of Commonwealth WorkChoices legislation	23/11/06	23/05/07	30/05/07
State Development	31	Skills shortages in rural and regional NSW	11/05/06	13/11/06	14/11/06
GPSC 1	30	Budget Estimates 2006-2007	27/10/06	NA	NA
GPSC 2	22	Health impacts of air pollution in the Sydney Basin	16/11/06	16/05/07	Pending (response received after current reporting period)
	23	Review of inquiry into complaints handling within NSW Health	21/11/06	21/06/07	22/05/07
	24	Budget Estimates 2006-2007	23/11/06	NA	NA
GPSC 3	17	Issues relating to the operations and management of the Department of Corrective Services	5/06/06	5/12/06	15/01/07
	18	Budget Estimates 2006-2007	23/11/06	NA	NA
GPSC 4	16	Pacific Highway Upgrades Final Report	11/05/06	13/11/06	14/11/06
	17	Budget Estimates 2006-2007	23/11/06	NA	NA
GPSC 5	25	A sustainable water supply for Sydney	8/06/06	8/12/06	8/12/06
	26	Budget Estimates 2006-2007	16/11/06	NA	NA
Cross City Tunnel	1	The Cross City Tunnel; Second report	28/02/06	28/08/06	05/09/06
	2	The Cross City Tunnel; Second report	18/05/06	18/11/06	16/11/06
	3	The Lane Cove Tunnel, Third report	23/08/06	23/02/07	23/02/07
CPO of Snowy Hydro Ltd	1	Continued public ownership of Snowy Hydro Limited	26/10/06	26/04/07	Pending (response not received in current reporting period)
Privileges	35	Review of Members' Code of Conduct and draft Constitution (Disclosures by Members) Amendment Regulation 2006	03/10/06	NA	NA

Glossary

Bicameral: A parliament that has two houses – an upper house (Legislative Council in NSW) and a lower house (Legislative Assembly in NSW).

Committee Stage (Committee of the Whole): The stage during the Legislative Council's consideration of a Bill (after the Second Reading) when it is examined clause by clause and amendments are considered. The 'Committee' is the whole House operating under different rules and presided over by the Chair of Committees. In the Legislative Assembly this stage is called Consideration in Detail.

Contempt of Parliament: Behaviour which offends against the rules of a House of Parliament. Relates to Parliamentary Privilege.

Cross Bench: The seats in a House occupied by Members who are neither part of the Government nor the Opposition. They may be Independents or members of minor parties. In the NSW Legislative Council the Cross Bench usually holds the Balance of Power.

Division: A vote taken in a House of Parliament in which a record of the names of Members and how they vote is kept.

First Reading: The first stage in the progress of a Bill through the Legislative Council. The Bill is presented and the Clerk reads aloud its short title. See also Introduction.

Hansard: The written record of Parliamentary debates, kept in NSW since 1879-80. Also the name of the Parliamentary Department which produces this record. T. C. Hansard was given authority to publish summaries of debates in the British House of Commons in 1803.

Motion: A proposal put to the House, which is debated upon and seeks the opinion of the House, either for or against.

Parliament: The Parliament of New South Wales consists of the Queen (i.e. her representative, the Governor) and the two Houses of Parliament. The term 'parliament' was in use from medieval times in England to describe talks between the English King and his nobles, deriving from the old French word 'parliament' (speaking).

Parliamentary Privilege: The rights, powers and immunities of Parliament and its Members necessary to uphold and protect the dignity and authority of Parliament – for example freedom of speech. They ensure that the business of Parliament can proceed without fear of attacks on Parliament's authority.

Petition: A document, usually with multiple signatures, presented to a House of Parliament, through a Member, by a person or group of people requesting that the **Parliament consider action on a particular matter.**

Point of Order: When a Member suggests to the Presiding Officer that another Member is breaking the rules of the House.

Presiding Officers: The Members of Parliament elected by each House to preside over the meetings of that House (President in the Legislative Council, Speaker in the Legislative Assembly). They are also responsible for the administration of the Parliamentary departments and services.

Private Member's Bill: A Bill introduced by an Opposition, Independent or Government Member in their own capacity rather than as part of Government policy.

Responsible Government: Normally, a political system in which the Ministers of the Government must be supported by (and therefore be responsible to) a majority in the Lower House of Parliament. Responsible Government was gained in NSW (the first such system in Australia) in 1856.

Royal Assent: The final stage in the process by which a Bill becomes an Act. Once the Bill has passed through all stages in both Houses, the Governor signs it to give it formal approval (assent).

Second Reading: The stage in the passage of a Bill through the Legislative Council at which the major debate takes place on its principle or purpose. This can be followed by the Committee of the Whole Stage if it is to be considered in detail. See Consideration in Detail.

Select Committee: A committee with a specific matter to report to Parliament on – sometimes within a given time – after which it will cease to exist.

Separation of Powers: The principle that the three arms of government: Legislature, Executive and Judiciary have separate and distinct powers in order to limit abuses of power by government. Parliament passes laws; the Ministry and Government Departments put them into operation; and the Courts interpret them. If the same arm of government could carry out two functions (e.g. pass laws and then judge individuals on them in court) this could lead to an abuse of freedom and rights. In the Westminster system, the fact that ministers (executive) are also members of parliament (legislature) somewhat blurs the distinction between these two arms of government.

Standing Rules and Orders: Permanent rules governing the conduct of business in the House, e.g., the stages through which Bills proceed, the conduct of debates, etc.

Third Reading: The final stage in a Bill's passage through the Legislative Council before it is passed.

Usher of the Black Rod: The Parliamentary officer who carries out certain executive and administrative duties on behalf of the President of the Legislative Council, including carrying the Black Rod on sitting days and ceremonial occasions.

Whip: A member of a political party in each House of Parliament who organises members' attendance in the House and their participation in divisions and debates.



Parliamentary Calendar

‘Parliaments’

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

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

‘Sessions’

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

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

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

‘Sittings’

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



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