

Legislative Council

Annual Report 2002

Volume 1

Department of the
Legislative Council

Ordered to be printed November 2002

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Office operating hours

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

Sitting Days

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

Visits by the public

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

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

Contact telephone & facsimile numbers

	Telephone	Facsimile
Switchboard	9230-2111	
Members	9230-2111	
Clerk's Office	9230-2773	9230-2761
Procedure Office	9230-2331	9230-2876
Committee Office	9230-3373	9230-2876
Administration Office	9230-2893	9230-2876
Attendants' Reception	9230-2319	9230-2876
Standing Committees:		
Privileges & Ethics	9230-2346	9230-2761
Social Issues	9230-3078	9230-2981
Law & Justice	9230-3311	9230-3371
State Development	9230-2193	9230-2981
General Purpose	9230-3544	9230-3416



LEGISLATIVE COUNCIL

THE HON. DR MEREDITH BURGMANN PRESIDENT OF THE LEGISLATIVE COUNCIL

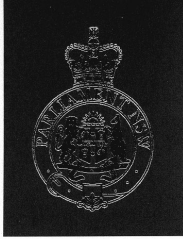
I am pleased to present to the Legislative Council the Annual Report prepared by the Clerk of the Parliaments on the operations of the Department of the Legislative Council for the year ending 30 June 2002.

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

Meredith Burgmann
President

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LEGISLATIVE COUNCIL

OFFICE OF THE CLERK

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President of the Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

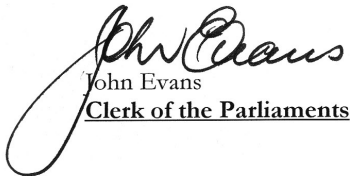
Dear Madam President

I am pleased to submit for your information and presentation to the House the Annual Report of the Department of the Legislative Council for the year ended 30 June 2002.

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

This report also includes a report on performance of committees.

Yours sincerely


John Evans
Clerk of the Parliaments

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Clerk's Foreword

The Clerk of the Parliaments – John Evans

This was my 30th year in service to the public and my 13th year as Clerk of the Parliaments and I am pleased to say I continue to be impressed by the dedication and initiative of the staff of the Legislative Council in meeting the challenges and needs of the House and public.

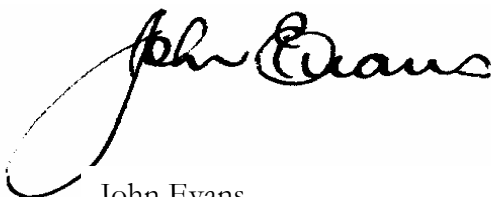
The year has been a unique year for the Legislative Council and all Australians with the challenges presented by the events of 11 September 2001 in America. The Parliament reviewed security for Members, staff and the public, at Parliament House to ensure a safe and secure environment for all. The security on the Parliamentary network was also reviewed and increased.

The Legislative Council again had another dynamic year, with many issues being dealt with in the House. Highlights this year were the opening of Parliament, which included an honour guard of Police and emergency services, in recognition of their contribution to the NSW community during the Christmas/January bushfires. A further highlight was the successful sister state visit to NSW by the Tokyo Metropolitan Assembly.

The Deputy Clerk, Lynn Lovelock and Committee Director, David Blunt continued the Legislative Council's assistance to the people of East Timor, by providing their expertise in the training of the Timorese National Council (*the "proto-Parliament" of East Timor*).

The Committees have again had a very demanding year and their report is contained in volume 2.

In closing I would like to thank the Members of the House and staff for their effort and co-operation in ensuring another successful year for the Legislative Council.



John Evans
Clerk of the Parliaments

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Chapter 1 Introduction

Mission

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

Charter

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

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

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

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

Charter of Values

People are our priority

We will respond quickly to customer demands.

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

Positive attitude

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

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

Professional performance

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

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

In our organisation, excellence in performance wins rewards.

We encourage innovation and initiative.

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

Role of the Clerk

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

Role and Functions of the Department

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

**Advisory and procedural services including:*

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

**Administrative and support services including:*

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

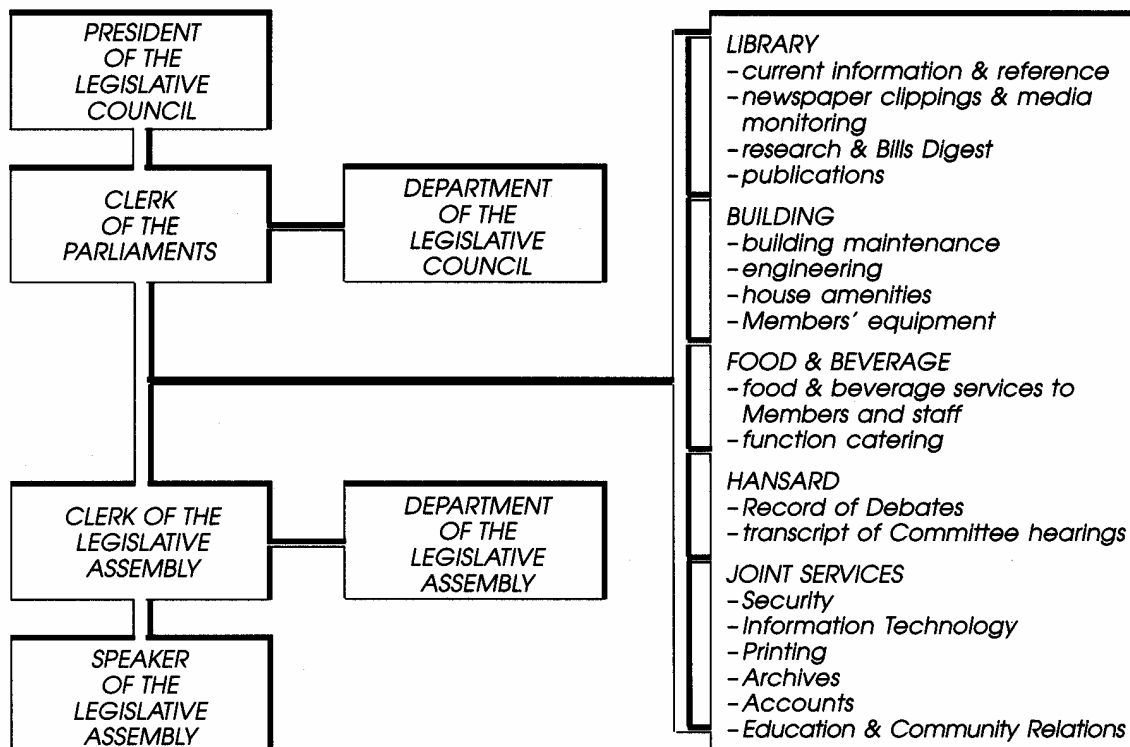
**Corporate management including:*

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

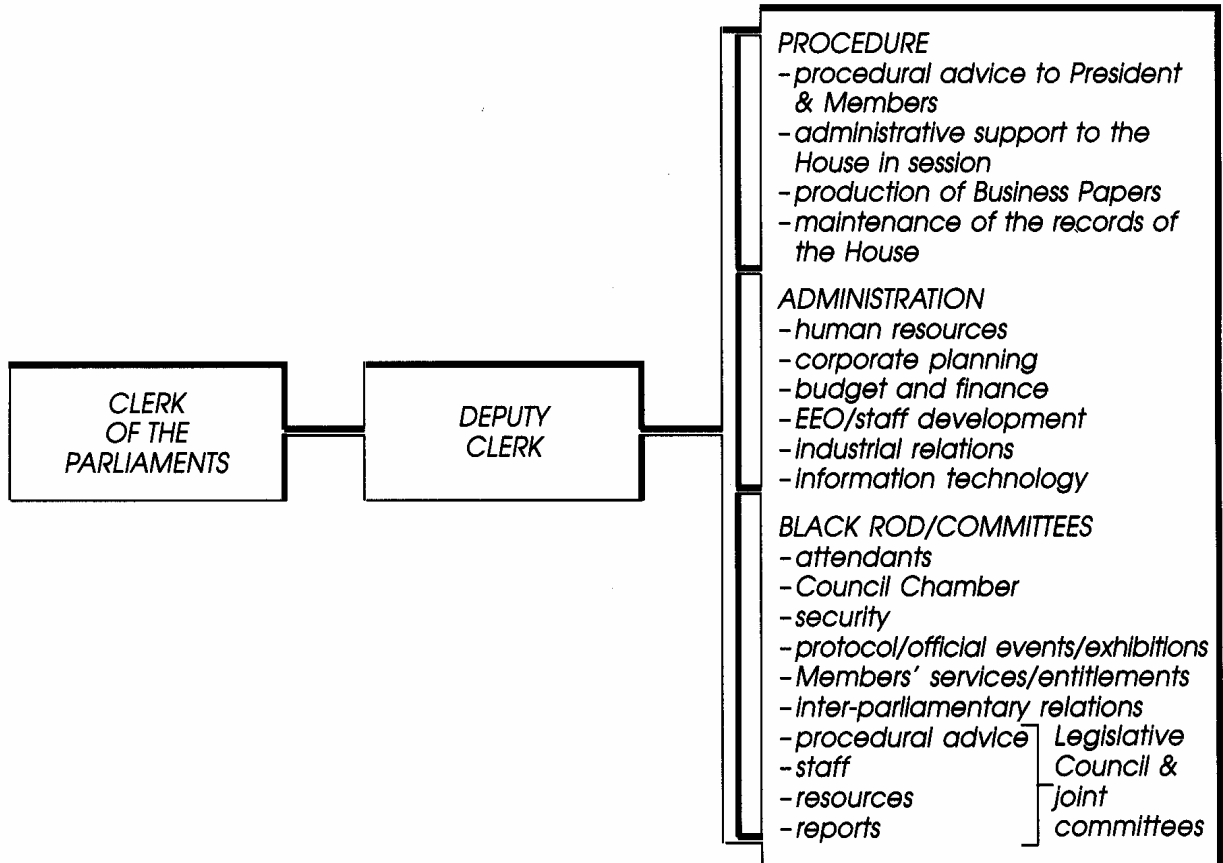
The Legislative Council also has administrative responsibility for the Departments of Parliamentary Building Services, Parliamentary Food and Beverage Services, and the Information Technology Services Section.

Organisation Charts

Parliament House



Department of the Legislative Council



Key Plans 2002 – 2003

In line with the Legislative Council's 6 Corporate Goals and our mission to service and enhance the operations of the New South Wales Parliament, the Legislative Council plans to undertake the following projects in 2002/2003:

- Researching and drafting of Legislative Council Procedure Manual
- Review the Legislative Council's performance management system and implement a new performance management system.
- Review current Member's guide in order to provide relevant information to Members relating to the recent determinations of the Parliamentary Remuneration Tribunal.
- Ongoing review of the Annual Report of the Legislative Council.
- Implement phase two of the Helpdesk system for assets issued to Members to allow Members' support services to track and manage service requests.
- Relocation and fit out of new office accommodation for Legislative Council Committees.
- Provide media quality camera and supporting infrastructure to the Legislative Council Chamber.

Joint Projects

- Continuing to review the Parliamentary Security Services establishment.
- Implementing restructure of Printing, Stationery and Stores Services.
- Finalise review of Parliament's Records Management Policy.
- Develop an electronic Communication Devices Policy which is consistent with Records Management guidelines.

Chapter 3 Procedural Advice and Support

Goal 1

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

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

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

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

Procedural Advice

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

Review of Operations

Opening of Parliament – Third Session, 52nd Parliament

Her Excellency, Professor Marie Bashir AO, Governor of New South Wales, issued a proclamation convening Parliament on 26 February 2002 following its prorogation on 20th February 2002. The opening of Parliament was held in the presence of invited guests, prominent community leaders and dignitaries. Mrs Sylvia Scott, representing the Eora people, welcomed the Governor and a “welcome to country” ceremony took place.

The House met at 2.15pm and the Governor gave her Opening Speech outlining the Government’s legislative and policy proposals for the Third Session of the Fifty-Second Parliament.

The Address in Reply to the Governor’s opening speech was moved on 12 March 2002 and adopted on 5 June 2002. The Address was presented to Her Excellency at Government House on Thursday 6 June 2002.

Order for Papers

In the period under review members continued to take advantage of the power of the House to call for papers under Standing Order 18, with eight such orders being made. In two cases the Government provided documents on which privilege was claimed. On both occasions the claim was disputed and referred to an independent legal arbiter.

Also during the reporting period, a notice of a motion concerning a call for papers was the subject of a point of order drawing the President's attention to Standing Order 19, the point being that a number of paragraphs of the notice of motion contained references to documents relating to the administration of justice which should more appropriately be sought by way of an Address to the Governor. The President took the point of order under advisement and referred the matter to the New South Wales Crown Solicitor for advice. After considering the Crown Solicitor's advice, and hearing arguments from members, the President ruled certain paragraphs out of order stating that they should more appropriately be sought under Standing Order 19, and ordered the Clerk to amend the notice of motion accordingly.

Parliamentary Ethics Adviser

On 13 December 2001 a Message was reported from the Assembly and agreed to by the Council that Mr Ian Dickson be appointed as Parliamentary Ethics Adviser. Mr Dickson is the second Parliamentary Ethics Adviser and this is his second term in the position.

Terminally Ill Bill

The Rights of the Terminally Ill bill was introduced by a private member and read a first time on 29 November 2001. The motion for the second reading of the Bill was adjourned until five sitting days ahead and subsequently lapsed on prorogation of the House. Along with other items of Private Member's Business, the Bill was restored to the Notice Paper on 12 March 2002.

During resumption of the second reading debate a member of the cross bench moved that the question that the bill on the second reading be amended to refer the bill to the Standing Committee on Social Issues for inquiry and report. The amendment was negatived on division. The original question was then put and negatived on division the members voting according to their conscience.

Sessional Orders

Attempt to amend Sessional Order relating to Prayers

A member of the cross bench attempted to amend the Sessional Order relating to Prayers to replace the current prayer with a non-denominational statement. Both the Government and the Opposition did not support the motion and it was defeated on division [31-5].

Third Session of the 52nd Parliament

Twenty six Sessional Orders, the same in substance as those adopted in the last session, were adopted by the House on 12 March 2002.

New Sessional Order – Cut Off date for consideration of Government Bills

On the 20 March 2002, the House adopted a new procedure for the current session for the consideration of Government Bills in the Legislative Council. Under the sessional order, debate on the motion for the second reading on a Bill introduced by a Minister or received from the Legislative Assembly after a specified date, unless declared urgent, is to be adjourned at the conclusion of the Minister's second reading speech until the first sitting day in the next period of sittings. The intention of the sessional order being to alleviate the end-of-sittings rush by ensuring that no new bills are introduced in the final weeks of sittings. The motion was amended on motion of the Government to reduce the number of weeks within which non urgent bills must be adjourned to the next sitting period, and also on motion of the Opposition to reduce from two to one the number of Members of the cross bench able to speak to an urgency motion.

The sessional order was amended on 5 June 2002 to allow for a change in sitting dates

Amendment of Sessional Order – Private Members' Business

On 7 May 2002 the House resolved, on motion of a cross bench member, to amend the Sessional Order on Private Members' Business adopted on 12 March 2002, to specify circumstances in which members are not eligible to be included in the random draw of names from items of Private Members' Business already on the Notice Paper to establish the order of precedence. (*7 May 2002, 3rd Session, Minutes No. 11, Item 14*)

Terrorist attack on the United States of America

On Wednesday 12 September 2001 the House met at 11.00 am and following prayers moved a condolence motion relating to the terrorist attack in the United States of America. Following a brief debate in which leaders of the major political parties participated, Members and Officers of the House stood in silence as a mark of respect. The question was put and passed and the House adjourned until the following Tuesday. (*Minutes No. 117, 12/9/01, pp 1145-6*)

On Thursday 20 September 2001 during Private Members' Business, the House debated a motion by a member of the Cross Bench that the House re-affirm its sympathy for the victims of the attack and express its hope for world peace. The debate allowed a number of Members to offer their comments on the event. Leave was granted for the debate to continue past 5.00 pm when according to Sessional Order Government Business took precedence. (*Minutes No. 120, 20/9/01, pp 1167-9*)

On the 17 October 2001 the Prime Minister announced that Australian military forces would be deployed to support the coalition against terrorism. The following day a Member of the Cross Bench raised the subject of the announcement as a matter of urgent public importance. Once again the debated allowed an opportunity for Members to speak on the events of September 11 and to express their views on the Prime Ministers' announcement. (*Minutes No. 126, 18/9/01, p. 1221*)

Key projects to improve effectiveness

Chamber timing system

During the period in review the master timing control in the Legislative Council Chamber was updated. The new system supports LAN access enabling it to be controlled by the Notebook computers currently used by the table officers in the Chamber. The new system was trialed in the final weeks of the budget sitting and, as a consequence, minor modifications will be made.

IT Systems

Webcasting

Following a successful business case to Department of Information Technology and Management, Parliament received funding under the *connect.nsw* funding program to provide webcasting of both Houses through the Internet. In January 2002, the first webcasting started with the opening of the Parliament. Parliament now provides the webcasting of the proceedings of both Parliament.

Launch of new Intranet

The majority of information on the Lotus Notes databases were converted to be web based during the 2001/2002. Parliament can now access variety of business information through a browser in a form of an intranet which reduces the duplication with the Parliament's Internet site. Web based applications provide greater flexibility and faster access to data for dial-up users. It improves the ease of use and provides the same look and feel to both the intranet and the Internet.

Acts & Regulation Database Consolidation

A project was undertaken to consolidate the design and contents of the three databases that held information on Acts & Regulation, into a single database. The resulting benefit is that:

- Searching is now simplified given that all information is now accessible from a single point of access, and with a single search.
- It eliminated problems associated with having to manually keep equivalent information across the different databases, up to date and consistent across the three databases.
- The process for uploading legislation text from files provided by Parliamentary Counsel's office, was simplified. This has been a necessary step in the process for enabling Parliament to receive and convert from the new XML document format in which legislation is now received.
- The systems administration overhead in maintaining the three databases has been reduced.

Bills Reports

The Legislative Council Procedure Office periodically prepared reports on Bills Registers Bills List and Bills by Location and Type, using WordPerfect

A project was undertaken to enable all those reports to be generated on demand, from data already contained in Lotus Notes. The benefits realised were:

- Less time required by Procedure Office staff to prepare the reports.
- Reports now available on short notice.
- Reports 100% consistent with information available on Lotus Notes.

Parliamentary Committee database

A project has commenced to improve and simplify the parliamentary committee database. The work will provide access to a greater range of information on committee procedures and activity including inquiry terms of reference, public hearing schedules and committee reports, and procedural information

such as dates on which a report was tabled or debated in the House. The project aims to eliminate double handling of the same information by a number of officers and to provide consistency of information across the database.

Parliamentary Committees

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

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

Legislative Council Standing Committees

Standing Committees

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

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

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

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

Standing Committee on Parliamentary Privilege and Ethics

The Standing Committee on Parliamentary Privilege and Ethics has three functions: to consider matters relating to parliamentary privilege referred to it by the House or the President, including possible contempts of the House; to consider submissions from citizens seeking a right of reply to statements made about them by Members in the House; and to undertake certain functions relating to Members'

ethical standards under Part 7A of the Independent Commission Against Corruption Act 1988. The Committee is staffed by the Deputy Clerk and two other officers, who also work for the Office of the Clerk.

During the year, the Committee tabled five reports, an increase from one in the previous year, and three in 1998/1999. Of the five reports, one concerned a possible contempt of the House involving intimidation of witnesses before another parliamentary committee; one concerned a review of the current constitutional provisions relating to the ability of persons who hold government offices or contracts to be Members of Parliament; and the remaining three dealt with citizens' right of reply matters.

All of the recommendations made by the Committee in its reports were adopted by the House, except those concerning the inquiry on the constitutional matter, which have not yet been considered.

As required by the House's resolution of 5 December 2000 concerning appointment of the Parliamentary Ethics Adviser, the Committee met with the Adviser, Mr Ian Dickson, once during the year.

Select Committees

Select Committee on the Increase in Prisoner Population

The Select Committee on the Increase in the Prisoner Population was established by the Legislative Council on 17 November 1999 to examine the reasons for the rise in inmate numbers since 1995 and issues that impact upon prisoners. The Committee tabled its Interim Report, on issues specifically relating to women, on 28 July 2000. The Committee's Final Report, which made a number of findings in relation to the whole prison population, was tabled on 13 November 2001. On tabling the Report the Committee ceased to exist.

Select Committee on Mental Health

The Select Committee on Mental Health was established by the Legislative Council on 11 December 2001 to examine issues relating to the provision of mental health services in New South Wales. Among other things, the inquiry is to analyse changes which have taken place since the adoption of the Richmond Report, such as psychiatric hospitalisation. The inquiry will also examine the levels and methods of funding of mental health services, integration and quality control, staffing levels and outcome measures.

The Committee has so far held 8 meetings, including 6 hearings across a broad range of stakeholder groups. Further hearings are planned as well as a site visit to Long Bay Correctional Complex. The committee is due to table an interim report by 3 September 2002.

Sessional Committees

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

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

Joint Committees

Joint Standing Committees

One Joint Committee was operational during the reporting period:

- Staysafe (Road Safety)

Joint Statutory Committees

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

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

Joint Select Committees

Two Joint Select Committees were operational during the reporting period:

- Bushfires
- Quality of Buildings

Summary of Activities of the House

1 July 2001 – 30 June 2002

	2001 – 2002
Sittings	
– sitting days	54
– hours of sitting	513:47
– average length of sitting days (hours)	9:30
– sitting after midnight	5
Bills	
– initiated in Council	21
– by Government	8
– by private Member	113
– received from Assembly	41
– bills amended in Council	147
– bills passed	
Documents tabled	
– petitions	162
– reports	385
– statutory instruments	349
Questions asked	
– without notice	1087
– on notice	444
Divisions	
– in House	44
– in Committee	48
Private Members' business	
– notice given	166
– moved	68
– resolved	44
– withdrawn/discharged	22
– adjourned/interrupted	5
– motions under SO 13 to discuss an urgent matter of public importance	5
– matters of public interest	1
– replies to adjourned matters	–
Ministerial Statements	3
Disallowance of Statutory Rules and Instruments	
– notice given	9
– moved	8
– agreed to	–
– negatived	8
– withdrawn	2
– adjourned	2
Hansard (Pages of debate)	4026

Chapter 4 Chapter 4 Services to Members

Goal 2

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

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

Members' Staff

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

Review of Operations

New Members

One new member was elected to the Legislative Council this financial year. The Honourable Michael Costa was elected 6 September 2001 to fill the vacancy caused by the resignation of the Honourable John Johnson. He was sworn in as Minister for Police on 17 September 2001.

Members' Equipment

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

Members may supplement the standard issue of equipment by way of certain additional purchases through their Logistic Support Allocation.

Members' Allowances and Entitlements

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

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

Additional entitlements are provided to assist members in the performance of their parliamentary duties. The entitlements include the provision of a Logistic Support Allocation. This is a capped budget entitlement which members may use at their discretion within certain approved categories of expenditure. The full determination can be viewed on the parliamentary website <http://www.parliament.nsw.gov.au/lc>

On 15 August 2001 the Tribunal issued its determination for the year 2001 which was effective from 1 July 2001. On 15 March 2002 the Tribunal commenced proceedings in relation to the annual determination required for the year 2002 by writing to all members and inviting submissions. Following consideration of the submissions received and meetings with those members who requested an opportunity to discuss the content of their submission, the Tribunal issued its determination for the year 2002 on 31 May 2002. This was effective from 1 July 2002.

The determination of the Tribunal provides that members' entitlements shall be audited each year by the Auditor General of NSW. The first audit since the scheme of entitlements in its current form was introduced was conducted during the reporting period.

Members' Travel

In accordance with recommendations from the Independent Commission Against Corruption in its reports on travel by Members of Parliament which called for accountability and transparency by Members in the use of their entitlements, details of the total costs for Legislative Council Members' and spouse/partner approved relative travel within Australia appears at Appendix 5.

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

Legislative Council Attendants

The provision of effective and timely support to Members and their staff and the staff of the Legislative Council continued to be the focus of the Legislative Council attendant staff. In addition to the day to day support was the assistance provided to the Procedure Office, in particular the Member's Services section, and the Administration Office. The committees of the Legislative Council continued to utilise attendant support, such as the staffing of public hearings, increasingly seen as necessary, and report mail-outs. Attendant support was again an important factor in the conduct of the annual inquiry into the Budget estimates by the Legislative Council's General Purpose Standing Committees.

During the sittings of the House the attendants continued to play an essential role in the processing of amendments and the listing of the status of bills before the House. The attendant staff also continued its important role as the public face of the Legislative Council in its reception of, and assistance to, visitors and constituents. In addition to casual visitors a total of 704 groups, consisting of primary, secondary and tertiary educational institutions and special interest groups, toured the Parliament and enjoyed talks in the Legislative Council Chamber given by an attendant.

Chapter 5 Corporate Management

Goal 3

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

Systems Development

SAP System

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

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

The implementation of SAP was delayed due to financial constraints and it is now envisaged the new version of SAP, 4.6 will be implemented during the next financial year. The implementation of the new version will correct the above problems.

Computer Incident

In July 2001 unauthorised security software and files created by the office of another Member were discovered on the computer of a government Member's staff.

Immediately following the discovery, the Manager of Information Technology Services informed the Clerk of the Parliaments, who advised the President. After discussions with IT staff, the Clerk recommended, and the President agreed, that an independent expert be retained to conduct a forensic analysis of the data on the computer in order to determine a suitable course of action. The computer was moved to the Office of the Clerk. At this point there was no evidence of any unauthorised activity having occurred or any offence having been committed and inquiries focussed on how the security software came to be on the computer and what use was made of that software.

Following widespread media and public comment about the incident, the Clerk was contacted by Police and informed that they had commenced an investigation. Due to the inherent difficulties in segregating privileged material, a protocol was agreed whereby the independent expert, e-Sec, would obtain relevant access logs and file property data from network file server records, but not the contents of documents, and make these available to the Police to assist in their investigation.

e-Sec provided the Clerk with an interim report on 7 August 2001 which was made available to the Police. The Report made a number of recommendations and, in summary, found that there had been two separate and entirely unrelated incidents: firstly, the installation of computer security software on the computer allocated to the Member and secondly, the existence of files created by the office of another Member on the computer. The report states that files of the other Member were placed on the

computer by reason of a mistake made by Information Technology Services staff during a re-imaging of the computers allocated to the members on 31 August and 1 September 2000. Following Police advice that they had concluded their investigations into the incident, the report was provided to the Independent Commission Against Corruption (ICAC) and to the Members concerned.

On 9 October 2001 e-Sec provided a more detailed analysis of the incident which further clarified the events surrounding the appearance of the other Member's files on the original computer and also on a computer in the office of a further Member. The report also clarified matters in relation to the installation and use of the security tools. The report made a number of additional recommendations relating to policy and procedures with a view to reducing the likelihood of the occurrence of a similar incident.

In a letter dated 6 December 2001, the ICAC Commissioner advised that the recommendations contained in the report were considered appropriate and that, when fully adopted, would have the effect of creating a more secure electronic environment at Parliament House. The Commissioner asked that consideration be given to certain steps to further augment the security of the parliament's electronic systems in relation to risk management, induction and training related to managing electronic information, corrupt activity and codes of conduct and the Parliament's Fraud Control Strategy.

Following inquiries into the matter, the Clerk was satisfied that there was nothing to suggest that actions of ITS staff warranted disciplinary action.

Information Technology Services

Network Security

Following the discovery of a breach of security in July last year, the Parliament's Information Technology Services Section (ITS) engaged a security consultant to conduct a high level independent appraisal of the Parliament's computer system. Additionally, the roll-out of the newly designed Standard Operating Environment (SOE) for Windows 2000 was halted for independent review and security enhancement. The majority of the recommendations from this review have now been implemented and a higher level safeguarding of the Parliament's integral and mission critical information assets achieved.

The Parliament's newly adopted technology solutions include a new hardware and software standard and security enhanced SOE. The new technologies, which has now been rolled out to all MLCs' staff, address many of the security issues identified as problematic in the current Windows 95 SOE used in the Parliament.

Parliament has also put forward a business case to the Department of Information Technology and Management for a complete review and enhancement to the Parliament Information Security. This project received highest priority and funding has been allocated in 2002/2003 for this project.

Phonebook via Intranet

Information Technology Services developed a new Phonebook system through the Intranet. This is the first step in reducing the need to publish internal phonebook as information is updated electronically. Work is also in process to exchange information between the 2 major databases in HR and Security system to ensure consistency and form a central link for up to date information.

Server Consolidation and Upgrade

The Parliament has upgraded the Members' file and mail servers as well as the server operating system from Novell 4.1 to 5.1. The benefit of this upgrade will enhance the connectivity and functional support to all Members and staff. It has introduced a standard internet protocol across the Parliament, as encouraged by the Government. It results in ease of network management, and allows the responsibility for the administration of the different functions of the network to be devolved to different people.

Members' Connection to Parliament House

The Parliament outsourced its data network management to AAPT last year. Members are now using the AAPT's remote access service *Dialpoint*. Connection will be through local toll free numbers greatly reducing the cost of connection in rural and regional NSW.

Legislative Council procedural index database

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

Corporate Management

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

Employee Relations

Salary increases

On 21 March 2000, the NSW Industrial Relations Commission ratified the Crown Employees (Public Sector – Salaries January 2000) Award. The Public Sector Management Office of the Premier's Department represented the Parliament at the Industrial Commission. The award provides a 2% salary increase with effect from the beginning of the first pay period to commence on or after 1 January 2001, with a further 3% increase with effect from the beginning of the first pay period to commence on or after 1 January 2002. During the next financial year further increases will follow 4% with effect from the beginning of the first pay period to commence on or after 1 January 2003 and 5% with effect from the beginning of the first pay period to commence on or after 1 July 2003.

Grievances

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

Staff Development

Training and Development

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

Two Legislative Council staff attended the Premier's Public Sector Management Course.

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

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

Human Resources

Aboriginal Employment Strategies

The Legislative Council is continuing the Joint Policy on Aboriginal Employment Strategies this financial year.

Strategies for action are listed hereunder:

1. Identifying and targeting permanent positions to attract Aboriginal people to work for the Parliament.
2. Recruitment Prior to any vacant position being approved to advertise, consideration will be given to checking the Aboriginal Database at the Workforce Management Centre in the Premiers Department. Publishing advertisements in the Koori Mail, in addition to the Sydney Morning Herald and Telegraph.
3. Cadetships Approval has been granted to participate in the Aboriginal and Torres Strait Islander Program for the NSW Public Sector. A permanent position will be established at the Clerk Grade 1-2 level, in the Usher of the Black Rod and Committees Office for the cadet upon successful completion of the Cadetship Program.

Disability Action Plan

A Disability Action Plan for the Parliament was implemented during this financial year.

Employee Assistance Program

The Employee Assistance Program (EAP) was introduced to the Parliament in 1995. The annual cost of the program for 2001/2002 was \$18,000. The current provider of this service, Davidson Trahaire, provides independent confidential counselling, to assist and support staff with respect to stress, conflict, career matters and non-work related problems.

The Parliament has renewed the contract with Davidson Trahaire for the coming year. During the next financial year the Parliament is going to review the contract.

Equal Employment Opportunity

At 30 June 2002, the Department and its joint services employed 124 women or 54% of a total of 228 staff (this figure does not include casual staff). At the middle and senior management level (equal to or above \$51,294 per annum) women represent 51% of the people who hold these positions. Below this level women represent approximately 54% of people who hold these positions. A detailed description of EEO statistics for the Legislative Council and its joint services is provided in two tables at Appendix 5.

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

Establishment – Committees

Approval has been granted for five temporary positions to be created, four senior project officers and one committee officer to assist the committees in the completion of their inquiries. The new officers will commence in the new financial year and will be employed until 7 March 2003.

Executive Positions

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

- The Clerk of the Parliaments
- Deputy Clerk
- Clerk Assistant, Administration & Procedure - Senior Parliamentary Officer Grade 1
- Clerk Assistant, Committees & Usher of the Black Rod – Senior Parliamentary Officer Grade 1
- The Clerk of the Parliaments and Deputy Clerk positions are subject to annual salary determinations by the Statutory and Other Officers Remuneration Tribunal.
- There is one female executive as was the case in last reporting year.

Job Analysis/Evaluation

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

Policy Development/Review

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

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

Based on the available data, staff took an average of 4.08 days sick leave in 2001-2002. The total average sick leave taken has increased by 0.02 days per person during the reporting period. The Legislative Council continues to monitor absenteeism due to sick leave.

Under the Personal Carer's Leave provisions, paid sick leave and time off in lieu of payment for overtime continued to be granted for the purpose of caring for a family member who is ill. During the reporting period, Legislative Council staff accessed Personal/Carer's Leave on 25 occasions totaling 59.75 days.

NSW Action Plan for Women

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

Ethnic Affairs Priorities Statements and Ethnic Affairs Agreement

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

Privacy and Personal Information Protection Act 1988

The Privacy and Personal Information Protection Act 1988 does not apply to the Parliament of NSW, however the Parliament follows the spirit of the Act.

Parliamentary Service Awards

The 2001 Parliamentary Service Awards were held on Thursday 29 November 2001. Presentations were made by the Presiding Officers to parliamentary staff. A total of 50 staff received recognition of their service with the Parliament, ranging from 10 to 30 years service.

Legislative Council staff to receive an award were:

Staff Member	Department	Years of Service
John Evans	LC Office of the Clerk	30 years
Mike Wilkinson	LC Procedure Office	10 years
Annie Marshall	LC Committees	10 years
Malvyne Jong Wah	LC Procedure Office	10 years

Chapter 6 A Safe Working Environment

Goal 4

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

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

Occupational Health and Safety

Occupational Health and Safety Committee

The election of employee representatives for the Committee took place this financial year. The Committee was trained appropriately and is continuing to help ensure a safe working environment exists in Parliament House.

The election of the Electorate Office staff representatives for the OH&S Committee is due in the next financial year.

Inspection program

As part of the regular inspection program, inspections were carried out in areas such as the Press Gallery, Function Rooms, Library, Printing Services, Parliamentary Archives, Parliamentary Food and Beverage, all areas, Levels 9, 10, 11 and 12 and Parliamentary ITS. Problems reported by the committee and staff in areas inspected were mainly general housekeeping problems, which have subsequently been resolved.

Health education programs

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

Courses held during the 2001-2002 financial year were as follows:

- March 2001 – Ergonomic Information for VDU users (17 participants)
- November 2001 – Ergonomic Information for VDU users (43 participants)
- June 2002 – Stress Management Workshop (32 participants)

Emergency Services Plan

Following 11 September 2001 Parliament House conducted an emergency evacuation drill on the 27 Nov 2001. The evacuation plan has been revised and new communication techniques are being implemented.

Chapter 7 Promoting Public Awareness of Parliament

Goal 5

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

The Legislative Council continued in 2001-2002 to provide information about the role, work and history of the Legislative Council, including its Committees. The Legislative Council also continued to provide an effective enquiry service for the public, education programs for visitors to Parliament House, as well as issuing a variety of publications.

Schedule of visits (Legislative Council figures)

Description	1999/00	2000/01	2001/02
Casual Visitors	21, 295	19, 448	21,475
Bookings	27, 136	21,294	28,891
Australia Day and other	8, 070	12,686	8,400
TOTAL	56,501	53,428	58,766
Official visits by the Governor of New South Wales to Parliament House	2	2	1
Visits by delegations from foreign countries	10	23	approx 70 altogether
Official visits by Ambassadors & Consuls General of Foreign Missions	19	35	
Other Visits, including Heads of State	6	6	
Parliamentary attachments	4	5	2

Visits by the public

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

Casual visitors increased in 2001/02, with approximately 22,000 visitors counted. In addition, room bookings, visitors to Members, Members' events and group tour bookings mean that an average of at least 5,000 people pass through Parliament monthly. (This figure does not include guests who attend functions in the dining room.)

Opening of Parliament

Tuesday 26 February 2002

The opening of the third session of the 52nd Parliament on 26 February 2002 was the first occasion on which the NSW Parliament was opened by Her Excellency, Professor Marie Bashir AC, the first female Governor of New South Wales.

In recognition of their contribution to the NSW community during the Christmas and January bushfires, a guard of honour for the Vice Regal salute included, in addition to the Police mounted

troop, representatives of each of the following emergency services: Rural Fire Service; State Emergency Services; Volunteer Rescue Association; Ambulance Service; and NSW Fire Brigades. These guests were invited to the post-Opening function in the dining rooms.

Continuing a tradition initiated by the former Governor, Sir Gordon Samuels, a number of school students were also invited to attend the opening. The schools represented on the day were also from communities which were affected by the Christmas and January bushfire emergency. The ceremony captured something of both the history and the vitality of our democratic institution, as well as celebrating the achievements of our community and its response to adversity.

Australia Day

Parliament once more opened on Australia Day, with both Chambers open to the viewing public. The number of visitors visiting parliament remained steady at 12,000.

Education Activities in which the Legislative Council was involved

In a series of visits coordinated by the Office of the Governor, the Department of Education and Training, the Catholic Education Office, the Association of Independent Schools and the Parliamentary Education and Community Relations Section, nearly 1,000 school leaders from almost 500 secondary schools visited Parliament in 2001-2002. Students visit the Chamber, meet with Members and are addressed by Members and Officers of the Legislative Council before meeting with the Governor of NSW.

The Legislative Council contributed to other activities conducted by Parliamentary Education and Community Relations. Legislative Council Members and Officers participated as panel members or workshop leaders in two Young Women's Leadership seminars, involving almost 200 Year 11 girls and Legislative Council Members were also panel members at two *A Little Night Sitting* events which brought about 100 members of the public to evening introductions to Parliament.

The Legislative Council Chamber was also used for the NSW Schools State Constitutional Convention in March, with 60 Year 12 students participating; and as part of the Forum 2002 program in May involving 80 Year 10 students. Committee staff also assisted with the development of a committee's role play now used with visiting schools.

The Clerk Assistant Committees and Usher of the Black Rod contributed to the State Government Familiarisation seminars for business on two occasions as organised by Parliamentary Education and Community Relations.

In addition a number of Legislative Council members and staff hosted students in University Internship and school work experience programs.

Exhibitions

Arrangements for the staging of exhibitions in the Parliament Fountain Court are coordinated through the Office of the Usher of the Black Rod and managed by the Parliamentary Officer – Public Relations. Members from both Houses may sponsor exhibitions to promote a department's or a community program. The following twenty one exhibitions were held during the reporting period.

July 2001

East Timor photographs

19 July – 27 July	Hungarian Consulate exhibition
30 July – 10 August	Macedonian Cultural Festival
13–20 August	Lilly Owens (Australians against the commercialisation of wildlife)
21–31 August	“Nanotechnology” (Asthmas Foundation)
17–28 September	Australian Naval and Maritime Painters (part of the cancelled Centenary Naval Review)
1–12 October	Carnivale exhibition
15 October – 2 November	Bunker Cartoon Gallery exhibition
5–15 November	Czech Consulate exhibition “Labyrinth”
16–28 November	“Minted, coined, stamped” exhibition from the Powerhouse Museum
1–17 December	Royal North Shore Hospital Drug and Alcohol Unit Fund raiser benefit
18 December – 23 January 2001	“People’s Choice” political cartoons (joint Parliament/Powerhouse Museum exhibit)
24 January – 15 February	Centenary of Federation – Federation towns exhibit
4–8 March	CFMEU “Contribution to the Olympic Site at Homebush” exhibit
11–20 March	French Consulate exhibition
25 March – 5 April	Czech consulate exhibition
8 April – 24 April	History Teachers of NSW exhibition
1 May – 13 May	Tibet Museum exhibition (withdrawn by exhibitors)
17 June	Energy Industry government exhibition
17 June – 21 June	Exhibit for the Parliament Rotary Club (Tedd Noff’s Foundation)
24 June – 12 July	Community Drug Action Teams

Protocol

The Parliament has important relationships with the consular corp in Sydney and Canberra. The President devotes a considerable amount of time to receiving these delegations on behalf of the Legislative Council. The Clerk Assistant – Committees and Usher of the Black Rod coordinates consular and diplomatic visits and events. These visits and events play an important role in supporting and maintaining the Parliament’s regional and international relations.

Delegations and individuals are usually referred to the Legislative Council from a number of official sources, such as Federal and Premier’s department Protocol sections, the diplomatic and Consular corps, other Government departments with official visitors, the Department of State and Regional Development, overseas diplomatic missions, governments and parliaments of other countries, and the Commonwealth Parliamentary Association, to name a few.

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

Visits from other Parliaments, delegations from foreign countries, official visits by Ambassadors & Consuls General of Foreign Missions totaled approximately 70 visits.

Vice regal visits

The Governor visited the Parliament for a number of functions held at the Parliament during the year. Some of these included charity dinners in the dining room and Commonwealth Day. The Governor has only visited the Parliament once on an official visit, that is for the Opening of Parliament.

The Members of the Legislative Council presented an Address in Reply to the Governor's Opening Speech at Government House on Thursday 6 June 2002.

Sister State Relations

Overseas delegations from the New South Wales Legislative Council

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

Sister State Visit to NSW by the Tokyo Metropolitan Assembly

November 2001

As part of the sister state relationship between NSW and Tokyo, the NSW Parliament hosted a delegation from the Tokyo Metropolitan Assembly led by Mr Hasimoto Tatsujiro. The delegation visited from Tuesday 6 November – Sunday 11 November.

As with previous delegations the program consisted of a mixture of meetings, official functions and site visits to NSW landmarks.

Official meetings included:

- Briefing by the Department of State and Regional Development
- Japanese Consul-General for Australia — Japan/Australia briefing
- Parliament House tour, meetings, official welcome lunch.
- Sun Masamune Sake factory – an Australian company exporting Sake to Japan
- Meetings re tourism promotion with various tourism establishments in the Blue Mountains
- Penrith Panthers (meeting re. gambling and licensing laws in Australia)
- Homebush Bay tour
- Australian Museum and NSW Art Gallery
- Official meeting with Governor

The Australian Electoral Commission facilitated a visit to the Federal polling booths.

Attachments to the Legislative Council

The Legislative Council arranges programs for official delegations from other Parliaments and associated organisations. Interparliamentary relations facilitates the exchange of ideas on Parliamentary issues and procedures. The Clerk Assistant – Committees and Usher of the Black Rod is responsible for planning and coordinating all such visits.

There were 2 attachments or study visits during this period, neither requiring any substantial expenditure:

21 September 2001	Cambodian Parliament study tour (joint tour of LA and LC)
21 January 2002	Serge Gourgue – Director precinct services, Parliament of Canada

TOTAL: 2 Visits

Commemorative Mock Sitting in Honour of John Evans for 30 years service to the New South Wales Parliament.

Tuesday 4 December 2001

Members of the Legislative Council, former members, and professional colleagues from other Parliaments congratulated the Clerk of the Parliaments, John Evans, on 30 years of service to the New South Wales Parliament, and on behalf of all Members, former members and colleagues extended its respect and appreciation to him for his dedication, professionalism and commitment in upholding the principles of parliamentary democracy in this State. The Clerk was also awarded a Public Service Medal in the Australia Day Honours list.

Chapter 8 Physical Environment

Goal 6

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

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

The Parliamentary Precinct was listed on the State Heritage Register on the 24 April 2002. Parliamentary Building Services is currently working on a Heritage Management Plan to facilitate the maintenance of such a historically important building.

A disabled access ramp has been built in the area between the Fountain Court and Legislative Council foyer. The disabled entrance from Macquarie Street is currently being remodeled to accommodate an all weather entrance. The level of lighting at the Hospital Road entrance and the Domain Terrace have been upgraded, significantly increasing the level of light.

In May 2002 a Parliamentary Building Managers Forum was held at Parliament House. This provided the opportunity to discuss issues effecting Parliaments within Australia, New Zealand and Papa New Guinea.

Chapter 9

Financial Statements



GPO BOX 12
SYDNEY NSW 2001

INDEPENDENT AUDIT REPORT

THE LEGISLATURE

To Members of the New South Wales Parliament

Scope

I have audited the accounts of The Legislature for the year ended 30 June 2002. The Clerk of the Legislative Assembly and the Clerk of the Parliaments are responsible for the financial report consisting of the accompanying statement of financial position, statement of financial performance, statement of cash flows, program statement - expenses and revenues and summary of compliance with financial directives, together with the notes thereto, and information contained therein. My responsibility is to express an opinion on the financial report to Members of the New South Wales Parliament. My responsibility does not extend to an assessment of the assumptions used in formulating budget figures disclosed in the financial report.

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

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

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

Audit Opinion

In my opinion, the financial report of The Legislature presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of The Legislature as at 30 June 2002 and the results of its operations and its cash flows for the year then ended.

A handwritten signature in black ink, appearing to read 'R. Sendt'.

R. J. Sendt
Auditor General

SYDNEY
17 October 2002



THE LEGISLATURE

FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2002

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

A handwritten signature in black ink, appearing to read 'Russell D Grove'.

Russell D Grove
Clerk of the Legislative Assembly

A handwritten signature in black ink, appearing to read 'Lynn Lovelock'.

Lynn Lovelock
Acting, Clerk of the Parliaments

16 October 2002

Chapter 9 Financial Statements

THE LEGISLATURE

Statement of Financial Performance for the Year Ended 30 June 2002

	Notes	Actual 2002 \$000	Budget 2002 \$000	Actual 2001 \$000
Expenses				
Operating expenses				
Employee related	2(a)	37,429	35,735	36,020
Other operating expenses	2(b)	20,080	13,872	16,542
Maintenance	2(c)	3,513	486	2,407
Depreciation and amortisation	2(d)	4,248	4,380	4,329
Other expenses	2(e)	<u>31,693</u>	<u>31,360</u>	<u>29,059</u>
Total Expenses		<u>96,963</u>	<u>85,833</u>	<u>88,357</u>
Less:				
Retained Revenue				
Sale of goods and services	3(a)	4,181	1,890	4,139
Investment income	3(b)	47	25	61
Grants and contributions	3(c)	2,885	-	1,125
Other revenue	3(d)	<u>402</u>	<u>940</u>	<u>755</u>
Total Retained Revenue		<u>7,515</u>	<u>2,855</u>	<u>6,080</u>
Gain / (loss) on disposal of non-current assets	4	<u>455</u>	<u>-</u>	<u>-</u>
Net Cost of Services	19	<u>88,993</u>	<u>82,978</u>	<u>82,277</u>
Government Contributions				
Recurrent appropriation	5	70,584	67,793	64,716
Capital appropriation	5	6,791	3,426	3,821
Acceptance by the Crown Entity of employee entitlements and other liabilities	6	<u>11,367</u>	<u>10,748</u>	<u>10,165</u>
Total Government Contributions		<u>88,742</u>	<u>81,967</u>	<u>78,702</u>
(DEFICIT) FOR THE YEAR FROM ORDINARY ACTIVITIES		<u>(251)</u>	<u>(1,011)</u>	<u>(3,575)</u>
Total Revenues, Expenses and Valuation Adjustments Recognised in Equity				
		-	-	-
Total Changes in Equity other than those resulting from transactions with owners as owners	15	<u>(251)</u>	<u>(1,011)</u>	<u>(3,575)</u>

The accompanying notes form part of these statements.

THE LEGISLATURE**Statement of Financial Position as at 30 June 2002**

	Notes	Actual 2002 \$000	Budget 2002 \$000	Actual 2001 \$000
ASSETS				
Current Assets				
Cash	8	389	468	415
Receivables	9	2,198	1,628	1,638
Inventories	10	251	258	258
Other Assets	11	<u>267</u>	<u>254</u>	<u>254</u>
Total Current Assets		<u>3,105</u>	<u>2,608</u>	<u>2,565</u>
Non-Current Assets				
Property, Plant and Equipment	12			
- Land and Buildings		96,103	96,620	97,285
- Plant and Equipment		11,888	9,594	9,883
- Collection Assets		<u>16,740</u>	<u>16,776</u>	<u>16,776</u>
		124,731	122,990	123,944
Other Assets	11	<u>520</u>	-	-
Total Non-Current Assets		<u>125,251</u>	<u>122,990</u>	<u>123,944</u>
Total Assets		<u>128,356</u>	<u>125,598</u>	<u>126,509</u>
LIABILITIES				
Current Liabilities				
Payables	13	4,875	3,030	3,030
Employee entitlements and Other Provisions	14(a)	<u>4,492</u>	<u>4,386</u>	<u>4,286</u>
Total Current Liabilities		<u>9,367</u>	<u>7,416</u>	<u>7,316</u>
Non-Current Liabilities				
Employee entitlements and Other Provisions	14(b)	<u>238</u>	<u>191</u>	<u>191</u>
Total Non-Current Liabilities		<u>238</u>	<u>191</u>	<u>191</u>
Total Liabilities		<u>9,605</u>	<u>7,607</u>	<u>7,507</u>
Net Assets		<u>118,751</u>	<u>117,991</u>	<u>119,002</u>
EQUITY				
Reserves	1(i)	9,067	9,067	9,067
Accumulated Funds		<u>109,684</u>	<u>108,924</u>	<u>109,935</u>
Total Equity		<u>118,751</u>	<u>117,991</u>	<u>119,002</u>

The accompanying notes form part of these statements.

THE LEGISLATURE
Statement of Cash Flows for the Year Ended 30
June 2002

	Notes	Actual	Budget	Actual
		2002	2002	2001
		\$000	\$000	\$000
CASH FLOWS FROM OPERATING				
ACTIVITIES				
Payments				
Employee related		(34,727)	(33,343)	(33,803)
Other		<u>(46,577)</u>	<u>(38,912)</u>	<u>(41,923)</u>
Total Payments		<u>(81,304)</u>	<u>(72,255)</u>	<u>(75,726)</u>
Receipts				
Sale of goods and services		4,488	1,890	3,912
Interest received		51	35	115
Other		<u>2,214</u>	<u>940</u>	<u>2,476</u>
Total Receipts		<u>6,753</u>	<u>2,865</u>	<u>6,503</u>
Cash Flows From Government				
Recurrent appropriation		70,584	67,793	64,716
Capital appropriation		6,943	3,426	3,821
Cash reimbursements from the Crown Entity		<u>1,536</u>	<u>1,650</u>	<u>1,424</u>
Net Cash Flows From Government		<u>79,063</u>	<u>72,869</u>	<u>69,961</u>
NET CASH FLOWS FROM OPERATING				
ACTIVITIES	19	<u>4,512</u>	<u>3,479</u>	<u>738</u>
CASH FLOWS FROM INVESTING				
ACTIVITIES				
Proceeds from sale of property, plant				
and equipment		346	-	-
Purchases of property, plant and				
equipment		<u>(4,884)</u>	<u>(3,426)</u>	<u>(2,062)</u>
NET CASH FLOW FROM INVESTING		<u>(4,538)</u>	<u>(3,426)</u>	<u>(2,062)</u>
ACTIVITIES		<u>(4,538)</u>	<u>(3,426)</u>	<u>(2,062)</u>
NET INCREASE / (DECREASE) IN CASH		(26)	53	(1,324)
Opening cash and cash equivalents		<u>415</u>	<u>415</u>	<u>1,739</u>
CLOSING CASH AND CASH				
EQUIVALENTS	8	<u>389</u>	<u>468</u>	<u>415</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Program Statement - Expenses and Revenues for the year ended 30 June 2002

	Program 1.1.1* Legislative Council		Program 1.1.2* Legislative Assembly		Program 1.2.1* Joint Services		Not Attributable		Total	
	2002 \$000	2001 \$000	2002 \$000	2001 \$000	2002 \$000	2001 \$000	2002 \$000	2001 \$000	2002 \$000	2001 \$000
THE LEGISLATURE'S EXPENSES & REVENUES										
Expenses										
Operating expenses										
Employee related	6,571	6,500	17,204	16,574	13,654	12,946	-	-	37,429	36,020
Other operating expenses	2,660	2,285	13,192	9,962	4,228	4,295	-	-	20,080	16,542
Maintenance	-	10	637	801	2,876	1,596	-	-	3,513	2,407
Depreciation and amortisation	254	233	1,897	1,561	2,097	2,535	-	-	4,248	4,329
Other expenses	9,615	8,753	22,078	20,306	-	-	-	-	31,693	29,059
Total Expenses	19,100	17,781	55,008	49,204	22,855	21,372	-	-	96,963	88,357
Retained Revenue										
Sale of goods and services	341	337	473	371	3,367	3,431	-	-	4,181	4,139
Investment income	-	-	-	-	47	61	-	-	47	61
Grants and contributions	-	-	-	-	2,885	1,125	-	-	2,885	1,125
Other revenue	69	70	195	545	138	140	-	-	402	755
Total Retained Revenue	410	407	668	916	6,437	4,757	-	-	7,515	6,080
Gain / (loss) on disposal of non-current assets	-	-	-	-	455	-	-	-	455	-
NET COST OF SERVICES	18,690	17,374	54,340	48,288	15,963	16,615	-	-	88,993	82,277
Government contributions**	-	-	-	-	-	-	88,742	78,702	88,742	78,702
NET EXPENDITURE /(REVENUE) FOR THE YEAR	18,690	17,374	54,340	48,288	15,963	16,615	(88,742)	(78,702)	251	3,575

*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 accompanying notes form part of these statements.

THE LEGISLATURE

SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

	2002			2001			
	Recurrent Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Capital Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000	Recurrent Appropriation \$000	Capital Appropriation \$000	Expenditure / Net Claim on Consolidated Fund \$000
ORIGINAL BUDGET APPROPRIATION / EXPENDITURE							
Appropriation Act	67,793	67,793	3,426	3,426	64,934	4,121	3,821
Additional Appropriations	228	228	-	-	-	-	-
s21A PF&AA - special appropriation	-	-	-	-	-	-	-
s24 PF&AA - transfers of functions between departments	-	-	-	-	-	-	-
s26 PF&AA - Commonwealth specific purpose payments	-	-	-	-	-	-	-
	68,021	68,021	3,426	3,426	64,934	4,121	3,821
OTHER APPROPRIATIONS / EXPENDITURE							
Treasurer's Advance	3,569	2,563	3,650	3,365	202	-	-
Section 22 - expenditure for certain works and services	-	-	-	-	-	-	-
Transfers from another agency (s25 - Appropriation Act)	-	-	-	-	-	-	-
	3,569	2,563	3,650	3,365	202	-	-
Total Appropriations / Expenditure / Net Claim on Consolidated Fund (includes transfer payments)	71,590	70,584	7,076	6,791	65,136	4,121	3,821
Amount drawn down against Appropriation Liability to Consolidated Fund							
				6,943			3,821
				(152)			-

The summary of compliance is based on the assumption that Consolidated Fund monies are spent first (except where otherwise identified or prescribed).

The accompanying notes form part of these statements.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2002

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting Entity

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

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

(b) Basis of Accounting

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

- ❖ Applicable Australian Accounting Standards (AAS)
- ❖ Other authoritative pronouncements of the Australian Accounting Standards Board (AASB)
- ❖ Urgent Issues Group (UIG) Consensus Views
- ❖ The requirements of the Public Finance and Audit Act 1983 and Regulations, and
- ❖ The Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies or issued by the Treasurer under Section 9(2)(n) of the Act

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

In the absence of a specific accounting standard, other authoritative pronouncements of the AASB or UIG Consensus View, the hierarchy of other pronouncements as outlined in AAS 6 "Accounting Policies" is considered.

Except for land, collections and certain building and plant assets which are recorded at valuation, the financial statements are prepared in accordance with the historical cost convention.

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

Comparative information is reclassified where appropriate to enhance comparability.

(c) Revenue Recognition

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

(i) Parliamentary Appropriations and Contributions from Other Bodies

Parliamentary Appropriations and contributions from other bodies (including grants and donations) are recognised as revenues when The Legislature obtains control over the assets comprising the 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.

This liability is disclosed in Note 13 as part of current liabilities. 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 Public Works and Services has been recognised as revenue with the corresponding expenditure reflected in maintenance costs. (Refer notes 2(c) and 3(c)).

(ii) Sales of Goods and Services

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

(iii) Investment Income

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

(iv) Other Revenue

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

(d) Employee Entitlements

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

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

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

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

(ii) Long Service Leave and Superannuation

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

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

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

(e) Insurance

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

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

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

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

(g) Acquisition of Assets

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

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

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

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

(h) Plant and Equipment

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

(i) Revaluation of Physical Non-Current Assets

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

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

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

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

In accordance with Treasury policy, The Legislature has applied the AASB 1041 “Revaluation of Non-Current Assets” transitional provisions for the public sector and has elected to apply the existing revaluation basis, while Treasury’s policy on fair value is finalised. It is expected, however, that in most instances, the current valuation methodology will approximate fair value.

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

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

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

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

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

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

(j) Depreciation and Amortisation

Depreciation or amortisation is provided for on a straight line basis for all depreciable or amortisable assets so as to write off the depreciable amount of the asset as it is consumed over its useful life to The Legislature. Accelerated depreciation has been applied to those computer assets which have become redundant due to technology so that they are fully depreciated as at 30 June 2002. Land is not a depreciable asset.

All material separately identifiable component assets are recognised and depreciated over their shorter useful lives, including those components that in effect represent major periodic maintenance.

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

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

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

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

(k) Maintenance and Repairs

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

(l) Leased Assets

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

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

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

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

(m) Receivables

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

(n) Inventories

Inventories are stated at the lower of cost and net realisable value. The cost is calculated using the weighted average cost method.

(o) Payables

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

(p) Budgeted Amounts

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

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

2. EXPENSES

a) Employee Related Expenses

	2002	2001
	\$000	\$000
Salaries and wages (including recreation leave)	30,396	29,167
Superannuation entitlements – staff	2,828	2,605
Long service leave	861	878
Workers Compensation Insurance	229	236
Payroll tax and fringe benefits tax	2,191	2,206
Redundancy payments	187	189
Other	737	739
	37,429	36,020

(b) Other Operating Expenses

	2002	2001
	\$000	\$000
Printing and stationery	3,451	1,401
Operating Lease Rental Expense – Minimum Lease Payments	3,127	2,911
Telecommunication costs	2,481	2,412
Computer costs	1,834	2,478
Travel expenses	1,828	1,565
Cost of sales – House Committee	1,583	1,498
Miscellaneous	1,207	1,086
Stores	1,110	304
Postage and State Mail charges	974	748
Gas and electricity charges	796	894
Contract and other fees	568	273
Cleaning and laundry	465	511
Insurance	279	251
Consultancy fees	151	69
Auditor's Remuneration		
Audit of the Financial Reports	46	43
Audit of Members' additional entitlements under the Parliamentary Remuneration Tribunal Determination	91	-
Legal expenses	89	98
	20,080	16,542

(c) Maintenance

	2002	2001
	\$000	\$000
Maintenance undertaken by Department of Public Works and Services	2,562	1,125
Repairs and routine maintenance	314	491
Maintenance on Legislative Assembly electorate offices	637	791
	3,513	2,407

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

(d) Depreciation and Amortisation expense

	2002	2001
	\$000	\$000
Depreciation on buildings	793	786
Depreciation on plant and equipment	2,512	2,777
Amortisation of leasehold costs	943	766
	4,248	4,329

(e) Other expenses

	2002	2001
	\$000	\$000
Salaries and allowances of Members of Parliament	21,996	20,805
Superannuation entitlements – members	7,062	6,146
Payroll tax & fringe benefits tax – members entitlements	1,450	1,483
Payroll tax liability – members superannuation	438	388
Special projects	747	237
	31,693	29,059

3. REVENUES

(a) Sale of Goods and Services

<u>Sale of Goods</u>	2002	2001
	\$000	\$000
Sale of Publications	106	65
Energy recoup from Sydney Hospital and State Library	469	506
	2,205	2,145
<i>House Committee sales of food and beverages</i>		
Miscellaneous	-	36
	2,780	2,752
 <u>Rendering of Services</u>		
Rent on Parliament House Ministerial Offices	682	674
House Committee functions	472	524
Parliamentary committee seminars	81	34
Miscellaneous	166	155
	1,401	1,387
	4,181	4,139

(b) Investment Income

	2002	2001
	\$000	\$000
Interest on operating account	47	61
	47	61

(c) Grants and Contributions

	2002	2001
	\$000	\$000
Connect NSW project	277	-
Public Works & Services maintenance work	2,562	1,125
Contributions of Assets - library collection legal deposit	46	-
	2,885	1,125

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

(d) Other Revenue

	2002	2001
	\$000	\$000
Telecommunications rebate	12	308
Miscellaneous	390	447
	402	755

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

	2002	2001
	\$000	\$000
Gain/Loss on Sale of Collection Assets		
Proceeds from sale	537	-
Written down value of assets disposed	(82)	-
Net gain/ (loss) on disposal of collection assets	455	-

5. APPROPRIATIONS**Recurrent Appropriations**

	2002	2001
	\$000	\$000
Total recurrent drawdowns from Treasury (per Summary of Compliance)	70,584	64,716
Less: Liability to Consolidated Fund (per Summary of Compliance)	-	-
Total	70,584	64,716
Comprising:		
Recurrent Appropriations (per Statement of Financial Performance)	70,584	64,716

Capital Appropriations

	2002	2001
	\$000	\$000
Total capital drawdowns from Treasury (per Summary of Compliance)	6,943	3,821
Less: Liability to Consolidated Fund (per Summary of Compliance)	(152)	-
Total	6,791	3,821
Comprising:		
Capital Appropriations (per Statement of Financial Performance)	6,791	3,821

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

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

	2002	2001
	\$000	\$000
Employees		
Superannuation	2,828	2,605
Long Service Leave	864	864
Payroll Tax on superannuation	174	161
	3,866	3,630
Members		
Superannuation	7,063	6,147
Payroll tax on superannuation	438	388
	7,501	6,535
	11,367	10,165

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 Parliament
- Procedural and administrative support
- Committee advisory, research and administrative support
- Commonwealth Parliamentary Association
- Overseas delegations

Program 1.2.1	Parliamentary Support Services – Joint Services
Objective:	To provide support services to both Houses of Parliament.
Activities:	<ul style="list-style-type: none"> - 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. CURRENT ASSETS – CASH

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

	2002	2001
	\$000	\$000
Cash at Bank and on hand	389	415
	389	415

9. CURRENT ASSETS – RECEIVABLES

	2002	2001
	\$000	\$000
Sale of goods and services	754	549
Investment Income	21	25
GST recoverable from ATO	907	566
Other debtors	519	501
	2,201	1,641
Less: Provision for Doubtful Debts	3	3
	2,198	1,638

10. CURRENT ASSETS – INVENTORIES

	2002	2001
	\$000	\$000
Food and beverage stock at cost	251	258
	251	258

11. **CURRENT/NON-CURRENT ASSETS - OTHER ASSETS**

(a) **Current:**

	2002	2001
	\$000	\$000
Prepayments	255	244
Travel Advances	12	10
	267	254

(b) **Non-Current:**

	2002	2001
	\$000	\$000
Prepayments	520	-
	520	-

12. **NON-CURRENT ASSETS – PROPERTY, PLANT AND EQUIPMENT**

	2002	2001
	\$000	\$000
Land and Buildings		
Land at Valuation	50,000	50,000
Buildings at Cost	5,392	4,981
Buildings at Valuation	<u>60,680</u>	<u>60,680</u>
	<u>116,072</u>	<u>115,661</u>
Accumulated Depreciation at Cost	2,850	2,029
Accumulated Depreciation at Valuation	<u>17,119</u>	<u>16,347</u>
	<u>19,969</u>	<u>18,376</u>
	<u>96,103</u>	<u>97,285</u>
Plant and Equipment		
At Cost	15,325	10,878
At Valuation	<u>20,024</u>	<u>20,092</u>
	<u>35,349</u>	<u>30,970</u>
Accumulated Depreciation at Cost	8,108	6,400
Accumulated Depreciation at Valuation	<u>15,353</u>	<u>14,687</u>
	<u>23,461</u>	<u>21,087</u>
	<u>11,888</u>	<u>9,883</u>
Collection Assets		
At Valuation	<u>16,740</u>	<u>16,776</u>
Total Property, Plant and Equipment at Net Book Value	<u>124,731</u>	<u>123,944</u>

Reconciliations

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

	Land and Buildings \$000	Plant and Equipment \$000	Collection Assets \$000	Total \$000
2002				
Carrying amount at start of year	97,285	9,883	16,776	123,944
Additions	553	4,518	46	5,117
Disposals	(141)	(139)	(82)	(362)
Accumulated depreciation written back on disposal	141	139	-	280
Depreciation expense	(1,735)	(2,513)	-	(4,248)
Carrying Amount at end of year	96,103	11,888	16,740	124,731
2001				
Carrying amount at start of year	97,853	12,158	16,776	126,787
Additions	985	501	-	1,486
Disposals	(271)	(647)	-	(918)
Accumulated depreciation written back on disposal	271	647	-	918
Depreciation expense	(1,553)	(2,776)	-	(4,329)
Carrying amount at end of year	97,285	9,883	16,776	123,944

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

	Land and Buildings \$ Cost/Number	Plant and Equipment \$ Cost/Number	Total \$ Cost/Number
2001-2002	\$1,054,000 29	\$6,646,000 80	\$7,700,000 109
2000-2001	\$953,000 31	\$4,888,000 57	\$5,841,000 88

13. CURRENT LIABILITIES – PAYABLES

	2002 \$000	2001 \$000
Liability to Consolidated Fund	152	-
Accrued Charges	378	948
Trade Creditors	4,345	2,082
	4,875	3,030

14. CURRENT/NON-CURRENT LIABILITIES – EMPLOYEE ENTITLEMENTS AND OTHER PROVISIONS

(a) Current

	2002	2001
	\$000	\$000
Recreation leave	2,861	2,683
Accrued salaries and wages	1,605	1,577
On-cost on long service leave entitlements	26	26
Aggregate employee entitlements	4,492	4,286

(b) Non-Current

	2002	2001
	\$000	\$000
On-cost on long service leave entitlements	238	191
Aggregate employee entitlements	238	191

15. CHANGES IN EQUITY

	Accumulated Funds		Asset Revaluation Reserve		Total Equity	
	2002	2001	2002	2001	2002	2001
	\$000	\$000	\$000	\$000	\$000	\$000
Balance at the beginning of the financial year	109,935	113,510	9,067	9,067	119,002	122,577
<u>Changes in equity – other than transactions with owners as owners</u>						
(Deficit) for the year	(251)	(3,575)	-	-	(251)	(3,575)
Balance at the end of the financial year	109,684	109,935	9,067	9,067	118,751	119,002

Asset Revaluation Reserve

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

16. COMMITMENTS FOR EXPENDITURE**(a) Operating Lease Commitments**

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

	2002	2001
	\$000	\$000
Not later than one year	2,930	2,898
	2,634	3,892
<i>Later than one year but not later than 5 years</i>		
Total Lease Commitments including GST	5,564	6,790

The above total for 2002 includes GST input tax credits of \$449,000 (\$506,000 - 2001) that will be recoverable from Australian Taxation Office (ATO).

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

	2002	2001
	\$000	\$000
Not later than one year	2,854	2,748
Later than one year but not later than 5 years	2,606	3,879
Electorate Office Lease Commitments including GST	5,460	6,627

The above total for 2002 includes GST input tax credits of \$440,000 (\$491,000 - 2001) that will be recoverable from the ATO.

(b) Other Expenditure Commitments

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

	2002	2001
	\$000	\$000
Not later than one year	102	67
Total Other Expenditure Commitments including GST	102	67

The above total for 2002 includes GST input tax credits of \$9,000 (\$6,000 – 2001) that will be recoverable from the ATO.

17. CONTINGENT LIABILITIES

The Legislature is currently involved in two matters before the NSW Industrial Commission. Costs associated with these claims have become a liability of the NSW Treasury Managed Fund and cannot be reliably estimated at this time. In a separate matter, the Legislature is taking action to recover overpaid salary from a former employee, which has resulted in a potential liability of \$2,000.

18. BUDGET REVIEW

Net Cost of Services

Net cost of services for the year exceeded the budget by \$6,015,000. This was due to over expenditure on employee related expenses of \$1,694,000, other operating expenses \$6,208,000, maintenance \$3,027,000 and other expenses \$333,000. These over expenditures were partially offset by savings in depreciation of \$132,000 and receipt of additional retained revenue of \$4,660,000, plus a gain of \$455,000 on disposal of assets. Included in operating expenses are computer equipment purchases of \$909,000, Legislative Assembly electorate office furniture purchases of \$417,000 and minor equipment purchases of \$581,000 (total \$1.907M) for which asset acquisition funding was provided by the NSW Treasury.

Assets and Liabilities

Current assets at 30 June 2002 exceeded budget by \$497,000 due largely to increases in prepayments of \$531,000, trade debtors of \$356,000 together with GST input credits of \$340,000. These increases were partially offset by a \$79,000 reduction in cash and a \$7,000 reduction in inventory.

Non-current assets reflect an increase of \$2,261,000 over the amount budgeted. This increase was attributable to supplementary funding provided by Treasury to purchase additional office equipment for Members of which \$1.907M was expensed (refer net cost of services budget review). These were expensed as the individual asset acquisitions were below the capitalisation threshold of \$5,000 (note 1(h)).

Current liabilities exceeded the budget estimate by \$1,951,000 as a result of Legislative Assembly Members Electorate Mail-out Account expenditure in late June, which was not processed until July. In addition employee entitlements increased by \$106,000 following a 3% public sector pay increase which applied from 1 January 2002.

Cash Flows

Net cash flows from operating activities exceeded budget by \$1,033,000 which was largely attributable to the inclusion of GST in actual payments and receipts, whilst the budget excluded this \$568,000 net input tax credit.

Purchases of PPE were \$1,458,000 in excess of budget as a result of supplementary funding being received from Treasury for additional office equipment purchases for Members. This was partially off-set by the \$346,000 from the proceeds of sale from a portion of the library collection, which had not been budgeted for.

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

	2002	2001
	\$000	\$000
Net Cash used in operating activities	4,512	738
Depreciation	(4,248)	(4,329)
(Increase)/decrease in provisions	(227)	(297)
(Decrease)/increase in receivables, inventories and other assets	896	830
(Increase)/ decrease in creditors and other liabilities	(1,685)	(517)
Gain on sale of non-current assets	455	-
Assets acquired free of charge	46	-
Long Service Leave	(864)	(864)
Superannuation	(8,355)	(7,328)
Payroll tax on superannuation	(612)	(549)
Less cash flows from government:		
Capital allocation	(6,791)	(3,821)
Recurrent allocation	(70,584)	(64,716)
Cash reimbursements from the Crown Transactions Entity	(1,536)	(1,424)
Net Cost of Services	(88,993)	(82,277)

20. FINANCIAL INSTRUMENTS**Cash**

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

At period end the deposits were earning 3.7% (4.0% in 2000/2001) while the effective interest rate during the reporting period was 3.6% (4.8% in 2000/2001).

Receivables

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

The credit risk is the carrying amount (net of any provision for doubtful debts). As at balance date, the greatest risk was represented by receivables, totalling \$213,000 (\$253,000 in 2000/2001) 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.

End of Audited Financial Statements

Appendix 1

Members of the Legislative Council

Fifty-Second Parliament 3rd Session

LIST OF MEMBERS

Fifty-Second Parliament 3rd Session, as at 30 June 2002

Breen^B The Honourable Peter James DipLaw	RLS	Kelly^A The Honourable Anthony Bernard ALGA ³	ALP
Burgmann^B The Honourable Doctor Meredith Anne MA(Syd) PhD(Macq) President	ALP	Chairman of Committees	
Burnswoods^B The Honourable Janice Carolyn BA(Hons) DipEd	ALP	Lynn^B The Honourable Charlie John Stuart psc	LIB
Chesterfield-Evans^B The Honourable Doctor Arthur AD MB BS FRCS(Eng) MAppSci(OHS)	AD	Macdonald^B The Honourable Ian Michael BA(Hons)	ALP
Cohen^A The Honourable Ian BA DipEd	G	Parliamentary Secretary	
Colless^A The Honourable Richard Hargrave HD App Sci(Agric) ⁶	NP	Nile^A The Honourable Elaine Blanche	CDP
Corbett^A The Honourable Alan Gordon BA DipEd DipTEFL MA	IND	Nile^B The Reverend the Honourable Frederick John ED LTh	CDP
Della Bosca^B The Honourable John Joseph BA Special Minister of State, Minister for Industrial Relations, Assistant Treasurer, Minister Assisting the Premier on Public Sector Management, and Minister Assisting the Premier for the Central Coast	ALP	Temporary Chair of Committees	
Dyer^A The Honourable Ronald David DipLaw DipCrim	ALP	Obeid^B The Honourable Edward Moses OAM	ALP
Egan^A The Honourable Michael Rueben BA Treasurer, Minister for State Development, and Vice-President of the Executive Council	ALP	Minister for Mineral Resources, and Minister for Fisheries	
Fazio^B The Honourable Amanda Ruth ⁵	ALP	Oldfield^B The Honourable David Ernest	ON
Forsythe^B The Honourable Patricia BA DipEd ²	LIB	Pearce^A The Honourable Gregory Stephen BA LLB ⁷	LIB
Gallacher^A The Honourable Michael Joseph ² BProf St	LIB	Pezzutti^A The Honourable Doctor Brian Patrick Victor RFD MB BS(Syd) FFARACS FANZCA	LIB
Gardiner^B The Honourable Jennifer Ann BBus Temporary Chair of Committees	NP	Temporary Chair of Committees	
Gay^A The Honourable Duncan John Deputy Leader of the Opposition	NP	Primrose^A The Honourable Peter Thomas B SocStud(Syd) ¹	ALP
Harwin^B The Honourable Donald Thomas BEc(Hons)	LIB	Government Whip	
Hatzistergos^B The Honourable John BEc LLM Temporary Chair of Committees	ALP	Rhiannon^B Ms Lee	G
Jobling^A The Honourable John Hughes PhC MPS Opposition Whip	LIB	Ryan^B The Honourable John Francis BA(Hons) DipEd	LIB
Jones^B The Honourable Malcolm Irving	ORP	Saffin^A The Honourable Janelle Anne Temporary Chair of Committees	ALP
Jones^A The Honourable Richard Stanley Leigh ¹	IND	Samios^A The Honourable James Miltiadis MBE BA LLB	LIB
		Deputy Leader of the Liberal Party	
		Sham-Ho^A The Honourable Helen Wai-Har BA DipSocWk(Syd) BlegS(Macq)	IND
		Temporary Chair of Committees	
		Tebbutt^A The Honourable Carmel Mary BEc ⁴	ALP
		Minister for Juvenile Justice, Minister Assisting the Premier on Youth, and Minister Assisting the Minister for the Environment	
		Tingle^A The Honourable John Saxon	SP
		Tsang^B The Honourable Henry Shiu-Lung OAM BArch(NSW) DipBdg Sc(Syd) Fellow(UTS)	ALP
		Temporary Chair of Committees	
		West^A The Honourable Ian William ⁸	ALP
		Wong^B The Honourable Doctor Peter AM MB BS(Syd) BPharm(Syd)	U

A. Elected Members whose term of service expires on dissolution or expiry of 52nd Parliament.

B. Elected Members whose term of service expires on dissolution or expiry of 53rd Parliament.

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

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

Party Representation: House of 42 Members

AD – Australian Democrats	1
ALP – Australian Labor Party	16
CDP – Christian Democratic Party (Fred Nile Group)	2
G – The Greens	2
IND – Independent	4
LIB – Liberal Party of Australia (NSW Division)	9
NP – National Party of Australia (NSW)	3
ON – One Nation NSW Political Party	1
ORP – Outdoor Recreation Party	1
RLS – Reform the Legal System	1
SP – Shooters Party	1
U – Unity	1
Vacant	<u>1</u>
Total	41

Officers of the Legislative Council

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

Chairman of Committees – The Honourable Anthony Bernard Kelly, ALGA MLC

Clerk of the Parliaments – John Denton Evans, BLegS

Deputy Clerk – Lynn Carole Lovelock, BA(Hons) DipEd

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

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

Appendix 2

Senior Officers

Senior Officers

Clerk of the Parliaments and Clerk of the Legislative Council

John Evans B.Leg.S, PSM

John was appointed Clerk of the Parliaments and Clerk of the Legislative Council in August 1989. He has served the Department of the Legislative Council for 30 years and has held various positions including the Usher of the Black Rod, Clerk Assistant and Deputy Clerk. John has accumulated a wealth of knowledge and experience in the management of the Parliament, and in parliamentary practice and procedure which he brings to his roles as chief executive of the Department and principal adviser to the President, Ministers and Members on practices of the House.

Deputy Clerk

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

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

Clerk Assistant – Procedure & Administration

Mike Wilkinson B.A. (Hons)

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

Clerk Assistant – Committees and Usher of the Black Rod

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

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

Committee Directors

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

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

Tony Davies B.A. LLB.(Hons)

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

Steven Carr B.Ec, MEL

Commencing with the Legislative Council as a Senior Project Officer in 1997, Steven was appointed Director in August 1999. Steven brings to the Legislative Council expertise in the disciplines of sustainable development, project management and environmental economics from former employers in the Department of Land and Water Conservation and NSW Treasury. Steven is currently seconded to the Department of Health and Steven Reynolds, Senior Project Officer is acting in the position for the period of the secondment.

Tanya Bosch BA (Hons)

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

Appendix 3

Joint Committees

Joint Committees of the Legislative
Council and the Legislative Assembly

Joint Committees

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Joint Standing Committee on Road Safety (Staysafe) 52nd Parliament	Mr Jobling Mr Tingle Mr West	Report No. 6/52 entitled “Report No. 6/52 of the Joint Standing Committee on Road Safety entitled “STAYSAFE 53: Traffic Control and Safety in the Vicinity of Schools—Part 1: Major Recommendations and Summary”, dated July 2001.	11 Sep 2001
Committee on the Health Care Complaints Commission 52nd Parliament	Dr Pezzutti Mr Tsang Dr Wong	Committee on the Health Care Complaints Commission – Report entitled “Seeking Closure: improving conciliation of health care complaints in New South Wales”, dated April 2002.	7 May 2002
		Committee on the Health Care Complaints Commission – Report entitled “7th Meeting on the Annual Report of the Health Care Complaints Commission”, dated June 2002.	27 Jun 2002
Committee on the Independent Commission Against Corruption 52nd Parliament	Mr Hatzistergos Mr Oldfield Mr Pearce	Committee on the Independent Commission Against Corruption – Report entitled “Report on Alleged Contempt in relation to the Draft Report of Bron McKillop on Inquisitorial Systems”, dated September 2001.	27 Sep 2001
		Committee on the Independent Commission Against Corruption – Report entitled “Review of the ICAC Stage II Jurisdictional Issues”, dated November 2001.	15 Nov 2001
		Report No. 7/52 entitled “General Meeting with the Commissioner of the ICAC 30 November 2001”, dated March 2002.	12 Mar 2002
		Report No. 8/52 entitled “Review of the ICAC Stage III The conduct of ICAC hearings”, dated June 2002	26 Jun 2002
Committee on the Office of the Ombudsman and the Police Integrity Commission 52 Parliament	Mr Breen Mr Colless Mr Hatzistergos	Committee on the Office of the Ombudsman and the Police Integrity Commission – Report entitled “Sixth General Meeting with the Commissioner for the Police Integrity Commission”, dated June 2002.	25 Jun 2002
Committee on Children and Young People 52nd Parliament	Ms Burnswoods Mr Corbett Mr Harwin Mr Primrose Mr Tsang	Report No. 4/52 entitled “Amendments to the Commission for Children and Young People Act 1998 and the Commission for Children and Young People Regulation 2000 regarding Employment Screening”, dated October 2001.	16 Oct 2001

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Committee on Children and Young People— <i>continued</i> 52nd Parliament		<p>Report No. 5/52 entitled “The Importance of Education for Children in Out-of-Home Care Sonia Jackson The 2nd Macquarie Street Lecture for Children and Young People, 31 October 2001”, dated December 2001.</p> <p>Report No. 6/52 entitled “Learning to Run: Review of the Second Annual Report of the Commission for Children and Young People for the 2000–2001 Financial Year”, dated February 2002.</p> <p>Report No. 7/52 entitled “Amendments to the Child Protection (Prohibited Employment) Act 1998 regarding convictions for serious sexual offences, and other matters”, dated March 2002.</p> <p>Report 8/52 entitled “Issues Paper No. 1 Background Issues” dated May 2002.</p> <p>Report 9/52 entitled “Issues Paper No. 2 Administration of prescribed drugs and over-the-counter medications to children and young people by non-parental carers and self-administration” dated May 2002.</p> <p>Report 10/52 entitled “Issues Paper No. 3 Children and young people and the misuse and abuse of prescription drugs and over-the-counter medications” dated May 2002.</p> <p>Report 11/52 entitled “Issues Paper No. 4 Use by children and young people of prescription drugs and over-the-counter medications developed for adults” dated May 2002.</p> <p>Report 12/52 entitled “Issues Paper No. 5 Use of prescription drugs as a mental health strategy for children and young people” dated May 2002.</p> <p>Report 13/52 entitled “Issues Paper No. 6 Alternatives to the use of prescription drugs and over-the-counter medications by children and young people” dated May 2002.</p>	<p>6 Dec 2001</p> <p>12 Mar 2002</p> <p>11 Apr 2002</p> <p>4 Jun 2002</p> <p>4 Jun 2002</p> <p>4 Jun 2002</p> <p>4 Jun 2002</p> <p>4 Jun 2002</p> <p>4 Jun 2002</p>
Regulation Review Committee 52nd Parliament	Mr Harwin Mr M Jones Ms Saffin	<p>Report No. 18/52 entitled “Report on the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999”, dated September 2001.</p> <p>Report No. 19/52 entitled “Proceedings of the International Conference on Regulation Reform Management and Scrutiny of Legislation”, dated September 2001.</p>	<p>15 Nov 2001</p> <p>15 Nov 2001</p>

Name of Committee	LC Members on Committee	Reports Tabled	Date Tabled
Regulation Review Committee— <i>continued</i> 52nd Parliament		<p>Report No. 20/52 entitled “Comparisons with International Practice: Regulatory Scrutiny & Reform in England, Regulatory Impact Assessment in the Netherlands, Regulatory & Public Sector Reform in Ontario Canada, Legislative Oversight & Sunsetting in the United States, and a Case Study on Boxing Regulation in North America”, dated September 2001.</p> <p>Report No.21/52 entitled “Report on the Boxing and Wrestling Control Regulation 2000”, dated November 2001.</p> <p>Report No. 22/52 of the Regulation Review Committee entitled “Second Report on the Fisheries Management (Aquaculture) Regulation 1995 and the Fisheries Management (Aquaculture) Amendment (Administration) Regulation 1999”, dated February 2002.</p>	<p>15 Nov 2001</p> <p>29 Nov 2001</p> <p>12 Mar 2002</p>
Committee on Bushfires	Mr Colless Mr Kelly Mr Tingle		
Committee on Quality of Buildings	Ms Fazio Mr Ryan Mrs Sham-Ho		

Appendix 4

Sessional Committees

Sessional Committees

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

Appendix 5

Legislative Council Members' Travel

Legislative Council Members' Travel

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

Name of Member	Electorate for Country Members Only	Changes in Status	2001/2002 Total \$
Breen	Campbelltown	relocated 31/5/02	9,650
Burgmann			1,615
Burnswoods			564
Chesterfield-Evans			1,544
Cohen	Ballina		20,039
Colless	Northern Tablelands		31,933
Corbett	Blue Mountains		1,069
Costa	Cessnock	elected 6/9/01	–
Della Bosca	Peats		45
Dyer			2,427
Egan			–
Fazio			10,887
Forsythe			9,028
Gallacher	Wyong		16
Gardiner	Myall Lakes		29,935
Gay			16,336
Harwin	South Coast		12,936
Hatzistergos			3,623
Jobling			2,229
Johnson		resigned 5/9/2001	1,076
Jones M	Cessnock	relocated 20/7/01	14,284
Jones R	Ballina		4,642
Kelly	Dubbo		11,696
Lynn	Camden		6,940
Macdonald	Southern Highlands	relocated 14/2/02	20,062
Moppett	Barwon		30,095
Nile E	Kiama		936
Nile F	Kiama		2,730
Obeid			–
Oldfield			5,140
Pearce			2,376
Pezzutti	Lismore		30,120
Primrose	Camden	refer note 1	(167)
Rhiannon			4,814
Ryan	Camden		875
Saffin	Lismore		27,259
Samios			–
Sham-Ho			316
Tebbutt			401
Tingle			22,790
Tsang			2,442
West			–
Wong			–
Total			342,703

Note 1: the minus amount is due to a credit of \$323.00 in the 2001/2 year which relates to travel costs incurred in 2000/1

Appendix 6

Human Resource Statistics

Statistics

Number of CES/SES Positions

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

Establishment List Legislative Council Staff Establishment for Four Years

	30 June 1999	30 June 2000	30 June 2001	30 June 2002
Chamber offices	4	4	4	3
Office of the Clerk	4	4	3.6	3
Procedure Office	4	4	4	4
Office of the Usher of the Black Rod	4	4	4	4
Administration Office	6.5	6.5	5.5	4.57
President's Staff	4	4	4	5.2
Attendants	10	10	10	10
Members Staff	50	50	53	49.35
Committees Staff	13.75	13.75	13.3	17.10
Total Staff employed by Legislative Council	100.25	100.25	101.40	100.22

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

Legislative Council — 2002											
1. LEVEL											
Table 1.1 Staff Numbers by Level											
LEVEL	TOTAL STAFF	Number									
		Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	People Whose Language First Spoken as a Child was not English	People with a Disability	People with a Disability Requiring Work-related Adjustment		
< \$27,606		0	0	0	0	0	0	0	0	0	
\$27,606 - \$36,258	70	29	29	41	3	17	18	1	0		
\$36,259 - \$40,535	15	8	10	5	0	6	3	2	0		
\$40,536 - \$51,293	48	17	15	33	0	3	2	1	0		
\$51,294 - \$66,332	77	39	38	39	0	11	7	4	2		
\$66,333 - \$82,914	13	5	8	5	0	3	1	0	0		
> \$82,914 (non-SES)	5	3	4	1	0	0	0	2	0		
> \$82,914 (SES)		0	0	0	0	0	0	0	0		
TOTAL	228	101	104	124	3	40	31	10	2		

Table 2 Percent of Total Staff by Level

LEVEL	TOTAL STAFF (Number)	Subgroup as Percent of Total Staff at each Level				Subgroup as Estimated Percent of Total Staff at each Level				
		Respondents	Men	Women	Aboriginal People & Torres Strait Islanders	People from Racial, Ethnic, Ethno-Religious Minority Groups	Spoken as a Child was not English	Language First	People with a Disability	
< \$27,606										
\$27,606 - \$36,258	70	41%	41%	59%	10.3%	59%	62%	3%		
\$36,259 - \$40,535	15	53%	67%	33%		75%	38%	25%		
\$40,536 - \$51,293	48	35%	31%	69%		18%	12%	6%		
\$51,294 - \$66,332	77	51%	49%	51%		28%	18%	10%		
\$66,333 - \$82,914	13	38%	62%	38%		60%	20%			
> \$82,914 (non-SES)	5	60%	80%	20%				67%		
> \$82,914 (SES)										
TOTAL	228	44%	46%	54%	3.2%	40%	31%	9%		
Estimate Range (95% confidence level)										
					1.3% to 5.9%	32.6% to 46.6%	24.8% to 37.6%	5.0% to 12.7%		

Appendix 7

Publications

Publications

Various publications about the activities and functions of the Department were available to the public in 2001/2002.

Material relating to the functioning of the House and Parliamentary Committees

Name of material	current print run
Alphabetical List of Acts. A record of all acts passed by the Legislative Council since 1856, and whether they have been repealed, reprinted or are still in force.	(17th edn) 2001
A precis of Business and Procedures	(2nd edn) Jan 1997
Guide to Occupants of the Chair	May 1995
Journal of the Legislative Council (annually produced bound volume of Minutes of Proceedings together with an index and other information related to the proceedings in the House)	1999
List of Members	June 2001
Manual for Estimates Committees	2001
Manual on Practices and Procedures for Committee Members	
Minutes of the Proceedings (record of decisions and proceedings of the House)	daily on sitting days
Notices of Motions and Orders of the Day paper	daily on sitting days
Parliamentary Record (contains details of Members since 1824 including dates of election, ministerial portfolios held, date and manner of ceasing to be a Member. Also contains information concerning the duration of Parliaments and composition of Ministries)	Vol.6 (1st edn) 1999
Procedural Highlights	No.8 May-July 1999
Questions and Answers Paper	daily on sitting days
Register of Members' Interests (scheme of disclosure of pecuniary and other interests of Members of Parliament (explanatory Notes)	annual
Sessional Orders	as adopted 12 May 1999 & amended 11 April 2001
Sessional Resolutions	up to 30 May 2001
Sessional Rulings of the President	currently updating
Committees Report on Performance	October 1999
Standing Committee and Select Committee Reports	various as published
Standing Orders	June 1999
Statutory Rules and Instruments paper (contains details of statutory rules or regulations which appear in the Government Gazette)	Each week during sittings. Each month during non-sitting period
The Notice Paper: How it works – manual	May 1997

Name of material	current print run
Australia's First Parliament	(2nd edition) 1995
Booklet on the Legislative Council	1997
Booklet on Black Rod	1974
Citizen's right of reply, responding to Member's statements in the House	2001
"Fact sheets" (detailed information sheets about the functions and procedures of the Legislative Council)	up-dated as procedures change
Witnesses appearing before Committees	1998
Making a Submission before a Committee	1998
Standing Committees – taking Parliament to the People	1998
Role of a Member of the Legislative Council – pamphlet	1995, new one in production
History Bulletins (ten pamphlets on historical aspects of the Parliament, the building and some of the notable people associated with it)	various
Presiding Officers of the Legislative Council	1998
Parliament of New South Wales	(2nd edn) 2001
Parliament of New South Wales –Colour brochure	2000
Parliamentary Bookmark	2002

Appendix 8

Guarantee of Service

Guarantee of service

Our role

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

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

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

Our clients

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

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

How we work with our clients

Standard of service

The key attributes of our standards of service are:

- timeliness
- competency
- accuracy
- cost effectiveness

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

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

Suggestions and complaints

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

Our services

Practice and Procedure

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

Publication of Records

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

Administrative Support

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

Protocol and Community Relations

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

Appendix 9

Risk Management and Insurance

Risk Management and Insurance

Risk Management

Subsequent to the completion of a business risk assessment by KPMG in the 2001/02 financial year, the Legislative Council has focused on implementing a business risk action plan to monitor key controls and to mitigate risks in areas such as business operations, fraud, security and business continuity.

Using a matrix system, a residual risk score was calculated for each possible risk event by multiplying the impact score by the likelihood score. This result was then used to establish the significance of the identified risk, thus enabling the Legislative Council to address the key residual business risks within the business risk management and action plans.

A review of business risks is planned for the 2002/03 financial year to reflect current business practices and to take into account the impact of the March 2003 General Election. Based on the outcome of this review, business management and action plans will be updated to address the high risk areas.

Insurance

The Legislative Council's insurance cover is provided by the NSW Treasury Managed Fund (TMF). This is a self insurance scheme for budget sector government agencies, which includes the Parliament of NSW. Cover is provided for worker's compensation, liability, motor vehicle, property and miscellaneous categories of insurance.

During the reporting year a total of 30 worker's compensation claims were lodged by Parliamentary staff compared with 28 for the 2000/2001 financial year. The average cost of these claims was \$3,583, which compares favourably with \$11,231 for 2000/2001. None of the 30 claims lodged for the 2001/2002 financial year applied to Legislative Council employees.

Legislative Council Members were responsible for three property insurance claims during the reporting year which involved the loss and theft of portable equipment. The combined value of these claims was \$6,287, the cost of which has been recovered from the TMF.

No liability or miscellaneous insurance claims involving the Legislative Council were made in the 2001/2002 financial year, whilst one motor vehicle claim totaling \$450 was made for minor damage to a Legislative Council vehicle.

Appendix 10

Miscellaneous Reporting

Miscellaneous Reporting

Amount of Recreation/Long Service Leave

The Legislative Council recreation leave liability as at 30 June 2002 was \$468,797.30. The long service leave liability is not recorded in the financial statements of the Legislature as under existing government accounting arrangements long service costs are reflected in The Crown Transactions Entity which is administered by Treasury. The value of the Legislative Council's long service leave included in the Crown Transactions Entity as at 30 June 2002 was \$724,997.94. This includes Legislative Council Members' staff, administrative and committee staff.

Annual Report Information

60 hard copies and 300 CD copies of the Annual Report were printed/produced of volume 1 & 2 at a cost of \$16.69 per volume.

Code of Conduct

There were no changes to the Code of Conduct this financial year.

Consumer response

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

Consultants

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

Consultants less than \$30,000 - Four consultants were engaged on four separate occasions at a total cost of \$6,825.86.

Freedom of Information

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

Funds granted to Non-Government Community Organisations

No funds were granted to non-Government community organisations.

Land disposal and major works

No land or properties were disposed of during the financial year. A new off-site storage facility was created in Ultimo, the previous storage site in Alexandria was closed in March 2002.

Legal change

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

Major assets

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

Overseas visits

In July 2001 Mr John Evans (Clerk of the Parliaments) and Hon Tony Kelly MLC (Deputy President) attended the 32nd Annual Conference of Presiding Officers and Clerks held in Wellington, New Zealand. – **Cost:** \$9,288.68

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

September/October 2001 Hon Patricia Forsythe MLC traveled to Canada (Ottawa, Ontario) with the Commonwealth Parliamentary Association Overseas Study Tour. Report completed. – **Cost:** \$7,800

Overseas Secondment of Senior Staff

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

East Timor

The Legislative Council again assisted the Timorese National Council with specialist training. Ms Lynn Lovelock, Deputy Clerk, went to East Timor for over seven weeks as training co-ordinator. The program of assistance was provided by AusAID through the Illawarra Technology Corporation of the University of Wollongong.

Mr David Blunt, Director Legislative Council Committees, was one of two trainers who spent three weeks in East Timor during November 2001, delivering the first stage of the National Council training.

England

The Clerk Assistant Procedure and Administration, Mike Wilkinson, took up a short term attachment to the House of Lords and the House of Commons for one week. Accommodation costs only were incurred by the Legislative Council \$4,641.47

Wales

The Manager Procedure Office, Russell Keith completed his secondment (*12 months*) to the Wales National Assembly in December 2001.

Committees

During this financial year only one Committee traveled overseas, the Legislative Council Standing Committee on State Development. Please see Annual Report “Committees” Volume 2 for details.

Staff Overseas Travel

One staff member traveled overseas at Legislative Council expense (*limited costs were incurred*) during the financial year, details listed above “Overseas Secondment of Senior Staff – England”.

Green House Emissions Reduction

Recycling

A new recycling program collecting waste paper and co-mingles (bottles, aluminium cans, milk containers etc) was implemented on the 4 April 2002. In the first two months of operation 15.2 tonnes of waste paper was collected representing an increase of 475 percent on the previous year. The amount of waste directed to landfill has been reduced by halve. Due to the age of printing machinery only about 5% of purchased paper is from recycled material. This should improve considerably as new machinery capable of using recycled paper replaces the old machinery.

Government Energy Management Policy

The Government Energy Management Policy (GEMP) requires all government agencies to reduce their energy consumption, in buildings, by 25% by the year 2005/2006 relative to their 1995/1996 energy consumption. Parliament House is currently investigating a number of options to achieve this target. The lighting and air conditioning systems represent over 77% of our total energy use. Testing of new lighting mechanisms has shown potential reductions of 16%. Parliament House is in the process of installing a new Building Management System (BMS), this will automate the air conditioning system, making it more efficient. Parliament House currently purchases 6% of energy from renewable sources. Options are being investigated to increase this amount in proportion to the costs savings made by other improvements.

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