



DEPARTMENT OF THE LEGISLATIVE COUNCIL

annual report

2011



DEPARTMENT OF THE LEGISLATIVE COUNCIL
NEW SOUTH WALES

Letter of transmittal

The Honourable Don Harwin
President of the Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr President

It is with pleasure that I submit for your information and presentation to the House the annual report for the Department of the Legislative Council for the year ended 30 June 2011.

As you are aware, the Department of the Legislative Council is not legislatively required to table an annual report. However, as has been customary over previous years, the opportunity to provide information on the performance of the Department is embraced.

The content of the report incorporates the reporting requirements of the *Annual Reports (Departments) Act 1985* and the *Public Finance and Audit Act 1983*, particularly in regard to the Department of the Legislative Council's aims, objectives, operations and financial performance.

I commend the report and hope you find it informative.

Yours sincerely



David Blunt
Clerk of the Parliaments

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Access to the chamber

The Legislative Council chamber and public areas of Parliament House are open to members of the public from 9.00 am to 5.00 pm, every weekday (excluding public holidays). During sitting days, public access to the chamber is restricted to the visitor's gallery, where visitors can watch the proceedings of the House. A calendar specifying sitting days is available from the Parliament's website.



The year at a glance

	2010/2011	2009/2010	2008/2009	2007/2008	2006/2007
Department staff	41 FTE	39 FTE	39 FTE	49 FTE	50 FTE
Secretary Research Assistants	52 FTE	51 FTE	46 FTE	46 FTE	43 FTE
Sitting days	48	51	47	47	40
Sitting hours	409	389	377	343	344
Bills passed	92	125	115	128	107
Amendments to bills (circulated)	573	226	355	374	267
Amendments to bills (agreed to)	127	80	78	62	100
Orders for papers	22	35	20	15	38
Notices of motion given	286	319	310	262	208
Committee inquiries	26	27	26	29	22
Committee reports tabled	18	18	19	22	15
Submissions to committees	700	2273	1491	681	245
Inquiry witnesses (hearings and forums)	302	581	668	622	399

Legislative Council financial summary

	2010/2011	2009/2010	2008/2009	2007/2008	2006/2007
Net cost of services for the Legislative Council	23,532,000	20,946,000	23,350,000	23,271,000	24,093,000
Operational, Committees and other costs	5,203,000	5,137,000	5,545,000	5,380,000	5,403,000





David Blunt

Clerk's review

The 2010/11 reporting year was marked by significant change in the New South Wales political environment, the general election on 26 March 2011 resulting in the first change in Government in 16 years and 46 new members elected to the Legislative Assembly.

Perhaps not as widely appreciated, but no less important, the year was also marked by significant change in the Legislative Council. With 8 new members elected to the Legislative Council at the periodic election, and a further 7 casual vacancies filled between July 2010 and June 2011, 30% of the membership of the Legislative Council changed during the reporting period (see pages 24-25 for further details).

The 55th Parliament was opened on 3 May 2011, following a format incorporating elements of three previously separate events (see pages 16-17). This followed a successful whole-of-parliament transition program for new and departing members and staff, including a comprehensive joint induction program for new members following the March election (see page 15).

On 3 May 2011 the Honourable Don Harwin was elected President, the Honourable Jenny Gardiner was elected Deputy President of the Legislative Council and Revd the Honourable Fred Nile was re-elected as Assistant President (see pages 24-25). The new Government has three ministers in the Legislative Council (down from 7 in 2009 under the former Government) and five parliamentary secretaries.

The House is now following a four day sitting week, with relatively few sittings at night (see page 26). The end of the 54th Parliament saw the passage of a number of pieces of legislation dealing with contentious social policy issues, including a number the subject of conscience votes (see pages 27-29).

The most controversial item of legislation so far in the 55th Parliament has been the new Government's industrial relations changes concerning public sector salaries (see page 28). Debate on this bill took place on a single sitting day, which stretched over three calendar days. Two members each spoke for nearly six hours and a number of other members also made long speeches. The sitting day eventually concluded on a Saturday on which the "gag" was used to curtail debate on three occasions, the first times this procedure had been used in the Council for over one hundred years. The House has subsequently adopted time limits on debate on Government legislation.

A comprehensive report on the performance of the Procedure Office in supporting the sittings of the House is set out on pages 22-37.

During this election year, there was a significant reduction in the number of hearings and committee participants, as committees focussed on wrapping up inquiries and reporting before the election. The work of the Committees office in supporting the work of the Legislative Council's committees on 26 inquiries is set out in detail on pages 38-66.

The most controversial committee inquiry, and clearly the most significant procedural issue faced by the Department of the Legislative Council during the reporting period, was that into the former Government's "Gentrader transactions." Based on the advice of my predecessor, Lynn Lovelock, and the decision of the former President of the Legislative Council, the Honourable Amanda Fazio, the inquiry proceeded despite the prorogation of the Parliament on 23 December 2010. The Committee took evidence from the former Premier, Treasurer and Leader of the Opposition, although a number of other potential witnesses declined to appear despite receiving summonses (see pages 65 for further details). A detailed paper on this matter, written by the Acting Committee Director for the Gentrader inquiry will be published in the *Australasian Parliamentary Review* early in 2012.

The paper is entitled "Prorogation and principle: The Gentrader Inquiry, Government accountability and the shutdown of Parliament."

Change has continued since the end of the reporting period. My predecessor, Ms Lynn Lovelock, retired on 7 October 2011 and I was appointed as Clerk of the Parliaments from 8 October. Lynn received a tremendous farewell from members, staff and other colleagues for her 24 years of parliamentary service. On Lynn's last sitting day as Clerk, the House passed a motion of appreciation following a debate in which a number of members spoke of Lynn's contribution to the Legislative Council.

I look forward to continuing to implement the strategic directions for the Department of the Legislative Council that have been developed in recent years (see pages 9-12), particularly in the areas of procedural training, and community engagement through the provision of accessible information about the work of the Legislative Council and its committees. I also look forward to the continued development of NSW Parliament's twinning relationships with the National Parliament of the Solomon Islands and the Bougainville House of Representatives (see pages 18-21).

During 2011/12 a new senior management team will be appointed for the Department of the Legislative Council. I look forward to working with that team and all of the staff of the Department in the development of additional new initiatives to further enhance communication, collaboration and consistency. I will be reporting on these in next year's annual report. There will also be an entirely new leadership team across the whole-of-the-parliament this year and I look forward to continuing to work in collaboration with the recently appointed Executive Manager, Department of Parliamentary Services, Robert Stefanic, and the newly appointed Clerk of the Legislative Assembly, Ms Ronda Miller.

One of the greatest privileges in being appointed Clerk of the Parliaments is the honour to be able to lead the dedicated team of public servants who make up the Department of the Legislative Council. This annual report is a testament to their hard work and professionalism.



David Blunt
Clerk of the Parliaments



Taking the official oath of office before Her Excellency the Governor at Government House.

Contents

The year at a glance	1
Clerk's review	2
Our charter	5
The Legislative Council	5
Department of the Legislative Council	6
Our clients	6
Our values	6
Legislation	7
Overview	9
Strategic priorities for the Department of the Legislative Council	9
Strategic plan for the Parliamentary Administration 2009-2018	9
Operational imperatives 2011	10
Looking forward to 2011-2012	12
Department of the Legislative Council structure	13
Executive team	14
Welcome program for new members of Parliament	15
Opening of the first Session of the 55th Parliament	16
Capacity building to strengthen parliamentary democracy	18
Procedure Office	22
Committee Office	38
Protocol	67
Corporate management and activities	76
Finances	88
Financial commentary	89
Independent audit report	90
Financial statements for the year ended 30 June 2011	92
Supplementary financial information	125
Appendices	130
Appendix 1 Members of the Legislative Council	131
Appendix 2 Legislative Council members' allowances and expenditure	133
Appendix 3 Committee travel expenses 2010-2011	145
Appendix 4 MLC attendance at Legislative Council committee meetings 2010-2011	146
Appendix 5 MLC membership of joint committees administered by the Legislative Assembly	148
Appendix 6 Committee reports and government responses	150
Index	151

Our charter

The Legislative Council

The Legislative Council has a traditional role as a House of Review, acting as a check and balance on the Executive Government through such procedures as questions to ministers and orders for the production of documents. The Council also has an active committee system.

The Legislative Council is the oldest legislative body in Australia, first established in 1823. The Legislative Council is also referred to as the Upper House, the second chamber, the State Senate, or the House of Review.

The title of House of Review originates from the Legislative Council's traditional role of acting as a check and balance on the Executive Government through such procedures as questions to ministers and orders for the production of documents. In addition, the Legislative Council's committee system allows members to examine public affairs, including the administration of government, in more detail.

There are currently 42 members of the Legislative Council, elected according to a system of proportional representation with the entire State as a single electorate. Members serve an eight-year term, with one half of the Council elected every four years at a periodic election.

No government has had majority control of the Legislative Council since the 1988 election. Since that time, the House has had a diverse membership with representation from both major parties and a range of independent and smaller parties.

Following the periodic election held on 26 March 2011, the membership of the House now comprises:

- 19 Government (12 Liberal Party and 7 Nationals) members
- 14 Opposition (Australian Labor Party) members
- 9 Cross-bench (5 Greens, 2 Shooters and Fishers Party, 2 Christian Democratic Party) members.

Normally, the House sits for approximately 16-20 weeks each year. In addition, Legislative Council committees conduct upwards of 30 inquiries per annum. However, the number of both sitting weeks and committee inquiries is lower than normal this year due to both prorogation and the New South Wales State election in 2011.





Department of the Legislative Council

The Department of the Legislative Council's role is to support the functioning of the sittings of the House and its committees. This extends to the provision of procedural, analytical and administrative support services to enable members of the Council to effectively perform their parliamentary duties.

The two principal program areas of the Department are the Procedure Office and Committee Office. The Department has an establishment of 41 full time equivalent (FTE) staff. There are also 52 FTE staff working as Secretary/Research Assistants to members.

The Department is accountable to the President of the Legislative Council, who is elected by the members of the House at its first sitting after each election. The Honourable Amanda Fazio was the President of the Legislative Council until 3 May 2011. She was replaced by the Honourable Don Harwin who was elected President following the 2011 State Election.

Our clients

The Department's clients and stakeholders include:

- the President of the Legislative Council
- Members of the Legislative Council and their staff
- the Legislative Assembly
- the Department of Parliamentary Services
- NSW Government agencies such as the Department of Premier and Cabinet and the Parliamentary Counsel's Office.
- other state and territory parliaments and the Federal Parliament
- international parliaments, particularly from the Asia-Pacific Region and Commonwealth countries
- interest groups, associations, academic bodies and political parties which contribute to the political process
- the media
- schools and community groups
- the people of New South Wales.

Our values

The following values underpin the services we provide to our clients:

Integrity

We demonstrate the highest standards of ethical behaviour and maintain a professional and objective approach to our work.

Honesty

We are honest in all of our dealings and abide by the law and applicable policies and procedures.

Impartiality

We provide timely, accurate and impartial advice to the Legislative Council, its committees and all of its members.

Accountability

We accept responsibility for our acts and omissions.

Respect

We treat all people with respect and courtesy. We value the contribution of all staff and respect their right to a workplace free from all forms of intimidation, harassment or discrimination.

Professionalism

We strive for excellence in all we do and seek to ensure that all of our actions and decisions enhance the reputation of the Legislative Council.

Confidentiality

We honour the confidentiality of all communications with members and their staff, and the information we receive in the course of our duties is only used for the purposes intended and not disclosed to any other person, except in accordance with the law and relevant policies and procedures.

Value for money

We ensure parliamentary resources are used efficiently and cost effectively. We always seek to achieve the best value for money.

Legislation

Constitution Act 1902

The principal Act governing the Legislative Council is the *Constitution Act 1902*. The more pertinent sections of the Act dealing with the establishment of the Legislative Council and its powers and administrative processes are as follows:

Section 3 Definitions

Under section 3 of the Act the 'The Legislature' is defined as:

'The Legislature means His Majesty the King with the advice and consent of the Legislative Council and Legislative Assembly'.

Section 5 General legislative powers

Section 5 of the Act provides for the Legislature's general legislative powers and states:

'The Legislature shall, subject to the provisions of the Commonwealth of Australia Constitution Act, have power to make laws for the peace, welfare, and good government of New South Wales in all cases whatsoever: Provided that all Bills for appropriating any part of the public revenue, or for imposing any new rate, tax or impost, shall originate in the Legislative Assembly.'

Section 7A Referendum for Bills with respect to Legislative Council and certain other matters

In 1929 the *Constitution Act* was amended to include section 7A which provided that the Legislative Council 'shall not be abolished or dissolved, nor shall its powers be altered...' until a bill for this purpose has been presented to and supported by the electors through a referendum process.

Section 10A Prorogation of Parliament

In 2011 the *Constitution Act* was amended to include section 10A which prevented the Premier or the Executive Council from advising the Governor to prorogue Parliament in the six months prior to a fixed term election. Section 10A(2) states:

'The Premier or Executive Council may not advise the Governor to prorogue the Legislative Council and Assembly on a date that is before 26 January in the calendar year in which the Legislative Assembly is due to expire and that is after the fourth Saturday in the preceding September.'

Section 14A Disclosure of pecuniary interests and other matters by Members

Section 14A of the Act was introduced in December 1981 to allow the Governor to make regulations with respect to the disclosure by members of their pecuniary interests. The list of pecuniary interests that must be disclosed is provided in this section and includes real or personal property, income, gifts, partnerships, trusts, shareholdings, among other interests.

The Constitution (Disclosures by Members) Regulation 1983 was made in support of section 14A and describes the type of returns that must be lodged and the process, including timeframes, for lodgement.

Section 15 Standing Rules and Orders to be laid before the Governor

Section 15 of the Act provides the power for the Legislative Council to make standing rules and orders, subject to the approval of the Governor, to regulate 'the orderly conduct' of proceedings in the House.

Part 3, Division 2 Special provisions relating to the Legislative Council

Division 2 of the Act includes the election procedures, term of service for members and the process for dealing with casual vacancies and resignations.

In addition Section 22G provides:

'There shall be a President of the Legislative Council, who is the Presiding Officer of the Legislative Council and is recognised as its independent and impartial representative'. The President's role in the House is to maintain order, put questions after debate and conduct divisions.¹

¹ Lovelock, Lynn and Evans, John, *NSW Legislative Council Practice, The Federation Press, Sydney 2008, p197.*



The President also has administrative responsibility for the operation of the Department of the Legislative Council, including the appointment and dismissal of staff.²

Parliamentary Electorates and Elections Act 1912

This Act legislates the New South Wales election process, including the timing and registration of political parties and other matters relating to conduct.

Parliamentary Evidence Act 1901

The powers provided under this Act allow for witnesses to be summoned and examined by the House or its committees. Section 4 of this Act provides that any person, except a member of Parliament, may be summoned to give evidence before a committee. The power does not extend to persons who are outside the New South Wales jurisdiction.

Defamation Act 2005

This Act extends parliamentary privilege by providing under section 27 absolute privilege '... to proceedings and records of the House and its committees, and includes all reports, committee reports, as well as the debates and Minutes of Proceedings of either House and committees, the Notice Paper, the Questions and Answers Paper and the Statutory Rules Paper'.³

Parliamentary Papers (Supplementary Provisions Act) 1975

This Act provides either House, a joint sitting or a committee with the Authority to publish any documents laid before it or any evidence given to it.

Parliamentary Precincts Act 1997

This Act provides the Presiding Officers with the authority to control and manage the parliamentary precincts. It allows the Presiding Officers, or their delegates, to refuse entry of a person to the parliamentary precincts, or to direct a person to leave the precincts.

Parliamentary Remuneration Act 1989

This Act sets the basic salary and superannuation arrangements for members and additional salaries and allowances for office holders. The Act also establishes the Parliamentary Remuneration Tribunal and sets out its functions.

² *Ibid*, p198.

³ *Ibid*, p 76.

Overview



Strategic priorities for the Department of the Legislative Council

The Department of the Legislative Council's Strategic Plan 2009-2011 specifies the following strategic priorities for the period 2009-2011:

Procedural, analytical and administrative support

The Department's core business is to provide accurate, timely and impartial procedural, analytical and administrative support to facilitate the efficient and effective operations of the House and its committees. The Department aims to continuously improve our business systems and explore new methods and technologies as appropriate.

Enhancing procedural knowledge and skills

The Department aims to consolidate and develop training and professional development programs to enhance the procedural knowledge and skills of its employees, members and their staff.

Community access and engagement

The Department will strengthen engagement with the community and improve access to information about the Legislative Council.

Capacity building to strengthen parliamentary democracy

The Department will continue to develop relationships and participate in capacity building projects with other parliaments in the Asia-Pacific region. We will work to support the parliaments of the Solomon Islands and Bougainville with which the New South Wales Parliament has been 'twinned' under the auspices of the Commonwealth Parliamentary Association. We will also continue to work with the National Parliament of Timor Leste, with which the Legislative Council has developed a strong relationship.

The Department's Strategic Plan and supporting business plans are available on the Parliament's website by accessing the Legislative Council webpage.

Strategic plan for the Parliamentary Administration 2009-2018

The Parliamentary Administration, comprised of the Department of the Legislative Council, the Department of the Legislative Assembly and the Department of Parliamentary Services, collectively works together to provide services that ensure:

- the effective functioning of the Parliament and its committees
- members of Parliament are supported to fulfil their parliamentary roles
- community access and awareness of the role and functions of the Parliament.

In support of these services, the Parliamentary Administration is committed to organisational capacity building.

The Strategic Plan for the Parliament of New South Wales, developed collaboratively by the Parliamentary Administration, identifies the following key strategies for results delivery during the period 2009-2018:

1. Support for chamber and committee operations
2. Support for members in their parliamentary duties
3. Promote community access
4. Build the service provision capacity of the Parliamentary Administration.

The Strategic Plan also articulates the governance framework for the Parliament, including the respective roles of the Presiding Officers, the Clerks and the Executive Manager, Department of Parliamentary Services.

The Strategic Plan will guide the Administration in working with the Parliament of New South Wales to fulfil its role as a representative and legislative body. The Strategic Plan is designed to be consistent and complementary to the distinct Strategic Plans of each Department.



Operational Imperatives 2011

The Department identified ten operational imperatives for achievement in 2011 and significant progress has been accomplished to meet those imperatives during the reporting year.

The imperatives are listed below, along with an overview of progress to date.

1. Training and support for new members and their staff

Deliver comprehensive and ongoing induction training to new members and their staff following the general election, including a two day induction program, ongoing procedural information sessions, online learning modules and the development of a revised *LC Members' Guide*.

Progress

An induction program for new members was delivered on 11 and 12 April 2011 and a schedule of follow up training has been developed, the roll out of which commenced during the reporting year. Members' staff have also been provided with training. A new Legislative Council Members' Guide was published as part of the induction program for members, and an on-line learning module on members' ethics is shortly to be rolled out. Further information on the induction program is provided on page 15. Information related to other training initiatives is provided on pages 34 to 35.

2. Staff training and development

Deliver a seminar program to all Department staff on procedural developments and committee activities and provide senior staff with training to develop their presentation skills.

Progress

A professional seminar program commenced in February 2011 with six seminars delivered before the end of the reporting year. Further information on the Department's staff seminar program is provided on page 35.

Senior staff attended presentation skills training in March 2011 which was considered to be highly beneficial and practical. Further information is provided on page 35.

3. Support the establishment of standing committees for the 55th Parliament

Support the establishment of the standing committees for the new parliament by reviewing the resolutions establishing the committees, updating committee documentation, reviewing systems, briefing committee members and developing best practices for the use of the new dedicated committee hearing room – the Macquarie Room.

Progress

Committees staff redrafted the resolutions establishing the Standing Committees and General Purpose Standing Committees for the 55th Parliament with the majority of changes adopted by the House.

Committee staff provided input into establishing the new committee hearing room, including layout and furniture, audio visual equipment and signage. Staff are currently developing best practice guidelines for the use of the Macquarie Room.

Further information on the activities of Committee staff in relation to this imperative can be found at pages 38 to 66.

4. Council publications and resources

Continue to review, update and promote Legislative Council publications provided to members, and improve access to resources by the public by moving towards the digitisation of records, tabled papers and returns to orders, and establishing a procedural reference service.

Progress

The Department's Minutes scanning project was largely completed by the end of the reporting year. As a result, Minutes dating back to 1900 will be available electronically from July 2011.

The Department has reviewed and made improvements to enhance accessibility and usefulness of its resources such as the *Running Record* and other procedural resources. Further information is available at pages 32 to 33.

5. New Parliament website

Support the work of the web steering committee in developing a new design for the Parliament's website, incorporating better navigation, content and appearance.

Progress

The Department contributed significantly to the development of the Parliament's new website which went live at the beginning of July 2011. An overview of the project is included on page 36.

6. Implementation of new administrative systems for the Parliament

Support the implementation of new operating systems such as EDRMS for the management of records and SAP for the management of finances and employee self service.

Progress

The Department has provided strong support and cooperation to assist the successful implementation of EDRMS and the upgrade of SAP in 2011. Guidance has also been given to the development of business rules for records management and the development of a change management process for the implementation of EDRMS. Further information is provided on page 86.

Senior officers have also participated on a Parliament wide steering committee responsible for the upgrade of SAP. This new SAP will enhance the management of financial and human services information and will be implemented during the second half of 2011.

7. Community access and engagement

Improve access to information about the Legislative Council, including visitor materials such as audio-visuals and touch-screen displays, new technologies to enhance broadcasting from the Council chamber and explore ways to engage new audiences, including in tertiary institutions.

Progress

Work continued in 2011 on the Department's proposal to introduce touch screen technology in the foyer of the Legislative Council. The Department will work with Information Services staff in the new reporting year to progress the project.

The Department submitted a business case supporting the replacement of the Legislative Council chamber broadcast system, securing funding for the 2011-2012 reporting year.

8. Stakeholder participation in committee inquiries

Enhance stakeholder participation in inquiries through a range of measures including surveying stakeholders, streamlining submission processes, providing stakeholder workshops and identifying new ways to engage stakeholders.

Progress

The Department's Committee staff worked with the Council of Social Service New South Wales (NCOSS) to deliver a workshop on maximising participation in the committee inquiry process. Staff also prepared a concise guide to assist inquiry participants in preparing effective submissions for inquiries. Further information on achieving this imperative is available on pages 43 to 44.

9. Twinning

Implement programs funded by the three-year AusAID grant to the New South Wales Parliament for the project Strengthening Parliamentary Institutions in the Solomon Islands and Bougainville, including secondments, training and mentoring programs in the area of procedure, administration and committees.

Progress

The Department's staff actively participated in the Twinning program during the reporting period with secondments occurring with both the Bougainville House of Representatives and the National Parliament of Solomon Islands. Secondments focused on developing procedures and systems and providing technical advice and support. A full report on these and other capacity building activities is provided on pages 18 to 21.

10. E-Committee

Develop a secure electronic documents system for committee business, to better support committee members through improved dissemination of business papers, flexible access to documents, improved workflow and document security.

Progress

Work has commenced on the development of the E-Committee site which will ultimately facilitate the electronic delivery of committee meeting papers. The project team has developed a detailed project scope and plan, conducted a needs analysis and developed a test site using QuickR. A comprehensive testing regime will take place prior to piloting the program with a committee towards the end of 2011.

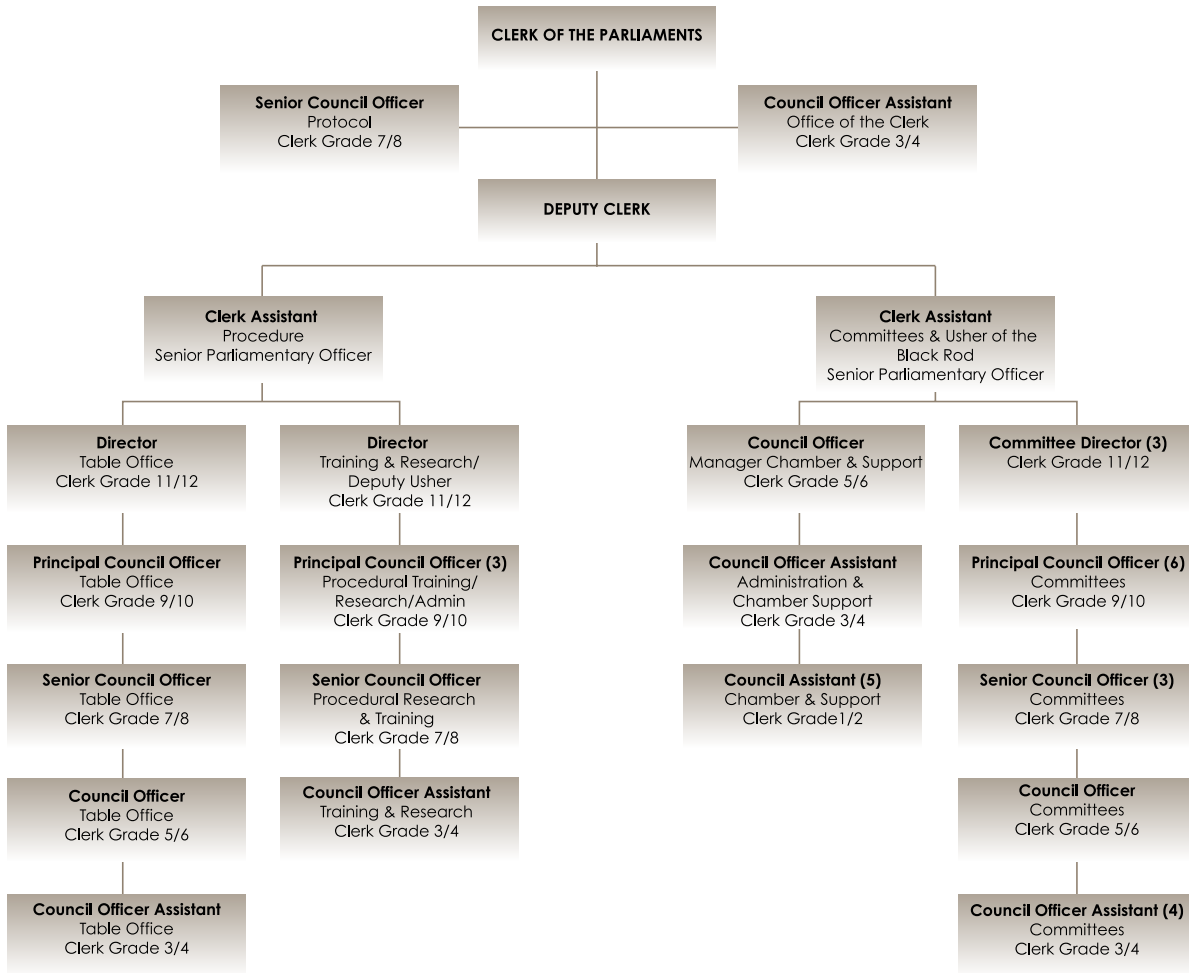
E-bulletins allow communities and interested parties to receive regular updates on committee activities and upcoming inquiries. Following the successful trial of the Law and Justice Committee e-bulletin, subscription lists have been set up for the Social Issues and State Development Committees.

Looking forward to 2011-2012

The Department's current strategic planning cycle will conclude in 2011. For the remainder of 2011 we will continue to focus on established priorities while being responsive to the emerging needs of the new Parliament and our clients. Work will commence on a new strategic plan that will consider the Department's future direction over the next three years. In addition, operational plans will be developed for each identified priority.



Department of the Legislative Council structure



Executive team



Lynn Lovelock, BA (Hons), Dip Ed

Clerk of the Parliaments⁴

Role: The Clerk of the Parliaments is the administrative head of the Department of the Legislative Council. The Clerk is responsible to the President of the Legislative Council for the efficient and effective administration of the Department. The Clerk provides expert advice on the proceedings of the Council to the President, Deputy President, ministers and members of the Council and committees on parliamentary law, practice and procedure.



David Blunt, M Phil, LLB (Hons)

Deputy Clerk⁵

Role: The Deputy Clerk manages the Office of the Clerk and assists the Clerk to manage the planning, development, direction and performance of the Department of the Legislative Council to ensure its effective operation, within budgetary constraints. The Deputy Clerk supports the Clerk in the provision of expert advice to the President, Members and committees of the Legislative Council on parliamentary law, practice and procedure.



Steven Reynolds, BEc, LLB, MPS

Clerk Assistant Committees and Usher of the Black Rod

Role: The Clerk Assistant Committees and Usher of the Black Rod provides strategic direction to the Committee Office to facilitate best practice in project management of inquiries and the production of high quality reports that contribute to the development of good public policy and effective scrutiny of the executive.

The Usher of the Black Rod undertakes official duties including planning and implementing ceremonial and community events.



Julie Langsworth, BA(Hons), BA Applied Communication Studies

Clerk Assistant Procedure

Role: The Clerk Assistant Procedure supports the President, ministers and other members through the provision of authoritative advice on Legislative Council procedure to enable them to undertake the legislative process effectively. The Clerk Assistant Procedure provides strategic direction and procedural advice to the Procedure Office across its table, procedural research and training functions.

In addition, the Clerk Assistant Procedure manages corporate governance functions for the Legislative Council, including budget and financial management, records management, website management and annual reporting. The position holder manages the relationship with the Department of Parliamentary Services regarding service agreements, in conjunction with other senior officers.

⁴ Ms Lovelock was the Clerk of the Parliaments until her retirement on 7 October 2011.

⁵ Mr Blunt was appointed as Clerk of the Parliaments on 8 October 2011.

Welcome program for new members of Parliament

The new Members' Induction Program

In 2010-2011, Legislative Council staff, together with staff from the Legislative Assembly and the Department of Parliamentary Services organised a comprehensive two day induction program for new members of both Houses elected at the March 2011 election. The purpose of the program was to assist members to function effectively in their new roles as members of Parliament. This was the first time that the induction was delivered jointly to new members of both Houses.

The program was held on 11 and 12 April 2011, with sessions delivered by staff from the three departments. The program focused on 'essentials' for new members. Topics included an introduction to the role of Parliament, ethics education, entitlements and allowances, options for the recruitment and employment of staff, and the role and functions of DPS. In addition, former members of Parliament were invited to appear as a panel, to speak on the role of members of Parliament and to provide practical advice for new members. Members also had the opportunity to complete various forms, conduct a tour of Parliament House, and have their official photographs taken.

The program was a significant undertaking particularly given the unprecedented number of new members: 46 for the Assembly and eight for the Council. Planning for the program took several months, beginning in late 2010, with many Council staff

playing important roles in the planning and running of the program. The Clerk Assistant – Procedure together with the Procedural Research and Training team in particular participated actively in the preparations for the induction program, including by contributing to the fortnightly Election Steering Committee meetings. The program was well-received, with almost all new members attending. Numerous members gave positive feedback over the two days and through the formal evaluation process.

The Procedure Office also co-ordinated the compilation of a new *Legislative Council Members' Guide April 2011*, a comprehensive reference guide covering members' code of conduct, entitlements, pecuniary interests, and an overview of the procedures of the House and its committees.

The Parliamentary Administration will continue to support its members by providing ongoing training during 2011-2012, with a program in place that will include sessions on parliamentary privilege, the new funding and disclosure scheme, the Members' Code of Conduct, and drafting legislation.



The previous President of the Legislative Council, the Honourable Amanda Fazio, addresses the new members of Parliament.



The Clerk of the Parliaments welcomes the new members of Parliament.



A panel of previous members, chaired by the Honourable Amanda Fazio and Daryl Maguire MP, conduct an interactive session on the role of the member. From left to right: the Honourable Ian Cohen, former member of the Legislative Council, the Honourable Michael Egan, former member of the Legislative Council, the Honourable Amanda Fazio, Mr Daryl Maguire MP, Mr Andrew Tink, former member of the Legislative Assembly, the Honourable Diane Beamer, former member of the Legislative Assembly.

Opening of the first Session of the 55th Parliament



The Commissioners appointed by the Governor to open Parliament are seated on the dais. From left to right: The Honourable Duncan Gay, Minister for Roads and Ports, the Honourable Michael Gallacher, Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council, and the Honourable Gregory Pearce, Minister for Finance and Services and Minister for the Illawarra.

The first session of the 55th Parliament was opened by Commissioners on 3 May 2011. At 10.00 am the Legislative Council and the Legislative Assembly met, with each Clerk reading the proclamation from the Administrator of the State summoning Parliament. A joint sitting of both Houses was subsequently convened in the Legislative Council chamber and the Commissioners read the message from the Administrator opening Parliament.

The 21 newly elected members of the Legislative Council took the Pledge of Loyalty before the appointed Commissioners. The House then proceeded to the election of a President, Deputy President and Chair of Committees, and the Assistant President.



The Usher of the Black Rod waits for the Governor to arrive at the Parliament.

Her Excellency the Governor, Professor Marie Bashir AC, CVO, accompanied by Sir Nicholas Shehadie AC OBE KStJ and attended by Mr Noel Campbell, Official Secretary and Chief of Staff to the Governor, and the Aide-de-Camp Lieutenant Commander Rick Stone RANR attended the Parliament at 11.40 am to receive the Vice Regal Salute and inspect the Guard of Honour provided by emergency services volunteers. An Indigenous 'Welcome to Country' smoking ceremony was also held in the forecourt acknowledging the Gadigal clan of the Eora nation and its elders.



A police escort precedes the Governor's arrival.

At the request of the Premier, emergency services consisting of Fire and Rescue NSW, Ambulance Service of NSW, NSW Rural Fire Service, NSW State Emergency Service, NSW Volunteer Rescue Association and Marine Rescue NSW, provided the honour guard for the arrival of Her Excellency the Governor to recognise the valuable work they do within our community.



The Governor is welcomed as she arrives at Parliament House.

The official party was then escorted into the Parliament for presentation to Her Excellency the Governor, the new President, the Honourable Don Harwin MLC, the Deputy President and Chair of Committees, the Honourable Jennifer Gardiner, the Assistant President, the Reverend the Honourable Frederick Nile, and other office holders, members and officers.



The Governor receives the Vice Regal Salute.

An informal lunch was held in the Dining Rooms for the Vice-Regal party, members and their guests, together with the volunteers.

At 2.30 pm the Council resumed and the Usher of the Black Rod requested the attendance of the Legislative Assembly for the giving of the Governor's Speech which outlined the new Government's proposed program. Following this, the Governor withdrew and the House adjourned.



The Welcome to Country smoking ceremony held in the forecourt acknowledged the Gadigal clan of the Eora nation and its elders.

Staff, under the direction of the Usher of the Black Rod, were responsible for planning and arranging the opening. The event was a logistical challenge given the very short time frame within which arrangements were to be made. Staff co-ordinated the involvement of dignitaries, the executive departments, members of Parliament and official guests and community groups.



The Usher of the Black Rod leads the official party into the Parliament.



Her Excellency the Governor Professor Marie Bashir AC, CVO and the Honourable Don Harwin, President of the Legislative Council.



The Usher of the Black Rod leads the Sergeant-at-Arms and the Speaker, and members of the Legislative Assembly to assemble in the Legislative Council Chamber.



The Governor delivers the official opening speech to the joint sitting of the Parliament.



Capacity building to strengthen parliamentary democracy

The Department of the Legislative Council is committed to supporting parliamentary democracy in the Asia-Pacific Region and elsewhere. This commitment has been enunciated as a priority and operational imperative for the Department.

Commonwealth Parliamentary Association (CPA) Twinning arrangement with the National Parliament of Solomon Islands and the House of Representatives of the Autonomous Region of Bougainville

As part of the Commonwealth Parliamentary Association's (CPA) twinning program, the New South Wales Parliament has partnership agreements (is 'twinning') with the parliaments of the Autonomous Region of Bougainville (the Bougainville House of Representatives) and the Solomon Islands (the National Parliament of Solomon Islands).

The New South Wales Parliament receives funding from AusAID under its Pacific Public Sector Linkages Program to support its twinning activities and in April 2010 entered into a funding agreement with AusAID for a three-year period.

The funded Activity is 'Strengthening parliamentary institutions in the Solomon Islands and Bougainville'. The total anticipated cost of the Activity is \$1.17 million over three years, with \$844,356 provided through AusAID and the balance from the participating parliaments, largely in the form of staff time.

The core of the Activity is secondments and placements of staff between the parliaments. Other elements of the Activity include the establishment of a formal mentoring arrangement, technical and corporate support, collaboration on research and writing tasks, and the development of a framework to assist other parliaments that may be interested in learning from the experience of the twinned parliaments.

Priority areas for activities in both twinned parliaments were identified in the AusAID-approved Activity project plan.

Priority areas for Bougainville include:

- an expansion of the Office of the Clerk to facilitate improved procedural support to Members
- strengthened committee support, especially for the Public Accounts Committee
- enhancing capacity of the Parliamentary Library and Hansard
- supporting the implementation of the Education Program.

Priority areas for Solomon Islands include:

- establishing a Procedure Office to support sittings of Parliament
- enhanced administrative support for committees
- enhanced information services, including Hansard, the library and intranet
- implementation of a human resources management system
- development of information on the role and function of parliament as part of a community engagement strategy.

The New South Wales Parliament is committed to working closely with existing parliamentary strengthening initiatives in the region, such as the United Nations Development Program/Regional Assistance Mission to the Solomon Islands Parliamentary Strengthening Program, the Centre for Democratic Institutions, the Commonwealth Parliamentary Association and the La Trobe University Public Sector Governance and Accountability Research Centre.

Activities in 2010-2011

All parliaments

- March 2011 (ongoing) – Mr John Taupongi was recruited on a temporary part-time basis as Twinning Project Research Officer to undertake research and writing tasks associated with the Twinning project. He is currently completing a Master of Laws degree with the University of New South Wales on an AusAID scholarship, and is a former parliamentary officer of the National Parliament of Solomon Island.

Bougainville

- July 2010 – A New South Wales Parliament delegation attended a ceremony in Bougainville to acknowledge the partnership agreement between the parliaments, and to participate in a Committee workshop for new Members.



Ceremonial activities to celebrate the signing of the partnership agreement between the New South Wales Parliament and the House of Representatives of the Autonomous Region of Bougainville.

- September – November 2010 – Secondment of Edwin Kenehata, Education Officer with the Bougainville House of Representatives, to the Legislative Assembly Procedure Office and the Parliament's Education and Community Relations Section.
- February 2011 – New South Wales Parliament hosted the Bougainville Public Accounts Committee (PAC) Chair, the Honourable Cosmas Sohia. Mr Sohia met with the current Auditor-General, Mr Peter Achterstraat, New South Wales PAC staff and former New South Wales PAC Chair, Paul McLeay MP. Mr Sohia also attended the PAC Summer Residency Program in Victoria, along with other staff from Bougainville. Their attendance at this Program was funded through the Twinning project.
- March 2011 – In March, four New South Wales Parliament staff (Simon Chalmers (Information Technology Services), Vicki Buchbach (LA Committees), Susan Want (Legislative Council Procedure) and Simon Johnston (Twinning Project Coordinator) travelled to Buka to assist staff with implementing procedure office enhancements, PAC strengthening and information technology needs.

- May 2011 – Ms Beverly Duffy, Director LC Committees was attached to the Bougainville House of Representatives Public Accounts Committee. The month long attachment coincided with the PAC's first ever public inquiry.



Beverly Duffy, Legislative Council Committee Director with members of the Public Accounts Committee, Bougainville House of Representatives.

- May 2011 – Attachment of two staff from Bougainville House of Representatives (John Bosco and Joel Tukana) with Papua New Guinea National Parliament, with a focus on Information Services (Hansard and Library/Research). This activity recognises the importance of relationships between parliaments in the locality.
- June 2011 – Study visit to New South Wales Parliament by a Bougainville delegation, the Speaker, Honourable Andrew Miriki, and the Clerk, Mr Robert Tapi. The study visit was co-sponsored by the Commonwealth Parliament's Education Trust Fund.



The Honourable Don Harwin, the President of the Legislative Council and the Honourable Andrew Miriki, the Speaker of the House of Representatives of the Autonomous Region of Bougainville.

Solomon Islands

- June – July 2010 – The Twinning Project
Coordinator travelled to the Solomon Islands to meet with staff and plan Twinning activities.
- October 2010 – Two New South Wales Parliament Procedure Office staff were attached to the National Parliament of Solomon Islands to assist in establishing a Procedure Office. Susan Want (LC Procedure) and Jeff Page (LA Procedure) worked closely with David Kusilifu, (Director Committees – Solomon Islands) to develop a secondment program for Mr Kusilifu which occurred later in October and concluded in November 2010.



David Kusilifu, Director Committees from the Solomon Islands with the Clerk of the Parliaments and the Deputy Clerk.

- March 2011 – Ms Jenelle Moore (LC Procedure) was attached to the Solomon Islands to assist in the implementation of plans developed by David Kusilifu for the establishment of a Procedure Office in the National Parliament of Solomon Islands.

Benefits for participating parliaments

The objective of the Twinning project is to 'ensure that each parliament fulfils its legislative, representative and oversight roles', which places the emphasis on the parliaments of the Solomon Islands and Bougainville as relatively new parliaments. However, there have also been clear benefits to New South Wales Parliament employees who have participated in Twinning activities and gained valuable experience and skills.

Working in new parliaments also provides suggestions for how things could be done better and challenges established procedures and parliamentary traditions.

Other capacity building activities undertaken during the year

In February 2011 the New South Wales Parliament hosted the Effective Parliamentary Committee Inquiries Course, under the auspices of the Centre for Democratic Institutions. The week-long intensive course is aimed at parliamentary staff of the Asia-Pacific region and sponsored by the World Bank and the Commonwealth Parliamentary Association.

Three of the participants were from the National Parliament of Solomon Islands and three from the Bougainville House of Representatives, with one Bougainville participant sponsored from Twinning project funds.

Six staff from Bougainville and Solomon Islands (Emily Kupenga (SI), Douglas Pisi (B), Pais Otima (B), Wilson Orisi (SI), Lloyd Bera (SI) and Peter Topura (B)) stayed on after participating in the Effective Parliamentary Committee Inquiries Course for a three-day program in collaboration with the committee staff of both New South Wales Parliament Houses.



The Clerk Assistant Committees and Ms Kayee Griffin, Deputy President of the Legislative Council, address course participants in the Legislative Council chamber.

Activities planned for the following reporting period

Bougainville

In July and September 2011 professional development courses covering information technology and other relevant skills will be provided by local training consultants for staff of the Bougainville House of Representatives.

In November 2011, the Clerk Assistant – Procedure, New South Wales Parliament and the Education Officer, Bougainville House of Representatives, will participate in the Australasian Parliamentary Educators Conference in Brisbane.

A Local Area Network (LAN) for the Bougainville House of Representatives building will be established and funded by the Commonwealth Parliamentary Association's Education Trust Fund. The LAN will be installed and maintained by local providers in Papua New Guinea and Bougainville.

Support will be provided for the participation of Bougainville House of Representatives Committee staff in training programs to be held in 2012, such as the Centre for Democratic Institutions Effective Parliamentary Committee Inquiries Course and the Public Accounts Committee Summer Residency program.

Placement of an experienced New South Wales Parliament Procedure Officer with the Bougainville House of Representatives, timed with a sitting of the Bougainville House of Representatives, is proposed for early 2012. In addition, further secondments of staff from Bougainville to the New South Wales Parliament and are planned for the financial year.

Solomon Islands

The Presiding Officers and Clerks of the NSW Parliament will visit the Solomon Islands in July 2011 to formally acknowledge the partnership arrangements between the two parliaments.

Several secondments and attachments are planned during 2011-2012 that will focus on system improvements for Hansard, human resources, library services and corporate strategic planning.

A placement of a New South Wales Parliament Procedure Office staff member is proposed to take place in early 2012. Support will also be provided for Solomon Islands Committee staff to attend training programs during 2012, such as the Centre for Democratic Institutions Effective Parliamentary Committee Inquiries Course.

Presentation at the Annual Conference of the Society of Clerks-at-the-Table

In July 2011, the Clerks of the New South Wales Parliament will jointly present a paper at the annual conference of the Society of Clerks-at-the-Table in Commonwealth Parliaments. The paper will summarise the Twinning arrangements between the three parliaments and include a video presentation featuring the Speakers and Clerks of the Bougainville and Solomon Islands parliaments. Both Pacific parliaments acknowledge the benefit of the twinning arrangements and comment that Twinning provides valuable experience and support from an experienced parliament in the region to build capacity within their institutions.

Procedure Office

Overview	23
Tenth periodic election for the Legislative Council.....	23
Sitting days in 2010-2011.....	26
Business papers and other House publications.....	27
Legislation	27
Amendments to bills.....	28
Tabled documents	29
Orders for papers	29
Transfer of documents to State Records Authority	30
Petitions	30
Questions and Answers	31
Private members' business.....	31
Statistical records of business conducted by the House	32
Publications	32
Procedural research and advice	33
Procedural training	34
Community access and engagement	36
Performance outlook	37

Procedure Office

Overview

The Department's Procedure Office is comprised of two teams with distinct but related responsibilities: the Table Office and the Procedural Training and Research Unit. The Procedure Office is managed by the Clerk Assistant – Procedure, with the support of the Director – Table Office, and the Director – Procedural Training and Research. In broad terms, the Table Office supports the Clerk and members in relation to the business of the House and is responsible for the maintenance of records and papers of the House. The Procedural Training and Research Unit provides procedural research and advice to the Clerk and members and coordinates community access and engagement initiatives such as the development and redesign of the Parliament's website.

Both teams are responsible for the provision of training and skills development to members, their staff, officers of the Council, public servants and others. The Procedure Office, under the direction of the Clerk Assistant – Procedure, also supports the Clerk and Deputy Clerk in the management of a number of corporate, governance and administrative functions including budget planning and advice, financial management, records management, website maintenance and annual reporting.

The two Procedure teams work collaboratively on a range of projects and activities, during both sitting and non-sitting periods. Importantly, senior staff perform duties as Clerks at the Table during the sittings of the House, at which time the focus of both teams is to ensure the smooth running of the House. This involves providing advice and support to the Clerk, and where appropriate, the President, members and their staff, ministerial and department officers, media and other stakeholders.

Outside of the sittings, the two teams work closely together on providing a range of other services, including the delivery of training and information programs, and the production of procedural resources such as the *House in Review*, the *Running Record*, *Procedural Highlights* and *Parliament Matters*. In addition, staff support the work of both the Privileges and Procedure committees. The team also supports the Twinning program with the Solomon Islands and Bougainville parliaments.

Procedure Office staff work closely with the Committee Office on a range of projects, such as the Department's regional education program and other training initiatives. Senior members of the Procedure team are part of the Department's senior management group. This group meets regularly, together with senior staff from the Department of the Legislative Assembly (LA) and the Department of Parliamentary Services (DPS) to discuss and coordinate services to members, their staff, and external clients and interest groups.

With the March 2011 election, this year presented distinct challenges for Procedure Office staff who, together with colleagues from the LA and DPS, were responsible for assisting with the exiting of departing members and organising the new members' induction program. The induction program was a significant undertaking with the unprecedented number of new members elected to the New South Wales Parliament. Other significant projects this year included the development of the Parliament's new website and the opening of the 55th Parliament on 3rd May 2011.

Tenth periodic election for the Legislative Council

There were 311 nominations received by the Returning Officer at the close of nominations. The Electoral Commissioner advised after the close of nominations that 16 grouped and two ungrouped sets of candidates would appear on the ballot paper.

Five members of the Council whose term of service expired at the end of the 54th Parliament did not seek re-election: Mr Ian West (ALP), Ms Christine Robertson (ALP), Ms Kaye Griffin (ALP), Mr Antonio Catanzariti (ALP) and the Mr Ian Cohen (Greens). Two members of the Council whose term of service expired at the end of the 54th Parliament did not seek re-election but instead contested and were successful in winning the Legislative Assembly seats of Blacktown (Mr John Robertson, ALP), and Maitland (Ms Robyn Parker, Liberal). The Reverend Dr Gordon Moyes (Family First) sought re-election but was unsuccessful.

The election resulted in a change of Government in New South Wales following a win by the Liberal/Nationals Coalition, but once again did not provide an absolute majority in the Legislative Council for any party. The new party representation in the House is: ALP 14, Liberal Party 12, the Nationals 7, the Greens 5, the Christian Democratic Party 2, and the Shooters and Fishers Party 2.

The 21 members elected to the Council comprised 13 returning members and 8 new members.

Election petition – Court of disputed returns

The final two seats in the Legislative Council were tightly contested, with the Honourable Jeremy Buckingham (Greens) and the Honourable Sarah Mitchell (nee Johnston) (National) narrowly defeating independent candidate Ms Pauline Hanson by approximately 1,300 votes. Ms Hanson subsequently lodged a petition with the Court of Disputed Returns under the provisions of the *Parliamentary Electorates and Elections Act 1912*, alleging a miscount by the Electoral Commission. However, Ms Hanson withdrew the protest a month later, confirming the seats of Mr Buckingham and Mrs Mitchell.

Opening of the 55th Parliament

On 3 May 2011, the first session of the 55th Parliament was officially opened by Commissioners at a joint sitting of both Houses of Parliament. The Commissioners were the Honourable Michael Gallacher, Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council, the Honourable Duncan Gay, Minister for Roads and Ports, and the Honourable Gregory Pearce, Minister for Finance and Services, and Minister for the Illawarra.



The Usher of the Black Rod leads the procession into the Legislative Council Chamber.

The 21 newly elected members took the Pledge of Loyalty before the appointed Commissioners.

Following the official opening, in a departure from traditional practice, Her Excellency the Governor, Professor Marie Bashir AC, CVO attended Parliament and gave a speech outlining the new Government's proposed program.

Procedure Office staff, together with the Usher of the Black Rod and Committee Office staff planned and executed the Opening, including coordinating the Vice Regal Salute, inspection of the Guard of Honour and the Welcome to Country in the Parliament forecourt. Staff also organised the attendance of Official Guests and members' guests to hear the speech by Her Excellency, and the publication of an Official Program and an event instruction booklet.

The Procedure Office separately managed the joint sitting of the two Houses, the swearing in of new members and their taking of the Pledge of Loyalty, and the election of the President, Deputy President and the Assistant President (see below). The success and smooth running of the opening was a significant logistical and organisational achievement as official confirmation of the arrangements was only received on 19 April 2011, seven working days before the opening.

Election of the President, Deputy President and Assistant President

On 3 May 2011, following newly elected members taking the Pledge of Loyalty, in accordance with section 22G of the *Constitution Act 1902* the House elected the Honourable Don Harwin, a member of the Liberal Party, as President.



The President of the Legislative Council, the Honourable Don Harwin.

Following the election of the President, the House elected the Honourable Jennifer Gardiner, a member of The Nationals, as Deputy President and Chair of Committees.

The Reverend the Honourable Frederick Nile, the leader of the Christian Democratic Party, was elected Assistant President for a second time.

Shortly after, the House presented their newly elected President to Her Excellency the Governor in the Jubilee Room, Parliament House. This was the first time a President of the Legislative Council had been presented to the Governor at Parliament House, rather than at Government House.

Resignation of members and joint sittings to fill casual vacancies

Three long standing members of the Legislative Council resigned in the early stages of the reporting year:

- Mr John Della Bosca (ALP), a member since 27 March 1999 until 30 July 2010
- Ms Sylvia Hale (Green), a member since 22 March 2003 until 6 September 2010
- Ms Lee Rhiannon (Green), a member since 27 March 1999 until 19 July 2010.

Sadly, the Honourable Roy Smith, a member of the Legislative Council since 24 March 2007, passed away on 31 July 2010. The Honourable Mr Smith, a member of the Shooters and Fishers Party, was honoured at a memorial tribute conducted by the Legislative Council on 31 August 2010. He was fondly remembered through condolence speeches made by representatives from all political parties on this day.

A joint sitting was convened on Tuesday 7 September 2010 and four new members were elected to fill the vacancies created by the above departures:

- The Honourable Sophie Cotsis was elected to fill the vacancy caused by the resignation of the Honourable John Della Bosca
- The Honourable Cate Faehrmann was elected to fill the vacancy caused by the resignation of Ms Lee Rhiannon
- Mr David Shoebridge was elected to fill the vacancy caused by the resignation of Ms Sylvia Hale

- The Honourable Robert Borsak was elected to fill the vacancy caused by the death of the Honourable Roy Smith.



Her Excellency The Governor and the newly elected members of the Legislative Council from left to right: The Honourable Robert Borsak, Mr David Shoebridge, Her Excellency the Governor, the Honourable Cate Faehrmann, and the Honourable Sophie Cotsis.

Following the general election in March 2011, three new members were elected to fill casual vacancies caused by the resignations of long-serving members Mr Edward Obeid, Mr John Hatzistergos and Mr Anthony Kelly.

On 24 May 2011, the Honourable Walter Secord, was elected to fill the vacancy caused by the resignation of Mr Obeid and the Honourable Adam Searle was elected to fill the vacancy caused by the resignation of Mr Hatzistergos. On 20 June 2011, the Honourable Steve Whan, formerly a member of the Legislative Assembly, was elected to fill the vacancy caused by the resignation of Mr Kelly.



The Honourable Walt Secord is sworn in as a newly elected member of the Legislative Council. In recognition of his Canadian Mohawk-Ojibway Indian heritage, he holds both the Bible, and a stock of sweet grass, his ancestors' religious sacrament.



Sitting days in 2010-2011

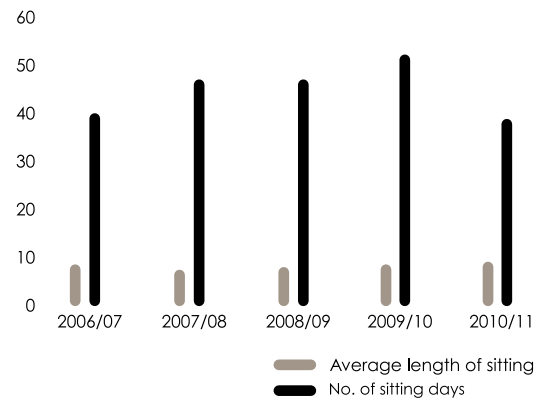
The 2010-2011 financial year included the periodic Council election held on 26 March 2011. Consistent with previous election years, the House was in recess for over five months between the last sitting day of 2010 on 2 December and the opening of the new Parliament on 3 May 2011. Despite the long recess, the number of sitting days and hours for 2010-2011 were not significantly fewer than previous years. The activity of the House in 2010-2011, as reported below, was similarly consistent with previous years, although there were fewer bills considered in May and June of 2011 than in the July to December 2010 period.

As a consequence of the election cycle, the Table Office experienced peak times of activity. There was a significant increase in workload toward the end of the sittings in 2010 and again after the election when the Table Office was extensively involved in the preparations for the induction and logistical arrangements for new members and the new Government, and the planning and preparations for the opening of Parliament. While the House was not sitting, the Table Office also took the opportunity to finalise sessional reports and records and implement enhancements and modifications to databases and systems. These matters are outlined throughout this report.

Following the March 2011 election, the new Government announced that the Legislative Council would sit four days a week, instead of the three days a week sitting pattern of previous years. Consequently, the House sat the same number of days following the opening of Parliament on 3 May 2011 until the end of June as it did between July and December 2010. Of particular note, one of the 24 sitting days in 2011 continued over three calendar days including a Saturday. This unusual sitting related to debate on the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill 2011 (see page 31).

One of the objectives of the four day a week sitting pattern was to introduce more "family friendly" adjournment times. The House sat an average of 8.7 hours a day in the second half of 2010 during which the House regularly sat until 10.30 pm. In May and June 2011, the House commonly adjourned by 7.00 pm and sat an average of 7.68 hrs per day. The average over the financial year was 8.52 hours per day. The House sat beyond midnight on six occasions.

No. of sitting days and average length of sitting



Business Papers and other House publications

Each sitting day, the Table Office prepares the business papers of the House:

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

Each of these publications is published shortly after the rising of the House each sitting day.

During the reporting year, the Table Office ensured that proof editions of the business papers were completed within 30 minutes of the adjournment of the House each sitting day and made available on the Internet. Printed copies were made available to members, staff and others the following morning. Final versions of the business papers were produced following thorough proof reading and verification of relevant material. These papers continue to provide a timely, accurate and comprehensive record of proceedings.

At the commencement of the 55th Parliament the President announced changes to the procedures relating to the conduct of private members' business. Additionally, following a report of the Procedure Committee relating to private members' business and the sitting pattern in June 2011, the House resolved to trial a number of variations to the standing orders governing private members' business. In response to these changes, the Table Office implemented a number of modifications to the Notice Paper to provide for items of private members' business to retain a static numeric identifier throughout the parliamentary session, to list a date of expiry (for notices relating to motions only), and to record the movement of items that have been substituted for other items within the order of precedence.

Additionally, questions on notice lodged by members were edited for consistency and compliance with the standing orders.

A Statutory Rules and Instruments paper is prepared for publication by the Table Office weekly during sittings and monthly when Parliament is in recess. This resource provides information regarding the date of commencement of each statutory rule or instrument, the date they were tabled in the House and the last day on which a notice of motion for the disallowance of a regulation may be given.

The Table Office also produces the Daily Program, an agenda published on the Parliament's website for the next sitting day. The Program lists business to be considered by the House and is updated when new items are advised, such as the tabling of papers or a change in the order of Government business.

At the conclusion of each session of Parliament the official Journal of the Legislative Council is bound and published. The Journal consists of the Minutes of Proceedings, a comprehensive index to the Minutes and several reports relating to business of the House known as sessional returns. These include registers showing the history of the passage of bills during the session, the register of addresses and orders for papers, sessional and select committees appointed, an abstract of petitions presented, and the attendance of members. Separate volumes of the Notice Paper, Questions and Answers Paper and proceedings in committee of the whole are also compiled.

All indexes and sessional returns for the official Journal for the 54th Parliament have been finalised.

The Table Office publishes the *Running Record* on the Parliament's website each sitting day, a real-time record of the progress of business in the House as it occurs. Please see page 32 for more information.

Procedure Office staff also maintain the Annotated Standing Orders and Procedural Precedents databases and various statistical returns.

Legislation

The Procedure Office supports the Office of the Clerk by providing assistance to members and their staff in relation to legislation to be considered by the House, preparing procedural scripts for the introduction of bills and advising members on the admissibility of amendments. The Table Office manages the procedures for the assent to, and registration of, bills introduced in the Council and agreed to by both Houses.

In 2010-2011, 99 bills were considered in the Legislative Council, a decrease on the 143 considered during 2009-2010. Of these, 65 bills were considered in the second half of 2010 and 34 during May and June of 2011. Of the 18 bills introduced in the Council ten were government bills and eight were private members' bills. Of the 99 bills considered, the House agreed to 92 bills.

Key government legislation considered by the Legislative Council during 2010 and introduced by the previous Government included:

- the Parliamentary Budget Office Bill 2010, introduced to establish, for the first time in Australia, an independent officer of parliament to cost election policies and proposals which political parties and independent members of parliament might submit during the lead-up to a general election, and to provide parliamentarians with technical briefings on financial, fiscal and economic matters,
- the Education Amendment (Ethics) Bill 2010, which inserted a new section 33A into the *Education Act 1990* to permit the teaching of ethics as a secular alternative to special religious education in government schools,

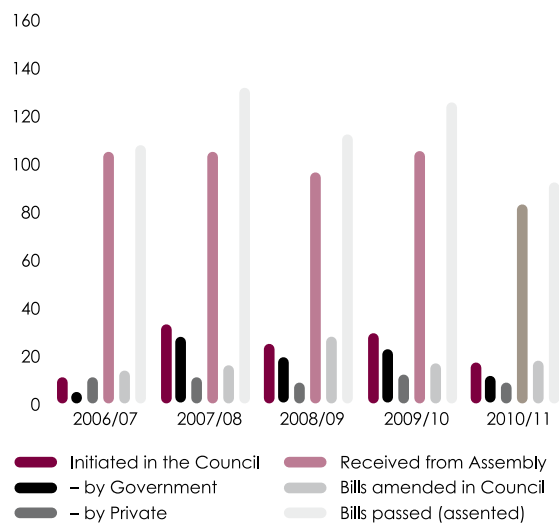
- the Drug Misuse and Trafficking Amendment (Medically Supervised Injecting Centre) Bill 2010, which gave permanence to the Medically Supervised Injecting Centre in Darlinghurst that had been operating on a trial basis since 1999, and
- the Surrogacy Bill 2010, which created a new legislative framework to enable the Supreme Court to grant orders that would transfer full legal parentage of children in surrogacy arrangements from their birth parent, or birth parents, to the intended parents, provided it is in the best interests of the child. Previously, the only way people with children born through surrogacy were able to gain full parenting rights was through the adoption process. The Bill also prohibited commercial surrogacy arrangements and the advertising of surrogacy arrangements.

Key government legislation considered by the Legislative Council during 2011 and introduced by the new Coalition Government included:

- the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill 2011, which amended the *Industrial Relations Act 1996* to require the New South Wales Industrial Relations Commission to give effect to aspects of government policy declared by regulation made under the Act, particularly in regard to increases to public sector wages,
- the Constitution Amendment (Prorogation of Parliament) Bill 2011, which prevents an Executive Council from advising the Governor to prorogue Parliament in the six months prior to a fixed term election except on or after Australia Day,
- the Environmental Planning and Assessment Amendment (Part 3A Repeal) Bill 2011, which repeals Part 3A of the *Environmental Planning and Assessment Act 1979* and, in doing so, returns a broad range of decision-making powers from the Minister for Planning back to local communities, with the aim of creating an efficient planning framework for projects of genuine State significance.

Of the eight private members' bills introduced in the Legislative Council during the year, only one, the Marine Parks Amendment (Moratorium) Bill 2011, was agreed to by the House. Five bills lapsed on prorogation at the second reading stage and two bills, the Firearms Legislation Amendment Bill 2011 and the Evidence Amendment (Protection of Journalists' Sources) Bill 2011, remain before the House awaiting debate on the private members' second reading speech.

Bills considered in the Legislative Council



Amendments to bills

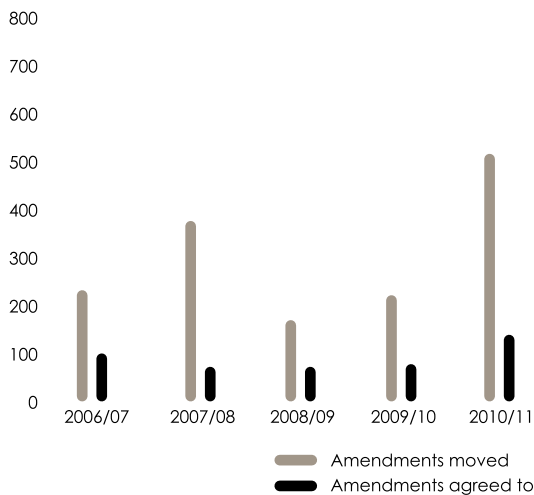
The Table Office manages the preparation and circulation of amendments to bills received from members. Each set of amendments is processed and circulated prior to consideration of the bill in committee of the whole. The Table Office, in consultation with the Clerk, provides advice to members concerning the admissibility of amendments. In the reporting period, the Table Office received 76 sets of amendments to 50 bills, a total of 573 amendments. Of the amendments circulated, 502 were moved in committee of the whole and 127 agreed to by the House.

The high number of amendments to bills moved in the House during 2010-2011 was primarily due to more than 200 amendments to the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill 2011 by the Opposition (157) and The Greens (52), none of which were agreed to by the House.

The Table Office is responsible for liaising with the Parliamentary Counsel's Office regarding notices of motions for bills and the introduction of bills in the Legislative Council, amendments to bills circulated by Council members and bills amended by the Council. For each of the 15 Legislative Assembly bills amended by the Council, the Table Office prepared schedules of amendments which are returned with the bill. The Table Office also arranged for second prints of the four Council bills amended by the Council.

Information regarding the passage of a bill in the Council, and any amendments circulated, is entered in a database as the bill proceeds through the House and is available on the Parliament's website shortly thereafter. A schedule of amendments agreed to is also published on the website.

Amendments moved and agreed to by the House



Tabled documents

During 2010-2011, 1,549 documents were tabled in the Legislative Council, the majority of which were annual reports of government departments and agencies and statutory instruments. Thousands of documents were also received within the 166 archive boxes returned to orders for the production of State papers.

The Table Office prepared all documents for presentation in the House and entered details of tabled papers in the Minutes of Proceedings and on the tabled papers register. The Table Office also assisted members in the procedures for tabling papers, liaising with ministerial offices and departments to ensure that all processing, distribution and service requirements were met promptly and within set timeframes. Details concerning papers tabled in the House are available on the Council's website. Members, government departments and others can search details of all papers tabled in the House since May 1995.

Orders for papers

This financial year 22 orders for the production of State papers were agreed to by the House. Eighteen of those orders were resolved during the final six months of the 54th Parliament. This follows a similar pattern to the 2006-2007 reporting period in which there was a large amount of orders resolved preceding the March 2007 election and only six orders following the election.

Of the 18 orders for the production of State papers made in the last six months of the 54th Parliament, four were initiated by members of the Liberal Party, 12 by The Greens and one order each from the Christian Democratic Party and Shooters and Fishers Party. Of the four orders for the production of State papers in 2011, one order was initiated by the Labor Party and three by The Greens. The reduction in the volume of orders for papers resolved by the House in the first six months of 2011 can in part be attributed to a change in Government and changes to the membership of the Legislative Council following the 2011 State election.

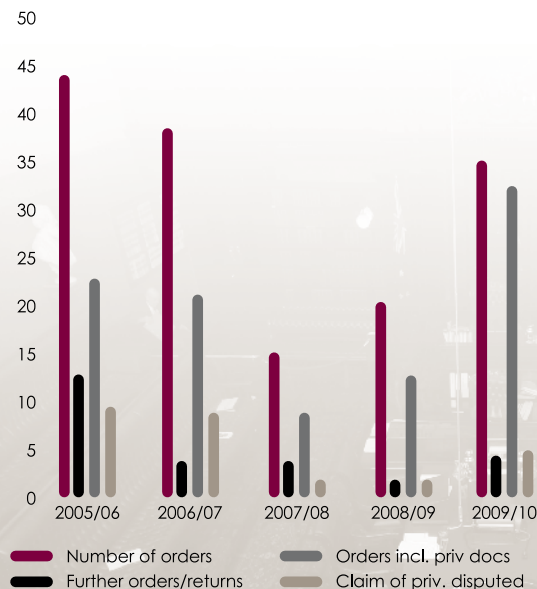


Three of the orders for papers agreed to during 2010-2011 sought further documents related to a previous resolution of the House. In total, the Table Office processed 166 archive boxes of papers returned, 36 of which contained privileged documents that can only be reviewed by members of the Legislative Council. Privilege was claimed on documents contained in 17 of the 22 returns to order for the reporting period.

Orders for papers during the reporting period covered a range of topics including the development at Barangaroo, the proposed construction of Tillegra Dam, the New South Wales Solar Bonus Scheme, the election of the Member for Rockdale and other issues relating to the environment, transport, health and policing.

The Table Office received many requests to view the documents received. One of the roles of the Table Office is to coordinate viewing times, allocate space for viewing the documents and supervise access by members of the public. In order to ensure the security of documents and the integrity of the process, a high level of supervision over the documents is maintained.

Orders for papers



Transfer of documents to State Records Authority

As noted in previous Annual Reports, the storage capacity available in Parliament House is limited. In recent years, storage space has been severely stretched by the large number of documents returned to the House following orders for papers. In addition there is no on-site climate controlled storage space for the long term protection and preservation of Council papers. To address this, in 2006 the Houses of Parliament entered into an agreement with the State Records Authority to enable the transfer of the Parliament's records into the care, but not control, of the Authority. Since entering into the agreement, the Legislative Council has transferred 2,455 boxes of documents, including 925 within the 2010-2011 reporting period. All documents transferred remain in the custody of the Clerk and are subject to access directions determined by resolution of the House.

The agreement with State Records initially enabled the Council to move several large consignments of documents offsite to quickly address the Department's storage capacity for returns to orders. Since then, the Department has been able to take a strategic approach to the management of tabled papers. Recent transfers have sought to address and plan for the future requirements of the Council. The Office has begun preparations for the transfer of other records in the coming financial year including old documents which are deteriorating.

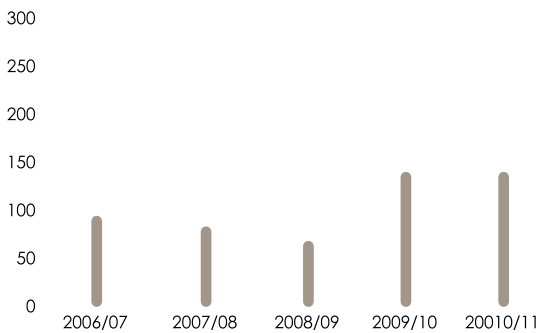
Petitions

The Table Office, on behalf of the Clerk, vets all petitions to ensure compliance with the rules and conventions of the House and prepares 'loqs' (procedural scripts) to be used by members when presenting petitions.

In total, 144 petitions were presented to the House during 2010-2011, 116 of which were presented during the final six months of the 54th Parliament. The number of petitions received this reporting period has remained on par with the high level received during the last financial year. The frequency and number of petitions presented to the House, and the number of signatures gathered, reflects community opinion and feeling on matters of public policy and government action.

Petitions received by the House varied in subject matter and in the number of petitioners. In the 2010-2011 financial year, petitions presented to the House represented 41 different issues and comprised more than 44,000 signatures. The subject matter of petitions ranged from broad social issues such as euthanasia, electricity privatisation, scripture classes and the decriminalisation of abortion, to local issues such as planning laws, the Hurstville Precinct Project, the foreshore trail at Concord, a major redevelopment project in Coogee and the Bondi Road Summer Clearway. The petition comprising the highest number of signatures related to the Department of Education's introduction of curriculum prepared by the Confucius Institute to teach Chinese language and culture in state schools, signed by 4,046 citizens.

Petitions presented to the Legislative Council



Questions and Answers

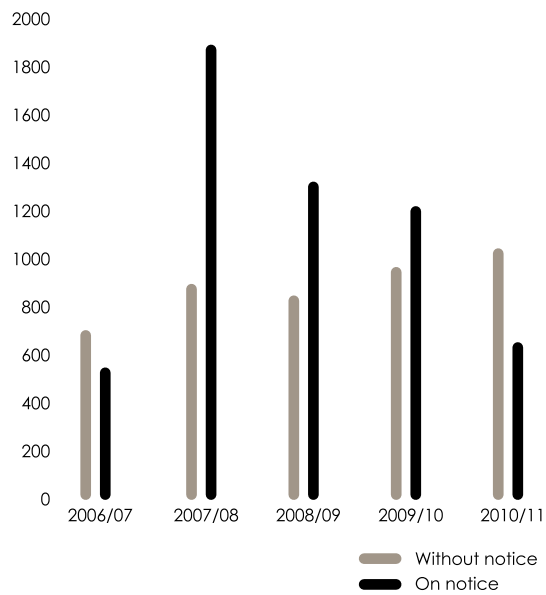
The number of questions asked during Question Time has remained consistent over several years at approximately 21 a day. The Table Office tracks all questions taken on notice and liaises with ministerial staff regarding the due date of answers and the timely processing and publication of answers.

The Questions and Answers Paper is published at the conclusion of each sitting day, according to the rules of the House. The paper contains all new questions to ministers and any answers received since the last paper was published. The Table Office provides advice and editorial assistance to members regarding questions on notice, particularly in regard to the rules governing questions. The Table Office liaises with ministerial staff regarding due dates and the submission of answers. On the prorogation of the House, an additional Questions and Answers Paper and an Answers to Questions without Notice Paper, containing all answers received since the last sitting day, were also published.

All questions on notice and answers received are entered in a web-based database from which the Questions and Answers Paper is produced. The database can be searched on-line so members and others can track questions and answers by portfolio and subject matter. During 2010-2011, the Table Office worked closely with Information Technology Services to further develop the database to enable indexed and composite reports for the Questions and Answers Journal to be generated electronically. Consequently, the Table Office has been able to significantly enhance the administration of the Questions and Answers Journal publication process.

There was a decline in the number of questions on notice asked during the reporting period: 649 compared to 1,109 in the previous financial year. Of these, 514 were asked during 2010 and 135 in 2011, in keeping with a general trend over election years.

Questions asked in the Legislative Council



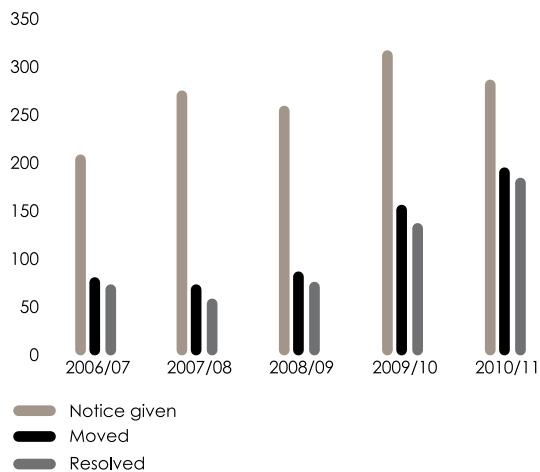
Private members' business

During the reporting period, 286 notices of motion of private members' business were given in the House. The Table Office assists members in the drafting of notices of motions and regularly prepares scripts for members' use in the chamber, particularly in relation to bills and orders for the production of State papers, to ensure that the rules and practices of the House are followed.



The number of items of private members' business considered and finalised largely depends on the number of days and hours that private members business is given precedence. In 2010-2011 private members' business took precedence on 13 of the 48 sitting days. However, the consideration of private members' business also depends on political considerations such as the government's legislative program and the nature of the private members' business being proposed. Some matters were debated for the full three hours allocated to individual motions, while others were considered as "formal business" under which no debate is allowed. In 2010-2011, 198 items of private members' business were considered compared to 154 in 2009-2010.

Private members' business



Statistical records of business conducted by the House

The Table Office maintains statistical information relating to proceedings of the House for the information of members, staff and the public. Records are also used for reporting purposes, and to assist the Procedure Committee and the Clerk in analysing the efficiency of practices and procedures of the House. During the reporting period the Table Office reviewed the processes and systems used to record the business conducted by the House. This resulted in the expansion of an existing database to improve record keeping and reporting capabilities, enabling the Table Office to reduce the number of individual documents used to record statistical information and to respond to queries more efficiently.

Publications

The Procedure Office coordinates the production of a number of the Department's publications including the House in Review, the Running Record, Procedural Highlights and contributions to Parliament Matters and The Table.

House in Review

In 2010-2011, the Procedural Training and Research Unit continued to coordinate the production of the House in Review, the first edition of which was published in September 2009.

The House in Review, released following each sitting week, summarises the key events that occurred in the House, including the progress of legislation, orders for papers, private members' business and committee activities. It is designed to provide parliamentarians, parliamentary staff, public servants, members of the public and other interested readers with an overview of the matters considered by the Council that week, and to increase public awareness of the many roles and functions performed by the House.

Running Record

Each sitting day the Table Office produces the *Running Record*, a real-time and dynamic record of proceedings of the House, which is available on the Intranet and Internet.

Since its inception in 2009, the *Running Record* has proved to be a popular resource amongst members, their staff, departmental and ministerial staff, and the public, providing an up-to-the-minute record of the progress of business under consideration in the House. The Record is written in plain English and features links to notices given, amendments distributed and bills under consideration.

The past year has provided the opportunity to make several enhancements to the usability and aesthetic of the Record, such as a review of terminology used and technical improvements to enable the use of hyperlinks rather than attachments. These enhancements have been well received and the resource has made a significant contribution to the Department's goal to make Parliament more accessible to both members and the wider community.

Procedural Highlights, Parliament Matters, and The Table

The Procedure Office also coordinates the content for the half-yearly bulletin *Parliament Matters*, published by the Australian and New Zealand Association of Clerks-at-the-Table (ANZACATT). The material is drawn largely from another Council publication, *Procedural Highlights*. Both publications have similar content, with material for *Parliament Matters* modified to suit the wider readership. The purpose of *Parliament Matters* is to inform members and other staff of Parliaments in Australia and New Zealand of new and continuing procedural and administrative developments in the various jurisdictions. The Procedure Office worked with the Legislative Assembly to coordinate joint entries for both the period July to December 2010 and January to June 2011.

A joint Legislative Council and Legislative Assembly entry was also submitted for the 2010 edition of *The Table*, the Journal of the Society of Clerks at the Table in Commonwealth Parliaments.

Procedural research and advice

One of the four strategic priorities set out in the Legislative Council's Strategic Plan 2009-2011 is the provision of accurate, timely and impartial procedural and analytical support to support the operations of the House and its committees. In 2010-2011, the Procedural Training and Research Unit continued to provide high level procedural research and advice. Notable research material produced during the reporting period included:

- Research in support of advice provided by the Clerk to General Purpose Standing Committee No. 1 (GPSC 1) on the impact of prorogation on standing committees. The advice was provided by the Clerk as part of GPSC 1's Inquiry into the Gentrader transactions following the prorogation of Parliament on 22 December 2010.
- Research in support of advice provided by the Clerk to GPSC 1 on the power of committees to order the production of state papers. Again this advice was provided as part of the Inquiry into the Gentrader transactions.

- New content for the Legislative Council's pages on the new Parliament website, including pages on bicameralism, the role of the Council, electing the Council, the history of the Council and the history of the Council chamber.
- Research on the lawfulness of the service of legal process on a member within the parliamentary precincts.
- Advice on whether a bill lapses if it was introduced by a member who has since ceased to be a member of the House.
- A response on behalf of the Clerk to the Department of Premier and Cabinet concerning the Draft Constitution Amendment (Prorogation of Parliament) Bill 2011.

In 2010-2011, the Procedural Training and Research Unit also assisted in the preparation of the following submissions:

- A submission by the Clerk to the Standing Committee on Law and Justice Inquiry into the eligibility of members of Parliament to serve on juries.
- A submission by the Clerk to the House of Lords Constitution Committee's Inquiry into Fixed-Term Parliaments.
- A submission to the Senate Standing Committee of Senators' Interests Inquiry into the development of a draft code of conduct for Senators.
- Correspondence from the Clerk to the Tasmanian Integrity Commission as part of its comparative review of codes of conduct for ministers, ministerial staff and members of Parliament in Australian jurisdictions.
- A response to the Scottish Parliament Information Centre in relation to the management of parliamentary business in the House.

The Procedural Research team also prepared or coordinated responses to over 30 requests for advice from other Parliaments on the Australia New Zealand Clerks-at-the-Table (ANZACATT) list server, with requests for advice ranging from the participation of Presiding Officers in debate, the administration of members' entitlements, and the use of social media in the Chamber.

Procedural training

Another of the four strategic priorities set out in the Legislative Council's Strategic Plan 2009-2011 is the provision of training and professional development programs about parliamentary procedure. As noted above, the Procedure Office was centrally involved in the planning and delivery of the new members' induction program. In addition, staff from the Procedure Office participated in a range of other training and information sessions for members, their staff and other clients, as outlined in detail below.

Members' training

The training program for members during the reporting period was heavily influenced by the demands of the State election held in March 2011, and the resulting intake of new members. After the new members' induction program, the Council offered additional follow-up training to new members including:

- A half-day procedural training session for newly elected members, together with members elected to fill casual vacancies in late 2010. The session covered the fundamentals of House practice and procedure including the conduct of proceedings, the passage of legislation and the operation of the committee system.
- An ongoing series of lunch time seminars on selected sitting days, and open to all members. Two sessions were delivered in the reporting period. The first session, delivered by the Election Funding Authority, covered funding and disclosure obligations. The second session, delivered by the Crown Solicitor's Office, was concerned with defamation law. A further five sessions are planned for the second half of 2011.

The development of an on-line learning module on members' ethics is underway and will be available to members in the next financial year.

In addition to the intake of new members following the State election, a number of members were elected to fill casual vacancies in the reporting period. The Clerk Assistant – Procedure coordinated separate training and information sessions for these members and their staff.

Training for members' staff

During the reporting period, the Procedure Office worked with the Department of Parliamentary Services and the Department of the Legislative Assembly in the delivery of several induction programs for members' staff. The comprehensive two day induction program is designed to provide all new Secretary Research Assistants with specific information on the operation of the House and its committees, together with information on the entitlements of members, OH&S and security, and details on use of the Parliamentary information technology and library systems.



The Presiding Officers with members of staff who participated in an induction program in May 2011.

Training for ministerial staff

During this reporting period, the Clerk Assistant – Procedure and the Directors of the Table Office and the Procedural Research and Training Unit, in collaboration with Legislative Assembly staff, delivered an information and question and answer session for new ministerial staff. The morning session was held shortly after the opening of the new Parliament and covered the fundamentals of practice and procedure, including understanding House Papers, the routine of business, Question Time and the Questions and Answers Paper. The session was very well attended and feedback from participants was overwhelmingly positive. Future sessions will be offered in the next financial year.

Training for Legislative Council staff

In recent years, the Legislative Council has run two training programs for staff of the Legislative Council in tandem: the specialised Table Officer Training Program and general staff seminars delivered on an occasional basis.

Between August and November 2010, the Council delivered three sessions as part of the Table Officer Training Program. The sessions addressed the specialised skill needs of staff members who either work or are likely to work as table officers in the House. The first two sessions encompassed skills-based training, and the third session covered issues relating to the upcoming State election.



The electoral landscape after March 2011: Seminar by Mr Antony Green

In July 2010, the Procedural Training and Research Unit, in conjunction with the NSW Chapter of the Australasian Study of

Parliament Group (ASPG), organised an election-related seminar in Parliament House. The seminar, 'The electoral landscape after March 2011,' was presented by Mr Antony Green, the ABC's respected elections analyst. The seminar was open to all members and parliamentary staff as well as ASPG members. The seminar was very well attended and was a highlight of the training calendar in 2010.

In 2011, the two staff training programs that were previously run in tandem were replaced with a regular fortnightly seminar series open to all staff. Seven staff seminars were delivered between February and June 2011. One of the reasons for varying the training program was to engage staff in delivering and attending training during the prorogation period. The seminars covered topics such as the Gentrader Inquiry, the Parliamentary Budget Office and the Twinning Program.

Effective presentation skills training

In March 2011, in addition to regular staff training seminars, the Procedure Office organised expert training for staff in delivering effective presentations.

The Department engaged an experienced external provider to deliver the training, which was offered to senior staff. The need for presentation skills training was identified by a number of staff as part of the performance development process, in light of the frequency with which staff members are required to deliver training and other presentations. The training comprised two half-day sessions delivered two weeks apart to allow staff to prepare for the second session. Council staff participated enthusiastically and gave strong positive feedback about the usefulness of the sessions.

New training resources

During the reporting period, the Research and Training Unit identified the need to produce new training materials in innovative formats. The Unit extended the Council's stock of audio-visual materials by arranging interviews with three committee chairs and the President. These interviews were professionally filmed. The interviewees were asked questions on the role of the Council, its committees and members, as well as being asked to give practical advice to inquiry participants on what makes a good submission or witness. These clips are now used in training presentations to audiences including community groups and students.

In addition, during the reporting period, the Unit worked with Information Technology Services (ITS) to design a new template for the Council's PowerPoint presentations. The new template presents a consistent corporate image for all Council presentations. In October 2010, ITS delivered PowerPoint training sessions for all Departmental staff to link in with the introduction of the new template.

Community access and engagement

Another of the four strategic priorities set out in the Legislative Council's Strategic Plan 2009-2011 is enhancing community access and engagement through improved access to information. A major project for the Parliament during this reporting period was the development of a new internet site.

The Parliament's new website

In 2010-2011, a key component in the Council's and the Parliament's drive to enhance community access and engagement was the development of a new Parliament website.

In October 2010, the Parliament commenced a redesign of the website, with the Procedural Training and Research Unit taking primary responsibility for the initiative on behalf of the Legislative Council.

At the commencement of the project, usability testing of the existing Parliament website indicated that it was a trusted and authoritative source of accurate information, but that navigation was not as intuitive as it should be, there was little or no use of graphics or media, the pages did not incorporate modern visual styles/technologies, and the 'look and feel' of the site was dated. There was also an imperative to better distinguish the Legislative Council and Legislative Assembly sections of the site.

Development of the new website, under the direction of the Website Steering Committee, was conducted throughout the second half of 2010 and the first half of 2011. The Procedure Office, under the direction of the Director – Procedural Research and Training coordinated content and design input on behalf of the Legislative Council.

Feedback from members and the public has been very positive. Members and staff have reported that the site is more user friendly and has a contemporary feel.



Redesign of the Council's foyer

Another project aimed at enhancing access to the Legislative Council involved the redesign of the Legislative Council's front foyer to make it more accessible to the general public. The project took place in November 2010 and incorporated a number of elements including:

- The relocation of the Legislative Council front desk to a new location facing down the Premier's Corridor which is more readily apparent to visitors entering Parliament House. The relocation of the front desk has proved popular with visitors and members, many commenting on the more obvious point of welcome for visitors to the Council.
- The purchase of a new suite of lounge chairs positioned in the Council foyer to allow visitors to relax while waiting to visit the President or other members.

The project also incorporated a number of other elements which were progressed during the reporting period. Work commenced on the content of a new interactive touch-screen, which will be positioned in the foyer and will provide information to visitors on such things as members, the history and role of the Council and the business currently before the House. Work also commenced on reviewing the content and format of information made available to visitors.

The Council has also worked with the Legislative Assembly in the development of new digital display technology indicating news and events at Parliament each day. A decision will be made by the Council whether to position a digital display in the Council foyer in the next annual reporting period.

The Minutes digitisation project

During 2009-2010, the Procedural Training and Research Unit commenced a long-term project to scan and digitise all of the Minutes of the Legislative Council back to the first meeting of the Council in 1824, and to make them available electronically on the Parliament's website. Prior to the commencement of this project, electronic copies of the Minutes of the Legislative Council only went as far back as 1991.

In addition to improving public access to the records of the Council, the project will also have the added benefit of allowing the Minutes to be searched electronically, allowing precedents to be located more quickly and accurately.

Progress on the Minutes digitisation project continued throughout the reporting period. At the end of June 2011, the Minutes of the Council since 1900 have been digitised and are available electronically. The project will continue in 2011-2012.

Performance outlook

The Procedure Office will continue to perform its core responsibilities in relation to the provision of accurate, timely and impartial procedural, analytical and administrative support to members, their staff and other clients. The team will also continue to deliver training and information programs designed to assist members, their staff, Legislative Council staff, ministerial and department staff, school groups and others.

In addition, it is expected that in the forthcoming year the Procedure Office will be involved in:

- enhancing the information made available to members and others, including the development of a touch-screen for the Legislative Council foyer, and the redesign of Council publications, fact sheets and brochures
- a review of the Parliament's intranet site to complement the new website, in collaboration with the Legislative Assembly and the Department of Parliamentary Services
- commencing a project to enhance the quality of the Legislative Council's broadcasting system
- further modifying databases to improve access to information related to the business of the House including the passage of bills, questions and answers and tabled papers
- the development and implementation of a formal internship program with several universities, to support the work of members and parliamentary staff
- delivering the Legislative Council's Procedure and Practice course
- completing the implementation phase of the new TRIM electronic records management system
- exploring opportunities to conduct further educational sessions on the role of the Legislative Council with universities and secondary schools
- the provision of a coordinated program for the professional development of Department staff
- continuing to support and provide mentoring associated with the Twinning Program with the National Parliament of Solomon Islands and the Bougainville House of Representatives.



Committee Office

Role of Legislative Council committees	39
Overview of committee activity	39
Budget Estimates Inquiry	42
Improving service delivery	43
Standing committees	45
General purpose standing committees	55
Select committees	66

Committee Office

Role of Legislative Council committees

Legislative Council committees are one of the Council's key mechanisms for scrutiny and review of executive activity and issues in the public interest. The core business of committees is to conduct inquiries.

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

Importantly, committee inquiries provide an opportunity for citizens to participate in and observe the development of public policy in New South Wales. Individuals and groups can put their views directly to elected representatives by making written submissions and giving oral evidence at public hearings and forums. In addition, copies of final reports and published committee documents are publicly available and in most cases hearings can be reported by the media.

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

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

Overview of committee activity

During 2010-2011 there were 11 Legislative Council committees in operation, comprised of five standing committees, five general purpose standing committees (GPSCs) and one select committee. The five GPSCs, three of the standing committees and the select committee were supported by the Legislative Council's Committee Office, which currently has 17 staff. The Privileges Committee was supported by the Procedural Research and Training Unit, and the Procedure Committee by the Table Office.

The reporting period 2010-2011 comprises two parliaments: the 54th Parliament was prorogued on 23 December 2010 and writs from the 2011 election were returned on 12 April 2011. In May 2011 the House resolved to re-establish the standing committees and general purpose standing committees for the 55th Parliament. The reporting period 2010-2011 therefore comprises the last six months of the 54th Parliament and the first three months of the 55th Parliament. As a result, committee activities were reduced from the previous three years. This downturn is similar to that experienced prior to the state elections in 2007 and 2003. Data relating to the two Parliaments is reported separately here.

In 2010-2011, committees examined a range of issues including the Building Education Revolution Program, wine grape market and pricing, the Macedonian Orthodox Church Property Trust Bill, and services provided by the Department of Ageing, Disability and Home Care. Most committee activity ceased when Parliament was prorogued on 23 December 2010, prior to the election on 26 March 2011, however, General Purpose Standing Committee No. 1 continued to meet to conduct its inquiry into the Gentrader transactions – see 'The Inquiry into the Gentrader transactions on pages 60 and 65.

An overview of committee activity for the whole reporting period is provided in the following table:



Overview of committee activity

Activity	2010/11 ⁴	2009/10	2008/09	2007/08	2006/07 ⁵
Meetings ⁶	75	142	161	127	107
Inquiries	26	27	26	29	22
Consultation and public participation					
Submissions	700	2273	1491	681	245
Hearings	35	74	82	58	56
Witnesses (hearings and public forums)	302	581	668	622	417
Duration of hearings (hours)	160	317	383	300	206
Reports tabled	18	18	19	22	15

⁴ Committees in 2010/11 ceased operation in February 2011 ahead of the March 2011 State election, and were not re-established until May 2011. Figures therefore represent ten months of activity.

⁵ Committees in 2006/07 ceased operation in December 2006 when the House was prorogued for the March 2007 NSW State election. Figures for 2006/07 therefore represent six months of activity.

⁶ 'Meetings' refers to all meeting types including deliberative meetings, hearings, site visits, forums and briefings.

Government responses

Under standing order 233(1), the Government is required to respond to the recommendations of a committee inquiry within six months of the tabling of the report. During the reporting period, sixteen Government responses fell due and eight were provided. On 20 June 2011, the Leader of the House, the Honourable Duncan Gay, wrote to the Clerk of the Parliaments to advise that the Government would provide eight of the outstanding responses by 26 September 2011 (that is, within six months of the date that the new government took office).

The Government responses received are summarised in the following table:

Inquiry	Response due	Response received	Response to recommendations
Substitute decision-making for people lacking capacity	25/08/10	03/03/11	The Government supported most of the Committee's recommendations. It advised that a number of the recommendations would be examined as part of the Department of Ageing and Disability and Home Care's review of guardianship legislation or by the Law Reform Commission. The Government did not support eight of the recommendations and referred another three for further consideration.
Review of the inquiry into the management and operations of the Ambulance Service of NSW	30/10/10	03/11/10	The Government noted that substantial reforms had taken place in the ambulance service since the initial 2008 inquiry. The Government supported three recommendations that called for greater transparency and better employment and security practices. It also supported the use of two person crews where appropriate but did not support replacing its current satellite navigation systems.

Inquiry	Response due	Response received	Response to recommendations
NSW taxi industry	01/12/10	01/12/10	The Government fully supported or supported in principle 44 of the Committee's 59 recommendations. These recommendations concerned issues such as increasing competition and transparency in the industry, greater flexibility in taxi changeover times, improving customer satisfaction and encouraging more stringent safety measures. The Government did not support nine of the recommendations and deferred another six for further consideration.
Spent convictions for juvenile offenders	06/01/10	Not received within reporting period.	
Inquiry into the provision of education to students with a disability or special needs	17/01/11	07/02/11	The Government reaffirmed its commitment to the education of students with a disability or special needs and was supportive of most of the Committee's recommendations. The Government noted that it was already working towards a number of recommendations including the development of a new functional assessment tool and had planned to undertake reviews of school counsellors and behaviour schools. The Government said it would continue to review funding for special education places based on demand.
Inquiry into the RSPCA raid on the Waterways Wildlife Park	09/03/11	Not received within reporting period.	
The Building the Education Revolution Program	20/03/11	Not received within reporting period.	
Macedonian Orthodox Church Property Trust Bill	19/04/11	02/12/10	The Government supported the Committee's recommendation that the Macedonian Church Property Trust Bill 2010 not proceed. It noted the need for community consensus on a bill before it is introduced. Additionally, it considered the current divisive climate between Macedonian Orthodox communities and the Church not conducive to a legislative solution at this time.
Judge alone trials under s.132 of the <i>Criminal Procedure Act 1986</i>	08/05/11	04/02/11	The Government broadly implemented the Committee's recommendations by amending section 132 and inserting section 132A into the <i>Criminal Procedure Act 1986</i> , as part of the <i>Courts and Crimes Legislation Further Amendment Act 2010</i> .

Inquiry	Response Due	Response Received	Response to recommendations
Services provided or funded by the Department of Ageing, Disability and Home Care	11/04/11	Not received within reporting period.	
Tenth Review of the Motor Accidents Authority and Motor Accidents Council	28/04/11	Not received within reporting period.	
Third Review of the Lifetime Care and Support Authority and Lifetime Care and Support Advisory Council	11/05/11	Not received within reporting period.	
The eligibility of members of Parliament to serve on juries	24/05/11	07/02/11	The Government supported the Committee's recommendation that the statutory ineligibility of members of Parliament from jury service under the <i>Jury Act 1977</i> be maintained.
Wine grape market and prices	03/06/11	Not received within reporting period.	
Recreational fishing in NSW	10/06/11	Not received within reporting period.	

Budget Estimates Inquiry

The budget estimates and related papers have been referred to the GPSCs for inquiry and report each financial year since the five GPSCs were first constituted in 1997. The budget estimates and related papers include the amounts to be appropriated from the Consolidated Fund for Government programs and spending initiatives. The Inquiry into the budget estimates ensures parliamentary oversight of the budget and provides a mechanism for the accountability of the executive government to the Council.

The hearings are conducted by the GPSCs according to their portfolio responsibilities and the initial round of hearings are attended by the relevant ministers and accompanying departmental officials.

The Legislative Council referred the 2010-2011 Budget Estimates Inquiry to the GPSCs on 24 November 2009, setting down five days in September 2010 for initial hearings and a further five days in November 2010 for supplementary hearings. Twenty separate hearings amounting to 70 hours were conducted during the initial round of hearings, involving 187 witnesses. The Treasury portfolio was examined for the greatest amount of time during the public hearings, with nearly five hours of questioning.

Four supplementary hearings, amounting to another four hours of public examination, were held in November 2010. The four supplementary hearings held in 2010-2011 compare to five held in the previous financial year 2009-2010, and seven in 2008-2009.

The total of 74 hours of public examination for the 2010-2011 Budget Estimates Inquiry is similar to the 70 hours held in 2009-2010. In 2010-2011, 2,409 questions were taken or placed on notice, a 25% increase on the 1,800 questions on notice in 2009-2010. The portfolio of Health was the subject of 264 questions on notice, while Roads received 195 and Climate Change and Environment received 132.

The 2011-2012 Budget Estimates Inquiry was referred on 12 May 2011. Initial hearing dates are scheduled for October 2011, followed by supplementary hearings in November 2011.

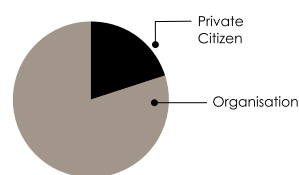
Improving service delivery

Survey of inquiry participants

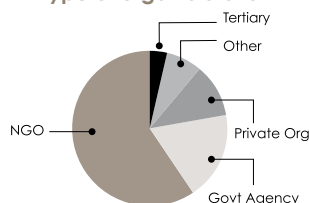
During 2010-2011 the Committee Office survey of inquiry participants continued with a revised, simplified questionnaire. Witnesses who gave evidence at committee hearings were asked for their feedback on the work of committee staff in dealing with witnesses and arranging hearings.

Completed questionnaires were received from 69 witnesses; this sample was smaller than in previous years due to the early completion of inquiries in the lead-up to the 2011 election. For 63 per cent of the respondents it was their first experience of giving evidence before a parliamentary committee. Eighty two per cent of witnesses gave evidence in a representative capacity, while the remaining gave evidence as private citizens. The results of the survey are summarised below:

In what capacity did you appear?



Type of organisations



Survey of inquiry participants

	Number	% (of respondents)
Questionnaire responses	69	
First-time witnesses	44	64
Committee staff professional and helpful prior to hearings		
– agreed	46	28
– strongly agreed	19	66
– other ⁶	4	6
Committee staff approachable at hearings		
– agreed	21	70
– strongly agreed	48	30
– other	–	–
Positive witness experience		
– agreed	21	30
– strongly agreed	40	58
– other	8	12

⁶ 'Other' includes three categories: (1) Neither agree nor disagree (2) Disagree and (3) Strongly disagree.

Pilot of extended survey of inquiry participants

In February 2011 a pilot of a more detailed survey of inquiry participants was conducted. The survey covered the breadth of inquiry activity, from the commencement of an inquiry to the tabling of the report. The survey was sent to 47 participants in recent inquiries conducted by the Law and Justice Committee. Sixteen responses were received. The responses that were received indicated a high level of satisfaction with various aspects of the inquiry process, including their interaction with secretariat staff, their appearance as witnesses and how their views were incorporated into the report.

Effective participation in parliamentary inquiries

Non-government organisations frequently participate in parliamentary inquiries by making written submissions and appearing at public hearings to give oral evidence. Inquiry participants seek to influence the opinion of a committee and the direction of the inquiry and ultimately contribute towards the recommendations of the inquiry report.

Committee staff conducted a program of workshops in conjunction with the Council of Social Services NSW (NCOSS), with the aim of improving non-government stakeholders' understanding of parliamentary inquiries and their skills in participating in them. Seven workshops were conducted during the reporting period, with approximately 95 participants attending from various non-government organisations. Feedback from participants was overwhelmingly positive.

"One of the most useful and engaging workshops that I have been to. Very informative. It was great to have people who have real experience."

– Feedback from participant in workshop on Effective Participation in Parliamentary Inquiries



LC Committee staff conduct regular workshops to improve awareness within the community and enhance participation in the Committee inquiry process.

Other service delivery initiatives

Committee staff met with a number of groups throughout the year, to promote the work of the Legislative Council and make the parliamentary process more accessible to the public. These groups included:

- visiting parliamentary delegations from Australian and overseas jurisdictions
- students from the University of New South Wales and University of Notre Dame
- students participating in the Public Interest Advocacy Centre's Participating in the Public Interest workshop
- students participating in the Secondary Schools Leadership Program
- students participating in the Education and Community Relation Section's secondary schools program.

Construction of dedicated Committee hearing room in Parliament House

Committee hearings held in Parliament House have been generally been held in the Jubilee Room which is located on level 7, the public entry level, and in Room 814/815 which is located on level 8.

This year saw the opening of the Macquarie Room, a dedicated Committee hearing room on level 7 of Parliament House. The new Macquarie Room will facilitate easier and simpler access for members of the public attending public hearings.



LC Committee staff familiarise themselves with the facilities available in the newly refurbished Macquarie Room.



Committee staff presented at the Effective Parliamentary Committees Inquiry Course attended by parliamentary staff across the region.

Standing committees

The Legislative Council has three policy-oriented standing committees: the Standing Committee on Social Issues, the Standing Committee on State Development, and the Standing Committee on Law and Justice. These committees conduct detailed inquiries into complex matters of public policy. The Social Issues and State Development committees were first appointed in 1988, and the Law and Justice Committee in 1995.

The responsibilities of each of the standing committees of the 54th Parliament are outlined below.

Standing Committee on Social Issues

Conducts inquiries on matters concerned with the social development of the people of New South Wales, including health, education, housing, ageing, disability, and children's and community services provided by the government and non-government sector, citizenship, social relations, cultural diversity, recreation, gaming, racing, sporting matters and the role of government in promoting the welfare of people in all of New South Wales.

Standing Committee on State Development

Conducts inquiries on matters concerned with policy direction related to economic growth and development in the following key areas: economics and finance, commerce, infrastructure and planning, energy and utilities, natural resources, transportation, tourism, public administration, local government, primary industry, agriculture and fisheries, mineral resources, industrial and technological developments, science and medical research, environmental issues, and issues unique to, or predominant in, rural areas.

Standing Committee on Law and Justice

Conducts inquiries on matters concerned with legal and constitutional issues including law reform, parliamentary matters, criminal and administrative law and the criminal justice system, police, corrective services and juvenile justice, industrial relations, emergency services and fair trading. The Committee exercises statutory functions under the *Motor Accidents Compensation Act 1999* and the *Motor Accidents (Lifetime Care and Support) Act 2006*.

The Standing Committees on Social Issues, Law and Justice and State Development were re-established on 9 May 2011, for the life of the 55th Parliament. The powers of the Standing Committees in the 55th Parliament are essentially the same, though some changes were made to the description of their portfolio responsibilities. Full details of the portfolio responsibilities of each committee will be included in the 2011-2012 Annual Report.

Standing domestic committees

The Legislative Council appoints two standing domestic committees: the Privileges Committee and the Procedure Committee. The Privileges Committee was first appointed in 1988 and deals with matters relating to parliamentary privilege. The Procedure Committee deals with the procedures of the House. Current standing orders, adopted in 2004, provide that the Procedure Committee is to be appointed at the commencement of each Parliament. Both Committees operated in the 54th Parliament and were re-established for the life of the 55th Parliament on 10 May 2011.

- **Privileges Committee**

Considers matters relating to parliamentary privilege referred to it by the House or the President; considers citizens' rights of reply to statements made about them in the House; and undertakes functions relating to members' ethical standards under Part 7A of the *Independent Commission Against Corruption Act 1988*. Known as the Standing Committee on Parliamentary Privilege and Ethics between 1995 and 2003.

- **Procedure Committee**

Required by standing order to consider any amendments to the standing orders; propose changes in practice and procedures of the House; and consider any matter relating to the procedures referred to it by the House or the President.



Standing committee membership

Membership of the standing committees as at 23 December 2010 (when the 54th Parliament was prorogued) and in the 54th Parliament is summarised in the following tables.

Standing Committee membership – 54th Parliament

Member	Party	Social Issues Committee	State Development Committee	Law and Justice Committee	Privileges Committee	Procedure Committee
Ajaka, John	LP			Member		
Brown, Robert	SF					Member
Catanzariti, Tony	ALP		Chair			
Clarke, David	LP			Deputy Chair		
Colless, Rick	N		Deputy Chair			
Cotsis, Sophie ⁷	ALP		Member			
Della Bosca, John ⁸	ALP					Member
Donnelly, Greg	ALP	Member		Member	Member	
Fazio, Amanda	ALP					Chair
Ficarra, Marie	LP	Member				
Gallacher, Michael	LP					Member
Gardiner, Jenny	N				Deputy Chair	
Gay, Duncan	N					Member
Griffin, Kayee	ALP				Chair	
Hale, Sylvia ⁹	G			Member		
Harwin, Don	LP				Member	Deputy Chair
Kaye, John	G	Member				
Kelly, Tony	ALP					Member
Khan, Trevor	N	Deputy Chair				
Mason-Cox, Matthew	LP		Member			
Nile, Fred	CDP		Member		Member	Member
Robertson, Christine ¹⁰	ALP		Member	Chair		
Shoebridge, David ¹¹	G			Member		
Veitch, Mick	ALP		Member		Member	
West, Ian	ALP	Chair			Member	
Westwood, Helen	ALP	Member				

• ALP – Australian Labor Party • CDP – Christian Democratic Party • G – The Greens • LP – Liberal Party • N – The Nationals • I – Independent
• SF – Shooters and Fishers Party

⁷ The Hon Sophie Cotsis was appointed to the State Development Committee on 21 September 2010.

⁸ The Hon John Della Bosca resigned his position in the Legislative Council on 30 July 2010.

⁹ Ms Sylvia Hale resigned her position on the Legislative Council on 6 September 2010.

¹⁰ The Hon Christine Robertson resigned from the State Development Committee on 21 September 2010.

¹¹ Mr David Shoebridge was appointed to the Law and Justice Committee on 9 September 2010.

Standing committee membership – 55th Parliament

Member	Party	Social Issues Committee	State Development Committee	Law and Justice Committee	Privileges Committee	Procedure Committee
Ajaka, John	LP				Member	
Blair, Niall	N	Chair				
Borsak, Robert	SF					Member
Clarke, David	LP			Chair		
Colless, Rick	N		Chair			
Cusack, Catherine	LP	Member				
Donnelly, Greg	ALP	Member				
Faehrmann, Cate	G	Member				Member
Fazio, Amanda	ALP		Member		Deputy Chair	Member
Foley, Luke	ALP					Member
Gallacher, Michael	LP					Member
Gardiner, Jenny	N				Member	Member
Gay, Duncan	LP					Member
Green, Paul	CDP		Member			
Harwin, Don	LP					Chair
Kaye, John	G					
Kelly, Tony ¹²	ALP					Member
Khan, Trevor	N				Chair	
Lynn, Charlie	LP		Member			
MacDonald, Scot	LP			Member		
Maclaren-Jones, Natasha	N	Member				
Mason-Cox, Matthew	LP				Member	
Mitchell, Sarah				Member		Member
Moselmane, Shaoquett	ALP			Member		
Nile, Fred	CDP				Member	Member
Pavey, Melinda	N					
Phelps, Peter	LP		Member			Member
Primrose, Peter	ALP			Deputy Chair	Member	
Searle, Adam ¹³	ALP					Member
Shoebridge, David	G			Member		
Veitch, Mick	ALP		Deputy Chair			
Westwood, Helen	ALP	Deputy Chair				

¹² The Hon Tony Kelly resigned his position in the Legislative Council on 6 June 2011.

¹³ The Hon Adam Searle was appointed to the Procedure Committee on 24 May 2011.



Standing committee activity

The activities of the five standing committees in 2010-2011 are summarised in the following table:

Overview of standing committee activity

	Social Issues	State Development	Law and Justice	Privileges	Procedure
Inquiries	2	1	7	0	1
Submissions	112	53	32	5	N/A
Meetings	9	8	10	5	2
Hearings	5	2	3	0	0
Witnesses	57	24	13	0	0
Public forums	1	0	0	0	0
Forum speakers	14	0	0	0	0
Site visits	0	0	0	0	0
Reports tabled	1	1	5	4	1

Standing Committee on Social Issues inquiries

Inquiry into services provided or funded by the Department of Ageing, Disability and Home Care

Referred by:	Legislative Council
Date of referral:	24 June 2010
Hearings:	5
Public forums:	1
Report date:	11 November 2010
Submissions:	112 plus 7 supplementary submissions

Summary of terms of reference:

Inquire into and report on the quality, effectiveness and delivery of services provided or funded by the Department of Ageing, Disability and Home Care.

Summary of report/recommendations:

The Committee made 55 recommendations. The impending implementation of the Stronger Together II plan was seen as an important opportunity to develop services that enable people with disabilities to live with maximum choice, flexibility and control over their lives.

The Report acknowledged that although improvements had been achieved through Stronger Together I, gaps remain in service provision and planning for many service users and their carers. The report recommended that the funding for Stronger Together II be increased to \$2.5 billion and the implementation of person-centred planning and funding. Other recommendations included improving planning of transitions from schools or hospitals, reviewing intake and assessment processes and criteria and prioritising the attainment of supported accommodation placement targets under Stronger Together.

Government response: Due 11 June 2011. Not received during the reporting period.

Inquiry into transition support for students with additional or complex needs and their families

Referred by: Legislative Council
 Date of referral: 21 June 2011
 Report date: Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

Inquire into and report on programs and services for children with additional and/or complex needs and their families during transitions between stages of education, and in particular: the adequacy and accessibility of appropriate support for children and their families, and best practice approaches to ensure seamless and streamlined assistance during transitions.

Standing Committee on State Development inquiry

Inquiry into the wine grape market and prices

Referred by: Minister for Primary Industries
 Date: 5 August 2010
 Report date: 3 December 2010
 Submissions: 53
 Hearings: 2

Summary of terms of reference:

Inquire into and report on factors affecting the wine grape market and prices, including price formation, the role of the Wine Grapes Marketing Board, the potential for collective bargaining and codes of conduct, and whether there are any measures which could improve market signals which would be consistent with competition principles and law.

Summary of report/recommendations:

The report noted that growth in the NSW wine industry had slowed in recent years, and that prices for most grape varieties had declined significantly, threatening the viability of some growers' businesses. The Committee made 11 recommendations designed to improve consistency and transparency in the industry. The key recommendation was that the NSW government pursue introduction of a national, mandatory code of conduct in the wine industry.

Other comments and background to the inquiry:

The Committee received 53 submissions, with the majority of these coming from grape growers in the Riverina and Murray Valley regions. The Committee conducted one of two hearings in Griffith and received evidence from growers and other stakeholders in the local industry.

Government response: Due 3 June 2011. Not received during the reporting period.



Standing Committee on Law and Justice inquiries

Inquiry into spent convictions for juvenile offenders

Referred by:	Attorney General
Date:	10 November 2009
Report date:	6 July 2010
Submissions:	0 (22 received in 2009-2010)
Hearings:	2

Summary of terms of reference:

Inquire into and report on whether sex offenders' convictions should be capable of being spent under the *Criminal Records Act 1991*, or whether they should become spent only in limited circumstances.

Summary of report/recommendations:

In this report the Committee sought to balance the need to protect the community from sexual offenders against the community interest in rehabilitating past offenders.

The Committee concluded that the evidence did not warrant continuing to treat juvenile sexual offences differently from other juvenile offences for the purposes of the spent convictions scheme. The report made nine recommendations. These include that juvenile sexual offences be included in the spent convictions scheme provided that, like other offences, an offender meets certain eligibility criteria. The Committee also recommended an appropriate mechanism for spending these convictions.

The Committee emphasised that the spent convictions scheme is not concerned with punishment, but with encouraging rehabilitation while managing the risk posed by recidivism.

Government response: Due 6 January 2011. Not received during reporting period.

Inquiry into the eligibility of members of Parliament to serve on juries

Referred by:	Attorney General
Date:	10 June 2010
Report date:	24 November 2010
Submissions:	22
Hearings:	0

Summary of terms of reference:

Inquire into and report on the eligibility of members of Parliament who do not hold ministerial portfolios to serve on juries, including whether there is an immunity (or privilege) that attaches at common law to prevent members from being compelled to attend jury service.

Summary of report/recommendation:

The Committee made one recommendation upholding the exemption of members from jury service. The key reasons for this recommendation concerned the doctrine of the separation of powers, and the duty of members to the House and to their constituents.

Government response: Received 8 February 2011.

Tenth Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council

Referred by:	Statutory review under the <i>Motor Accidents Compensation Act 1999 (NSW)</i>
Date:	The Committee resolved to commence the inquiry on 25 February 2010
Report date:	28 October 2010
Submissions:	0 (10 received in 2009-2010)
Hearings:	2

Summary of terms of reference:

The Committee has had an ongoing role to review the exercise of the functions of the Motor Accidents Authority (MAA) and the Motor Accidents Council (MAC) since 1999. In 2008 the Committee moved from an annual to a biennial review process. The Tenth Review is the Committee's first since the biennial process began. The Committee has therefore examined the MAA's Annual Report 2007-2008 and Annual Report 2008-2009.

Summary of report/recommendations:

The Tenth Review examined a diverse range of issues relating to access and eligibility for the Scheme, insurer profits, medical and claims assessments. The report also discusses issues pertaining to the performance of the Medical Assessment Service and the Claims Assessment and Resolution Service. While the Committee found that the Scheme and the MAA continue to perform effectively, it identified a number of areas for improvement and made 15 recommendations.

Government response: Due 28 April 2011. Not received during the reporting period.

Third Review of the exercise of the functions of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council

Referred by:	Statutory review under the <i>Motor Accidents (Lifetime Care and Support) Act 2006 (NSW)</i>
Date:	The Committee resolved to commence the inquiry on 25 February 2010
Report date:	11 November 2010
Submissions:	0 (18 received in 2009-2010)
Hearings:	2

Summary of terms of reference:

The *Motor Accidents (Lifetime Care and Support) Act 2006* requires a Legislative Council committee to supervise the exercise of the functions of the Lifetime Care and Support Authority and Advisory Council. The Standing Committee on Law and Justice was appointed on 30 May 2007 to fulfil this function and report to the House at least once a year. The Scheme commenced operation in October 2006 and this is the Committee's third review.

Summary of report/recommendations:

The Third Review revisited the issues that were raised in the previous reviews to provide an update on developments and considered emerging issues. The Committee made twelve recommendations to improve the operation of the LTCSA.

Government response: Due 11 May 2011. Not received during the reporting period.



Inquiry into judge alone trials under s.132 of the *Criminal Procedure Act 1986*

Referred by: Attorney General and Minister for Justice

Date: 27 April 2010

Report date: 8 November 2010

Submissions: 10 (7 received in 2009-2010)

Hearings: 3

Summary of terms of reference:

Inquire into and report whether section 132 of the *Criminal Procedure Act 1986* should be amended to allow either party in criminal proceedings to request a judge alone trial, without a requirement that the prosecution consent to the application, with the decision to be made by the court based on the interest of justice.

Summary of report/recommendations:

The Committee recommended that section 132 of the *Criminal Procedure Act 1986* be amended to allow either party to apply to the court for trial by judge alone. The Committee also made a number of further recommendations intended to improve the proposed model set out in the terms of reference.

Government response: Received 4 February 2011.

Fourth Review of the exercise of the functions of the Lifetime Care and Support Authority and the Lifetime Care and Support Advisory Council

Referred by: Statutory review under the *Motor Accidents (Lifetime Care and Support) Act 2006 (NSW)*

Date of referral: The Committee resolved to commence the inquiry on 22 June 2011

Report date: Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

The Act requires a Legislative Council committee to supervise the exercise of the functions of the Lifetime Care and Support Authority and Advisory Council. The Standing Committee on Law and Justice was appointed on 14 June 2011 to fulfil this function and report to the House at least once a year. The Scheme commenced operation in October 2006 and this is the fourth review.

Eleventh Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council

Referred by: Statutory review under the *Motor Accidents Compensation Act 2009 (NSW)*

Date of referral: The Committee resolved to commence the inquiry on 22 June 2011

Report date: Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

The Act requires a Legislative Council committee to supervise the exercise of the functions of the Motor Accidents Authority and Council. The Standing Committee on Law and Justice was appointed on 14 June 2011 to fulfil this function and report to the House at least once every two years. The Scheme commenced operation in 1999 and this is the eleventh review.

Privileges Committee inquiries

Inquiry into a memorandum of understanding with the Commissioner of Police relating to the execution of search warrants on members' offices

Referred by: House
 Date of referral: 22 April 2010
 Report date: 23 September 2010

Summary of terms of reference:

In December 2009 the President of the Legislative Council, the Speaker of the Legislative Assembly and the ICAC Commissioner entered into a *memorandum of understanding on the execution of search warrants in the Parliament House offices of members of the New South Wales Parliament*. This inquiry required the Committee to investigate the development of a similar memorandum of understanding with the Commissioner of Police and any other agency.

Summary of report/recommendations:

The report recommended that the President enter into a memorandum of understanding with the Commissioner of Police concerning the execution of search warrants on the premises of members. The report also recommended that the Legislative Council request the Legislative Assembly to authorise the Speaker to enter into the memorandum of understanding.

Other comments:

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics conducted a similar inquiry, tabling its report on 27 October 2010. The Assembly Committee recommended that the Speaker enter into the memorandum of understanding forwarded to the Legislative Assembly by the Legislative Council. In November 2010 the Presiding Officers and the Commissioner of Police entered into the recommended memorandum of understanding concerning the execution of search warrants by NSW Police on the premises of members.

Review of the Code of Conduct for members

Referred by: The Committee adopted the inquiry in accordance with the requirements of the *Independent Commission Against Corruption Act 1988*
 Date of referral: 20 April 2010
 Report date: 2 December 2010

Summary of terms of reference:

Under section 72C(5) of the *Independent Commission Against Corruption Act 1988*, the Privileges Committee is required to review the Code of Conduct for Members at least once every four years. The last review of the Code of Conduct was in 2006. The 2010 review included consideration of aspects of the Constitution Disclosures by Members) Regulation 1983, which regulates the disclosure of members' pecuniary interests.

Summary of report/recommendations:

The report recommended reforms to the system for the disclosure of members' pecuniary interests, including streamlining the existing arrangements for members to submit their returns, publishing the Register of Disclosures on the internet (subject to adoption of measures to protect individual privacy), and investigating mechanisms for the disclosure of the interests of members' spouses/partners and dependent children in line with requirements in some other Australian jurisdictions. The report also made recommendations for actions by the Clerk concerning the conduct of ethics education for members. These included the development of a publication in consultation with the Independent Commission Against Corruption (ICAC) summarising lessons to be learnt from past investigations by ICAC concerning the conduct of members. This publication was subsequently prepared by the Procedural Research and Training team in consultation with the ICAC and included in the material presented to new members as part of the new members' induction program.



Citizen's right of replies

Under standing orders 202 and 203, any person who has been referred to in the House by name, or in such a way as to be readily identified, may make a submission in writing to the President requesting that he or she be able to include an appropriate response in the parliamentary record. The President then has the prerogative to refer the submission to the Privileges Committee for inquiry and report. During the reporting period, the Committee tabled two reports concerning citizen's right of reply requests. In each case, the House adopted the Committee's recommendation that the citizen's reply be published in Hansard.

Other activities

In accordance with the resolution of the House on 28 June 2007 appointing the Parliamentary Ethics Adviser, the Committee met with the Parliamentary Ethics Adviser, Mr Ian Dickson, on 11 November 2010.

Procedure Committee inquiry

Inquiry into private members' business and the sitting calendar

Referred by: Legislative Council

Date of referral: 10 May 2011

Report date: 17 June 2011

Summary of terms of reference:

On 10 May 2011, the House referred to the Committee terms of reference which included consideration of modifications to the system of private members' business, including the merits of a Selection or Business Committee, and the sitting days and routine of business of the Legislative Council. These terms of reference were to be reported on by Friday 17 June 2011.

Summary of report/recommendations:

In relation to private members' business, the Committee found the current system to be inflexible and not conducive to the timely debate of topical matters. The report noted that the system resulted in members routinely suspending standing and sessional orders to bring on items outside the order of precedence, often interrupting government business or other items of business, including private members business already in the order of precedence. Other concerns identified in the report included the lack of an expiry date for notices of motions given by private members, resulting in a lengthy notice paper. The report also noted that relatively few items on the notice paper are being dealt with. In response, the Committee recommended the House adopt a number of sessional orders to enhance the current system. On 21 June 2011, the House adopted the Committee's recommendations and introduced the new sessional orders.

The Committee also reported on the sitting days and routine of business for the Council. While acknowledging the importance of parliamentary sittings as a key component of a member's work, the report notes that the four day sitting pattern with alternating days over a two week cycle impinges on the capacity of members to effectively balance other responsibilities, such as addressing constituency issues and committee activities. While acknowledging that the Government may wish to continue with the four days per week in order to deliver on its legislative program, the report recommended that consideration be given to a sitting pattern for the Legislative Council of a regular four day sitting week from Tuesday to Friday.

General purpose standing committees

The Legislative Council has five GPSCs, with each committee allocated responsibility for overseeing specific government portfolios. These accountability-oriented committees were first appointed by the House in 1997. A distinguishing feature of the GPSCs is that, in addition to receiving references from the House, they have the power to self-refer matters for inquiry. The GPSCs are also distinctive in that they do not have a majority of Government members, thereby reflecting the composition of the House.

The Legislative Council may, when it considers it necessary, amend the allocation of government portfolios between the GPSCs. The ministerial portfolio responsibilities of each GPSC as at 23 December 2010 (when the 54th Parliament was prorogued) are set out in the following table:

GPSC ministerial portfolio responsibilities – 54th Parliament

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



General purpose standing committee membership

Each GPSC has seven members, comprised of three government members, two opposition members and two cross-bench members, although the individual members assigned to a committee may change. Membership of the five GPSCs as at 23 February 2011 (when the Committees ceased activity prior to the state election) is summarised in the following table:

General purpose standing committee membership – 54th Parliament

Member	Party	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Ajaka, John	LP			Chair		
Borsak, Robert	SF			Member	Member	
Brown, Robert	SF				Member	Member
Catanzariti, Tony	ALP			Member	Member	Member
Clarke, David	LP				Member	
Cohen, Ian	G					Chair
Colless, Rick	N					Deputy Chair
Cotsis, Sophie	ALP		Member			
Donnelly, Greg	ALP			Member		
Faehrmann, Cate	G		Member	Member		
Ficarra, Marie	LP		Member			
Foley, Luke	ALP	Member				Member
Gardiner, Jenny	N				Chair	
Griffin, Kayee	ALP	Deputy Chair			Member	
Hale, Sylvia	G				Member	
Kaye, John	G	Member	Member	Member		
Khan, Trevor	N			Member		
Lynn, Charlie	LP					Member
Mason-Cox, Matthew	LP	Member				
Moselmane, Shaoquett	ALP		Member	Member	Member	
Moyes, Gordon	FFP		Member			
Nile, Fred	CDP	Chair				
Parker, Robyn	LP		Chair			
Pavey, Melinda	N	Member				
Rhiannon, Lee ¹⁴	G		Member	Member		
Robertson, Christine	ALP		Deputy Chair		Member	
Sharpe, Penny	ALP				Deputy Chair	
Shoebridge, David ¹⁵	G				Member	
Smith, Roy ¹⁶	SF			Member	Member	
Voltz, Linda	ALP			Deputy Chair		
West, Ian	ALP	Member				
Westwood, Helen	ALP					Member

• ALP – Australian Labor Party • CDP – Christian Democratic Party • G – The Greens • FFP – Family First Party • I – Independent
 • LP – Liberal Party • N – The Nationals • SF – Shooters and Fishers Party

¹⁴ Ms Lee Rhiannon was a member of GPSC No 2 and GPSC No 3 until her resignation as a Member of the Legislative Council on 19 July 2010. The Hon Cate Faehrmann was appointed to fill the casual vacancy created by Ms Rhiannon's resignation in the House and also replaced her on General Purpose Standing Committees No 2 and 3.

¹⁵ Mr David Shoebridge was appointed to GPSC No 4 on 9 September 2010.

¹⁶ The Hon Roy Smith died on 31 July 2010. The Hon Robert Borsak was appointed to fill the casual vacancy created by Mr Smith's death on 7 September 2010. Mr Borsak also replaced Mr Smith on General Purpose Standing Committees No 3 and 4.

GPSC ministerial portfolio responsibilities – 55th Parliament

Following the state election, on 12 May 2011, the House resolved to re-establish the five general purpose standing committees for the life of the 55th Parliament, with the following ministerial portfolio responsibilities:

GPSC 1 Economic Development	GPSC 2 Community and Services	GPSC 3 Transport, Regional Infrastructure and Services	GPSC 4 Law Justice and Safety	GPSC 5 Environment, Accountability and Regulation
Premier	Health	Regional Infrastructure and Services	Attorney General	The Environment
Western Sydney	Medical Research	Special Minister of State	Justice	Heritage
Treasury	Education	Transport	Police	Small Business
Finance and Services	Mental Health	Roads	Emergency Services	Local Government
Planning and Infrastructure	Healthy Lifestyles	Ports	The Hunter	Fair Trading
Trade and Investment	Ageing	Tourism		Primary Industries
The Illawarra	Aboriginal Affairs	Major Events		Resources and Energy
	Disability Services	Hospitality		The North Coast
	Family and Community Services	Racing		
	Women	The Arts		
	Citizenship and Communities	The Central Coast		
	Western New South Wales	The Legislature		
	Sports and Recreation			





Membership of these committees as at 30 June 2011 is summarised in the following table:

General purpose standing committee membership – 55th Parliament

Member	Party	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Ajaka, John	LP			Member		
Barham, Jan	G		Member			
Blair, Niall	N			Deputy Chair		
Borsak, Robert	SF				Deputy Chair	
Brown, Robert	SF					Chair
Buckingham, Jeremy	G					Deputy Chair
Clarke, David	LP					
Colless, Rick	N					Member
Cusack, Catherine	LP	Member				
Donnelly, Greg	ALP					Member
Faehrmann, Cate	G			Member		
Fazio, Amanda ¹⁷	ALP			Member		
Ficarra, Marie	LP		Chair			
Foley, Luke ¹⁸	ALP			Member		
Gardiner, Jenny	N	Member				
Green, Paul	CDP		Deputy Chair	Member		
Kaye, John	G	Member				
Khan, Trevor	N				Member	
Lynn, Charlie	LP				Member	
MacDonald, Scot	LP					Member
Maclaren-Jones, Natasha	N			Chair		
Mason-Cox, Matthew	LP				Chair	
Mitchell, Sarah	N		Member			
Moselmane, Shaoquett	ALP		Member			
Nile, Fred	CDP	Chair				
Pavey, Melinda	N	Deputy Chair				
Phelps, Peter	LP					Member
Primrose, Peter	ALP					Member
Roozendaal, Eric ¹⁹	ALP	Member				
Searle, Adam	ALP				Member	
Secord, Walt	ALP	Member				
Sharpe, Penny ²⁰	ALP			Member	Member	
Shoebridge, David ²¹	G			Member	Member	
Veitch, Mick	ALP	Member		Member		
Voltz, Linda	ALP				Member	
Westwood, Helen	ALP		Member			

¹⁷ Ms Fazio was replaced by Mr Veitch on GPSC 3 on 23 June 2011.

¹⁸ Mr Foley was replaced by Ms Sharpe on GPSC 3 on 23 June 2011.

¹⁹ Mr Roozendaal was replaced by Mr Secord on GPSC 1 on 23 June 2011.

²⁰ Ms Sharpe was replaced by Mr Searle on GPSC 4 on 23 June 2011.

²¹ Mr Shoebridge was replaced by Ms Faehrmann on GPSC 3 on 26 May 2011.

General purpose standing committee activity

GPSC inquiries are generally initiated by the committees themselves, under their power to make a self-reference. GPSCs may also receive terms of reference from the House. In addition to undertaking inquiries into specific issues, GPSCs are responsible for the annual examination of the Budget Estimates. The activities of the five GPSCs in 2010-2011 are summarised in the following table:

Overview of general purpose standing committee activity

	GPSC 1	GPSC 2	GPSC 3	GPSC 4	GPSC 5
Inquiries	3	4	3	2	3
Submissions	65	0	438	0	3
Meetings	17	9	12	10	11
Hearings	9	4	5	5	2
Witnesses	45	28	41	58	36
Public forums	0	0	0	0	0
Forum speakers	0	0	0	0	0
Site visits	0	0	0	0	1
Reports tabled	2	3	2	1	2

General Purpose Standing Committee No 1 inquiries

Inquiry into Budget Estimates 2010-11

Referred by:	Legislative Council
Date:	24 November 2009
Report date:	17 December 2010
Hearings:	5

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2010-2011, for the portfolios of Tourism, Hunter, Science and Medical Research, Ports and Waterways, Illawarra, Treasury, Special Minister of State, State and Regional Development, Premier, Redfern Waterloo.



Inquiry into the Gentrader transactions

Referred by:	Self-referred
Date:	23 December 2010
Report date:	23 February 2011
Submissions:	65
Hearings:	4

Summary of terms of reference:

Inquire into and report on the details of certain transactions that led to the sale of the "Gentrader" rights of Earing Energy and Delta Electricity, including the circumstances that led to the resignation of eight directors from the boards of Earing and Delta, the impact of the transactions on electricity prices and competition in the electricity market, and the value obtained by the sale for NSW taxpayers.

Other comments and background to the inquiry:

The Inquiry was adopted on 23 December 2010, the same day that the Governor, on the advice of the Premier, the Honourable Kristina Keneally MP, prorogued Parliament.

Following advice from the Clerk of the Parliaments that the Committee could still meet and transact business during prorogation, the President of the Legislative Council announced that she would allow the Inquiry to proceed. For a more detailed account of this inquiry, see 'The Gentrader Inquiry' on page 65.

Summary of report/recommendations:

The Committee made 13 key findings and 10 recommendations. Key recommendations included that the Gentrader contracts be immediately rescinded to allow the incoming government to reassess the future of the electricity industry in New South Wales, and that the full financial details of the transactions be made publicly available.

The Committee also recommended that the incoming government establish a full judicial inquiry into the transactions, and that in the event that the Keneally Government did not rescind the Gentrader contracts, the judicial inquiry should examine the amount of damages that the State may be liable for if the Gentrader contracts were to be reversed. The Committee further recommended that legislation be enacted to prohibit any privatisation, leasing or other form of disposal of a State-owned electricity company without the approval of both Houses of Parliament.

Government response: Due 23 August 2011

Inquiry into Budget Estimates 2011-12

Referred by:	Legislative Council
Date:	12 May 2011
Report date:	Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2011-2012, for the portfolios of Premier, Western Sydney, Treasury, Finance and Services, Planning and Infrastructure, Trade and Investment and The Illawarra.

General Purpose Standing Committee No 2 inquiries

Inquiry into Budget Estimates 2010-2011

Referred by:	Legislative Council
Date:	24 November 2009
Report date:	16 November 2010
Hearings:	4

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2010-2011, for the portfolios of Health, Central Coast, Ageing, Disability Services, Volunteering, Youth, Community Services, State Plan.

The provision of education to students with a disability or special needs

Referred by:	Self-referred
Date of referral:	25 November 2009
Report date:	16 July 2010
Submissions:	0 (726 in 2009-2010)
Hearings:	0 (3 in 2009-2010)
Site visits:	0 (3 in 2009-2010)

Summary of terms of reference:

Inquire into and report on the provision of education to students with a disability or special needs attending government and non-government schools in NSW.

Other comments and background to the inquiry:

Documents were made available for inquiry participants in alternative formats including audio files and Braille. An Auslan interpreter was also used for part of one of the public hearings.

Summary of report/recommendations:

The report made 31 recommendations intended to improve the education of students with disabilities or special needs in NSW schools. These included recommendations to improve the assessment process for individual disability funding, addressing unmet need for special education places, increasing access to professional support and enhancing teacher training.

Government response: Received 7 February 2011.



Inquiry into the Building the Education Revolution Program

Referred by:	Self-referred
Date of referral:	23 March 2010
Report date:	20 September 2010
Submissions:	0 (139 received in 2009-2010)
Hearings:	0 (2 conducted in 2009-2010)

Summary of terms of reference:

Inquire into and report on the Building the Education Revolution (BER) Program. Issues for consideration include the level and appropriateness of fees and charges imposed by various NSW Government agencies, whether construction costs are in line with industry standards, and whether outcomes have been of acceptable quality and suitable to the needs of individual schools.

Summary of report/recommendations:

The Committee made ten key findings regarding the NSW Government's management of the BER Program.

The Committee also made nine recommendations aimed at the remaining incomplete BER projects, as the vast majority of BER projects had already commenced or been completed at the time of the Committee's inquiry. Recommendations included that the NSW Government take a more flexible approach to the remaining BER projects, that it allow school communities to be more involved in the decision-making process, and that it place a renewed emphasis on value for money in terms of quality and cost.

Government response: Due 21 March 2011. Not received during reporting period.

Inquiry into Budget Estimates 2011-2012

Referred by:	Legislative Council
Date:	12 May 2011
Report date:	Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2011-2012, for the portfolios of Health, Medical Research, Education, Mental Health, Healthy Lifestyles, Ageing, Aboriginal Affairs, Disability Services, Family and Community Services, Women, Citizenship and Communities, Western New South Wales, and Sports and Recreation.

General Purpose Standing Committee No 3 inquiries

Inquiry into Budget Estimates 2010-11

Referred by:	Legislative Council
Date:	24 November 2009
Report date:	17 November 2010
Hearings:	5

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2010-2011, for the portfolios of Local Government, Juvenile Justice, Mental Health, Attorney General, Regulatory Reform, Citizenship, The Legislature, Police, Finance.

Inquiry into the Macedonian Orthodox Church Property Trust Bill 2010

Referred by: Legislative Council
 Date: 24 June 2010
 Report date: 19 October 2010
 Hearings: 1
 Submissions: 438

Summary of terms of reference:

Inquire into the Macedonian Orthodox Church Property Trust Bill 2010.

Summary of report/recommendations:

The Macedonian Orthodox Church Property Trust Bill 2010 was introduced by Reverend the Honourable Fred Nile MLC into the New South Wales Legislative Council on 10 June 2010. The focus of the Bill was to establish a statutory corporation to hold property on behalf of the Macedonian Orthodox Church of Australia and New Zealand. The Report canvassed constitutional and technical issues about the Bill, as well as arguments supporting and opposing the Bill. The Committee subsequently recommended that the Macedonian Orthodox Church Property Trust Bill 2010 not proceed.

Government response: Received 2 December 2010.

Inquiry into Budget Estimates 2011-12

Referred by: Legislative Council
 Date: 12 May 2011
 Report date: Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2011-2012, for the portfolios of Special Minister of State, Transport, Roads, Ports, Tourism, Major Events, Hospitality, Racing, The Arts, The Central Coast, and The Legislature.

General Purpose Standing Committee No 4 inquiries**Inquiry into Budget Estimates 2010-2011**

Referred by: Legislative Council
 Date: 24 November 2009
 Report date: 17 December 2010
 Hearings: 8

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2010-11, for the portfolios of Fair Trading, Arts, Housing, Small Business, Veterans' Affairs, Planning, Infrastructure, Lands, Transport, Central Coast, Roads, Western Sydney.



Inquiry into Budget Estimates 2011-2012

Referred by: Legislative Council
Date: 12 May 2011
Report date: Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2011-2012, for the portfolios of Attorney General, Justice, Police, Emergency Services, and The Hunter.

General Purpose Standing Committee No 5 inquiries

Inquiry into Budget Estimates 2010-11

Referred by: Legislative Council
Date: 24 November 2009
Report date: 17 November 2010
Hearings: 7

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2010-2011, for the portfolios of Water, Corrective Services, Climate Change and the Environment, Cancer, Primary Industries, Emergency Services, Rural Affairs.

Inquiry into the RSPCA raid on the Waterways Wildlife Park, Gunnedah

Referred by: Legislative Council
Date of referral: 11 May 2010
Report date: 9 September 2010
Submissions: 3 (32 received in 2009-2010)

Summary of terms of reference:

Inquire into and report on matters associated with the RSPCA raid on the Waterways Wildlife Park, Gunnedah on 3 February 2010.

Summary of report/recommendations:

The Report made ten recommendations, including that the Department of Industry and Investment apply the provisions of the *Exhibited Animals Protection Act 1986* and streamline the conduct of inspections.

Government response: Due 9 March 2011. Not received during reporting period.

Inquiry into Budget Estimates 2011-2012

Referred by: Legislative Council
Date: 12 May 2011
Report date: Inquiry still proceeding at 30 June 2011

Summary of terms of reference:

Inquire into and report on the Budget Estimates and related papers for the financial year 2011-2012, for the portfolios of The Environment, Heritage, Small Business, Local Government, Fair Trading, Primary Industries, Resources and Energy, and The North Coast.

The Gentrader Inquiry

On 22 December 2010, the Clerk Assistant – Committees received a request from three members of General Purpose Standing Committee No. 1 seeking to convene a meeting of the Committee to consider terms of reference for an inquiry into the Government's sale of electricity assets.

On the same day, the Governor, on the advice of the Executive Council, prorogued Parliament. Prorogation is an act of the Governor by proclamation which brings a session of Parliament to an end.

The Government issued a press release indicating that committees were unable to sit and transact business during prorogation unless empowered by statute; this position reflected advice provided by the Crown Solicitor to the Legislative Assembly in 1994. However, the Clerk of the Parliaments advised the Chair that the Committee was not bound to this restrictive view of the powers of the Legislative Council, and that the Committee could meet.

The Committee subsequently met on 23 December and resolved to proceed with its Inquiry into the Gentrader Transactions. The Government then sought further advice from the Crown Solicitor, who

reaffirmed his view that the Committee could not meet after prorogation and that witnesses giving evidence to such an inquiry could be exposed to claims of defamation. The President of the Legislative Council sought advice from the Clerk of the Parliaments, who respectfully disagreed with the Crown Solicitor. The Clerk advised that under section 15 of the *Constitution Act 1902 (NSW)*, the House has the power to regulate its own business, and that standing order 206 allows the House to appoint committees with the power to sit during the life of the Parliament.

On 12 January 2011, the President of the Legislative Council issued a statement announcing that she was persuaded by the view of the Clerk that the Committee could conduct the Inquiry even though Parliament had been prorogued. The Committee continued the inquiry and reported on 23 February 2011.

While the differing views of the Crown Solicitor and the Clerk of the Parliaments have not been tested in court, the conduct of the Gentrader Inquiry has significant implications in regard to the power of committees to conduct business following prorogation.



Select committees

Select committees are appointed by the Legislative Council from time to time to inquire into a particular issue. Once a select committee reports on the matter that it was established to inquire into, the committee ceases to exist. No select committees were established during 2010-2011. The Select Committee on Recreational Fishing, which was established in the previous reporting period, continued to operate during 2010-2011 and reported on 10 December 2010.

Select committee activity

The activities of the Select Committee on Recreational Fishing are summarised in the following table:

Select Committee on Recreational Fishing Inquiry

Inquiry into recreational fishing

Referred by:	Legislative Council
Date of referral:	24 November 2009
Report date:	10 December 2010
Submissions:	0 (1023 received in 2009-2010)
Hearings:	2 (9 conducted in 2009-2010)
Site visits:	0 (2 in 2009-2010)

Summary of terms of reference:

Inquire into and report on the benefits and opportunities that improved recreational fisheries may represent for fishing licence holders in NSW, including the current suite of existing regulatory, policy and decision-making processes in relation to the management of recreational fisheries; the effectiveness and efficiency of the current representational system of fishing trusts and advisory committees; and ecologically sustainable issues related to improving recreational fisheries and fish habitat.

Summary of report/recommendations:

The Committee heard evidence from a wide range of stakeholders including recreational fishers and commercial operators, government departments and agencies, conservation groups and academics.

The Committee made 38 recommendations that sought to balance the needs of the Inquiry's stakeholders. Recommendations made by the Committee included monitoring the impact of fishing on marine biodiversity, evaluating the implementation and effectiveness of NSW Marine Parks and reviewing the representative structures of the recreational fishing sector.

The Committee also recommended that the Government conduct further assessments of fishery programs, as well as more thorough reviews of the regulation and management of the sector. Recommendations also sought to advance the rights of Indigenous fishers and foster greater understanding for the needs of spearfishers, rock fishers and commercial fishers.

Government response: Due 10 June 2011. Not received during reporting period.

Protocol

Overview	68
Hospitality and visitors.....	68
Events in the Parliament.....	70
Chamber and Support.....	75

Protocol

Overview

The protocol functions for the Legislative Council are the responsibility of the Usher of the Black Rod working with the Senior Council Officer – Protocol and other staff. This involves co-ordination of ceremonial events related to the House, delegations and consular visits, room booking approvals, management of Chamber and Support Services and management of the Fountain Court exhibition space.

It was a busy year for the Parliament, particularly due to the ceremonial and protocol requirements relating to the opening of the 55th Parliament (see pages 16-17). In addition, the Parliament welcomed visitors and delegations from across the country and around the world, and hosted a diversity of events and exhibitions.

Hospitality and visitors

Official visitors and delegations

Katanga Legislative Assembly in the Democratic Republic of The Congo

On 19 July 2010, the Honourable Venance Lutongo Muyeye T., Vice President of the Katanga Legislative Assembly in the Democratic Republic of The Congo, accompanied by two assistants and an interpreter, visited the Parliament. The Vice President had a full day's programme in the Parliament, including meetings with procedural and training staff who discussed the role of upper houses of Parliament, and committee staff who discussed committee processes and some current inquiries of the Legislative Council.

Guangdong Provincial People's Congress (People's Republic of China)

On 9 September 2010 a delegation from the Guangdong Provincial People's Congress (People's Republic of China) visited the Parliament and met with staff and members of both Houses.

Delegation from Catanzaro, Italy

The President hosted a lunch on 8 October 2010 for a parliamentary delegation from Catanzaro, Italy. The group was accompanied by Mr Nicholas Caré, Chief Executive, Italo-Australian Chamber of Commerce and Mr Frank Carioti.

Parliament of Argentina

On 25 October 2010 the President hosted a morning tea for officers from the Parliament of Argentina who visited the Parliament on a familiarisation visit.

Regional Representatives Council (DPD) of the Republic of Indonesia

A delegation consisting of nine members from the Regional Representatives Council (DPD) of the Republic of Indonesia visited the Parliament on 18 November 2010. The half day program included a tour of the Parliament, an official welcome, briefings on members' entitlements and pay, administration and auditing of the system together with lunch hosted by the President and Deputy Speaker.

Inter-Parliamentary Study Group

On 21 March 2011, as part of their study programme for 2011, the Inter-parliamentary Study Group made a one-day visit to the Parliament. Members of the group came from Argentina, China, Ghana, India, Malaysia, Namibia, Tonga, Tuvalu and Western Australia. Both committee directors and procedure staff gave presentations to the group.

Social Services Committee of the New Zealand Parliament

On 24 May 2011, the Presiding Officers received an official call from members of the Social Services Committee of the New Zealand House of Representatives.

Secretary-General of the European Parliament

On 24 May 2011, Mr Klaus Welle, the Secretary-General of the European Parliament, and his advisor Mr Freddy Drexler, made a call on the Parliament. As a part of Mr Welle's program he met with the Clerk of the Legislative Assembly and the Deputy Clerk in the Legislative Council for a briefing on the Parliament's twinning activities with the National Parliament of the Solomon Islands and the Bougainville House of Representatives.

Tuvalu Parliament

On 13 June 2011, a delegation from Tuvalu, led by the Rt. Honourable Sir Kamuta Latasi, Speaker of the Parliament, met with the Presiding Officers.

Vice Regal visits

Throughout the reporting year, the New South Wales Parliament was privileged to be visited by her Excellency, the Governor of New South Wales and his Excellency, the Lieutenant-Governor of New South Wales on a number of occasions. A descriptive list of these visits follows:

9 July 2010

Her Excellency the Governor, accompanied by Aide-de-Camp Lieutenant Commander Rick Stone, unveiled the Hannah Cabinet created by Mr Geoffrey Hannah and opened the exhibition by Indigenous artist, Mr Digby Moran.

On the same day, Her Excellency, as Patron of Sydney Legacy and accompanied by Sir Nicholas Shehadie AC OBE KStJ, attended the Annual Changeover Luncheon.

3 August 2010

Her Excellency the Governor attended the ActionAid Bangladesh dinner.

8 September 2010

His Excellency the Lieutenant-Governor attended a special sitting of Parliament to witness the introduction of a Bill to amend the *Constitution Act 1902 (NSW)* to acknowledge the Aboriginal People as the first people and nations of the State of New South Wales.

21 September 2010

Her Excellency the Governor, as Patron of the National Council for Women of New South Wales, presented The Marie Bashir Peace Awards.

3 December 2010

Her Excellency the Administrator, attended a morning tea in recognition of International Day of People with a Disability.

25 February 2011

Her Excellency the Administrator attended an awards ceremony for the Geography Teachers' Association.

7 March 2011

Her Excellency the Governor, as a guest of the Sydney Archdiocesan Committee of Caritas, attended a luncheon for the Annual Lenten Appeal. The Governor was accompanied by Squadron Leader David Glasson.

14 March 2011

Her Excellency the Governor, accompanied by Sir Nicholas Shehadie AC OBE KStJ, delivered the Queen's Message and addressed the New South Wales Commonwealth Day Council luncheon.

21 April 2011

Her Excellency the Governor, accompanied by Sir Nicholas Shehadie AC OBE KStJ, attended the Australian Monarchist League luncheon in honour of the Royal Wedding and the 85th birthday of *Her Majesty Queen Elizabeth II*.

3 May 2011

Her Excellency the Governor, accompanied by Sir Nicholas Shehadie AC OBE KStJ and attended by Mr Noel Campbell, Official Secretary and Chief of Staff and the Aide-de-Camp Lieutenant Commander Rick Stone RANR attended the Parliament for the presentation of both the new President and Speaker. The Governor addressed the Parliament.

13 May 2011

Her Excellency the Administrator, as a guest of Taldumande Youth Services, attended the 2011 'In from the Cold' Fundraising dinner.

28 June 2011

Her Excellency the Governor, accompanied by Sir Nicholas Shehadie AC OBE KStJ, attended the Order of Australia Association – NSW Branch – luncheon.

Official visits

Official visits are those received predominately from diplomats of ambassadorial status. A total of 16 official visits were made to New South Wales Parliament during 2010-2011 from the following representatives:

Vice President of Katanga Legislative Assembly, Democratic Republic of The Congo

Deputy Consul General of the Peoples Republic of China

Ambassador of Mexico

Ambassador of Uruguay

Ambassador and Consul General of Greece

High Commissioner of Cyprus

Consul General of Romania



Ambassador of Belgium

Ambassador of the Slovak Republic

Consul-General of the People's Republic of China

High Commissioner of the Republic of Kenya

Ambassador of the United Arab Emirates

Consul General from Sri Lanka and member of Parliament from Sri Lanka

Honorary Consul of the Solomon Islands

Ambassador of the Republic of Zimbabwe

Ambassador of the Kingdom of Jordan

Events in the Parliament

The New South Wales Parliament embraces opportunities to promote community access and welcomes the wider community to its premises through casual visits, educational gatherings, events and forums. Throughout the year, there were many opportunities for people to participate, learn, gather and celebrate at Parliament House.

Events and Forums

Showcase in Parliament

On Thursday 23 September 2010, a Central Coast Business Showcase was held in the Strangers' Dining Room. Featured was a performance of the NAISDA Aboriginal Dance College, Gina Jefferies and Rod McCormack and food and beverages from the Central Coast region.



As part of the Central Coast Showcase event, a pair of infant Tasmanian Devils and a baby koala visited Parliament House, along with their carers from the Australian Reptile Park located at Somesby.

Open House Family Day

On Wednesday 6 October 2010 the New South Wales Parliament opened its doors to the public for the first 'Open House Family Day' held during the school holidays. Visitors enjoyed family-friendly activities including interactive role plays, dress up opportunities in gowns and wigs in both chambers, guided tours of the gardens, a display by Hansard and arts and crafts. Approximately 500 visitors experienced the Parliament's first Open Day.



Girl Guides celebrates 100 years

In 2010 Girl Guides Australia celebrated their centenary year. On Friday 8 October 2010 the Honourable Penny Sharpe participated in a Flying the Flag Ceremony and hoisted the Guides' flag on the Parliament's flagpole in the forecourt to celebrate 100 years of Guiding.



The Honourable Penny Sharpe MLC participates in celebrations for the Centenary of Girl Guides.

National Week of Deaf People

During the week beginning Monday 18 October 2010, the National Week of Deaf People, a celebration of deaf individuals and the Deaf Australian community joined in activities within Parliament House. The Honourable Helen Westwood hosted various events, including tours throughout the Parliament building for the general Deaf community, panel discussions, slideshows and visits to Question Time in both Chambers at which interpreters from the Deaf Society interpreted proceedings into Auslan.

Sydney Open 2010

Parliament House again participated in 'Sydney Open', an event organised by the Historic Houses Trust. On Sunday 7 November 2010, the Parliament opened its doors to the general public and over 1,200 visitors were taken on guided tours, focusing not only on the building, but also on its important role in the past, present and future.

Australia Day

Parliament opened its doors on Australia Day, with both chambers accessible to the viewing public. Legislative Council staff helped facilitate the open day which gives members of the public access to areas of the Parliament that they would not otherwise be able to visit. This year, for the first time, the Speaker's garden was open to the public. Visiting Parliament forms part of the Sydney-wide celebration co-ordinated by the Australia Day Council. This year the number of visitors to Parliament exceeded last year's figures.



Commonwealth Day

On the second Monday in March each year Commonwealth Day is celebrated and once again New South Wales Parliament was the venue for a gala luncheon, with over 100 school students participating in activities prior to and during the luncheon.

On Monday 14 March the day's activities commenced with a student debate in the Legislative Assembly, chaired by Professor David Flint, adjudicated by the former President of the Legislative Council the Honourable Max Willis, Ms Lynn Lovelock, Clerk of the Parliaments and Mr Russell Grove, Clerk of the Legislative Assembly. Mrs Janet Stewart, President of the Commonwealth Day Council and the Acting Usher of the Black Rod, Rachel Simpson, greeted Her Excellency the Governor upon her arrival at Parliament. Approximately 50 students from Scots College Pipes and Drums formed an honour guard and played a Vice-Regal Salute. The Vice-Regal and Official Party moved through a flag display in the Fountain Court before moving to the Strangers' Dining Room for lunch.



The Governor walking through the Commonwealth Day flag display in the Fountain Court.

Wound awareness week

The New South Wales Parliament for the first time took part in 'Wound Awareness Week', a national event to raise awareness that patients/people have to pay for dressing products. To mark the event 50 balloons were released by nurses at 12 noon to coincide with other states and territories.

IPAA NSW CEO & Mature Professionals Breakfast

The IPAA NSW CEO & Mature Professionals Breakfast was held in the Strangers' Dining Room on Tuesday 7 June 2011. Ten "mature" staff from the Parliament, including both Clerks, attended the event which was organised by the Legislative Council. The theme of the breakfast was knowledge sharing and building a knowledge sharing culture within organisations.

Fountain Court exhibitions

The Fountain Court is the venue for free monthly art exhibitions which are relevant to New South Wales and hosted by a sitting member of Parliament. The exhibitions are coordinated through the office of the Usher of the Black Rod. Chamber and Support Services' staff provide assistance through the installation of works. An application form for exhibitions is available on the Parliament's website at www.parliament.nsw.gov.au.

The following exhibitions were exhibited during the year in the Fountain Court exhibition space:

- The Hannah Cabinet, a finely crafted piece made by Lismore master craftsman, Mr Geoffrey Hannah, was on display during July. Mr Hannah created the cabinet over 5,000 hours, taking approximately six and a half years to complete the work. Mr Hannah named it the "Hannah Cabinet" in honour of his family. The Hannah Cabinet received considerable media coverage.
- 'The destruction of the Polish Elite: Operation AB-Katyn' featured a panel display to commemorate the 70th anniversary of the Katyn massacre and to remember those who lost their lives in the Katyn forest seventy years ago.
- The Addison Road Centre photographic exhibition displayed photographs of The Block over a 35-year period to coincide with NAIDOC Week.
- 'Energy of the Earth' on the Reconciliation wall displayed works featuring stories of living on an island and the close association with nature.
- 'Sydney – Nagoya Zoos' photo exhibition: Sydney and Nagoya have enjoyed a strong sister city relationship since 1980 and the zoos of both cities have established a sister zoo relationship since 1996. The photographs on display illustrated how the world's animals can be used to cross many cultural boundaries.
- Cronulla's Surfing Photographs 'History of Surfing' from the early 1900's to the present exhibition was a tribute to the sport of surfing in the local area, and the many men and women who participate in the sport.
- 'Outback Art' was an exhibition of works by 11 bush artists from Indigenous and non-Indigenous backgrounds from the areas of Goodooga, Lightning Ridge, Bourke, Brewarrina, Warren, Cobar and Broken Hill, Silverton, Dubbo who brought the outback to Sydney to show the unique beauty of their regions.
- 'My Family My Place' was coordinated by the Aboriginal artist, Nyree (Ngari) Reynolds, a descendant of the Gamilaraay people of the north west of New South Wales. The exhibition included works by 15 Indigenous inmates from the Girrawaa Creative Work Centre connected to the Bathurst Correctional Centre. [Girrawaa means goanna in the Wiradjuri language.]
- A photographic exhibition entitled 'Korea's beautiful East Sea Islands' expressing the beauty of the east coast of Korea by locally based photographers.
- An exhibition displaying photographs, story boards and a range of memorabilia to celebrate the Centenary of International Women's Day.
- The 'The Face of Australia' exhibition displayed 43 portraits of the many faces of an urban, rural, coastal and desert landscape, incorporating this land and the people who love it.
- Northern Expressions, a co-operative of artists located mainly on the northern beaches of Sydney, is displaying works by 19 artists from different backgrounds and practicing various artistic disciplines in an exhibition entitled 'Love this Life'.



The Hannah Cabinet, displayed in the Fountain Court during July 2010, is the most ambitious piece of furniture that Lismore master craftsman, Geoffrey Hannah has made to date. It is the result of over 5000 hours of labour and contains 34 fine timbers and veneers, 17 types of stone, 4 types of shell, and 23CT gold leaf. It has 18 doors and 140 drawers.

Art prizes

New South Wales Parliamentary Plein Air Photographic Prize

This year photographers were invited to participate in the inaugural New South Wales Parliamentary Plein Air Photographic Prize which was set up to complement the three year old New South Wales Parliamentary Plein Air Painting Prize.

The annual acquisition of these photographic works will form the basis of a collection of Plein Air photographs to be owned by Parliament for the people of New South Wales.

The winners of the competition were announced at a ceremony at Parliament House on 9 September 2010. The awards were as follows:

First prize:	Peter Solness
Second prize:	William Yang
Third prize:	René Vogelzang
Clerk of the House prize:	Louise Whelan



Mr Peter Solness was awarded first prize for his stunning photograph 'Mangrove Forest'. Mr Solness photographed the mangroves at night using moonlight and torchlight.

New South Wales Parliamentary Plein Air Painting Prize

This year marked the fourth year of the New South Wales Parliamentary Plein Air Painting Prize, an annual acquisitive prize. The term 'en plein air' refers to the practice of painting out of doors, in direct engagement with nature, where the transitory effects of light can be observed and recorded.

The Parliament received a record number of 260 entries, 45 more than last year. Entries were received from across the State and works by 38 finalists were displayed in the Fountain Court during the month of May. The winning entry was submitted by Mr Noel McKenna with his painting 'My Backyard', a depiction of the simplicity and beauty of his suburban backyard in Rose Bay.

The judge of this year's prize was Mr Glenn Barkley, Curator at the Museum of Contemporary Art. Mr Noel McKenna's winning painting will join New South Wales Parliament's permanent collection.



Sydney based artist, Mr Noel McKenna, was awarded first prize for his oil painting 'My Backyard'.

Aboriginal Art Prize

The Parliament of New South Wales Aboriginal Art Prize is an annual acquisitive prize sponsored by the New South Wales Parliament, in partnership with Campbelltown Arts Centre. During October the works of finalists of the 2010 Aboriginal Art Prize were displayed in the Fountain Court.

On Wednesday 20 October, the Honourable Amanda Fazio, as President, announced the winner of the sixth Art Prize which was a collaborative work by a group of northern New South Wales Aboriginal artists from Boggabilla and Toomelah known as the Euraba Artists and Papermakers. The artwork on plant fibre and rag paper is entitled "Gaduu – Murray cod", consisting of eight panels, with each panel containing a section of the fish's body surrounded by the artists' own stories and images.

The recipient of the 2010 College of Fine Arts (COFA) Professional Development Award was presented to Fabri Blacklock for her work "Gupi Yungera (Possum skin cloak)".

Following the Fountain Court exhibition, Museums and Galleries NSW selected works from the 2010 finalists and arranged a touring exhibition of regional galleries in New South Wales.



Aboriginal Art Prize – Memorandum of Understanding

On Friday 24 June 2011, on behalf of the Parliament, the Presiding Officers signed a new Memorandum of Understanding (MOU) with partners Campbelltown City Council, Arts NSW, the College of Fine Arts (COFA) and new sponsor Coal & Allied for the continuation of the Parliament of New South Wales Aboriginal Art Prize.

The MOU was signed at a media function which took place in the Jubilee Room. The art prize is doubling in value to \$40,000 and the total prizes and sponsorship exceed \$150,000. Mr Vic Simms gave the Welcome to Country. The winner of the 2009 Aboriginal Art prize, Mr Roy Kennedy, attended the event.



The signatories to the Memorandum of Understanding are from left to right, standing – Professor Ian Howard, Director of the College of Fine Art at the University of New South Wales, the Honourable Victor Dominello, Mr Bill Champion, Managing Director Coal and Allied, Councillor Paul Lake, Mayor of Campbelltown City Council; and seated – the Honourable Shelly Hancock, Speaker of the Legislative Assembly, and the Honourable Don Harwin, President of the Legislative Council.

The Honourable Don Harwin noted 'We are pleased that we are able to sign this important agreement, which will ensure the continued provision of this fantastic opportunity for artistic expression and growth'.

Chamber and Support

The Legislative Council Chamber and Support staff provide a wide variety of support services to members, members' staff and staff of the Legislative Council. During sittings of the House, Chamber and Support provide administrative support in the chamber and control the public gallery. They also assist on ceremonial occasions and receive official guests and dignitaries.

Chamber and Support staff give talks in the chamber to groups, including school groups, special interest groups and visiting dignitaries. During the reporting year, there were more than 17,000 participants who undertook tours delivered by Chamber and Support staff

Chamber and Support staff were involved in the organisation of the combined Commission and Official opening of Parliament on Tuesday 3 May 2011. The team was also responsible for receiving and directing dignitaries, invited guests and the general public to the opening, including functions throughout the day.

The Chamber and Support team was actively involved in facilitating arrangements in the Legislative Council Chamber for several joint sittings in 2010 and 2011 necessitated by the resignation of various members.

Following the March 2011 election, most Legislative Council members changed offices consequent on the change in Government. Mr Charles Barden, Council Assistant – Chamber and Support, worked with staff in Parliamentary Facilities to facilitate the smooth transition of incoming and existing members to their new offices.

Corporate management and activities

Overview	77
Industrial matters	77
Parliamentary Service Awards	78
Equal Employment Opportunity	79
Occupational Health and Safety	80
Employee Assistance Program	80
Professional development and training	80
Multicultural policies and services	81
Code of Conduct	82
Travel	82
Use of consultants	82
Credit card certification	83
Management committees and corporate activities	83
Annual report	86

Overview

The Department values its employees and aims to attract and retain staff that are committed, motivated and highly skilled. The Department works collaboratively with the Department of Parliamentary Services to facilitate delivery of corporate services to its staff and the members of the Legislative Council.

The Department endeavours to implement systems and policies that are responsive and observe established and emerging compliance frameworks and responsibilities.

During the reporting year, agreement was reached to establish a new governance framework that would inform the administrative management of Parliament House. Three groups, representative of the Parliament House administration and management structure, were formed:

- the Executive Group comprised of the Presiding Officers, the Clerks and the Executive Manager, Department of Parliamentary Services
- the Senior Management Group comprised of the Clerks and the Executive Manager, and
- the Management Advisory Group, comprised of the Deputy Clerks and the Directors from the Department of Parliamentary Services.

Each group is scheduled to meet on a regular basis to discuss governance and other issues that are applicable to the Parliament as a whole.

Industrial matters

Staffing

The Department of the Legislative Council has 41 staff members charged with providing advisory, research and support services to the House and its committees from the principal program areas of Procedure and Committees.

In addition, the Department employs 52 Secretary Research Assistants who provide administrative support in the offices of members of the Legislative Council.

Staffing levels have increased slightly over the last three reporting years:

	2008/2009	2009/2010	2010/2011
Council Officers	39	39	41
Secretary/Research Assistants	47	51	52

Increases to staffing levels within the Department have been fully funded by the achievement of savings in other areas such as accommodation, with the relocation of Committee Office staff from leased premises at 139 Macquarie Street to Parliament House.

Salary movements

Employees of the Department were awarded a 4% salary increase on 1 July 2010, the final instalment provided under the Crown Employees (Public Sector Salaries 2008) Award.

Crown Employees (Parliament House Conditions of Employment) Award 2010

The Crown Employees (Parliament House Conditions of Employment) Award 2010 was ratified by the New South Wales Industrial Relations Commission on 9 December 2010.

The new award incorporates the reform measures outlined in the Memorandum of Understanding between the New South Wales Government and the Public Service Association that underpinned the salary increases awarded under the Crown Employees (Public Sector Salaries – 2008) Award.

The Award was made with the consent of the Public Service Association after a period of negotiation. The Award will remain in force for 12 months from its commencement, and for a period thereafter until rescinded by the New South Wales Industrial Relations Commission.

Paid parental leave

The Commonwealth Paid Parental Leave Scheme came into effect on 1 January 2011 providing up to 18 weeks of pay at the rate of the federal minimum wage for employees who have a child or adopt a child from this date. Eligible staff of the Department can access this payment in addition to the existing parental leave entitlements available to staff under the Crown Employees (Parliament House Conditions of Employment) Award 2010.



Parliamentary Service Awards

The Parliamentary Awards Scheme recognises staff who have achieved 10 years service, or longer, as an employee with the Parliament of New South Wales. At a function held in the Jubilee Room on Thursday 25 November 2010, the President and the Speaker presented the following staff members of the Legislative Council with an award:

20 years of service

David Blunt, Deputy Clerk
Charles Barden, Chamber and Support Services
Michael Jarrett, Chamber and Support Services

15 years of service

Julie Langsworth, Clerk Assistant – Procedure

10 years of service

John Ferguson, Chamber and Support Services



Award recipients from the Legislative Council from left to right: Charles Barden, Mike Jarrett, John Ferguson, Julie Langsworth and David Blunt.

Farewell to Malvyne Jong Wah

The Department fondly farewelled Mr Malvyne Jong Wah in February 2010, after 20 years of greatly valued service to the Parliament. In his role as Bills Officer, Malvyne was responsible for ensuring the safe passage of each bill that passed through the Council and on to the Governor. One of his greatest contributions was the development of Bills and Acts databases in collaboration with the Legislative Assembly. He will be remembered for his warm nature, fabulous wit and encyclopaedic knowledge of all things parliamentary and procedural.



Equal Employment Opportunity

The Department of the Legislative Council is committed to providing a workplace that provides equal employment opportunity (EEO) for potential and existing employees. The Department's commitment is evidenced by:

- Merit selection – the Department's recruitment processes are underpinned by the principles of merit selection, including fairness, equity, and open competition.
- Flexible work practices – the Department provides employees with access to a range of flexible work practices to assist staff to achieve a balance between their professional and personal life. Many of our staff have returned from maternity leave on a part-time basis. Other flexible work practices and family friendly conditions of employment used by staff from time to time include working from home arrangements, variations to working hours, family and community service leave and flex time.
- Fair work practices and procedures – the Department has a range of policies in place that provide for a harassment free workplace, grievance mechanisms, performance development and workplace diversity. The implementation of these policies has been supported through training for staff and managers.

In addition to the above, the Parliament provides assistance to women returning to work following maternity leave who are breastfeeding. Our employees are provided with a clean, private room with appropriate facilities and are able to use lactation breaks to express breast milk or feed their babies.

The Department contributes EEO data for the Department of Premier and Cabinet's Workforce profile, which measures performance in meeting New South Wales Government employment benchmarks for employees from EEO minority groups.

Women are well represented within the Department and occupy six of the 10 management/supervisory positions the Department has on its establishment.

The Department will use the data in planning and developing EEO initiatives to increase representation across all minority groups.

Childcare services

The Parliament of New South Wales has an agency sponsorship agreement with Nanbaree Child Centre, located in Margaret St, Sydney. This agreement gives the staff of the Department priority of access to the childcare facilities Nanbaree provides for children aged 0-5 years of age. In addition, the Department will pay a subsidy of \$10 per day to staff for each day of childcare they use at Nanbaree.

Table: EEO Benchmark Data 2011

Representation	Legislative Council	Benchmark/Government target
Women	55%	50%
Aboriginal or Torres Strait Islanders	0.9%	2.6%
People whose language first spoken as a child not English	27%	19%
People with a disability	2%	12%
People with a disability requiring work-related adjustment	N/A	7%



Occupational Health and Safety

The Department of the Legislative Council is committed to ensuring the workplace health and safety of our employees as well as that of visitors. The Department is represented on the Parliament's Occupational Health and Safety Committee by the Clerk Assistant – Procedure. The Committee met on four occasions during the reporting year.

The Parliament has revised and implemented a new Occupational Health and Safety Policy, an Occupational Health and Safety Consultation Statement and an Occupational Health and Safety Responsibility, Accountability and Authority Statement. These documents form part of the Parliament's Occupational Health and Safety Management System which has been developed in accordance with the Australian and New Zealand Standard 4801 on the establishment and management of systems to improve the welfare, health and safety of employees at the workplace.

Following the State election on 26 March 2011, an induction program for new staff of members was conducted, which incorporated a session on Occupational Health and Safety. The training was attended by eight new staff members of the Legislative Council.

During the reporting year, a dedicated page on the Parliament's intranet site, infOHS, was developed to increase awareness of occupational health and safety, and to inform staff of their responsibilities, including hazard and incident reporting, and emergency procedures. The information also includes a guide for staff to use in setting up their workstation appropriately. The information page contains hyperlinks which in turn direct staff to other features of the Occupational Health and Safety Management System.

The Parliament introduced a new online training module for contractors that will enable contractors to access and complete induction training prior to attending or commencing work on site. The development of this module significantly contributes to the Parliament's compliance with legislative requirements regarding contractor management.

The Department received two workers compensation claims during the reporting year, both of which resulted in lost time. The total cost of workers' compensation claims in 2010-2011 was \$41,841.

Employee Assistance Program

In conjunction with the Legislative Assembly and the Department of Parliamentary Services, the Department of the Legislative Council engages the services of Davidson Trahaire Corpsych to provide counselling and avenues of support for staff who may be experiencing personal or work related problems. The service is completely confidential and voluntary.

Professional development and training

The Department of the Legislative Council is committed to creating a workplace that is professionally and personally rewarding for staff. Enhancing the procedural knowledge and skills of staff is a strategic priority.

The Department provides opportunities for development through internal and external training programs. During the reporting year, the Department spent approximately \$13,213 on staff training which included attendance at courses covering presentation and written communication skills, and parliamentary law and practice training provided through the Australian and New Zealand Association of Clerks-at-the-Table (ANZACATT).

As mentioned previously (see page 35) the Procedural Research and Training Unit coordinated an internal seminar training program for staff, covering topics on the policy process, significant committee inquiries and legislative changes impacting the business of the Legislative Council.

In addition, staff meetings are used as an opportunity to develop procedural knowledge, share information and discuss significant procedural issues. Developments in other jurisdictions are also discussed at these meetings.

Performance Development Program

The Department's Performance Development Program provides an opportunity for staff and managers to meet every six months to review work performance and skill and knowledge development. During the reporting year, the program was conducted twice, with outcomes reported to the Clerk.

Parliamentary Law, Practice and Procedure Program

Each year the Australian and New Zealand Association of Clerks-at-the-Table (ANZACATT), the professional development body for Australasian parliamentary officers, sponsors the Parliamentary Law, Practice and Procedure Program. The Program is a university-accredited professional development opportunity that develops an understanding of the fundamental principles of parliamentary law, practice and procedure, and of the place of parliaments in the systems of government of Australia and New Zealand. In addition to a sound theoretical grounding, the program provides an opportunity to learn from the practical experiences of officers from the different parliaments.

The Legislative Council supported the participation of two staff members at this year's program, Mr Stewart Smith and Ms Teresa McMichael, both Principal Council Officers with the Legislative Council's Committee Office. Both staff members completed the program with great success.

Working in the Legislative Council Program

The Legislative Council provides an annual development opportunity for staff of government departments through the 'Working in the Legislative Council' program. The program, which began in 2004, allows participants to gain experience working in the Legislative Council, and facilitates an exchange of ideas and experiences between participants, sponsorship agencies and the Council.

This year the Committee Office was pleased to welcome Ms Louise Tosetto from the RailCorp. Ms Tosetto worked on the Inquiry into the Budget Estimates 2010-2011, which is undertaken by all five GPSCs, and also contributed towards the report of the Law and Justice Committee's Third Review into the Lifetime Care and Support Scheme.

Ms Tosetto had the following positive comments on her experience:

The Working in the Legislative Council program was a fantastic opportunity. I worked with the Legislative Council Committee Secretariat and for the majority of my secondment I was part of the Budget Estimates Secretariat. I was given a large amount of responsibility to ensure the coordination of the hearings, questions on notice, website reporting and tabling of the budget estimates reports. I also had the opportunity to clerk a hearing which was something I may not ever do again.

Overall my experience with the Legislative Council was fantastic, the people were constantly willing to help and teach and I was given opportunities that I never expected to have been given while I was in the program. It has been great to bring this experience and learning back to RailCorp.

Multicultural policies and services

The Department of the Legislative Council respects the cultural diversity of our staff, members and visitors. The Department participates in the Community Relations Commission's Community Language Allowance Scheme (CLAS) and has two staff members who receive this allowance because of their ability to speak a second language and willingness to use their language skills in the workplace to assist clients and visitors. The two staff members are Mr Maurice Rebecchi, who is able to use Italian language skills, and Ms Shu-Fang Wei, who has proficient Mandarin language skills.

The Parliament publishes an information brochure that is available in a range of languages including Greek, Japanese, Korean, Italian, Indonesian, Arabic, Chinese, French, Hindi and Dinka.

The Department will continue to develop initiatives that will provide the greatest opportunity for all individuals to participate in the activities and programs of the Parliament and will make provision for the culture, language and religion of individuals where necessary.



Code of Conduct

The Parliament of New South Wales has a strong ethical framework which includes separate codes of conduct for members, staff and members' staff. Each of the codes, while different, incorporates the common principles of honesty, integrity, and confidentiality, and requires the appropriate use of public resources.

All new members and staff are provided with copies of the relevant Code of Conduct.

Overseas travel

The Department expended approximately \$35,099 on overseas travel during the reporting year. Two overseas trips were taken:

- In July 2010, the former Clerk of the Parliaments accompanied the Honourable Amanda Fazio, in her capacity as President, to the National Conference of State Legislatures in Louisville, Kentucky.
- In September 2010, the Clerk Assistant – Procedure attended the 47th General Meeting and conference for the Society of Clerks-at-the-table in Commonwealth Parliaments which took place in Nairobi, Kenya.

Domestic travel

The Department expended approximately \$3,713 on domestic travel by staff during the reporting year.

- In July 2010, Ms Teresa McMichael travelled to Hobart to attend Parliamentary Law, Practice and Procedure Program, sponsored by ANZACATT. Total cost \$1,338.
- In December 2010, a staff member attended the induction program for new members of the Victorian Parliament. Total cost \$259.
- In January 2011, the Department sponsored the attendance of three staff members at the ANZACATT Professional Development Seminar in Adelaide. Total cost \$2,116

Travel expenditure relating to Committees is reported separately at Appendix 3.

Use of consultants

The Department expended approximately \$95,938 on consultancy, contractor and legal services, the detail of which is provided below.

Television coverage and other filming services

The Legislative Council engaged the services of G K Productions to provide television coverage in the Chamber. G K Productions was also used on three occasions to film presentations for future training purposes. In 2010-2011 G K Productions was paid \$12,440 for services provided including camera operators and equipment.

Interpreter services

The Deaf Society of New South Wales was engaged to provide interpreting services for Legislative Council Committees. Total payment of \$8,450 was made to the Society for providing this service.

Viocorp International Pty Ltd

The Department engaged Viocorp International Pty Ltd to prepare a business case that would determine the Parliament's technical requirements for ongoing broadcasting capability from the Legislative Council chamber and verify the technical key considerations for procuring a solution to meet these requirements. The cost of providing this service was \$15,000.

Opening of Parliament

The Department expended \$1500 on the Welcome to Country ceremony conducted at the commencement of proceedings for the opening of Parliament.

Production of Legislative Council publications

Studio Rouge, a graphic design and print management consultancy service, was engaged to provide design and artwork services in a review of the Department's publications, costing \$2,800.

Legal fees

The Department engaged the Crown Solicitor's Office to provide legal advice on one occasion, incurring expenditure of \$931.

Shared expenditure

The Legislative Council contributes to the cost of providing a number of jointly provided corporate services for Parliament House staff. These services include the Nanbaree childcare service and the Employee Assistance Program. The Legislative Council's contribution for both of these initiatives is detailed below:

\$1,000	Nanbaree childcare service
\$6,617	Employee Assistance Program

In addition, the Legislative Council contributed \$47,200 for the development of a business case for the migration of the directory and messaging platform for the New South Wales Parliament.

Credit card certification

The Department has a Corporate Credit Card Policy and supporting procedures, which comply with NSW Treasury's Treasurers Directions. Cardholders are required to observe the policy and complete monthly reconciliations for authorisation by the Parliament's Office of the Financial Controller.

The Department has 13 credit cards issued with individual limits ranging from \$5,000 up to \$20,000 and a total combined limit of \$90,000.

Management committees and corporate activities

Results and Services Plan

The Parliament is required to submit a Results and Services Plan to Treasury every four years which details the results the Parliament is intending to achieve, the services it will deliver to achieve those results and the costs of providing those services. The Parliament submitted its most recent Plan to Treasury in December 2008. The Plan provides a starting point for the strategic planning processes of the Parliament and informed the development of the Parliamentary Strategic Plan 2009-2018 (see below).

Parliamentary Strategic Plan 2009-2018

The Department of the Legislative Council, the Department of the Legislative Assembly and the Department of Parliamentary Services are responsible for the administration and management of the New South Wales Parliament as a whole. To reflect this 'joint' responsibility the three Departments worked in collaboration to develop a strategic plan for the Parliament that would apply for the period 2009 to 2018. Further information on the Strategic Plan is provided on page 9.

Parliament of New South Wales Audit and Risk Committee

The Parliament of New South Wales Audit and Risk Committee's Terms of Reference are to provide assurance to the Presiding Officers as to the adequacy of the Parliament's financial reporting practices, business ethics, policies and practices, accounting policies and financial controls, and management and internal controls.

The Clerk of the Parliaments, the Clerk of the Legislative Assembly and the Executive Manager, Department of Parliamentary Services, with approval from the Presiding Officers have reviewed and reconstituted the Audit and Risk Committee ('the Committee') to ensure compliance with Treasury Circular NSW TC 09/08. A revised charter for the Committee was approved by the Presiding Officers in May 2011.

The objective of the new Committee is to provide independent assistance to the Clerks and the Executive Manager by overseeing and monitoring The Legislature's governance, risk and control frameworks and its external accountability requirements.

The membership of the Committee was changed from March 2011 and now comprises three members:

- Mr Jim Mitchell, independent chairperson
- Ms Christine Feldmanis, independent member and
- Ms Gerry Brus, independent member.

The newly constituted Committee met for the first time in May 2011 to consider general business.



The previous membership of the Audit and Risk Committee comprised:

- Mr Jim Mitchell, independent chairperson
- The Clerk of the Parliaments
- The Clerk of the Legislative Assembly
- The Executive Manager, Department of Parliamentary Services.

The former Committee met four times during the financial year for general business and once for an extraordinary meeting to consider draft financial statements for the year ending 30 June 2010.

The Clerks and the Executive Manager will continue to attend meetings of the Committee as invitees. The Director Finance will also act as Chief Audit Executive in support of the Committee.

Internal Audit

The Parliament's internal audit services are currently provided by Deloitte.

A risk assessment was undertaken in 2009. The Report identified sixteen risks and risk management strategies for their mitigation and informed the internal audit plan for the remainder of the 54th Parliament and the first quarter of the 55th Parliament.

During the reporting year the following projects were performed and reported to the Audit and Risk Committee:

- Asset management
- Financial controls
- Members entitlements
- Members entitlements – themed audit (Sydney allowance)
- Members Fraud and Corruption risk assessment and
- Employee Fraud and Corruption risk assessment.

Audit findings were generally satisfactory. Recommendations to improve internal controls performance and processes, and management's responses to them are monitored by the Committee.

The Members Entitlements Audit Plan commenced in 2009-2010 and will continue in 2011-2012 covering members of both the 54th and 55th Parliaments. The spread of members forming both the 54th and 55th Parliaments will be recognised during the audit and a sample selected to provide coverage. Proportional representation is also provided for each Party group within the Parliament.

The business risk assessment process is currently underway for Financial Year 2011-2012. The risks identified during this process will inform the internal audit plan for the year. The areas which will be covered in the coming reporting year are:

- Financial
- Operational
- Information Systems &
- Governance and Planning.

During the year the Committee also considered progress against Business Continuity Planning requirements which is likely to be addressed in 2011-2012.

External Audit

The NSW Audit Office is engaged by the Parliament to provide external audit services. These services include:

- Audit of the Parliament's Financial Statements to provide reasonable assurance that the financial statements are free from material misstatement, and
- A review of Members' use of additional entitlements in accordance with the conditions of Determination of Additional Entitlements for Members of the Parliament of New South Wales by the Parliamentary Remuneration Tribunal 21 June 2010.

Insurance

Insurance cover for the Parliament is provided through the NSW Government Self Insurance Scheme, NSW Treasury Managed Fund. Coverage is provided for:

- Workers Compensation
- Liability
- Motor vehicle
- Property
- Miscellaneous, including members' personal accident and travel cover.

Security Committee

The Department is represented on the Parliament's Security Committee by the Clerk Assistant – Committees and Usher of the Black Rod. Other members of the Committee are the Manager Parliamentary Facilities, the Manager Security and the Clerk Assistant Procedure and Serjeant-at-Arms from the Legislative Assembly.

The Committee is responsible for developing and reviewing security related policies and practices prior to submitting recommendations to the Presiding Officers for approval. In addition, the Committee monitors and evaluates the security services provided by the Special Constables under the Memorandum of Understanding the Parliament has with the New South Wales Police Security Management Unit.

The Committee meets monthly to discuss security related issues in and around the Parliamentary precinct. Any planned activities that may affect the running of the Parliament, such as community protests, are also reviewed.

Business Continuity Planning

Responsibility for co-ordinating Business Continuity Planning (BCP) for the whole of the parliament has been vested in the Director of Finance and activities to address recommendations for improvement made by the Parliament's Internal Auditor, Deloitte, commenced in 2010-2011 and will continue to be implemented in 2011-2012. These include completion of a new assessment of business impacts, development of an updated plan based upon agreed service resumption priorities and available technological support, and the conduct of training and testing. The Department of the Legislative

Council will continue to work collaboratively with the Department of Parliamentary Services and the Department of the Legislative Assembly to support this important work during the forthcoming reporting period.

Waste Reduction and Purchasing Policy

The Parliament is supportive of the NSW Government's Waste Reduction and Purchasing Policy (WRAPP) and is committed to reducing waste in the areas of paper products, office equipment and components, vegetation material and construction and demolition material, and increasing the recycled content of purchased materials. The Parliament reports biennially to the Department of Climate Change and Water (DCCW) on progress made against strategies to reduce waste and purchase materials with recycled content.

The Parliament continues to reduce its purchase of reams of A4 Copy paper. In the last report provided to DCCW for the period 2008-2009, the Parliament reported that it had reduced its purchase of A4 Copy paper to 14,098 reams, in comparison to 19,900 reams purchased in 2006-2007. Of the paper purchased, 59% contained recycled content. In 2010-2011, this trend continued, with 13,851 reams purchased, 68% of which contained recycled content. A considerable proportion of the remaining 32% of virgin paper purchased is used for Hansard archival purposes.

The Parliament also reported a reduction in the number of toner cartridges purchased in 2008-2009. A total of 757 cartridges were purchased, 76% of which contained recycled content. This compares to 1,405 cartridges purchased in 2006-2007 of which 70% contained recycled content. In 2010-2011, the Parliament was unable to achieve an improvement to these figures, although all used cartridges were returned for recycling.

Other sustainability initiatives

In recent years the Parliament's air conditioning systems and lighting have been upgraded to the latest sustainability technology. Water from the Parliament's rooftop is reused to flush toilets, irrigate gardens and supply the air conditioning towers. The Parliament's 25.9 megawatt solar array installed on the Parliament House roof continues to exceed design expectations with a total of 29,573 kilowatts of power generated in 2010-2011.



The Department of the Legislative Council will work with the Department of Parliamentary Services to implement initiatives to achieve further reductions in waste and in making purchases that comply with the standards specified in the New South Wales Government Sustainability Policy.

Records management

The past twelve months has seen the beginning of change in the Records Management area. The Parliament's Electronic Document Records Management System (EDRMS) project, which commenced in mid 2010, encompasses a two year program of activities to review, improve and standardise internal records management practices.

In January 2011 the Clerks of both Houses and the Executive Manager Department of Parliamentary Services approved the release of a consolidated Records and Archives Management Policy, providing a consistent framework for management of records across the Parliament as a whole.

On 21 March 2011, the Parliament upgraded its TRIM records management software, merging the previously separate TRIM systems from the Legislative Council, Legislative Assembly and the Department of Parliamentary Services, and at the same time enabling electronic document management and automation of business processes.

Staff of the Legislative Council have been involved in the upgrade project, providing advice in regards to system design and support to enable the migration of over 49,500 Council records.

Since March 2011, senior managers from the Legislative Council have participated in online and face to face training in using the upgraded electronic document and records management system. The Office of the Clerk has established a new file series consisting of both electronic and hard copy files. The rollout of training for all Legislative Council staff is scheduled to continue through to August 2011.

Annual Report

This report is available on the New South Wales Parliament website www.parliament.nsw.gov.au.

Cost of production

The cost of production of the Annual Report, including design and printing, was approximately \$14,300.





Finances

Financial commentary	89
Independent Audit Report	90
Financial statements for the year ended 30 June 2011.....	92
Supplementary financial Information	125

Financial commentary

The Parliament

The budgeted net cost of services of the Parliament for 2010-2011 was \$124.295 million. This budget was later revised with an approved additional funding allocation of \$5.033 million. The actual net cost of services of the Parliament for 2010-2011 was \$126.348 million. This variation between budgeted and actual net cost of services arose from the payment of separation payments and related entitlements to members' staff as a consequence of the March 2011 election, the purchase of notebook computers for Members of Parliament and additional costs incurred with the establishment of the Parliamentary Budget Office. These costs were offset by favourable variations arising from higher than budgeted revenues and the receipt of an AusAID grant.

The end of year result for Parliament was a surplus of \$6.229 million.

Department of the Legislative Council

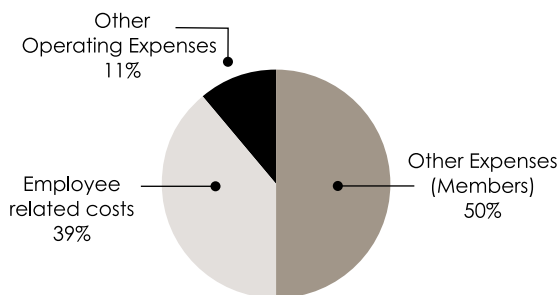
The net cost of services of the Legislative Council (including members' programs) was \$23.532 million and represents 18.6% of the total net cost of services for the 2010-2011 financial year. This reflects a saving against budget of approximately 8%. The net cost of services of the Legislative Council was comparable with the previous year decreasing by 1%.

The net cost of services for the Department excluding expenditure on the Legislative Councils' members program, was 5.203 million, which equates to 4.1% of the total net cost of services for the Parliament and 22.1% of the Legislative Council's total net cost of services.

Outlook

The Parliament's net cost of services budget for 2011-2012 is \$131.536 million. This includes additional funding for separation payments to be made to members' staff arising from the March 2011 election but paid in the 2011-2012 financial year, funding as a "protected item" for the Parliamentary Budget Office as well as supplementation to provide funds for CPI and pay increases estimated at 2.5%.

The capital allocation for 2011-2012 is \$8.6 million and includes an allocation of \$3.678 million to complete security and safety projects at Parliament House, the replacement and enhancement of the broadcast system for the Legislative Council Chamber as well as other information technology development and asset replacements.





GPO BOX 12
Sydney NSW 2001

INDEPENDENT AUDITOR'S REPORT

The Legislature

To Members of the New South Wales Parliament

I have audited the accompanying financial statements of The Legislature, which comprise statement of financial position as at 30 June 2011, the statement of comprehensive income, statement of changes in equity, statement of cash flows, service group statements and a summary of compliance with financial directives for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information.

Opinion

In my opinion, the financial statements:

- give a true and fair view of the financial position of The Legislature as at 30 June 2011, its financial performance for the year then ended in accordance with Australian Accounting Standards
- are in accordance with section 45E of the *Public Finance and Audit Act 1983* (the PF&A Act) and the Public Finance and Audit Regulation 2010

My opinion should be read in conjunction with the rest of this report.

The Clerks' and Executive Manager's Responsibility for the Financial Statements

The Clerk of the Legislative Assembly, the Clerk of the Parliaments and the Executive Manager of Parliamentary Services are responsible for the preparation and fair presentation of the financial statements that give a true and fair view in accordance with Australian Accounting Standards, the PF&A Act, and for such internal control as the Clerks and Executive Manager determine necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

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

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

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

My opinion does *not* provide assurance:

- about the future viability of The Legislature
- that it has carried out its activities effectively, efficiently and economically
- about the effectiveness of its internal control
- about the assumptions used in formulating the budget figures disclosed in the financial statements
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.

Independence

In conducting my audit, I have complied with the independence requirements of the Australian Auditing Standards and other relevant ethical pronouncements. The PF&A Act further promotes independence by:

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



Peter Achterstraat
Auditor-General

21 October 2011
SYDNEY



The Legislature

Financial Statements for the Year Ended 30 June 2011

Statement by Department Heads

We state that:

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



Russell D. Grove
Clerk of the Legislative Assembly



David Blunt
Clerk of the Parliaments



Robert Stefanic
Executive Manager
Dept. of Parliamentary Services

Date: 20 /10 /2011

Date: 20 /10 /2011

Date: 20 /10 /2011

THE LEGISLATURE

Statement of comprehensive income for the year ended 30 June 2011

	Notes	Actual 2011 \$'000	Budget 2011 \$'000	Actual 2010 \$'000
Expenses excluding losses				
Operating expenses				
Employee related	2(a)	60,468	62,074	56,258
Other operating expenses	2(b)	27,479	27,198	24,929
Depreciation and amortisation	2(c)	5,864	6,190	5,219
Other expenses - Members' remuneration	2(d)	38,700	33,723	40,294
Total Expenses excluding losses		132,511	129,185	126,700
Revenue				
Sale of goods and services	3(a)	5,100	4,630	4,915
Investment revenue	3(b)	215	125	140
Grants and contributions	3(c)	291	-	17
Other revenue	3(d)	626	135	363
Total Revenue		6,232	4,890	5,435
Gain / (loss) on disposal	4	(69)	-	(47)
Net Cost of Services	18	126,348	124,295	121,312
Government Contributions				
Recurrent appropriation	5	113,221	108,584	104,073
Capital appropriation	5	11,492	10,603	5,522
Acceptance by the Crown Entity of employee benefits and other liabilities	6	7,864	9,355	10,461
Total Government Contributions		132,577	128,542	120,056
SURPLUS/(DEFICIT) FOR THE YEAR		6,229	4,247	(1,256)
Other comprehensive income				
Net increase / (decrease) in property, plant and equipment asset revaluation reserve		252	-	5,355
Other comprehensive income for the year		252	-	5,355
TOTAL COMPREHENSIVE INCOME FOR THE YEAR		6,481	4,247	4,099

The accompanying notes form part of these statements.

THE LEGISLATURE**Statement of financial position as at 30 June 2011**

	Notes	Actual 2011 \$'000	Budget 2011 \$'000	Actual 2010 \$'000
ASSETS				
Current Assets				
Cash and cash equivalents	8	2,192	1,310	2,457
Receivables	9	1,935	1,734	1,810
Inventories	10	119	95	95
Total Current Assets		4,246	3,139	4,362
Non-Current Assets				
Property, plant and equipment	11			
- Land and buildings		131,033	130,997	129,361
- Plant and equipment		14,303	15,309	12,085
- Collection assets		43,155	41,925	43,225
Total property, plant and equipment		188,491	188,231	184,671
Intangible assets	12	2,038	880	27
Total Non-Current Assets		190,529	189,111	184,698
Total Assets		194,775	192,250	189,060
LIABILITIES				
Current Liabilities				
Payables	13	5,670	4,728	5,857
Provisions	14	4,879	5,527	5,455
Total Current Liabilities		10,549	10,255	11,312
Non-Current Liabilities				
Provisions	14	47	50	50
Total Non-Current Liabilities		47	50	50
Total Liabilities		10,596	10,305	11,362
Net Assets		184,179	181,945	177,698
EQUITY				
Reserves		32,806	32,554	32,554
Accumulated Funds		151,373	149,391	145,144
Total Equity		184,179	181,945	177,698

The accompanying notes form part of these statements.

THE LEGISLATURE**Statement of changes in equity for the year ended 30 June 2011**

	Accumulated Funds	Asset Revaluation Surplus	Total
	\$'000	\$'000	\$'000
Balance at 1 July 2010	<u>145,144</u>	<u>32,554</u>	<u>177,698</u>
Surplus / (deficit) for the year	<u>6,229</u>	<u>-</u>	<u>6,229</u>
Other comprehensive income	-	-	-
Net increase / (decrease) in property, plant and equipment	<u>-</u>	<u>252</u>	<u>252</u>
Total other comprehensive income for the year	<u>-</u>	<u>252</u>	<u>252</u>
Total comprehensive income for the year	<u>6,229</u>	<u>252</u>	<u>6,481</u>
Balance at 30 June 2011	<u><u>151,373</u></u>	<u><u>32,806</u></u>	<u><u>184,179</u></u>
Balance at 1 July 2009	<u>146,400</u>	<u>27,199</u>	<u>173,599</u>
Surplus / (deficit) for the year	<u>(1,256)</u>	<u>-</u>	<u>(1,256)</u>
Other comprehensive income			
Net increase / (decrease) in property, plant and equipment	<u>-</u>	<u>5,355</u>	<u>5,355</u>
Total other comprehensive income for the year	<u>-</u>	<u>5,355</u>	<u>5,355</u>
Total comprehensive income for the year	<u>(1,256)</u>	<u>5,355</u>	<u>4,099</u>
Balance at 30 June 2010	<u><u>145,144</u></u>	<u><u>32,554</u></u>	<u><u>177,698</u></u>

THE LEGISLATURE

Statement of cash flows for the year ended 30 June 2011

	Notes	Actual 2011 \$'000	Budget 2011 \$'000	Actual 2010 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES				
Payments				
Employee related		(59,005)	(52,798)	(52,146)
Other		(64,739)	(65,099)	(61,190)
Total Payments		<u>(123,744)</u>	<u>(117,897)</u>	<u>(113,336)</u>
Receipts				
Sale of goods and services		4,831	4,716	4,824
Interest received		190	125	152
Other		5,238	3,325	3,562
Total Receipts		<u>10,259</u>	<u>8,166</u>	<u>8,538</u>
Cash Flows From Government				
Recurrent appropriation	5	113,221	108,584	104,073
Capital appropriation	5	11,492	10,603	5,522
Net Cash Flows From Government		<u>124,713</u>	<u>119,187</u>	<u>109,595</u>
NET CASH FLOWS FROM OPERATING ACTIVITIES	18	<u>11,228</u>	<u>9,456</u>	<u>4,797</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Purchases of land and buildings, plant and equipment		(11,493)	(10,603)	(5,658)
NET CASH FLOWS FROM INVESTING ACTIVITIES		<u>(11,493)</u>	<u>(10,603)</u>	<u>(5,658)</u>
NET INCREASE / (DECREASE) IN CASH		(265)	(1,147)	(861)
Opening cash and cash equivalents		<u>2,457</u>	<u>2,457</u>	<u>3,318</u>
CLOSING CASH AND CASH EQUIVALENTS	8	<u>2,192</u>	<u>1,310</u>	<u>2,457</u>

The accompanying notes form part of these statements.

THE LEGISLATURE

Supplementary Financial Statements

Summary of compliance with financial directives

	2011				2010			
	RECURRENT APP'N \$'000	EXPENDITURE / NET CLAIM ON CONSOLIDATED FUND \$'000	CAPITAL APP'N \$'000	EXPENDITURE / NET CLAIM ON CONSOLIDATED FUND \$'000	RECURRENT APP'N \$'000	EXPENDITURE / NET CLAIM ON CONSOLIDATED FUND \$'000	CAPITAL APP'N \$'000	EXPENDITURE / NET CLAIM ON CONSOLIDATED FUND \$'000
ORIGINAL BUDGET APPROPRIATION / EXPENDITURE								
• Appropriation Act Additional Appropriations	108,584	108,188	10,603	10,603	104,322	3,836	3,836	3,836
• S21A PF&AA – special appropriation	-	-	-	-	-	-	-	-
• S24 PF&AA – transfers of functions between departments	-	-	-	-	-	-	-	-
• S26 PF&AA – Commonwealth specific purpose payments	108,584	108,188	10,603	10,603	104,322	3,836	3,836	3,836
OTHER APPROPRIATIONS / EXPENDITURE								
• Treasurer's Advance	8,737	5,033	2,121	889	185	2,309	1,686	1,686
• Section 22 – expenditure for certain works and services	-	-	-	-	-	-	-	-
• Transfers to/from another agency (s28 - Appropriation Act)	8,737	5,033	2,121	889	185	2,309	1,686	1,686
Total Appropriations / Expenditure / Net Claim on Consolidated Fund (includes transfer payments)	117,321	113,221	12,724	11,492	104,507	6,145	5,522	5,522
Amount drawn down against Appropriation Liability to Consolidated Fund*								

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

THE LEGISLATURE

Supplementary Financial Statements

Service group statements for the year ended 30 June 2011

	Chamber and Committee Support *		Members' Support *		Community Access *		Not Attributable		Total	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
THE LEGISLATURE'S EXPENSES & REVENUES										
Expenses excluding losses										
Operating expenses										
· Employee related	7,982	7,426	49,221	45,794	3,265	3,038	-	-	60,468	56,258
· Other operating expenses	3,627	3,291	22,368	20,292	1,484	1,346	-	-	27,479	24,929
Depreciation and amortisation	774	689	4,773	4,248	317	282	-	-	5,864	5,219
Other expenses	5,108	5,319	31,502	32,799	2,090	2,176	-	-	38,700	40,294
Total expenses excluding losses	17,491	16,725	107,864	103,133	7,156	6,842	-	-	132,511	126,700
Revenue										
Sale of goods and services	673	649	4,151	4,001	275	265	-	-	5,099	4,915
Investment revenue	28	18	175	114	12	8	-	-	215	140
Grants and contributions	38	2	237	14	16	1	-	-	291	17
Other revenue	83	48	510	295	34	20	-	-	627	363
Total revenue	822	717	5,073	4,424	337	294	-	-	6,232	5,435
Gain / (loss) on disposal	(9)	(6)	(56)	(38)	(4)	(3)	-	-	(69)	(47)
Net Cost of Services	16,678	16,014	102,847	98,747	6,823	6,551	-	-	126,348	121,312
Government contributions**							132,577	120,056	132,577	120,056
SURPLUS/(DEFICIT) FOR THE YEAR	(16,678)	(16,014)	(102,847)	(98,747)	(6,823)	(6,551)	132,577	120,056	6,229	(1,256)
Other Comprehensive Income										
Increase / (decrease) in asset revaluation reserve	33	707	205	4,359	14	289	-	-	252	5,355
Total Other Comprehensive Income	33	707	205	4,359	14	289	-	-	252	5,355
TOTAL COMPREHENSIVE INCOME	(16,645)	(15,307)	(102,642)	(94,388)	(6,809)	(6,262)	132,577	120,056	6,481	4,099

*The names and purposes of each program are summarised in note 7.

**Appropriations are made on an agency basis and not to individual service groups. Consequently, government contributions must be included in the "Not Attributable" column. The assets and liabilities of The Legislature are such that they cannot be attributed to specific service groups.

THE LEGISLATURE

Supplementary Financial Statements

Service group statements (continued)

	Chamber and Committee Support *		Members' Support *		Community Access *		Not Attributable		Total	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
THE LEGISLATURE'S ASSETS & LIABILITIES										
Current Assets										
Cash and cash equivalents	-	-	-	-	-	-	2,192	2,457	2,192	2,457
Receivables	-	-	-	-	-	-	1,935	1,810	1,935	1,810
Inventories	-	-	-	-	-	-	119	95	119	95
Total current assets							4,246	4,362	4,246	4,362
Non-current Assets										
Property, plant and equipment	-	-	-	-	-	-	188,491	184,671	188,491	184,671
Intangibles	-	-	-	-	-	-	2,038	27	2,038	27
Total non-current assets							190,529	184,698	190,529	184,698
TOTAL ASSETS							194,775	189,060	194,775	189,060
Current liabilities										
Payables	-	-	-	-	-	-	5,670	5,857	5,670	5,857
Provisions	-	-	-	-	-	-	4,879	5,455	4,879	5,455
Total current liabilities							10,549	11,312	10,549	11,312
Non-current liabilities										
Provisions	-	-	-	-	-	-	47	50	47	50
Total non-current liabilities							47	50	47	50
TOTAL LIABILITIES							10,596	11,362	10,596	11,362
NET ASSETS							184,179	177,698	184,179	177,698

*The names and purposes of each service group are summarised in Note 7.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

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 Catering business, under the joint direction and control of the Clerk of the Parliaments, the Clerk of the Legislative Assembly and the Executive Manager Parliamentary Services. It includes all the functions of parliamentary representation undertaken by the Legislative Council and the Legislative Assembly, and the Department of Parliamentary Services. The Catering business provides food and beverage services for Members of Parliament, their guests and staff. It also caters for functions held at Parliament House.

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

This financial statement for the year ended 30 June 2011 has been authorised for issue by the Clerk of the Legislative Assembly, the Clerk of the Parliaments and the Executive Manager Parliamentary Services on 20 October 2011.

(b) Basis of preparation

The Legislature's financial statements are general purpose financial statements which have been prepared in accordance with:

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

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

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

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

(c) Statement of compliance

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

(d) Insurance

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

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

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

- 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.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

Cash flows are included in the statement of cash flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which is recoverable from, or payable to, the Australian Taxation Office are classified as operating cash flows.

(f) Income recognition

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

(i) Parliamentary appropriations and contributions

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

Unspent appropriations are recognised as liabilities rather than income, as the authority to spend the money lapses and the unspent money must be repaid to the Consolidated Fund.

(ii) Sales of goods

Revenue from the sale of goods is recognised as revenue when The Legislature transfers the significant risks and rewards of ownership of the assets.

(iii) Rendering of services

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

(iv) Investment revenue

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

(v) Other Revenue

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

(g) Assets

(i) Acquisitions of assets

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

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

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

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

(ii) Capitalisation thresholds

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

(iii) Revaluation of Property, Plant and Equipment

Physical non-current assets are valued in accordance with the "Valuation of Physical Non-Current Assets at Fair Value" Policy and Guidelines Paper (TPP 07-1). This policy adopts fair value in accordance with AASB 116 *Property, Plant and Equipment*.

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

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

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

Land	30 June 2009	D P Martin Pty Ltd
Buildings	30 June 2009	D P Martin Pty Ltd
Plant & Equipment (Building Technical Services Assets)	30 June 2009	D P Martin Pty Ltd
Collection Assets:		
Library Collection	30 June 2009	Simon Storey Valuers
Archives Collection	30 June 2009	Simon Storey Valuers
Antiques	30 June 2010	Simon Storey Valuers
Artworks	30 June 2010	Simon Storey Valuers

Desktop valuations were undertaken for Land and Buildings class as at 30 June 2011.

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

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

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

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

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

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

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

(iv) Impairment of property, plant and equipment

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

(v) Depreciation of property, plant and equipment

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

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

Land is not a depreciable asset. Certain heritage assets including original artworks and collections and heritage buildings may not have a limited useful life because appropriate curatorial and preservation policies are adopted. Such assets are not subject to depreciation. The decision not to recognize depreciation for these assets is reviewed annually.

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

(vi) Major inspection costs

When each major inspection is performed, the labour cost of performing major inspections for faults is recognized in the carrying amount of an asset as a replacement of a part, if the recognition criteria are satisfied.

(vii) Restoration costs

The estimated cost of dismantling and removing an asset and restoring the site is included in the cost of an asset, to the extent it is recognized as a liability.

(viii) Maintenance

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

(ix) Leased Assets

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

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

Operating lease payments are charged to the statement of comprehensive income in the periods in which they are incurred.

(x) Intangible assets

The Legislature recognises intangible assets only if it is probable that future economic benefits will flow to The Legislature and the cost of the asset can be measured reliably. Intangible assets are measured

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

initially at cost. Where an asset is acquired at no or nominal cost, the cost is its fair value as at the date of acquisition.

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

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

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

Intangible assets are tested for impairment where an indicator of impairment exists. If the recoverable amount is less than its carrying amount the carrying amount is reduced to recoverable amount and the reduction recognized as an impairment loss.

(xi) Loans and receivables

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

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

(xii) Inventories

Inventories held for distribution are stated at cost, adjusted when applicable, for any loss of service potential. A loss of service potential is identified and measured based on the existence of a current replacement cost that is lower than the carrying amount. Inventories (other than those held for distribution) are stated at the lower of cost and net realisable value. Cost is calculated using the "first in first out" method.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

(xiii) Impairment of financial assets

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

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

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

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

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

(h) Liabilities

(i) Payables

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

(ii) Employee benefits and other provisions

(a) Salaries and wages, annual leave, sick leave and on-costs

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

Long-term annual leave that is not expected to be taken within twelve months is measured at present value in accordance with AASB 119 *Employee Benefits*. Market yields on government bonds of 4.44% are used to discount long-term annual leave.

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

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

(b) Long service leave and superannuation

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

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. This is based on the application of certain factors (specified in NSWTC 11/06) to employees with five or more years of service, using current rates of pay. These factors were determined based on an actuarial review to approximate present value.

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

(c) Other provisions

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

(i) Equity and reserves

(i) Asset Revaluation reserve

The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets. This accords with The Legislature's policy on the revaluation of property, plant and equipment as discussed in note 1(g)(iii).

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

(ii) Accumulated Funds

The category accumulated funds includes all current and prior period retained funds.

Separate reserve accounts are recognised in the financial statements only if such accounts are required by specific legislation or Australian Accounting Standards (e.g. asset revaluation reserve and foreign currency translation reserve).

(j) 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, section 21A, section 24 and / or section 26 of the *Public Finance and Audit Act 1983*.

The budgeted amounts in the statement of comprehensive income 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; i.e. per the audited financial statement (rather than carried forward estimates).

(k) Comparative information

Except where an Australian Accounting Standard permits or requires otherwise, comparative information is disclosed in respect of the previous period for all amounts reported in the financial statements.

(l) New Australian Accounting Standards issued but not yet effective

The following accounting standards were issued but are not yet effective as at the reporting date:

- AASB 7 *Financial Instruments: Disclosures*
- AASB 9 and AASB 2010-7 regarding financial instruments
- AASB 101 *Presentation of Financial Statements*
- AASB 107 *Statement of Cash Flows*
- AASB 108 *Accounting Policies, Changes in Accounting Estimates and Errors*
- AASB 110 *Events after the Reporting Period*
- AASB 118 *Revenue*
- AASB 119 *Employee Benefits*
- AASB 124 and AASB 2009-12 regarding related party transactions
- AASB 132 *Financial Instruments: Presentation*
- AASB 137 *Provisions, Contingent Liabilities and Contingent Assets*
- AASB 139 *Financial Instruments: Recognition and Measurement*
- AASB 1031 *Materiality*
- AASB 1053 *Application of Tiers of Australian Accounting Standards*
- AASB 1054 *Australian Additional Disclosures*
- AASB 2009-11 *Amendments to Australian Accounting Standards arising from AASB 9*

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

- AASB 2010-2 *Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements*
- AASB 2010-4 *Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project*
- AASB 2010-5 *Amendments to Australian Accounting Standards*
- AASB 2010-6 *Amendments to Australian Accounting Standards – Disclosures on Transfers of Financial Assets*
- AASB 2010-7 *Amendments to Australian Accounting Standards arising from AASB 9*
- AASB 2010-8 *Amendments to Australian Accounting Standards – Deferred Tax: Recovery of Underlying Assets*
- AASB 2010-9 *Amendments to Australian Accounting Standards – Severe Hyperinflation and Removal of Fixed Dates for First-time Adopters*
- AASB 2010-10 *Further Amendments to Australian Accounting Standards – Removal of Fixed Dates for First-time Adopters*
- AASB 2011-1 *Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project*
- AASB 2011-2 *Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project – Reduced Disclosure Requirements*
- AASB 2011-3 *Amendments to Australian Accounting Standards*

The Legislature has not early adopted any new accounting standards, amendments and interpretations in compliance with NSW Treasury mandates per Treasury Circular NSW TC 10/08.

It is considered impractical to presently determine the impact of adopting the above listed accounting standards issued but not yet effective.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

2. Expenses Excluding Losses

(a) Employee Related Expenses	2011	2010
	\$'000	\$'000
Salaries and wages (including recreation leave)	47,434	42,579
Superannuation – defined benefit plans	1,051	1,241
Superannuation – defined contribution plans	3,194	2,974
Payroll tax and fringe benefits tax	2,899	2,620
Long service leave	1,126	1,460
Worker's compensation insurance	382	1,176
Employment agency staff	4,382	4,208
	<u>60,468</u>	<u>56,258</u>
(b) Other Operating Expenses including the following:	2011	2010
	\$'000	\$'000
Auditor's remuneration		
– audit of the financial statements	74	55
– audit of Members' additional entitlements under Parliamentary Remuneration Tribunal Determination	54	53
Cost of Sales - House Committee	1,081	1,094
Operating Lease Rental Expense-Minimum Lease Payments	5,195	5,166
Maintenance	1,603	1,414
Insurance	233	288
Printing and stationery	6,541	6,063
Telecommunication costs	979	1,058
Travel expenses	1,723	1,566
Computer costs	2,900	2,093
Stores	385	297
Postage	1,258	709
Advertising	306	223
Miscellaneous (includes minor assets and photography)	1,221	1,327
Energy charges	1,341	1,320
Cleaning and laundry	718	650
Contract and other fees	1,867	1,553
	<u>27,479</u>	<u>24,929</u>
	2011	2010
	\$'000	\$'000
<i>Reconciliation – Total maintenance</i>		
Maintenance expense – contracted labour and other (non-employee related), as above	1,603	1,322
Employee related maintenance expense included in Note 2 (a)	6,252	5,334
Total maintenance expenses included in Note 2(a) + 2(b)	<u>7,855</u>	<u>6,656</u>

The Legislature
Notes to and forming part of the Financial Statements for year ended 30 June 2011

(c)	Depreciation and amortisation expense	2011	2010
		\$'000	\$'000
	Depreciation:		
	– buildings	1,574	1,446
	– plant and equipment	3,140	2,648
	– collection assets	28	28
		4,742	4,122
	Amortisation:		
	– leasehold improvements	970	1,013
	– intangibles	152	84
		1,122	1,097
	Total Depreciation and Amortisation Expense	5,864	5,219
(d)	Other Expenses – Members' Remuneration	2011	2010
		\$'000	\$'000
	Salaries and allowances of Members of Parliament	30,161	29,779
	Superannuation entitlements – Members	6,127	7,872
	Payroll tax & fringe benefits tax – Members' entitlements	2,131	2,343
	Special Projects	281	300
		38,700	40,294
3.	Revenue		
(a)	Sale of Goods and Services	2011	2010
	<u>Sale of Goods</u>	\$'000	\$'000
	House Committee sales of food and beverages	3,324	2,990
	Energy recoup from Sydney Hospital and State Library	526	604
	Sale of publications	31	27
		3,881	3,621
	<u>Rendering of Services</u>		
	Rent on Parliament House ministerial offices	924	943
	Miscellaneous	295	351
		1,219	1,294
		5,100	4,915

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

(b)	Investment Revenue	2011	2010
		\$'000	\$'000
	Interest revenue on operating accounts	215	140
		<u>215</u>	<u>140</u>

(c)	Grants and Contributions	2011	2010
		\$'000	\$'000
	Twinning Project - Pacific Public Sector Linkage's Program No.1	291	17
		<u>291</u>	<u>17</u>

The NSW Parliament is twinned with the Parliaments of the Solomon Islands and the Autonomous Region of Bougainville, under the auspices of the Commonwealth Parliamentary Association. The NSW Parliament sought and received funding from AusAID to support the twinning arrangements. The 'Twinning project', or 'Strengthening parliamentary institutions in the Solomon Islands and Bougainville' is anticipated to cost \$1.17 million over three years (April 2010 to April 2013), with \$844,356 provided through AusAID's Pacific Public Sector Linkages Program. The balance is provided by the participating parliaments. The focus of the project is to strengthen parliamentary democracy by building the capacity of the parliamentary administration.

(d)	Other Revenue	2011	2010
		\$'000	\$'000
	Assets recognised for first time	16	19
	Miscellaneous	610	344
		<u>626</u>	<u>363</u>

4.	<i>Gain / (Loss) on Disposal</i>	2011	2010
		\$'000	\$'000
	Proceeds from disposal of plant and equipment	-	-
	Written down value of assets disposed	(69)	(47)
	Net gain/(loss) on disposal of plant and equipment	<u>(69)</u>	<u>(47)</u>

5.	<i>Appropriations</i>	2011	2010
	Recurrent appropriations	\$'000	\$'000
	Total recurrent draw-downs from NSW Treasury (per Summary of compliance)	113,221	104,073
	Less: Liability to Consolidated Fund (per Summary of compliance)	-	-
		<u>113,221</u>	<u>104,073</u>
	Comprising:		
	Recurrent appropriations (per Statement of comprehensive income)	113,221	104,073

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

	2011	2010
	\$'000	\$'000
Capital Appropriations		
Total capital draw-downs from NSW Treasury (per Summary of compliance)	11,492	5,522
Less: Liability to Consolidated Fund (per Summary of compliance)	-	-
	<u>11,492</u>	<u>5,522</u>
Comprising:		
Capital appropriations (per Statement of comprehensive income)	11,492	5,522

6. *Acceptance by the Crown Entity of Employee Benefits and Other Liabilities*

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

	2011	2010
	\$'000	\$'000
Employees		
Superannuation	1,051	1,331
Long service leave	1,126	1,460
Payroll tax on superannuation	58	68
	<u>2,235</u>	<u>2,859</u>
Members		
Superannuation	5,336	7,201
Payroll tax on superannuation	293	401
	<u>5,629</u>	<u>7,602</u>
	<u>7,864</u>	<u>10,461</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

7. Service Groups of The Legislature

Service Group 1.1 Chamber and Committee Support

Service Description: This service group covers procedural support (specialist advice, information and research services to Members); chamber support (operational support for the chambers to carry out their business); committee support (the provision of a secretariat for each committee, the provision of advice and information on its operation and on its enquiry and the provision of mechanisms to allow for public consultation) and Parliamentary reporting (Hansard services to the Houses and to committees).

Linkage to Results: This service group contributes to the Parliament of New South Wales fulfilling its role as a representative and legislative body by working towards a range of intermediate results that include the effective functioning of the Parliament and its committees and supporting Members of Parliament to fulfill their Parliamentary roles.

Service Group 1.2 Members' Support

Service Description: This service group covers Members' services (the provision of human resources services to Members and the administration of Members' entitlements), facilities management (maintenance of Members' offices, the Parliament House building and associated services such as security, catering, building services) financial services and information services. With regard to the Legislative Assembly Members, it includes management of electorate offices lease, fitout and maintenance of equipment and amenities.

Linkage to Results: This service group contributes to the Parliament of New South Wales fulfilling its role as a representative and legislative body by working towards a range of intermediate results that include the effective functioning of the Parliament and its committees and supporting Members of Parliament to fulfill their Parliamentary roles.

Service Group 1.3 Community Access

Service Description: This service group covers community education services such as school tours, visitor tours and open days and education in service sessions for teachers; exhibition services (historical displays, art exhibitions, expositions); public events and functions, particularly utilising the building's function rooms; webstreaming of the proceedings in both Houses and Members' newsletters to constituents.

Linkage to Results: This service group contributes to the Parliament of New South Wales fulfilling its role as a representative and legislative body by working towards the intermediate result of Community access and awareness of the role and functions of the Parliament.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

8. Current Assets – Cash and Cash Equivalents

For the purposes of cash flows, cash and cash equivalents include cash at bank and cash on hand.

Cash and cash equivalents assets recognized in the statement of financial position are reconciled at the end of the financial year to the statement of cash flows as follows:

	2011	2010
	\$'000	\$'000
Cash at Bank and on hand	2,192	2,457
	<u>2,192</u>	<u>2,457</u>

Refer to Note 19 for details regarding credit risk, liquidity risk and market risk arising from financial statements.

9. Current Assets - Receivables

	2011	2010
	\$'000	\$'000
Sales of goods and services	1,040	835
Less: Allowance for impairment	19	36
	1,021	799
GST recoverable from ATO	621	706
Other debtors	62	29
Prepayments	123	194
Investment income	108	82
	<u>1,935</u>	<u>1,810</u>

	2011	2010
	\$'000	\$'000
<i>Movement in the allowance for impairment</i>		
Opening balance	36	35
Amounts written off during the year	-	(32)
Amounts recovered during the year	(28)	-
Increase/ (decrease) in allowance recognised in profit or loss	11	33
Closing balance	<u>19</u>	<u>36</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

10. Current Assets - Inventories

	2011	2010
	\$'000	\$'000
Held for resale		
Food and beverage stock at cost	119	95
	<u>119</u>	<u>95</u>

11. Non-Current Assets – Property, Plant and Equipment

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$'000	\$'000	\$'000	\$'000
At 30 June 2010 – fair value				
Gross carrying amount	180,983	51,304	52,713	285,000
Accumulated depreciation and impairment	51,622	39,219	9,488	100,329
Net Carrying Amount	<u>129,361</u>	<u>12,085</u>	<u>43,225</u>	<u>184,671</u>
At 30 June 2011 – fair value				
Gross carrying amount	186,785	56,535	52,672	295,992
Accumulated depreciation and impairment	55,752	42,232	9,517	107,501
Net Carrying Amount	<u>131,033</u>	<u>14,303</u>	<u>43,155</u>	<u>188,491</u>

Reconciliation

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

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$'000	\$'000	\$'000	\$'000
Year ended 30 June 2011				
Net carrying amount at start of year	129,361	12,085	43,225	184,671
Additions	4,881	4,899	23	9,803
Disposals	-	(127)	(65)	(192)
Net revaluation increments less revaluation decrements	252	-	-	252
Accumulated depreciation written back on disposal	-	127	-	127
Internal transfers	(917)	459	-	(458)
Depreciation Expense	(2,544)	(3,140)	(28)	(5,712)
Net carrying amount at end of year	<u>131,033</u>	<u>14,303</u>	<u>43,155</u>	<u>188,491</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$'000	\$'000	\$'000	\$'000
At 30 June 2009				
Gross Carrying Amount	174,568	48,875	51,322	274,765
Accumulated depreciation and impairment	49,713	36,771	9,460	95,944
Net Carrying Amount	124,855	12,104	41,862	178,821
At 30 June 2010				
Gross Carrying Amount	180,983	51,304	52,713	285,000
Accumulated depreciation and impairment	51,622	39,219	9,488	100,329
Net Carrying Amount	129,361	12,085	43,225	184,671

Reconciliation

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

	Land and Buildings	Plant and Equipment	Collection Assets	Total
	\$'000	\$'000	\$'000	\$'000
Year ended 30 June 2010				
Net carrying amount at start of year	124,855	12,104	41,862	178,821
Additions	3,012	2,631	34	5,677
Disposals	-	(203)	(126)	(329)
Net revaluation increments less revaluation decrements	3,953	-	1,483	5,436
Accumulated depreciation written back on disposal	-	201	-	201
Internal transfers	-	-	-	-
Depreciation Expense	(2,459)	(2,648)	(28)	(5,135)
Net carrying amount at end of year	129,361	12,085	43,225	184,671

The Legislature
Notes to and forming part of the Financial Statements for year ended 30 June 2011

12. Intangible Assets

Software licencing and upgrade

At 1 July 2010	\$'000
Cost (gross carrying amount)	2,468
Accumulated amortisation and impairment	<u>2,441</u>
Net carrying amount	<u>27</u>
At 30 June 2011	
Cost (gross carrying amount)	4,632
Accumulated amortisation and impairment	<u>2,594</u>
Net carrying amount	<u>2,038</u>

Reconciliation

Year ended 30 June 2011	
Net carrying amount at start of year	27
Additions	1,705
Disposals	
Internal Transfers	458
Accumulated amortisation written back on disposal	
Amortisation (recognised in depreciation and amortisation)	<u>(152)</u>
Net carrying amount at end of year	<u>2,038</u>

At 1 July 2009

Cost (gross carrying amount)	2,468
Accumulated amortisation and impairment	<u>2,357</u>
Net carrying amount	<u>111</u>

At 30 June 2010

Cost (gross carrying amount)	2,468
Accumulated amortisation and impairment	<u>2,441</u>
Net carrying amount	<u>27</u>

Reconciliation

Year ended 30 June 2010	
Net carrying amount at start of year	111
Additions	-
Disposals	-
Accumulated amortisation written back on disposal	-
Amortisation (recognised in depreciation and amortisation)	<u>(84)</u>
Net carrying amount at end of year	<u>27</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011.

13. Current Liabilities - Payables	2011	2010
	\$'000	\$'000
Accrued wages, salaries and on-costs	2,087	2,254
Trade creditors	2,508	2,858
Other payables	1,075	745
	<u>5,670</u>	<u>5,857</u>
14. Current / Non- Current Liabilities - Provisions	2011	2010
(a) Current	\$'000	\$'000
Recreation leave	3,780	4,267
On-cost on employee benefits	1,099	1,188
	<u>4,879</u>	<u>5,455</u>
(b) Non-Current		
On-cost on employee benefits	47	50
	<u>47</u>	<u>50</u>
(c) Aggregate employee benefits and related on-costs:		
Provisions - Current	4,879	5,455
Provisions - Non-Current	47	50
Accrued salaries, wages and on-costs (note 13)	2,088	2,254
	<u>7,014</u>	<u>7,759</u>

Of employee benefits for recreation leave \$2,911,000 is expected to be settled within twelve months and \$869,000 is expected to be settled after twelve months. All accrued wages and salaries are expected to be settled within twelve months.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

15. Commitments for expenditure

(a) Operating Lease Commitments

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

	2011	2010
	\$'000	\$'000
Not later than one year	3,662	4,899
Later than one year but not later than five years	4,035	4,583
Later than five years	233	39
Total (including GST)	<u>7,930</u>	<u>9,521</u>

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

The above total includes GST input tax credits of \$707,000 (\$842,000 – 2010), which will be recoverable from Australian Taxation Office (ATO).

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

	2011	2010
	\$'000	\$'000
Not later than one year	3,224	4,477
Later than one year but not later than five years	3,833	3,966
Later than five years	233	39
Electorate Office Lease Commitments (including GST)	<u>7,290</u>	<u>8,482</u>

The above total includes GST input tax credits of \$649,000 (\$748,000 – 2010), which will be recoverable from the ATO.

(b) Other Expenditure Commitments

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

	2011	2010
	\$'000	\$'000
Not later than one year	87	261
Total (including GST)	<u>87</u>	<u>261</u>

The above total for 2010 includes GST input tax credits of \$8,000 (\$24,000 – 2010) that will be recoverable from the ATO.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

(c) Capital Commitments

Aggregate capital expenditure contracted for the completion of security works and replacement of the cooling tower at Parliament House at balance date and not provided for:

	2011	2010
	\$'000	\$'000
Not later than one year	2,231	2,806
Total (including GST)	<u>2,231</u>	<u>2,806</u>

The above total includes GST input tax credits of \$202,819 (\$255,091 – 2010), which will be recoverable from the ATO.

16. Contingent Liabilities and Contingent Assets

The Legislature had no contingent assets or contingent liabilities at reporting date (2010: nil).

17. Budget Review

Net cost of services

The net cost of services was \$2.053M more than budget reflecting lower than budgeted employee related expenses (\$1.606M), depreciation and amortisation (\$326,000) and higher than budgeted other expenses - Members' remuneration (\$4.977M) and revenue (\$1.342M).

Employee related expenses were \$1.606M less than budget and this was offset by other expenses - Members remuneration being higher than budget by \$4.977M. These two items taken together reflect a variation of \$3.371 greater than budget. These two items should be considered together as aggregated they represent total employment related costs of Members and staff.

Actual total employment related costs included a component for payment of termination payments and related costs for Members' staff opting to take separation payments following the election in March 2011. These costs were fully funded by an additional appropriation of \$4.3M. Actual employee related costs in the 2010/2011 were \$4.21M higher than actual employee related costs in 2009/2010.

Members salaries and allowances costs were lower than budget due to the March 2011 election. The allocation of funds for Members' salaries and allowances is in the form of a "protected allocation" so that funds drawn down for this purpose cannot exceed the actual amount paid by The Legislature. The actual amount paid was \$1.65M less than budget.

The balance of the variance for total employment related costs arose mainly from additional employee related costs incurred through the establishment of the Parliamentary Budget Office. Additional funding was provided to support the introduction of the Parliamentary Budget Office.

Depreciation and amortisation expenses were \$326,000 less than budget. This variation arose from later than estimated completion dates for capital projects undertaken during the 2010/2011 financial year.

Revenue from the sale of goods and services was \$470,000 higher than budget due to increased earnings from external functions and room hire. AusAID grants of \$291,000 were received in relation to work undertaken as part of a parliamentary "Twinning" arrangement. Other revenue was also higher than budget by \$491,000 mainly reflecting salary recoupment for deployed staff as well as a refund for workers compensation premium as a hindsight adjustment. These positive variations against budget for revenue total \$1.342M.

Assets and liabilities

Total current assets were higher than budget by \$1.107M due to higher than budgeted cash holdings and receivables. Current assets were largely in line with prior year current assets.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

Total non-current assets were higher than budget due to the completion of significant capital works projects including the upgrade of the SAP financial management system, replacement of cooling towers, upgrade of equipment in electorate offices and security works within the Parliament House precinct. Capital works programs were approximately \$11.5M.

Total liabilities were higher than budget by \$290,000 mainly through higher payables. Liabilities were lower than prior year total liabilities by \$766,000.

Cash flows

Net cash flows from operating activities are \$1.772M higher than budget largely due to additional capital appropriations reflecting additional capital works undertaken in the 2010/2011 financial year and additional recurrent appropriation for Members' staff separation payments and the introduction of the Parliamentary Budget Office. Net cash flows from investing activities also reflect this.

The net decrease in cash and closing cash positions were better than budget and largely in line with the previous year.

18. Reconciliation of cash flows from operating activities to net cost of services

	2011	2010
	\$'000	\$'000
Net cash used in operating activities	11,228	4,797
Depreciation	(5,864)	(5,219)
(Increase) / decrease in provisions	579	(558)
(Decrease) / increase in receivables, inventories and other assets	153	68
(Increase) / decrease in creditors and other liabilities	186	(316)
Gain / (Loss) on sale of non-current assets	(69)	(47)
Assets recognised for first time	16	19
Long service leave	(1,126)	(1,460)
Superannuation	(6,387)	(8,532)
Payroll tax on superannuation	(351)	(469)
Less cash flows from government:		
Capital allocation	(11,492)	(5,522)
Recurrent allocation	(113,221)	(104,073)
Net cost of services	<u>(126,348)</u>	<u>(121,312)</u>

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

19. Financial Instruments

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

The Legislature's main risks arising from financial instruments are outlined below, together with The Legislature's objectives, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout these financial statements.

The Clerks of both Houses and the Executive Manager have overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by The Legislature, to set risk limits and controls and to monitor risks.

(a) Financial instrument categories

Financial Assets	Note	Category	Carrying Amount	Carrying Amount
			2011	2010
Class:			\$'000	\$'000
Cash and cash equivalents	8	N/A	2,192	2,457
Receivables ¹	9	Loans and receivables (at amortised cost)	1,191	910
Financial Liabilities	Note	Category	Carrying Amount	Carrying Amount
			2011	2010
Class:			\$'000	\$'000
Payables ²	13	Financial liabilities measured at amortised cost	3,583	3,403

Notes

1. Excludes statutory receivables and prepayments (i.e. not within scope of AASB 7).
2. Excludes statutory payables and unearned revenue (i.e. not within scope of AASB 7).

(b) Credit risk

Credit risk arises when there is the possibility of The Legislature's debtors defaulting on their contractual obligations, resulting in a financial loss to The Legislature. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for impairment).

Credit risk arises from the financial assets of The Legislature, including cash, receivables and authority deposits. No collateral is held by The Legislature. The Legislature has not granted any financial guarantees.

Credit risk associated with The Legislature's financial assets, other than receivables, is managed through the selection of counterparties and establishment of minimum credit rating standards. Authority deposits held with NSW TCorp are guaranteed by the State.

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 NSW Treasury.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

Receivables - trade debtors

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 uncollectible are written off. An allowance for impairment is raised when there is objective evidence that the entity will not be able to collect all amounts due. This evidence includes past experience, and current and expected changes in economic conditions and debtor credit ratings. Interest is earned on food and beverage sales after 60 days at 2% per month. No interest is charged on any other debtors. Food and beverage sales are made on 30-day terms. Other sales are made on either 14 or 30-day terms.

The only financial assets that are past due or impaired are "sales of goods and services" in the "receivables" category of the statement of financial position.

	\$'000	\$'000	\$'000
	Total ^{1,2}	Past due but not impaired ^{1,2}	Considered impaired ^{1,2}
2011			
< 3 months overdue	194	192	2
3 months – 6 months overdue	26	21	5
> 6 months overdue	41	29	12
2010			
< 3 months overdue	282	282	0
3 months – 6 months overdue	22	16	6
> 6 months overdue	96	66	30

Notes

1. Each column in the table reports "gross receivables".
2. The ageing analysis excludes statutory receivables, as these are not within the scope of AASB 7 and excludes receivables that are not past due and not impaired. Therefore, the "total" will not reconcile to the receivables total recognised in the statement of financial position.

(c) Liquidity Risk

Liquidity risk is the risk that The Legislature will be unable to meet its payment obligations when they fall due. The Legislature continuously manages risk through monitoring future cash flows and maturities planning to ensure adequate holding of high quality liquid assets. The objective is to maintain a balance between continuity of funding and flexibility through the use of overdrafts, loans and other advances.

The Legislature has the following banking facilities as at 30 June 2011:

- Cheque cashing authority of \$20,000, which is the total encashment facility provided to enable recoupment of advance account activities.
- Tape negotiation authority of \$3,000,000. This facility authorised the bank to debit The Legislature's operating bank account up to the above limit when processing the electronic payroll and vendor files.
- MasterCard facility of \$731,000.

During the current and prior years, there were no defaults or breaches on any loans payable. No assets have been pledged as collateral. The Legislature's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

The 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 unsecured) are settled in accordance with the policy set out in 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. Treasurer's Direction 219.01 allows the Minister to award interest for late payment.

The table below summarises the maturity profile of The Legislature's financial liabilities, together with the interest rate exposure.

Maturity analysis and interest rate exposure of financial liabilities

	\$'000		\$'000			\$'000		
	Weighted Average Effective Int. Rate	Nominal Amount ¹	Interest Rate Exposure			Maturity Dates		
			Fixed Interest Rate	Variable Interest Rate	Non-interest bearing	< 1 yr	1-5 yrs	> 5 yrs
2011								
Trade Payable	-	3,583	-	-	3,583	3,583	-	-
Total Financial Liabilities	-	3,583	-	-	3,583	3,583	-	-
2010								
Trade Payables	-	3,403	-	-	3,403	3,403	-	-
Total Financial Liabilities	-	3,403	-	-	3,403	3,403	-	-

Notes

- The amounts disclosed are the contractual undiscounted cash flows of each class of financial liabilities based on the earliest date on which The Legislature can be required to pay. The tables include both interest and principal cash flows and therefore will not reconcile to the statement of financial position.

(d) Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. The Legislature's exposures to market risk are primarily through interest rate risk on The Legislature's borrowings and other price risks associated with the movement in the unit price of the Hour Glass Investment Facilities. The Legislature has no exposure to foreign currency risk and does not enter into commodity contracts.

The effect on profit and equity due to a reasonably possible change in risk variable is outlined in the information below, for interest rate risk and other price risk. A reasonably possible change in risk variable has been determined after taking into account the economic environment in which The Legislature operates and the time frame for the assessment (i.e. until the end of the next annual reporting period). The sensitivity analysis is based on risk exposures in existence at the statement of financial position date. The analysis is performed on the same basis as for 2010. The analysis assumes that all other variables remain constant.

The Legislature

Notes to and forming part of the Financial Statements for year ended 30 June 2011

Interest rate risk

Exposure to interest rate risk arises primarily through The Legislature's interest bearing liabilities. This risk is minimised by undertaking mainly fixed rate borrowings, primarily with NSW TCorp. The Legislature does not account for any fixed rate financial instruments at fair value through profit or loss or as available-for-sale. Therefore, for these financial instruments, a change in interest rates would not affect profit or loss or equity. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates. The basis will be reviewed annually and amended where there is a structural change in the level of interest rate volatility. The Legislature's exposure to interest rate risk is set out below.

	\$'000 Carrying Amount	Profit	\$'000 -1% Equity	Profit	\$'000 1% Equity
2011					
<i>Financial assets</i>					
Cash and cash equivalents	2,192	(22)	(22)	22	22
2010					
<i>Financial assets</i>					
Cash and cash equivalents	2,457	(25)	(25)	25	25

20. After Balance Date Events

No events have occurred subsequent to balance date which would have a material financial effect.

End of audited financial statements

Supplementary Financial Information

Legislative Council

	2010/2011 ACTUAL \$000	2010/2011 BUDGET \$000	2009/2010 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	9,485	10,064	9,043
Other Operating Expenses	2,700	2,615	2,616
Depreciation and amortisation	64	52	148
Other Expenses	11,899	13,478	12,451
Total Expenses	24,148	26,209	24,258
Revenue			
Sale of Goods and Services	453	467	482
Grants and contributions	146	139	9
Other Revenue	17	2	
Total Revenue	616	608	491
NET COST OF SERVICES	23,532	25,601	23,767
Gain (loss) on sale of assets	.	-	.
Less:			
Depreciation and amortisation	64	52	148
Long Service Leave	7	7	88
Superannuation	2,139	2,139	2,726
NET CONTROLLABLE COST OF SERVICES	21,322	23,403	20,805
CAPITAL WORKS EXPENDITURE	-	-	23

Supplementary Financial Information

Parliamentary Representation - Legislative Council 2010/11

	2010/2011 ACTUAL \$000	2010/2011 BUDGET \$000	2009/2010 ACTUAL \$000
<i>Expenses</i>			
Staff Salaries and Related Payments	4,938	5,224	4,651
Other Operating Expenses	1,941	1,615	1,587
Depreciation and amortisation	10	10	94
Other Expenses	11,899	13,478	12,451
Total Expenses	18,788	20,327	18,783
<i>Revenue</i>			
Sale of Goods and Services	453	467	466
Other Revenue	6	-	
Total Revenue	459	467	466
Gain (loss) on sale of assets	-	-	-
NET COST OF SERVICES	18,329	19,860	18,317
Less:			
Depreciation and amortisation	10	10	94
Long Service Leave	(11)	(11)	(55)
Superannuation	2,013	2,013	2,569
NET CONTROLLABLE COST OF SERVICES	16,317	17,848	15,709
CAPITAL WORKS EXPENDITURE	-	-	23

Supplementary Financial Information

Operation of Legislative Council 2010/11

	2010/2011 ACTUAL \$000	2010/2011 BUDGET \$000	2009/2010 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	2,405	2,889	2,412
Other Operating Expenses	347	370	443
Depreciation and amortisation	27	27	34
Total Expenses	2,779	3,286	2,889
Revenue			
Sale of Goods and Services	0	-	16
Other Revenue	0	2	-
Total Revenue	0	2	16
Gain (loss) on sale of assets	-		-
NET COST OF SERVICES	2,779	3,284	2,873
Less:			
Depreciation and amortisation	27	27	34
Long Service Leave	(17)	(17)	90
Superannuation	126	126	157
NET CONTROLLABLE COST OF SERVICES	2,643	3,148	2,592
CAPITAL WORKS EXPENDITURE	-	-	-

Supplementary Financial Information

Legislative Council Committees 2010/11

	2010/2011 ACTUAL \$000	2010/2011 BUDGET \$000	2009/2010 ACTUAL \$000
<i>Expenses</i>			
Staff Salaries and Related Payments	2,079	1,876	1,967
Other Operating Expenses	281	555	584
Depreciation and amortisation	27	15	21
Total Expenses	2,387	2,446	2,572
<i>Revenue</i>			
Sale of Goods and Services	-	-	-
Other Revenue	1	-	-
Total Revenue	1	-	-
Gain (loss) on sale of assets	-	-	-
NET COST OF SERVICES	2,386	2,446	2,572
Less:			
Depreciation and amortisation	27	15	21
Long Service Leave	35	35	54
Superannuation	-	-	-
NET CONTROLLABLE COST OF SERVICES	2,324	2,396	2,497
CAPITAL WORKS EXPENDITURE	-	-	-

Supplementary Financial Information

Special projects - L.C. 2010/11

	2010/2011 ACTUAL \$000	2010/2011 BUDGET \$000	2009/2010 ACTUAL \$000
Expenses			
Staff Salaries and Related Payments	63	75	13
Other Operating Expenses	131	75	3
Depreciation	-	-	-
Total Expenses	194	150	16
Revenue			
Sale of Goods and Services			-
Grants and contributions	146	139	9
Other revenue	10		
Total Revenue	156	139	9
Gain (loss) on sale of assets	-	-	-
NET COST OF SERVICES	38	11	7
Less:			
Depreciation	-	-	-
Long Service Leave	-	-	-
Superannuation	-	-	-
NET CONTROLLABLE COST OF SERVICES	38	11	7
CAPITAL WORKS EXPENDITURE	-	-	-



Appendices

Appendix 1 Members of the Legislative Council	131
Appendix 2 Legislative Council members' allowances and expenditure	133
Appendix 3 Committee travel expenses 2010-2011	145
Appendix 4 MLC attendance at Legislative Council committee meetings 2010-2011	146
Appendix 5 MLC membership of joint committees administered by the Legislative Assembly	148
Appendix 6 Committee reports and government responses	150

Appendix 1

Members of the Legislative Council

Ajaka ^B The Honourable John George <i>Parliamentary Secretary</i>	LIB	Kelly ^B The Honourable Anthony Bernard <i>Leader of the Opposition</i>	ALGA ALP
Barham ^B The Honourable Jan	G	Khan ^A The Honourable Trevor John B Juris LLB (UNSW)	NAT
Blair ^B The Honourable Niall	NAT	Lynn ^A The Honourable Charlie John Stuart psc <i>Parliamentary Secretary</i>	LIB
Borsak ^A The Honourable Robert B Bus FCPA JP ⁵	SFP	MacDonald ^B The Honourable Scot GCNAT BFin.Admin	LIB
Brown ^B The Honourable Robert Leslie	SFP	*Maclaren-Jones ^B The Honourable Natasha <i>Temporary Chair of Committees</i>	LIB
Buckingham ^B The Honourable Jeremy	G	Mason-Cox ^A The Honourable Matthew Ryan <i>Parliamentary Secretary</i>	LIB
Clarke ^B The Honourable David <i>Parliamentary Secretary</i>	LIB	*Mitchell ^B The Honourable Sarah <i>Temporary Chair of Committees</i>	NAT
Colless ^B The Honourable Richard Hargrave HD App Sci(Agric) <i>Deputy Government Whip</i>	NAT	Moselmane ^A The Honourable Shaoquett ¹	ALP
Cotsis ^A The Honourable Sophie ⁴	ALP	Nile ^A The Reverend the Honourable Frederick John ED LTh <i>Assistant President</i>	CDP
Cusack ^B The Honourable Catherine Eileen BEc(SocSc)	LIB	Pavey ^A The Honourable Melinda Jane <i>Parliamentary Secretary</i>	NAT
Donnelly ^B The Honourable Gregory John BEC MIR ALP		Pearce ^B The Honourable Gregory Stephen BA LLB <i>Minister for Finance and Services, and Minister for the Illawarra</i>	LIB
*Faehrmann ^A The Honourable Cate ³ <i>Temporary Chair of Committees</i>	G	Phelps ^B The Honourable Dr Peter <i>Government Whip</i>	LIB
Fazio ^A The Honourable Amanda Ruth <i>Opposition Whip</i>	ALP	Primrose ^B The Honourable Peter Thomas B SocStud(Syd)	ALP
Ficarra ^A The Honourable Marie Ann BSc(Hons) <i>Parliamentary Secretary</i>	LIB	Roosendaal ^B The Honourable Eric Michael BA LLB	ALP
Foley ^A The Honourable Luke Aquinas ² <i>Deputy Leader of the Opposition</i>	ALP	*Searle ^A The Honourable Adam ⁷	ALP
Gallacher ^B The Honourable Michael Joseph BProfSt LIB <i>Minister for Police and Emergency Services, Minister for the Hunter, and Vice-President of the Executive Council</i>		*Secord ^A The Honourable Walt ⁶	ALP
Gardiner ^A The Honourable Jennifer Ann BBus <i>Deputy President and Chair of Committees</i>	NAT	Sharpe ^B The Honourable Penelope Gail	ALP
Gay ^B The Honourable Duncan John <i>Minister for Roads and Ports</i>	NAT	Shoebridge ^B Mr David	G
*Green ^B The Honourable Paul BNursing <i>Temporary Chair of Committees</i>	CDP	Veitch ^A The Honourable Michael Stanley	ALP
Harwin ^A The Honourable Donald Thomas BEc(Hons) <i>President</i>	LIB	Voltz ^A The Honourable Lynda Jane <i>Deputy Opposition Whip</i>	ALP
Kaye ^A Dr John	G	*Westwood ^A The Honourable Helen Mary AM <i>Temporary Chair of Committees</i>	ALP

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

^B Elected Members whose term of service expires on dissolution or expiry of 56th Parliament.

¹ Elected (03.12.2009) to vacancy caused by the resignation of the Hon H Tsang. Term of service expires on the dissolution or expiry of the 55th Parliament.

² Elected (10.06.2010) to vacancy caused by the resignation of the Hon I Macdonald. Term of service expires on the dissolution or expiry of the 55th Parliament.

³ Elected (07.09.2010) to vacancy caused by the resignation of Ms Lee Rhiannon. Term of service expires on the dissolution or expiry of the 55th Parliament.

⁴ Elected (07.09.2010) to vacancy caused by the resignation of the Hon John Della Bosca. Term of service expires on the dissolution or expiry of the 55th Parliament.

⁵ Elected (07.09.2010) to vacancy caused by the death of the Hon Roy Smith. Term of service expires on the dissolution or expiry of the 55th Parliament.

⁶ Elected (24.05.2011) to vacancy caused by the resignation of the Hon Edward Obeid. Term of service expires on the dissolution or expiry of the 55th Parliament.

⁷ Elected (24.05.2011) to vacancy caused by the resignation of the Hon John Hatzistergos. Term of service expires on the dissolution or expiry of the 55th Parliament.

* Indicates new or amended entry.

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

Party representation: house of 42 members

ALP – Australian Labor Party	14
CDP – Christian Democratic Party (Fred Nile Group)	2
G – The Greens	5
LIB – Liberal Party of Australia (NSW Division)	12
NAT – The Nationals	7
SP – Shooters Party	2
Total	42

Officers of the Legislative Council

President

The Honourable Donald Thomas Harwin

Deputy President and Chair of Committees

The Honourable Jennifer Ann Gardiner

Assistant President

The Reverend the Honourable Frederick John Nile

Clerk of the Parliaments

Lynn Carole Lovelock BA (Hons) DipEd

Deputy Clerk

David Michael Blunt M Phil LLB (Hons)

Clerk Assistant-Procedure

Julie Langsworth BA Com (Hons)

Clerk Assistant-Committees & Usher of the Black Rod

Steven Reynolds BEc LLB MPS

Appendix 2

Legislative Council members' allowances and expenditure

54th Parliament – for the period 1 July 2010 to 25 March 2011

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
John Ajaka	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			6,028.31				
	Total available 2010/11			22,108.31				
	Expended claimed	700.00		20,472.10				
	Funds Remaining			1,636.21				
Robert Borsak	Allocation for 2010/11			12,000.00				
	C/Forward from 2009/10							
	Total available 2010/11			12,000.00				
	Expended claimed			12,000.00	9,225.93	222.46		
	Funds Remaining			0.00				
Robert Brown	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			14,604.02				
	Total available 2010/11			30,684.02				
	Expended claimed			25,813.81	20,856.11	1,954.48		
	Funds Remaining			4,870.21				
Antonio Catanzariti	Allocation for 2010/11			26,883.71				
	C/Forward from 2009/10			15,543.31				
	Total available 2010/11			42,427.02				
	Expended claimed		14,178.46	35,374.88	6,858.21	2,685.06	965.00	
	Funds Remaining			7,052.14				
David Clarke	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			12,528.18				
	Total available 2010/11			28,608.18				
	Expended claimed			13,914.80				
	Funds Remaining			14,693.38				
Ian Cohen	Allocation for 2010/11			24,531.18				
	C/Forward from 2009/10			6,206.69				
	Total available 2010/11			30,737.87				
	Expended claimed	700.00	12,044.61	18,716.79	6,334.34			
	Funds Remaining			12,021.08				
Richard Colless	Allocation for 2010/11			26,883.71				
	C/Forward from 2009/10			5,078.27				
	Total available 2010/11			31,961.98				
	Expended claimed		6,733.10	31,309.35	20,138.50	466.22	698.34	
	Funds Remaining			652.63				
Sophie Cotsis	Allocation for 2010/11			12,000.00				
	C/Forward from 2009/10							
	Total available 2010/11			12,000.00				
	Expended claimed			7,446.69				
	Funds Remaining			4,553.31				
Catherine Cusack	Allocation for 2010/11			24,531.18				
	C/Forward from 2009/10			10,283.03				
	Total available 2010/11			34,814.21				
	Expended claimed		17,105.04	24,211.29	10,340.35	939.27		
	Funds Remaining			10,602.92				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
John Della Bosca	Allocation for 2010/11			16,557.26				
	C/Forward from 2009/10			13,130.05				
	Total available 2010/11			29,687.31				
	Expended claimed			266.44				
	Funds Remaining			29,420.87				
Gregory Donnelly	Allocation for 2010/11			18,848.85				
	C/Forward from 2009/10			93.37				
	Total available 2010/11			18,942.22				
	Expended claimed			17,896.96	2,569.99			
	Funds Remaining			1,045.26				
Cate Faehrmann	Allocation for 2010/11			12,000.00				
	C/Forward from 2009/10							
	Total available 2010/11			12,000.00				
	Expended claimed			11,999.99	4,904.55	111.36	187.24	
	Funds Remaining			0.01				
Amanda Fazio	Allocation for 2010/11			24,399.75				
	C/Forward from 2009/10			20,281.80				
	Total available 2010/11			44,681.55				
	Expended claimed			29,575.58	3,938.94		1,377.73	
	Funds Remaining			15,105.97				
Marie Ficarra	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			4,100.60				
	Total available 2010/11			20,180.60				
	Expended claimed			19,920.20	3,341.31	137.94		
	Funds Remaining			260.40				
Luke Foley	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			1,093.00				
	Total available 2010/11			17,173.00				
	Expended claimed			14,844.81	1,607.24	181.82		
	Funds Remaining			2,328.19				
Michael Gallacher	Allocation for 2010/11			16,557.26				
	C/Forward from 2009/10			46,596.68				
	Total available 2010/11			63,153.94				
	Expended claimed			5,212.57	372.28			
	Funds Remaining			57,941.37				
Jennifer Gardiner	Allocation for 2010/11			24,531.18				
	C/Forward from 2009/10			9,499.38				
	Total available 2010/11			34,030.56				
	Expended claimed		17,911.43	26,764.14	12,728.68			
	Funds Remaining			7,266.42				
Duncan Gay	Allocation for 2010/11			28,225.18				
	C/Forward from 2009/10			13,556.94				
	Total available 2010/11			41,782.12				
	Expended claimed		1,030.16	38,814.03	20,068.07	3,732.01	2,001.90	
	Funds Remaining			2,968.09				
Kayee Griffin	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			31,071.58				
	Total available 2010/11			49,504.11				
	Expended claimed			33,923.76				
	Funds Remaining			15,580.35				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Sylvia Hale	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining			16,080.00 10,017.03 26,097.03 863.01 25,234.02	219.75			
Don Harwin	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining		1,701.00	26,883.71 13,963.63 40,847.34 40,104.84 742.50	333.30		27.55	
John Hatzistergos	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining			18,432.53 62,437.36 80,869.89 66,496.99 14,372.90				
John Kaye	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining			16,080.00 1,161.04 17,241.04 17,095.20 145.84	2,021.86			
Anthony Kelly	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining		5,727.80	26,883.71 58,867.30 85,751.01 65,082.62 20,668.39		3,428.61		
Trevor Khan	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining		15,626.42	24,531.18 48.71 24,579.89 21,281.43 3,298.46	2,837.29		1,818.71	
Charlie Lynn	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining			16,080.00 7,038.52 23,118.52 10,220.84 12,897.68	1,438.86			
Matthew Mason-Cox	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining		9,061.62	27,808.86 17,517.99 45,326.85 14,891.42 30,435.43	2,043.98			
Shaoquett Moselmane	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining			16,080.00 8,374.54 24,454.54 10,234.62 14,219.92	385.53		476.08	
Gordon Moyes	Allocation for 2010/11 C/Forward from 2009/10 Total available 2010/11 Expended claimed Funds Remaining		6,432.00	16,557.26 3,736.40 20,293.66 19,489.36 804.30	6,797.09	898.90	7.56	

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Frederick Nile	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			7,402.96				
	Total available 2010/11			25,835.49				
	Expended claimed			21,403.46				
	Funds Remaining			4,432.03				
Edward Obeid	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			30,432.28				
	Total available 2010/11			46,512.28				
	Expended claimed			27,842.64				
	Funds Remaining			18,669.64				
Robyn Parker	Allocation for 2010/11			24,531.18				
	C/Forward from 2009/10			11,673.11				
	Total available 2010/11			36,204.29				
	Expended claimed	875.00	7,498.71	31,725.05	443.18			
	Funds Remaining			4,479.24				
Melinda Pavey	Allocation for 2010/11			24,531.18				
	C/Forward from 2009/10			2,188.68				
	Total available 2010/11			26,719.86				
	Expended claimed		15,335.16	24,413.10	14,121.58	117.66	878.38	
	Funds Remaining			2,306.76				
Gregory Pearce	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			4,392.80				
	Total available 2010/11			20,472.80				
	Expended claimed		370.50	20,447.88	10,392.21	1,792.36	651.49	
	Funds Remaining			24.92				
Peter Primrose	Allocation for 2010/11			18,909.79				
	C/Forward from 2009/10			31,119.95				
	Total available 2010/11			50,029.74				
	Expended claimed			36,241.56	489.12			
	Funds Remaining			13,788.18				
Lee Rhiannon	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			23.92				
	Total available 2010/11			16,103.92				
	Expended claimed			719.19				
	Funds Remaining			15,384.73				
Christine Robertson	Allocation for 2010/11			26,883.71				
	C/Forward from 2009/10			49,558.68				
	Total available 2010/11			76,442.39				
	Expended claimed		10,305.74	45,956.77	2,912.68	619.22		
	Funds Remaining			30,485.62				
John Robertson	Allocation for 2010/11			18,909.79				
	C/Forward from 2009/10			31,279.58				
	Total available 2010/11			50,189.37				
	Expended claimed			11,278.50				
	Funds Remaining			38,910.87				
Eric Roozendaal	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			58,618.38				
	Total available 2010/11			77,050.91				
	Expended claimed			5,528.15				
	Funds Remaining			71,522.76				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Penelope Sharpe	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			3,342.47				
	Total available 2010/11			21,775.00				
	Expended claimed			13,863.15	1,509.16			
	Funds Remaining			7,911.85				
David Shoebridge	Allocation for 2010/11			12,000.00				
	C/Forward from 2009/10							
	Total available 2010/11			12,000.00				
	Expended claimed			11,885.60	3,319.77			
	Funds Remaining			114.40				
Roy Smith	Allocation for 2010/11			16,080.00				
	C/Forward from 2009/10			9,021.11				
	Total available 2010/11			25,101.11				
	Expended claimed			493.30				
	Funds Remaining			24,607.81				
Michael Veitch	Allocation for 2010/11			26,883.71				
	C/Forward from 2009/10			46,182.16				
	Total available 2010/11			73,065.87				
	Expended claimed		10,754.05	23,751.61	4,290.17			
	Funds Remaining			49,314.26				
Lynda Voltz	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			1,254.68				
	Total available 2010/11			19,687.21				
	Expended claimed			18,256.46	2,168.34		298.75	
	Funds Remaining			1,430.75				
Ian West	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			46,148.70				
	Total available 2010/11			64,581.23				
	Expended claimed			13,635.17				
	Funds Remaining			50,946.06				
Helen Westwood	Allocation for 2010/11			18,432.53				
	C/Forward from 2009/10			46,392.40				
	Total available 2010/11			64,824.93				
	Expended claimed			58,581.50				
	Funds Remaining			6,243.43				

Note: Figures are representative of data recorded at 30 June 2011. Amendments to data by subsequent reconciliation processes will be reported in the following annual report.

Legislative Council members' allowances and expenditure

55th Parliament – for the period 26 March 2011 to 30 June 2011

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
John Ajaka	Allocation for 2010/11			6,329.13				
	C/Forward from 2009/10							
	Total available 2010/11			6,329.13				
	Expended claimed			2,955.11	182.15			
	Funds Remaining			3,374.02				
Jan Barham	Allocation for 2010/11			8,878.82				
	C/Forward from 2009/10							
	Total available 2010/11			8,878.82				
	Expended claimed		3,782.64	3,904.24	682.98			
	Funds Remaining			4,974.58				
Niall Blair	Allocation for 2010/11			9,273.84				
	C/Forward from 2009/10							
	Total available 2010/11			9,273.84				
	Expended claimed		1,786.36	4,877.65	901.00			
	Funds Remaining			4,396.19				
Robert Borsak	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			4,142.95	3,243.01			
	Funds Remaining			1,677.05				
Robert Brown	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed		432.16	5,729.40	4,631.76	76.86		
	Funds Remaining			90.60				
Jeremy Buckingham	Allocation for 2010/11			8,878.82				
	C/Forward from 2009/10							
	Total available 2010/11			8,878.82				
	Expended claimed		2,725.86	8,375.29	3,355.33		1,095.37	
	Funds Remaining			503.53				
David Clarke	Allocation for 2010/11			6,329.13				
	C/Forward from 2009/10							
	Total available 2010/11			6,329.13				
	Expended claimed			826.06				
	Funds Remaining			5,503.07				
Richard Colless	Allocation for 2010/11			9,730.30				
	C/Forward from 2009/10							
	Total available 2010/11			9,730.30				
	Expended claimed		4,592.61	5,552.55	2,925.68	241.98		
	Funds Remaining			4,177.75				
Sophie Cotsis	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			1,324.48				
	Funds Remaining			4,495.52				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Catherine Cusack	Allocation for 2010/11			8,940.27				
	C/Forward from 2009/10							
	Total available 2010/11			8,940.27				
	Expended claimed		6,410.28	7,064.72	1,091.78	728.54		
	Funds Remaining			1,875.55				
Gregory Donnelly	Allocation for 2010/11			6,212.60				
	C/Forward from 2009/10							
	Total available 2010/11			6,212.60				
	Expended claimed			3,271.46	82.45			
	Funds Remaining			2,941.14				
Cate Faehrmann	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			4,417.13	2,687.79		292.73	
	Funds Remaining			1,402.87				
Amanda Fazio	Allocation for 2010/11			7,517.57				
	C/Forward from 2009/10							
	Total available 2010/11			7,517.57				
	Expended claimed			4,952.32	1,454.69	675.39	1,200.64	
	Funds Remaining			2,565.25				
Marie Ficarra	Allocation for 2010/11			6,329.13				
	C/Forward from 2009/10							
	Total available 2010/11			6,329.13				
	Expended claimed			4,222.03				
	Funds Remaining			2,107.10				
Luke Foley	Allocation for 2010/11			7,062.05				
	C/Forward from 2009/10							
	Total available 2010/11			7,062.05				
	Expended claimed			2,913.22				
	Funds Remaining			4,148.83				
Michael Gallacher	Allocation for 2010/11			7,084.61				
	C/Forward from 2009/10							
	Total available 2010/11			7,084.61				
	Expended claimed			137.97				
	Funds Remaining			6,946.64				
Jennifer Gardiner	Allocation for 2010/11			9,396.73				
	C/Forward from 2009/10							
	Total available 2010/11			9,396.73				
	Expended claimed		6,678.60	8,699.99	3,157.65			
	Funds Remaining			696.74				
Duncan Gay	Allocation for 2010/11			9,693.98				
	C/Forward from 2009/10							
	Total available 2010/11			9,693.98				
	Expended claimed			1,474.86				
	Funds Remaining			8,219.12				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Paul Green	Allocation for 2010/11			8,878.82				
	C/Forward from 2009/10							
	Total available 2010/11			8,878.82				
	Expended claimed		2,160.00	1,971.84	73.27			
	Funds Remaining			6,906.98				
Don Harwin	Allocation for 2010/11			11,469.61				
	C/Forward from 2009/10							
	Total available 2010/11			11,469.61				
	Expended claimed		850.50	2,657.25	407.33			
	Funds Remaining			8,812.36				
John Hatzistergos	Allocation for 2010/11			5,841.59				
	C/Forward from 2009/10							
	Total available 2010/11			5,841.59				
	Expended claimed			1,686.38				
	Funds Remaining			4,155.21				
John Kaye	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			1,690.23	638.69			
	Funds Remaining			4,129.77				
Anthony Kelly	Allocation for 2010/11			10,659.78				
	C/Forward from 2009/10							
	Total available 2010/11			10,659.78				
	Expended claimed		2,355.88	3,772.52	357.98	450.63		
	Funds Remaining			6,887.26				
Trevor Khan	Allocation for 2010/11			9,273.84				
	C/Forward from 2009/10							
	Total available 2010/11			9,273.84				
	Expended claimed		4,763.47	5,118.99	68.37	675.30	12.00	
	Funds Remaining			4,154.85				
Charlie Lynn	Allocation for 2010/11			6,329.13				
	C/Forward from 2009/10							
	Total available 2010/11			6,329.13				
	Expended claimed			2,950.93	817.30			
	Funds Remaining			3,378.20				
Scot MacDonald	Allocation for 2010/11			8,878.82				
	C/Forward from 2009/10							
	Total available 2010/11			8,878.82				
	Expended claimed		6,663.87	8,878.82	2,750.76	25.00		
	Funds Remaining			0.00				
Natasha Maclaren-Jones	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			183.36				
	Funds Remaining			5,636.64				
Matthew Mason-Cox	Allocation for 2010/11			10,065.15				
	C/Forward from 2009/10							
	Total available 2010/11			10,065.15				
	Expended claimed		7,799.25	2,528.93	1,310.97			
	Funds Remaining			7,536.22				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Sarah Mitchell	Allocation for 2010/11			8,878.82				
	C/Forward from 2009/10							
	Total available 2010/11			8,878.82				
	Expended claimed		5,108.22	3,880.03	1,074.60			
	Funds Remaining			4,998.79				
Shaoquett Moselmane	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			1,449.11				
	Funds Remaining			4,370.89				
Frederick Nile	Allocation for 2010/11			6,337.91				
	C/Forward from 2009/10							
	Total available 2010/11			6,337.91				
	Expended claimed			5,829.56				
	Funds Remaining			508.35				
Edward Obeid	Allocation for 2010/11			5,820.00				
	C/Forward from 2009/10							
	Total available 2010/11			5,820.00				
	Expended claimed			1,484.45				
	Funds Remaining			4,335.55				
Melinda Pavey	Allocation for 2010/11			9,387.95				
	C/Forward from 2009/10							
	Total available 2010/11			9,387.95				
	Expended claimed		3,519.22	6,145.59	3,127.28	367.59		
	Funds Remaining			3,242.36				
Gregory Pearce	Allocation for 2010/11			6,601.25				
	C/Forward from 2009/10							
	Total available 2010/11			6,601.25				
	Expended claimed			282.33				
	Funds Remaining			6,318.92				
Peter Phelps	Allocation for 2010/11			9,488.38				
	C/Forward from 2009/10							
	Total available 2010/11			9,488.38				
	Expended claimed		6,241.26	5,269.74	784.79	277.93		
	Funds Remaining			4,218.64				
Peter Primrose	Allocation for 2010/11			6,014.33				
	C/Forward from 2009/10							
	Total available 2010/11			6,014.33				
	Expended claimed			3,294.92				
	Funds Remaining			2,719.41				
Eric Roozendaal	Allocation for 2010/11			5,841.59				
	C/Forward from 2009/10							
	Total available 2010/11			5,841.59				
	Expended claimed			4,308.70				
	Funds Remaining			1,532.89				
Adam Searle	Allocation for 2010/11			2,546.78				
	C/Forward from 2009/10							
	Total available 2010/11			2,546.78				
	Expended claimed		107.69	1,572.92	4.19			
	Funds Remaining			973.86				

Member	Description	Committee Allowance	Members' Home to Sydney travel	Logistic Support Allocation (LSA)	Members' LSA Travel	Spouse/ approved relative LSA travel	Members' Staff LSA	Travelling allowance for recognised office holder
Walt Secord	Allocation for 2010/11 C/Forward from 2009/10			2,280.00				
	Total available 2010/11			2,280.00				
	Expended claimed			2,280.00				
	Funds Remaining			0.00				
Penelope Sharpe	Allocation for 2010/11 C/Forward from 2009/10			5,820.00				
	Total available 2010/11			5,820.00				
	Expended claimed			4,538.34	897.62		15.65	
	Funds Remaining			1,281.66				
David Shoebridge	Allocation for 2010/11 C/Forward from 2009/10			5,820.00				
	Total available 2010/11			5,820.00				
	Expended claimed			604.00	345.24			
	Funds Remaining			5,216.00				
Michael Veitch	Allocation for 2010/11 C/Forward from 2009/10			8,878.82				
	Total available 2010/11			8,878.82				
	Expended claimed		3,544.87	2,740.92				
	Funds Remaining			6,137.90				
Lynda Voltz	Allocation for 2010/11 C/Forward from 2009/10			6,671.47				
	Total available 2010/11			6,671.47				
	Expended claimed			2,501.50	428.64			
	Funds Remaining			4,169.97				
Helen Westwood	Allocation for 2010/11 C/Forward from 2009/10			5,820.00				
	Total available 2010/11			5,820.00				
	Expended claimed			1,101.45				
	Funds Remaining			4,718.55				
Steve Whan	Allocation for 2010/11 C/Forward from 2009/10			1,006.88				
	Total available 2010/11			1,006.88				
	Expended claimed		579.70					
	Funds Remaining			1,006.88				

Note: Figures are representative of data recorded at 30 June 2011. Amendments to data by subsequent reconciliation processes will be reported in the following annual report.

2009-2010 Sydney Allowance Data for the Members of the Legislative Council

54th Parliament – for the period 1 July 2009 to 30 June 2010

Note: The Sydney allowance is reported on retrospectively to capture reconciliation processes and ensure the figures accurately reflect final expenditure. Data relates to the 2009/2010 financial year. Data may also include figures relating to accounts received after the 2009/2010 accounting period closed.

Member	Description	Sydney Allowance 2009/2010 (may include actual expenses claimed)
Antonio Catanzariti	Allocation for 2009/10	34,440.00
	Expended claimed	34,440.00
	Funds Remaining	
Ian Cohen	Allocation for 2009/10	34,440.00
	Expended claimed	34,440.00
	Funds Remaining	
Richard Colless	Allocation for 2009/10	34,440.00
	Expended claimed	34,440.00
	Funds Remaining	
Catherine Cusack	Allocation for 2009/10	33,210.00
	Expended claimed	34,040.37
	*Funds Remaining	-830.37
John Della Bosca	Allocation for 2009/10	29,028.00
	Expended claimed	1,968.00
	Funds Remaining	27,060.00
Michael Gallacher	Allocation for 2009/10	44,280.00
	Expended claimed	33,456.00
	Funds Remaining	10,824.00
Jennifer Gardiner	Allocation for 2009/10	34,440.00
	Expended claimed	29,028.00
	Funds Remaining	5,412.00
Duncan Gay	Allocation for 2009/10	44,280.00
	Expended claimed	44,280.00
	Funds Remaining	
Donald Harwin	Allocation for 2009/10	34,440.00
	Expended claimed	34,440.00
	Funds Remaining	
Tony Kelly	Allocation for 2009/10	44,280.00
	Expended claimed	45,454.21
	*Funds Remaining	-1,174.21
Trevor Khan	Allocation for 2009/10	33,210.00
	Expended claimed	
	Funds Remaining	33,210.00
Ian Macdonald	Allocation for 2009/10	41,277.42
	Expended claimed	41,277.42
	Funds Remaining	
Matthew Mason-Cox	Allocation for 2009/10	33,210.00
	Expended claimed	22,140.00
	Funds Remaining	11,070.00

* Member has not overspent allocation but has claimed actual expenses in accordance with the PRT Determination.

Member	Description	Sydney Allowance 2009/2010 (may include actual expenses claimed)
Gordon Moyes	Allocation for 2009/10	25,830.00
	Expended claimed	8,364.00
	Funds Remaining	17,466.00
Robyn Parker	Allocation for 2009/10	27,306.00
	Expended claimed	27,306.00
	Funds Remaining	
Melinda Pavey	Allocation for 2009/10	33,210.00
	Expended claimed	33,210.00
	Funds Remaining	
Gregory Pearce	Allocation for 2009/10	15,252.00
	Expended claimed	15,006.00
	Funds Remaining	246.00
Peter Primrose	Allocation for 2009/10	36,162.00
	Expended claimed	13,284.00
	Funds Remaining	22,878.00
Christine Robertson	Allocation for 2009/10	34,440.00
	Expended claimed	30,750.00
	Funds Remaining	3,690.00
John Robertson	Allocation for 2009/10	44,280.00
	Expended claimed	
	Funds Remaining	44,280.00
Michael Veitch	Allocation for 2009/10	34,440.00
	Expended claimed	34,440.00
	Funds Remaining	

Appendix 3

Committee travel expenses 2010-2011

The following tables set out all travel expenditure incurred by committee members, committee staff and Hansard staff for 2010-2011. Committees not represented in these tables incurred no travel related expenses in the reporting period.

Total for all committee travel expenses - \$24,105.20

Standing Committee on State Development

Date	Inquiry	Minutes No.	Destination	Activity	In attendance	Travel expenses ¹
13-14 October 2010	Wine grape market and prices	41	Griffith	Hearing	Catanzariti Colless Nile Veitch Secretariat (3) Hansard (3)	\$10,338.20
TOTAL						\$10,338.20

¹ Travel expenses covers all expense types and may include venue hire, chartered flights, accommodation, meals, catering, bus hire, taxi fares etc.

General Purpose Standing Committee No. 5

Date	Inquiry	Minutes No.	Destination	Activity	In attendance	Travel expenses ²
6 July 2010	RSPCA	47	Waterways Wildlife Park in Gunnedah	Site visit and hearing	Cohen Colless Brown Catanzariti Ficarra Westwood Secretariat (3) Hansard (3)	\$13,767.00
TOTAL						\$13,767.00

² Travel expenses covers all expense types and may include venue hire, chartered flights, accommodation, meals, catering, bus hire, taxi fares etc.

Appendix 4a

MLC attendance at Legislative Council committee meetings 54th Parliament

Denotes attendance as a participating member * Denotes attendance as a substitute member

The figures in the following table do not include members' participation in joint committees administered by the Legislative Assembly.

	Member	Law & Justice	Social Issues	State Dev	GPSC1	GPSC2	GPSC3	GPSC4	GPSC5	Rec Fishing	Privileges	Procedure	Total
GOVERNMENT MEMBERS	Catanzariti			6		4	1*	1*	7, 1*	5			25
	Cotsis			3	2*	2		2*		3*			12
	Donnelly	9	6		6*	1*	10	1*					33
	Fazio												
	Foley								8				8
	Griffin				11			7					18
	Kelly												
	Macdonald												
	Moselmane					6	9	3					18
	Obeid												
	Primrose												
	C Robertson	9		1		7	1*				5		23
	J Robertson												
	Sharpe				1*	1*		9					11
	Tsang												
	OPPOSITION MEMBERS	Veitch			6	2*	1*	1*					
Voltz		7			12		11	3*	1*	5			39
West			6		2			2*	1*				11
Westwood			6			1*	1*		8				16
Ajaka		6					11						17
Clarke		8						2	2*				12
Colless				6					10	5			21
Cusack					2#	1*			1*				4
Ficarra			6			4*	1*		4*				15
Gallacher					2*		1*						3
Gardiner								9					9
Gay					2*				2*				4
Harwin					2*		2*	2*					6
Khan			6		8* 1#		6	2*					23
Lynn						1*		1*	2	3			7
Mason-Cox				4	2			2*					8
Parker					8							8	
Pavey				1				1*				2	
Pearce				8*	1*	1*	1*					11	
CROSS BENCH MEMBERS	Borsak				1#		6						7
	Brown							1	10	5			16
	Cohen				1*	2*			10	5			18
	Faehrmann						3	3*					6
	Hale	3											3
	Kaye		6		9	1, 2*	5, 1*	1*	2*				27
	Moyes					7							7
	Nile			6	13		2, 3*						24
	Shoebridge	2			3*		3*	4	1*				11
	Smith												

Appendix 4b

MLC attendance at Legislative Council committee meetings 55th Parliament

Denotes attendance as a participating member * Denotes attendance as a substitute member

The figures in the following table do not include members' participation in joint committees administered by the Legislative Assembly.

	Member	Law & Justice	Social Issues	State Dev	GPSC1	GPSC2	GPSC3	GPSC4	GPSC5	Rec Fishing	Privileges	Procedure	Total	
GOVERNMENT MEMBERS	Ajaka						1						1	
	Blair		3					1					4	
	Clarke	1						1					2	
	Colless			2						1			3	
	Cusack		2		1								3	
	Ficarra							1					1	
	Gallacher													
	Gardiner				1									1
	Gay													
	Harwin													
	Khan								1					1
	Lynn			2					1					3
	MacDonald	1								1				2
	Maclaren-Jones		3					1						4
	Mason-Cox								1					1
	Mitchell	1						1						2
	Pavey				1									1
Pearce														
Phelps			2						1				3	
OPPOSITION MEMBERS	Cotsis													
	Donnelly		3							1			4	
	Fazio			1									1	
	Green			1		1	1						3	
	Moselmane	1					1						2	
	Primrose	1								1			2	
	Roozendaal				1								1	
	Sharpe								1				1	
	Searle													
	Secord													
	Veitch			2	1									3
	Voltz								1*	1				2
	Westwood		3					1						4
Whan														
CROSS BENCH MEMBERS	Barham							1					1	
	Borsak								1				1	
	Brown									1			1	
	Buckingham									1			1	
	Faehrmann		3				1						4	
	Green													
	Kaye				1								1	
	Nile				1								1	
	Shoebridge	1							1				2	

Appendix 5

MLC Membership of joint committees administered by the Legislative Assembly in 2010/11

MLC membership of joint committees administered by the Legislative Assembly in 2010-2011. The following tables set out MLC membership of the joint committees administered by the Legislative Assembly. MLCs who are not members of these committees do not appear. For information about the activities of these committees see the Legislative Assembly Annual Report 2010-2011.

54th Parliament:

Member	Children and Young People	Electoral Matters	Health Care Complaints	ICAC	Legislation Review	Office of the Valuer General	Office of the Ombudsman and the PIC	Road Safety (Slaysafe)
Donnelly				•				
Foley		•					•	
Griffin	•				(Deputy Chair)	(Deputy Chair)		
West								• (Deputy Chair)
Westwood			• (Chair)					
Ajaka	• (from 3 June 2009)							
Clarke			•					
Collless								•
Gardiner		•						
Harwin		•						
Khan				•				
Lynn						•		
Mason-Cox								•
Brown								•
Hale					• (until 6 September 2010)		• (until 6 September 2010)	
Kaye		• (from 9 September 2010)						
Nile		•	•					
Rhiannon			• (until 19 July 2010)					
Shoebridge					• (from 6 September 2010)		• (from 9 September 2010)	

GOVERNMENT MEMBERS

OPPOSITION MEMBERS

CROSS BENCH MEMBERS

55th Parliament:

Member	Children and Young People	Electoral Matters	Health Care Complaints	ICAC	Legislation Review	Office of the Valuer General	Office of the Ombudsman and the PIC	Road Safety (Staysafe)
Blair	•			•				
Colless								• (Deputy Chair)
Cusack			•			• (Chair)		
Khan		• (Chair)						
MacDonald						• (Deputy Chair)		
MacIaren-Jones								• (Deputy Chair)
Mitchell						•		
Phelps		•			•			
Donnelly	•							
Fazio		•						
Moselmane					•			
Primrose		•						
Roozendaal					•			
Searle						•		
Secord							•	•
Voltz						•		
Westwood			•					
Barham	•							
Borsak		•						
Faehrmann							•	•
Green			•					
Nile							•	
Shoebridge								•

GOVERNMENT MEMBERS

OPPOSITION MEMBERS

CROSS BENCH MEMBERS

Appendix 6

Committee reports and government responses

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

Committee	Report no.	Report title	Date tabled	Government response due	Government response tabled
Law and Justice	42	Spent convictions for juvenile offenders	06/07/10	06/01/10	
	43	Tenth Review of the Motor Accidents Authority and Motor Accidents Council	28/10/10	28/04/11	
	44	Judge alone trials under s. 132 of the Criminal Procedure Act 1986	08/11/10	08/05/11	04/02/11
	45	Third Review of the Lifetime Care and Support Authority and Lifetime Care and Support Advisory Council	11/11/10	11/05/11	
	46	The eligibility of Members of Parliament to serve on juries	24/11/10	24/05/11	07/02/11
Social Issues	43	Substitute decision making for people lacking capacity	25/02/10	25/08/10	03/03/11
	44	Services funded or provided by the Department of Ageing, Disability and Home Care	11/11/10	11/04/11	
State Development	35	Wine grape market and prices	03/12/10	03/06/11	
GPSC 1	35	Inquiry into Budget Estimates 2010-2011	17/12/10	N/A	N/A
	36	Inquiry into the Gentrader Transactions	23/02/11	23/08/11	
GPSC 2	33	Review of the Inquiry into the management and operations of the Ambulance Service of NSW	30/04/10	30/10/10	03/11/10
	34	Inquiry into the provision of education to students with a disability or special needs	16/07/11	17/01/11	07/02/11
	35	The Building the Education Revolution Program	20/09/10	09/03/11	
	36	Inquiry into Budget Estimates 2010-2011	16/11/10	N/A	N/A
GPSC 3	23	Macedonian Orthodox Church Property Trust Bill	19/10/10	19/04/11	02/12/10
	24	Inquiry into Budget Estimates 2010-2011	17/11/10	N/A	N/A
GPSC 4	24	Inquiry into Budget Estimates 2010-2011	17/12/10	N/A	N/A
GPSC 5	32	Inquiry into the RSPCA raid on the Waterways Wildlife Park	09/09/10	09/03/11	
	33	Inquiry into Budget Estimates 2010-2011	17/11/10	N/A	N/A
Privileges Committee					
Procedure Committee 5		Inquiry into private members' business and the sitting calendar		17/06/11	N/A
Select Committee on the New South Wales Taxi Industry	1	Inquiry into the NSW Taxi Industry	01/06/10	01/12/10	01/12/10
Select Committee on Recreational Fishing	1	Recreational fishing in New South Wales	10/12/10	10/06/11	

Index

A

Aboriginal art prize	74
Accounting policies	83
Amendments to bills	1,27,28,29
Annual Report, cost	86
Appendices	130
Audit and Risk Committee	83-85
AUSAID	11,18,89
Australian and New Zealand Association of Clerks-at-the-Table (ANZACATT)	33,80,81,82
Art prizes	73-74
Assets	125-129
Australia Day	28,71
Autonomous Region of Bougainville	18-21,37,68

B

Bills	27-29,31,32,37
Bougainville House of Representatives	18-21,37,68
Budget Estimates Inquiry	42-43,59,60,61,62,63,64,81,150
Business continuity planning	85
Business papers	11,26

C

Capacity building	9,11,18,19,20,21
Casual vacancies	2,7,25,34
Central Coast Showcase	70
Chamber and Support services	68,72,75
Charter	5
Childcare services	79,83
Clerk's review	2-3
Clients	6,12,23,34,81
Code of Conduct	82
Committee activity, overview	39-42
Committee Office	39
Commonwealth Day	69,71
Commonwealth Parliamentary Association	8,18,20,21
Community access and engagement	9,11,23,36,79
Consultants, use of	82
Corporate management	76
Council of Social Services NSW (NCOSS)	11,44
Court of disputed returns	24
Credit card certification	83
Crown Solicitor	34,65,82

D

Deaf people, National week of	71
Delegations	44,68
Democracy, <i>Parliamentary</i>	9,18-21
Digitisation project	10,36,37

E

Election, <i>State</i>	2,5,6,7,8,10,23,24,25,29,34,35,39,89
Election of the President, Deputy President and Assistant President	2,15,24-25
Election petition	24
Electronic Document Records Management System (EDRMS)	11,86
Equal Employment Opportunity	79
Employee Assistance Program	80,83

Events	70
Executive team	14
Exhibitions	72
External audit	84

F

Family Day	70
Family friendly	26,70,79
Financial commentary	89
Financial summary	1
Fountain Court	68,71,72,73,74
Foyer	11,36,37

G

General Purpose Standing Committees	56-65
Gentrader inquiry	2-3,33,39,60,65,150
Governance	9,14,18,23,77,83,84
Governor	3,7,15,16,24,25,28,60,65,69,71,78
Green, Antony	35
Girl Guides	70

H

Hospitality	57,63,68
House publications	26

I

Induction	2,10,15,23,26,34,53,80,82
Industrial matters	77
Insurance	85
Internal audit	84,85
IPAA	71

J

Joint Committees, membership	148
Journal of the Legislative Council	27

L

Law and Justice, Standing Committee on ...	12,33,44,45,46,48,50,51,52,81,150
Legislation	2,7-8,17,27,28,32,34,40,41,60

M

Management committees	83
Members of the Legislative Council	131
Members allowances and expenditure	133
Members attendance at committee meetings	146-147
Memorandum of Understanding Aboriginal Art Prize	74
Minutes, digitisation project	10,36,37
Minutes of Proceedings	8,26,27,29

N

National Parliament of Solomon Islands	11,18,20,37
Notice Paper	8,26,27,54
Notices	1,26,27,29,31,32,54

O

Occupational health and safety	80
Orders for papers	1,27,29-30,32
Opening of 55th Parliament	16-17,23,24,26,34,68,75,82
Operational imperatives	10-12

P

Pacific Public Sector Linkages Program	18
Papers, business	11,26

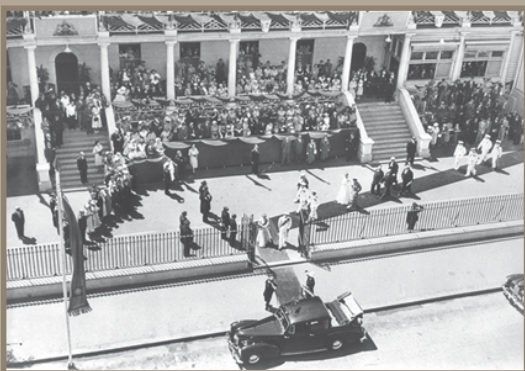
Parliament Matters.....	23,32,33	State Development,	
Parliamentary democracy	9,18,19	Standing Committee on.....	12,45,46,48,145,150
Performance development program	80	State Records Authority.....	30
Petitions	27,30,31	Statistical records	32
Plein Air painting prize	73	Strategic plan	
Plein Air photographic prize	73	Department of the Legislative Council	9,33,34,36
Private members' business.....	27,31,32,54	Parliamentary Administration 2009-2018	9,83
Privileges Committee.....	39,45,53,54,150	Structure	13
Procedural Highlights.....	23,32,33	Survey of inquiry participants.....	11,43,44
Procedural Training and Research Unit	17,34,36,53	Sustainability initiatives	85-86
Procedure Committee	23,27,32,39,45,47,54,150	Sydney Open 2010.....	71
Procedure Office	2,6,22-37	T	
Prorogation	2,3,5,7,25,31,33,35,60,65	Table Office	23,26-32,34,39
Protocol.....	67-75	Tabled documents.....	29
Publications.....	10,26,32,33,37,82	Travel	
Q		Committees	145
Questions and Answers	8,26,27,31,34,37	Domestic	82
Questions on notice.....	26,27,31,43,81	Overseas	82
Questions without notice	31	TRIM.....	37,86
R		Twining.....	3,18-21,23,35,37,68
Recess.....	26,27	V	
Records management.....	11,23,37,86	Values	6
Results and Services Plan	83	Vice Regal visits	69
Running Record.....	10,23,27,32	Visitors	36,68,70,71,80,81
S		W	
Security committee.....	85	Waste Reduction and Purchasing Policy	
Select Committees	27,66	(WRAPP)	85
Service Awards	78	Website.....	9,11,23,27,29,33,36,37
Sitting days	1,26,32,34,54	Welcome program for new members	17
Sitting pattern	26,27,54	Working in the Legislative Council program	81
Social Issues, Standing Committee on	12,31,45,48,150	Wound Awareness	71
Salary movements	77	Y	
Staffing.....	77	Year at a glance	1
Standing Committees.....	10,33,39,45,46,48,55,56,57		

Attendance by the Monarch

Queen Elizabeth II was the first reigning sovereign to open a session of any Parliament in Australia when she was present for the opening of the third session of the 37th Parliament of New South Wales on 4 February 1954. Queen Elizabeth was also present for the opening of the Second Session of the Fiftieth Parliament of the State of New South Wales on 20 Feb 1992. In her opening speech the Queen stated:

'I am very pleased to be here to open the Second Session of the Fiftieth Parliament of the State of New South Wales. This is my second opportunity to address this Parliament – a Parliament which I described on the previous occasion, in 1954, as the Mother Parliament of Australia. It is interesting to reflect that that was the first time on which the Sovereign had opened a Session of an Australian Parliament.'

1954 Queen Elizabeth II arrives at the New South Wales Parliament.



Opening of Parliament

Traditionally, the 'opening' of a new Parliament or a new session of Parliament takes place in the Legislative Council chamber since, by convention, the Monarch or the Monarch's representative does not enter the Lower House.

There are two types of openings:

- Official openings, involving the presence of the Governor or, infrequently, the Monarch.
- Commission openings, where the Governor appoints commissioners to open the session of Parliament on his or her behalf.

Official openings

Proceedings commence with the President taking the Chair and the Clerk reading the proclamation of the Governor convening Parliament. The Governor directs the Usher of the Black Rod (UBR) to summon the members of the Assembly to the Council chamber by knocking three times on the Assembly chamber door. The UBR leads the members of the Assembly into the Council chamber. The Governor delivers the official opening speech, composed by the Executive. The speech outlines the Government's broad legislative program for the upcoming session.

Commission openings

The Clerk will read the proclamation convening the Parliament to meet and will then announce the names of Commissioners appointed by the Governor. The Commissioners – usually three ministers – will take their place on the dais. The UBR is then directed by one of the Commissioners to request the attendance of Assembly members. Once assembled, the Clerk reads the commission appointing the Commissioners to open Parliament and to deliver messages to both Houses. A message from the Governor directs the Council to elect a President and the Assembly to elect a Speaker. Assembly members return to their chamber. Following this new members of the Council take the pledge of loyalty and the election of the President proceeds.

Opening of 55th Parliament

The most recent opening on 3 May 2011 combined the features of both an official opening and a commission opening. The 55th Parliament was opened by Commissioners and, in a departure from tradition, Her Excellency the Governor, Professor Marie Bashir AC, CVO attended Parliament and presented a speech outlining the Government's proposed program.



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