



Report

of the

Select Committee

upon the

Legislative Assembly

Supplementary Budget Allocation

14 November 1991

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MEMBERS OF THE COMMITTEE

Mr James Alan Longley, B.Ec., M.Ec., F.C.P.A., S.P.T.C., M.P.
(Chairman)

Mr Raymond Francis Chappell, M.P.

Mr Westby James Davoren, M.P.

Mr John Hatton, M.P.

Mr Bradley Ronald Hazzard, B.A., Dip.Ed., LL.B., LL.M., M.P.

Mr Geoffrey Stewart Irwin, Dip.Tech., Dip.Ed.

Mr John Charles Price, M.P.

Mr John Harcourt Turner, Dip.Law, M.P.

REPORT

On Wednesday, 16 October, 1991, at the instigation of the Premier, the Leader of the House, the Honourable T.J. Moore, moved a motion for the establishment of this Select Committee "to inquire into and report upon the priorities of Members in regard to the expenditure of a supplementary budget allocation which is available to the Legislative Assembly as a result of the reduction in size of the House after the 1991 General Election".

In his speech on the motion the Minister said that the passage of the resolution "... would enable Members of the House to be masters and mistresses of their own destiny with respect to the unallocated component of the savings available to the Legislative Assembly". The Minister informed the House that the amount available for 1991-92 was \$939,000 and that \$436,000 would be available in subsequent years.

In order to enable Members to make their views known to the Committee in time for the Committee to report back to the House by the stipulated date - Friday, 15 November, 1991 - a questionnaire was devised and sent to all Members. The results from the questionnaire have proven most useful and form the basis of the Committee's recommendations.

At an early stage in its deliberations, the Committee formed the view that it should make a distinction between common services, equipment and facilities which should be available to all Members at Parliament House and the provision of certain services, etc., to Members as individuals in their electorates. This was reflected in the fact that the questionnaire was divided into these two categories.

The distinction is based on the fact that Members' requirements may vary considerably according to the type of electorate he or she represents (for example whether the Member represents a country or city electorate) and also according to the particular manner in which the Member carries out his or her constituency duties. Whilst Members are at Parliament House attending the sittings of the House or committee meetings they are more likely to require the types of services, equipment and facilities which are able to be provided in common to all Members (e.g. enhanced library research services, or the provision of an electronic link between Parliament House and Members' electorate offices).

In order to effectively balance the needs of Members in both these areas, within the monetary allocation available, the Committee makes separate recommendations in respect of each category.

RECOMMENDATIONS

(1) Members' Offices

In respect of this category the Committee recommends that an amount of up to \$495,000 be made available in the budget of the Legislative Assembly for the once off purchase of equipment by the Assembly for the use of current Members.

Upon request by a Member, the Speaker should make available any one or more of the following items (up to a total value of \$5,000) for the Member's use -

- Facsimile machine
- Answering machine
- Additional dictaphone
- Mobile/car telephone
- Paper shredder
- Laptop computer/software
- Folding machine
- Upgraded photocopier
- Letter/envelope loaders for laser printers
- Installation of additional telephone (option of silent line) and/or upgrade of existing system
- Printers with greater paper capacity
- Home security system
- Compactus storage
- Computer pocket diary
- Upgraded computer software
- Franking machine

Ownership of the equipment would remain with the Legislative Assembly.

(2) Residual from 1991-92 allocation (\$444,000) and recurrent funding (\$436,000)

In respect of the residual amount and the recurrent funding to be made available in subsequent years and the provision of common services, equipment and facilities for Members, the Committee reports that, for a variety of reasons, it is unable to make definitive recommendations to the House at this stage.

The three main matters that were brought to the attention of the Committee in the category of common services through the questionnaire were -

- (i) the proposal, currently being investigated, of networking Members' electorate offices with Parliament House;
- (ii) the creation of a specialised topic orientated research service within the Parliamentary Library; and
- (iii) the provision of additional research staff for Members.

Recommendations

The Committee believes that its consideration of funding for a networking proposal must be held over until other options are investigated and cost estimates are on a firmer footing. The responses to the Expressions of Interest currently being sought by the Parliament for such a project may provide this information.

Funding for information technology for Members and for the second proposal above are adverted to in the Memorandum of Understanding document recently signed by the Premier, Mr Hatton, Ms Moore and Dr Macdonald (page 6 (b) and (d)). In respect of the Parliamentary Library a firm commitment is made on page 7 of the document to provide funding for research services in the 1992/93 Budget year. It is recommended that \$50,000 be allocated to the Library to commence these services prior to the 1992/93 Budget year.

The amount of funding required for the third proposal, which ranked very highly in the survey responses, is not available within the supplementary allocation.

(3) Further Investigation

As is apparent from the above comments, further time and investigation is required before this or another Committee would be able to report to the House on the distribution of the residual and recurrent funding to be made available. The Committee therefore recommends that the Leader of the House report further on such processes prior to the end of these sittings.

In the survey of Members needs several items required further investigation. After considerable research and discussion the Committee decided that, within the limited time it had available to report, it could not adequately make recommendations with regard to the provision of appropriate child care facilities. The Committee therefore recommends further investigation of this specific issue by the Speaker. It could also not suggest a solution to some constitutional difficulties which arose from an advising by the Crown Solicitor. The Committee notes that the advising suggests that provision of services or facilities by the Government or Parliament direct to a Member by contract or arrangement may put the Member in jeopardy of being presumed to hold an "office of profit under the Crown" by virtue of such contract or arrangement. Matters such as personal leases for Members' electorate offices, where these are held in lieu of a Crown lease, are an instance of this possible difficulty. The Committee therefore recommends that the Leader of the House investigate the matter and report back to the House not later than the 1992 Autumn Session.

PROCEEDINGS OF THE COMMITTEE

No. 1

Thursday, 24 October, 1991, at 9.30 a.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell	Mr Irwin
Mr Davoren	Mr Longley (Chairman)
Mr Hatton	Mr Price
Mr Hazzard	Mr Turner

The Clerk of the Legislative Assembly opened the meeting and read the following:

Entry No. 6, Votes and Proceedings of the Legislative Assembly, 16 October 1991, resolution of the House -

- (1) That a Select Committee be established to enquire into and report upon the priorities of Members in regard to the expenditure of a supplementary budget allocation which is to be available to the Legislative Assembly as a result of the reduction in size of the House after the 1991 General Election.
- (2) Such Committee shall comprise eight Members, of whom four shall be Members supporting the Government nominated by the Premier, three shall be Non-Government Members nominated by the Leader of the Opposition and one shall be an Independent Member nominated by the Leader of the Government.
- (3) A quorum shall consist of five Members.
- (4) The Chairman, who shall be a Government Member, shall exercise a deliberative vote and in the event of an equality of votes the question shall pass in the negative.
- (5) The Committee shall have leave to sit during the sittings or any adjournment of the House and have power to call for persons, papers and things.

(6) The Committee shall present its Report to the House by 15 November 1991.

Election of Chairman

Resolved, on motion of Mr Chappell, seconded by Mr Price: That Mr Longley be elected Chairman of the Committee .

Procedural Resolutions

Resolved, on motion (in globo) of Mr Chappell, seconded by Mr Irwin:

- "1. That arrangements for the calling of witnesses and visits of inspection be left in the hands of the Chairman and the Clerk to the Committee.
2. That, unless otherwise ordered, parties appearing before the Committee shall not be represented by any member of the legal profession.
3. That, unless otherwise ordered, when the Committee is examining witnesses, the press and public (including witnesses after examination) be admitted to the sitting of the Committee.
4. That persons having special knowledge of the matters under consideration by the Committee may be invited to assist the Committee.
5. That press statements on behalf of the Committee be made only by the Chairman after approval in principle by the Committee or after consultation with Committee members.
6. That, unless otherwise ordered, access to transcripts of evidence taken by the Committee be determined by the Chairman and not otherwise made available to any person, body or organisation: provided that witnesses previously examined shall be given a copy of their evidence; and that any evidence taken in camera or treated as confidential shall be checked by the witness in the presence of the Clerk to the Committee or an Officer of that Committee.

7. That the Chairman and the Clerk to the Committee be empowered to negotiate with the Speaker through the Clerk of the Legislative Assembly for the provision of funds to meet expenses in connection with travel, accommodation, advertising, operating and approved incidental expenses of the Committee.
8. That the Clerk be empowered to advertise and/or write to interested parties requesting written submissions.
9. That upon the calling of a division or quorum in the House during a meeting of the Committee, the proceedings of the Committee shall be suspended until the Committee again has a quorum.
10. That the Chairman and the Clerk make arrangements for visits of inspection by the Committee as a whole and that individual members wishing to depart from these arrangements be required to make their own arrangements."

Timetable

The Committee noted that, within the resolution establishing the Committee, it was required to report by Friday 15 November 1991.

The Committee deliberated and agreed to a timetable of meetings.

Background Material

The Clerk handed to Members a copy of the Hansard debate on the establishment of the Committee.

The Committee asked for additional material to be supplied on -

- status of the Members networking project
- office of profit and taxation situation in respect of certain

matters

- services, equipment and facilities supplied to Members of other Houses of Parliament in Australia.

Mode of Operation

The Committee decided that initially a letter and questionnaire should be sent to all Members today to elicit their views.

The Committee adjourned at 10.15 a.m. until 2.00 p.m. this day.

No. 2

Thursday, 24 October, 1991, at 2.00 p.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell
Mr Davoren
Mr Hatton
Mr Hazzard

Mr Irwin
Mr Longley (Chairman)
Mr Price
Mr Turner

The Committee considered and agreed to, as amended, a draft letter, questionnaire and appendices to be issued to Members seeking their views on proposals for the use of the supplementary allocation.

The Committee adjourned at 3.00 p.m. until Tuesday 29 October 1991 at 3.30 p.m.

No. 3

Tuesday, 29 October, 1991, at 3.30 p.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell
Mr Davoren
Mr Hazzard

Mr Irwin
Mr Longley (Chairman)
Mr Price

Apologies

Apologies were received from Mr Hatton and Mr Turner.

Minutes of Previous Meetings

The minutes of previous meetings held on 24 October 1991 were confirmed.

Questionnaire

The Committee discussed the preliminary results from the Questionnaire of Members.

Entitlements - Members of other Houses

The Clerk distributed to Members copies of the entitlements booklets for Members of the lower Houses of Victoria, South Australia, Tasmania and the Northern Territory and for Members of the Parliament of Queensland.

Discussions - Next Meeting

The Committee agreed that the Speaker, the Acting Parliamentary Librarian, the Financial Controller and the Manager, Information Technology be invited to the next Committee meeting to informally discuss certain matters raised by Members.

The Committee adjourned at 4.00 p.m. until Thursday 31 October at 10.30 a.m.

No. 4

Thursday, 31 October, 1991, at 2.30 p.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell
Mr Davoren
Mr Hazzard

Mr Irwin
Mr Longley (Chairman)
Mr Price
Mr Turner

Apology

An apology was received from Mr Hatton.

Minutes of Previous Meeting

The Minutes of the meeting held on 29 October 1991 were confirmed.

The Speaker, the Honourable Kevin Rozzoli, the Clerk of the Legislative Assembly, Mr Russell Grove, the Acting Parliamentary

Librarian, Mr Richard Baker, the Financial Controller, Mr Greg McGill and the Manager, Information Technology Services, Mr Hugh Langford-Smith were in attendance and answered questions from the Committee.

The Committee adjourned at 3.45 p.m. until Tuesday, 12 November, 1991 at 3.30.

No. 5

Tuesday, 12 November, 1991 at 3.30 p.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell
Mr Davoren
Mr Irwin

Mr Longley (Chairman)
Mr Price
Mr Turner

Apologies

An apology was received from Mr Hazzard.

Minutes of Previous Meeting

The Minutes of the meeting held on 31 October 1991 were confirmed.

The Committee discussed the results of the Questionnaire returned by Members and possible recommendations.

The Committee adjourned at 4.20 p.m. until this day at 8.30 p.m.

No. 6

Tuesday, 12 November, 1991, at 8.30 p.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell	Mr Irwin
Mr Davoren	Mr Longley (Chairman)
Mr Hatton	Mr Price
Mr Hazzard	

Apology

An apology was received from Mr Turner.

The Committee discussed further the Questionnaire results and possible recommendations.

The Committee adjourned at 10.00 p.m. until Wednesday 13 November 1991 at 4.00 p.m.

No. 7

Wednesday, 13 November, 1991, at 4.00 p.m.
Parliament House, Sydney

MEMBERS PRESENT

Mr Chappell	Mr Irwin
Mr Davoren	Mr Longley (Chairman)
Mr Hazzard	Mr Price
	Mr Turner

Apology

An apology was received from Mr Hatton.

Minutes of Previous Meetings

The Minutes of the meetings held on 12 November 1991 were confirmed.

Consideration of Draft Report

A copy of the Draft Report, having been transmitted to each Member of the Committee, was accepted by the Committee as being read.

The Committee proceeded to consider the Draft Report.

Committee proceedings were interrupted by a division in the House.

The Committee re-assembled at 5.00 p.m.

The Draft Report, as amended, was agreed to.

Resolved, on motion of Mr Davoren, seconded by Mr Chappell, That the Draft Report, as amended, be the Report of the Committee.

The Committee adjourned at 5.30 p.m., sine die.