



2014

Parliament of Tasmania

LEGISLATIVE COUNCIL



– Twenty-fifth Annual Report to 30 June 2014 –

Presented to both Houses of Parliament pursuant to section 30 of the
Financial Management and Audit Act 1990

A HOUSE OF REVIEW

BACKGROUND

The Legislative Council of Tasmania was established in 1825 as a unicameral legislature following the separation of Van Diemen's Land from New South Wales.

On 3 December of that year, Governor Darling of New South Wales proclaimed Van Diemen's Land as a separate colony, and simultaneously the first Legislative Council was created consisting of six nominee Members and the Lieut.-Governor, Colonel George Arthur.

The continuing prosperity and population growth of the colony were reflected by the increase in membership of the Council. In 1828, as a result of an Imperial Act, the Council was increased to 15 nominee Members (6 official and 8 unofficial) with the Governor as Presiding Officer.

In 1851, the Legislative Council Membership was further increased to a total of 24 Members. 16 Members were elected by restricted franchise and 8 Members were nominated by the Governor, who ceased to be a Member. From 1850 until 1856 the Presiding Officer in the Council was known as the Speaker. The Members elected Sir Richard Dry as the first incumbent of that position. In 1856 the title of the Presiding Officer changed from that of Speaker to President.

During the 1840s the British Colonial Office argued that the penal transportation system should continue. The colonists argued against any further influx of convicts and believed that their interests would be better served by a form of representative government for the colony. Although the Governor temporarily resolved this crisis, agitation for a more representative style of government grew stronger. The efforts of the colonists were rewarded with the proclamation of an act to permit the introduction of a bicameral, representative Parliament on 24 October 1856. The first elections were held in 1856 and the first Session of the new Parliament was opened on 2 December in that year.

When a bicameral Parliamentary system was discussed in the 1850s a Select Committee of the Council was appointed in 1853 to draw up proposals. The Committee, charged with producing a constitution for the State of Tasmania, stated in the explanatory introduction to their report - *"A Legislative Upper Chamber is recommended to guard against hasty and ill-considered legislation by ensuring due deliberation previous to the adoption of any measure. This necessarily imparts a very different character to the Legislative Council from that which the Assembly will possess. The instincts of the Assembly will be movement - progress - innovation; generally of a useful character, but subject to the defects incidental even to improvement when suddenly introduced. The instincts of the more conservative Council will be caution - deliberation - resistance to change if not fully proved to be beneficial"*.

Throughout the life of the Legislative Council, Tasmanian electors have to a very large extent, preserved the independent nature of their Upper House. The Legislative Council is neither a rubber stamp for decisions of the Government in the Lower House, nor an alternative Opposition.

Reduction in
Numbers

Both Houses of the Parliament had adjournment periods cut short during the 1998 sitting year by a Proclamation issued by the Lieutenant-Governor on the recommendation of the then Premier, the Honourable Tony Rundle MHA, in order that the House of Assembly and the Legislative Council assemble primarily for the purpose of considering a Bill entitled the *Parliamentary Reform Bill 1998* (subsequently Act No. 31 of 1998). Both Houses resumed sitting on Wednesday, 22 July 1998.

Prior to the introduction of this Bill there had been introduced and debated in the Parliament, during the preceding few years, several Bills relating to the structure and operation of the Tasmanian Parliament. Provisions debated included changes to Legislative Council boundaries, the Council's powers in relation to Budget and Supply Bills; the numbers of Members in both Houses including a proposal to conduct a referendum on the future structure of the Parliament.

However, prior to the introduction of the *Parliamentary Reform Bill 1998* only legislative provisions relating to changes to Legislative Council boundaries including some validating legislation had successfully passed both Houses.

New 40
Member
Parliament

Having been introduced into the House of Assembly by the then Leader of the Opposition, the Honourable Jim Bacon MHA (subsequently Premier as a result of Labor's victory in the State election held on 29 August 1998), the Parliamentary Reform Bill which provided for the reduction in the number of Members in both Houses of the Parliament passed the House of Assembly on 22 July 1998.

The Bill was read the First time in the Legislative Council on that same day and passed through all stages by the morning of 23 July 1998. The Bill received the Royal Assent on 27 July 1998. As soon as the Royal Assent had been given the Premier sought, and was granted, a General Election for the House of Assembly. The Assembly was dissolved and the subsequent election held on 29 August 1998 returned 25 Members to that House.

The amending provisions of the Legislation affected principally the *Constitution Act 1934*, the *Electoral Act 1985* and the *Legislative Council Electoral Boundaries Act 1995*, with respect to the constitution of both the Assembly and the Council and the process by which a Redistribution Tribunal would determine the transitional arrangements to implement the redistribution of the State in respect of the Legislative Council, by providing for a reduction in the number of Members from 19 to 15.

Transition
Determination

The transition determination of the Redistribution Tribunal appointed in accordance with provisions contained in the *Legislative Council Electoral Boundaries Act 1995* was made on 26 May 1999.

The determination cited as the *Legislative Council (Transition Arrangements) Determination 1999 inter alia* allocated Members to the fifteen new Council electoral divisions which were determined by a redistribution of the State Legislative Council boundaries on 6 February 1999 and established a new periodical election cycle. An allocated Member was taken to have been elected for and to represent the Council division to which they were allocated.

The term of the four unallocated Members of the Council was reduced so that those Members ceased to be Members of the Council on 1 July 1999.

From that time the Legislative Council has consisted of 15 elected Members.

A CONSTITUENT PART OF THE PARLIAMENT

The Legislative Council, together with the House of Assembly and His Excellency the Governor constitute the Parliament of Tasmania.

The Legislative Council as the Upper House of the Parliament of Tasmania can be described as democratic with an independent character. The role of the Council is three-fold:

- (i) to authorize the raising of revenue and the expenditure of State monies;
- (ii) to examine the merits of legislation; and
- (iii) to provide a Parliamentary check on the Government of the day. In modern times the role of the Legislative Council has expanded from the base of being a purely legislative body to a House that involves itself in the examination and analysis of actions, decisions and workings of the Executive Government.

The Department of the Legislative Council provides procedural, administrative and support services to assist the Members of the Legislative Council in performing their parliamentary duties. These services include research and advice on parliamentary practice and procedure, the preparation of documents for use in the House and the provision of staff and equipment. The Department's principal outcome is a functioning House of Parliament in which Members of the Legislative Council are able to discharge their constitutional duties in respect of the consideration of legislation and other parliamentary business. In addition the Clerk of the Legislative Council is responsible, together with the Clerk of the House of Assembly for ensuring the effective operation of the joint services of the Parliament.

COUNCIL ELECTIONS

For Legislative Council elections the State is divided into 15 single-Member electoral divisions. Each Member holds office for six years and periodical elections are held for two or three divisions every year. As it cannot be dissolved, there are never any general elections for the Council.

The method of counting votes is identical with that used in House of Representatives elections. It is a preferential system which can be described as election by absolute majority through use of the alternative vote. If any candidate secures first preference votes exceeding half the total of first preferences, he or she is elected. If no candidate satisfies this condition, the candidate with the fewest votes is excluded and the second preferences shown on his or her voting papers are transferred to other candidates, the transfer value of each such second preference being equal to one. If no candidate then has the required majority, the process of exclusion is repeated until such time as one candidate secures the majority.

The Constitution Act has been amended to alter the provision relating to the Council's election day moving it from the last Saturday in May to the first Saturday in that month. This amendment was necessary to allow the Government to introduce its Budget into the Parliament during the May-June period in each year.

DISCLOSURE OF INTERESTS

The Parliamentary (Disclosure of Interests) Act (No. 22 of 1996) received the Royal Assent on 15 October 1996. This Act established a register of interests in each House containing information on the pecuniary and other interests of Members which have the potential to lead to a conflict with their official duties. The Council's register is open to public scrutiny. Returns are lodged with the Clerk and Tabled annually after 1 October each year. New Members are required to lodge a 'Primary Return' within three months of having taken the Oath.

The Act requires that Members disclose details of—

- ◆ each source of income greater than \$500 received by a Member, including income from trusts;
- ◆ all real estate interests of a Member except where the interest is as executor or administrator of a deceased estate of which the Member is not a beneficiary or as a trustee related to the Member's non-parliamentary occupation;
- ◆ any interests or any position, whether remunerated or not, that a Member may hold in a corporation, except where the corporation is set up as a non-profit organisation for community purposes. This includes shareholdings;
- ◆ any position, whether remunerated or not, held by a Member in a trade union, professional or business association;
- ◆ all debts owed by the Member exceeding \$500, except where the money is owed to a relative, a normal lender of money such as a bank or building society or arises from the supply of goods or services as part of a Member's occupation outside of Parliament;
- ◆ gifts of value greater than \$500, except where received from a relative;
- ◆ disposition of property by a Member where there is an arrangement for the Member to retain the use or benefit of the property or a right to acquire the property at a later date;
- ◆ contributions to travel undertaken by a Member of value greater than \$250. Travel contributions would not need to be disclosed where provided by the Government, a relative or where made in the normal course of a Member's occupation outside Parliament. Contributions made by a Member's political party for travel on party business are also exempted.

As a result of work undertaken by the Integrity Commission and the Department of Premier and Cabinet modified disclosure forms have been utilised for the 2013-14 ordinary return period. The modified forms aim to provide a greater level of clarity for Members of both Houses when completing the disclosure returns.

THE DEPARTMENT OF THE LEGISLATIVE COUNCIL

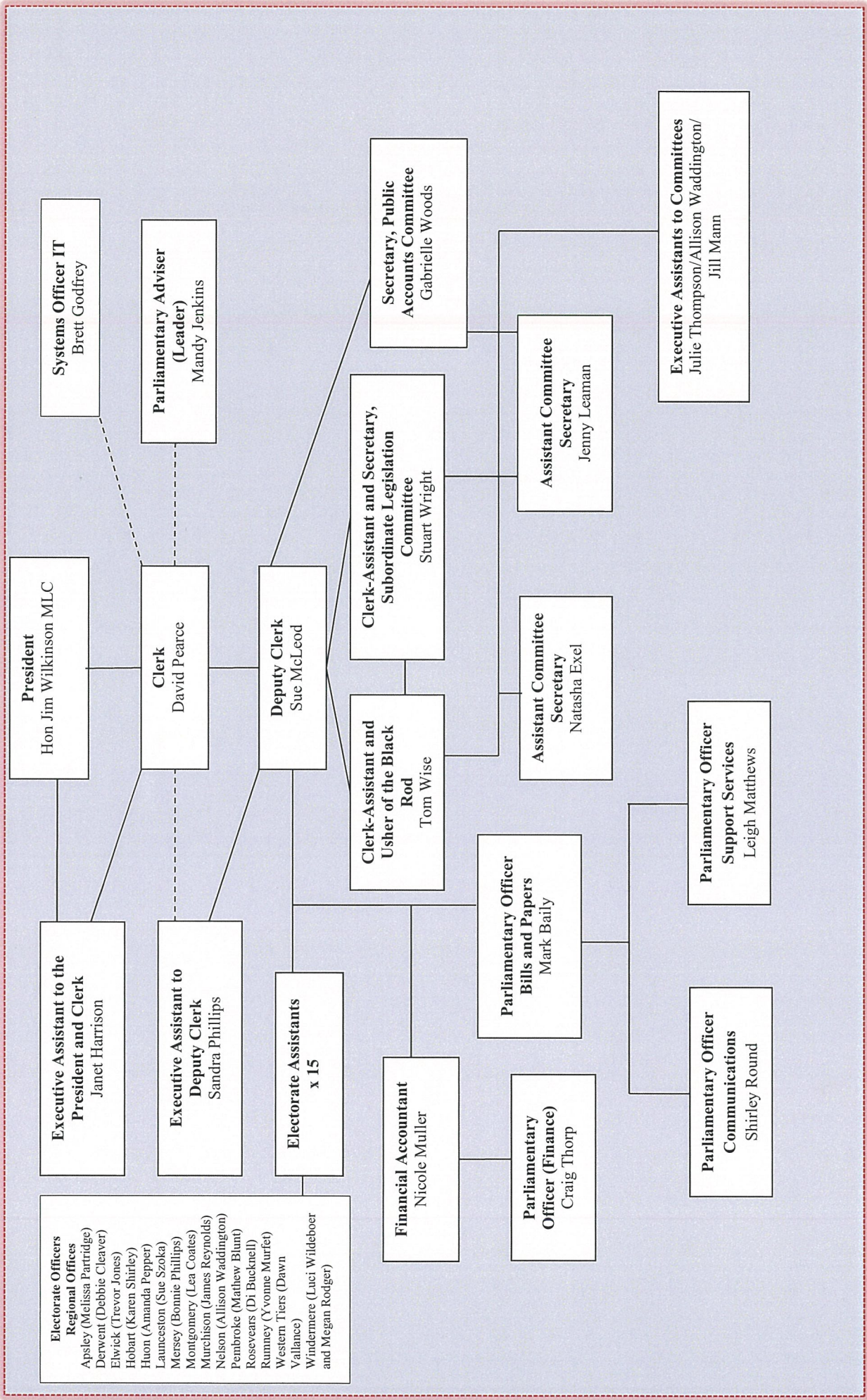
VISION

To be an efficient and responsive House administration.

GOALS

- ◆ *Service*
To ensure a consistently high level of satisfaction with all services and support provided to elected Members and Department clients by the House administration.
- ◆ *Our People*
To attract and retain a highly skilled and motivated team, to recognise the contribution of our employees and to encourage them to develop and perform to their fullest capabilities.
- ◆ *Information*
To ensure that information on all aspects of the Parliamentary process in the House is made available to Members and the public in the most timely, efficient and cost-effective manner.
- ◆ *Communication*
To ensure effective communication both within the Parliamentary environment and to the broader community.
- ◆ *Education and Community Relations*
To improve community perception and understanding of the Parliament generally and the Legislative Council specifically.
- ◆ *Technology*
To support the provision of innovative and practical technological solutions for the improvement of parliamentary operations and services generally.
- ◆ *Finance and Resource Management*
To ensure optimal use of our human, financial and physical resources.
- ◆ *Continuous Improvement*
To continue to seek innovative and better methods of servicing the House, its Members and those others who necessarily have a connection to the House.

Department of the Legislative Council



PURPOSE

To provide apolitical, professional, innovative and integrated support services and information to the Legislative Council and its elected Members in the interests of the people of Tasmania.

The permanent officers of the Legislative Council, under the direction of the Clerk are charged with the responsibility of providing the Legislative Council, its committees, the President of the Council and all Honourable Members with advisory, procedural, research and administrative support services of the highest possible standard to assist them in undertaking effectively their constitutional and parliamentary duties and responsibilities. The activity of the Department is to a very considerable extent demand driven by the Government of the day, the House itself, Committees and Members' electoral and associated responsibilities. The Department has no control over the number of Bills introduced, Committee inquiries held or any other decision or Resolution agreed in the House.

There are three principal program areas of the Department.

Advisory and procedural services

These include:

- ◆ authoritative professional advice to Members on all aspects of parliamentary law, practice and procedure;
- ◆ preparation of documentation for use in the House;
- ◆ production of the records of proceedings of the House and its committees.

Administrative and support services

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

Corporate management

- ◆ corporate and strategic planning;
- ◆ budget development, monitoring and reporting;
- ◆ personnel training;
- ◆ industrial and associated employee relations.

OBJECTIVES

The major objectives and responsibilities are to:—

- ◆ support the Legislative Council in its constitutional role;
- ◆ provide an accurate retrieval and assessment system of precedent, law, history and Parliamentary method necessary for the effective functioning of the Legislative Council, its committees and Members;
- ◆ provide effective apolitical support, including administrative, research, policy and procedural support and advice to the President of the Legislative Council and other elected Honourable Members;
- ◆ ensure the effective custody of documents including Journals, Records and Papers of the Legislative Council, which responsibility in accordance with Standing Orders, is vested in the Clerk of the Legislative Council;
- ◆ ensure the effective functioning of Standing, Sessional and Select Committees including the provision of adequate and appropriate resources;
- ◆ accurately and efficiently prepare and present legislation, once passed through both Houses, to His Excellency the Governor for the Royal Assent;
- ◆ maintain appropriate standards of integrity and conduct and concern for the public interest;
- ◆ promote public awareness of the purpose, functions and work of the Legislative Council;
- ◆ be a fair and responsible employer, maximising the potential of all staff through effective human resource management practices; and
- ◆ effectively and efficiently manage resources, both financial and human.

PURSUIT OF OBJECTIVES

In meeting the objectives the Department must continue to pursue excellence in:—

- ◆ professional standards
- ◆ management standards
- ◆ skills development
- ◆ internal and external communication
- ◆ resource allocation and utilization

MAJOR DOCUMENTS

- ◆ **Annual Report** - The annual report on the operations of the Legislative Council is compiled and presented to the both Houses of Parliament pursuant to the Financial Management and Audit Act 1990.
- ◆ **Committee Reports** - Reports presented by committees and published as parliamentary papers.
- ◆ **Votes and Proceedings** - An official record of the proceedings of the Legislative Council being the Journals of the House. The Votes and Proceedings are produced 'in-house' and are published for each day's sitting.
- ◆ **Notices of Question, Motion and Orders of the Day** - An official list of all business before the Council in the order in which it is proposed to be dealt with. The 'Notice Paper' is produced 'in-house' and is published for each day's sitting.
- ◆ **Index to the Votes and Proceedings** - This index is also incorporated and printed in final form in the bound volumes of the Votes and Proceedings.
- ◆ **The Legislative Council Brochure** - An information and souvenir booklet providing a brief history and other relevant procedural information for visitors to the Council.
- ◆ **The Black Rod** – A souvenir fold-out pamphlet outlining the history of the Black Rod and the position of Usher of the Black Rod.
- ◆ **Standing Orders of the Legislative Council** - The standing rules and orders of procedure for the operation of the Council and its committees. As a consequence of the most recent examination and review new and revised Standing Orders were agreed by His Excellency the Governor on 6 January 2005. Further minor changes to the Standing Orders were approved by His Excellency the Governor on 23 June 2008 and 29 November 2010 respectively. It is expected that another full review of the Standing Orders will be completed during the 2015 calendar year.
- ◆ **Rulings and Opinions of Presiding Officers of the Legislative Council 1856-2003** - A comprehensive index, by individual headings, of rulings and opinions of Legislative Council Presiding Officers.
- ◆ **Legislative Council Members Guide** - A guide on procedures and entitlements prepared by the Clerk of the Council, for use by Members and their staff.
- ◆ **Parliament of Tasmania: A Brief Guide for Visitors** - prepared by the Joint Presiding Officers for the information of visitors to both Houses.
- ◆ **Guidelines for Select and Standing Committees** - Guidelines on the powers, functions and procedures of Legislative Council Select and Standing Committees.
- ◆ **Leaflet** – Making a Submission to a Parliamentary Committee.
- ◆ **Committee Hearings** – Information for Witnesses.
- ◆ **Estimates Committees** – Committee Manual.
- ◆ **Briefing Notes on the Budget Estimates** - a budgetary document which presents detail of the Council's principal expenditure areas. Budget briefing notes are utilised by the Premier during the consideration of the Council's expenditure estimates by budget estimate committees of both Houses.

STATUTES AFFECTING LEGISLATIVE COUNCIL STANDING ORDER PROVISIONS

The following Statute provisions impact upon the Legislative Council's Standing Order provisions:—

- Constitution Act 1934
- Electoral Act 2004
- Parliamentary Privilege Act 1858, 1885, 1898, 1957
- Parliament House Act 1962
- Defamation Act 2005
- Evidence Act 2001
- Legislation Publication Act 1996
- Acts Enumeration Act 1947
- Acts Interpretation Act 1931
- Subordinate Legislation Committee Act 1969
- Public Works Committee Act 1914
- Public Accounts Committee Act 1970

ASSET MANAGEMENT

The Department maintains the following inventory and asset register records:—

- ◆ Members Equipment Register
- ◆ General Inventory
 - Legislative Council [furniture and general items]
 - Henty House, Launceston [furniture and general items]
- ◆ Antiques and Works of Art Inventory

DELIVERY OF SERVICES

Accurate forecasting of the volume of work and rate of activity required to be undertaken by staff is difficult to determine due to the nature of the Legislative Council's operations. Indicators that affect workload, for example, the number of Legislative Council sitting days and establishment and activity of committees are dependent upon Resolutions and decisions made by the House itself or by individual committees. A qualitative assessment of the Legislative Council's effectiveness in meeting its predetermined objectives is undertaken on an on-going basis by the President and Clerk. This examination is undertaken to ensure that necessary service and support is being provided by the staff to Honourable Members.

Members of the Legislative Council are entitled to receive the highest possible standard of service and support.

Throughout the year the Department's major objectives have again been pursued with dedication and commitment resulting in the achievement of desired standards and results.

The Department's principal focus continues to be the maintenance and development of the Legislative Council as an effective and relevant parliamentary institution.

PERFORMANCE INFORMATION

The focus has been to ensure that appropriate levels of support and service are provided to the President and elected Members to enable the effective discharge of their constitutional, Parliamentary and electoral responsibilities.

Legislative Council Support Services has three measurable generic activities. These activities are:—

- ◆ chamber and related committee activity;
- ◆ procedural advice and support; and
- ◆ service delivery and compliance.

Measurement of Chamber and related committee activity is based on the number of sitting days; Legislation debated and presented for the Royal Assent; and committee related Resolutions.

Procedural advice and support is measured by the degree of satisfaction of Members based on the criteria of quality, quantity and timeliness of the advice and support provided.

Service delivery and compliance is measured again by the degree of satisfaction of Members and those other agencies, groups and individuals who necessarily have a connection to the Legislative Council.

Procedural Support and Advice

During the reporting year the Clerk and staff of the Legislative Council provided procedural and related advice to the President, Chair of Committees, the Leader of the Government together with the respective Chairs of Select, Standing and Sessional Committees and to other elected Members.

Advice provided focused principally on areas of Parliamentary precedent, law and method.

Personal Assistant Support to Members

It is the Clerk's responsibility to ensure that adequate levels of assistant support are provided to all Members of the Council. It is considered essential that Members have access to high quality secretarial and personal support to enable them to adequately discharge their responsibilities. Personal assistant support continues to be assessed on an ongoing basis by the President and Clerk. Funding is available to enable all Members to engage personal assistant support up to one full-time equivalent (FTE).

Financial Activity

According to law, the Clerk is responsible for the overall effective, efficient and economical financial management of the House.

The Clerk must ensure that expenditure is in accordance with the law and that effective accounting and financial management information systems are maintained.

In accordance with the provisions of the *Financial Management and Audit Act 1990*, associated Treasurer's Instructions and other statutory provisions, the Clerk of the Council, in respect of the financial year ending on 30 June 2013 presented to the Parliament the Council's Annual Report. As required by law that Report contained the Council's duly audited Financial Statements to 30 June 2013.

The Financial Statements and accompanying Audit Report for the financial year ending on 30 June 2014 form part of this Annual Report.

SUMMARY OF FINANCIAL OUTCOMES

The total expenditure by the Legislative Council from the Consolidated Fund for the year ending 30 June 2014 was within the budget approved by the Parliament with additional funding of \$102,000 (RAF) being approved from the Treasurer's Reserve. Additional costs related to staff and electorate office establishment costs for the newly elected Member for Montgomery and additional staff costs for the division of Hobart.

The additional Reserved-by-Law funding approved by the Treasurer totalled \$75,000 to cover increases connected with costs associated with Members' motor vehicles and associated taxes. Financial activities were conducted both in accordance with statutory provisions and in terms of compliance with mandatory reporting requirements of the Department of Treasury and Finance.

SUPPORT FOR LOCAL BUSINESS

The Legislative Council ensures that Tasmanian businesses are given every opportunity to compete for the Council's business. It is the Council's practice to support Tasmanian businesses whenever they offer best value for money for the public funds expended.

No tenders were called, or contracts awarded, with a value greater than \$50,000 during the financial year ending on 30 June 2014.

There were no consultancies undertaken for the Council with a value greater than \$50,000 during the financial year ending on 30 June 2014.

There were no contracts awarded as a result of direct/limited submission sourcing and no contract extensions were approved in accordance with the Treasurer's Instructions during the financial year.

RISK MANAGEMENT

The Parliament's Strategic Asset Management Plan identifies the overall risk management strategy together with other Occupational Health and Safety issues.

Risks relating to the building complex are progressively identified.

Risks of damage to buildings or injury to staff or clients through failure of plant, services or equipment are addressed through maintenance strategies. Scheduled maintenance continues to be undertaken by a single contractor responsible for all building elements in the complex which has greatly improved control and simplifies audit.

Risks flowing from security both from the point of view of buildings and the occupants has been improved upon in recent years, particularly with the rationalisation of building accommodation and access routes through the parliamentary complex.

Measures are in place which see a strengthened security process within the Parliament building.

In terms of the computer network throughout the building there is in place a Disaster Recovery Plan. This Plan, which has been put in place by the Computer and Electronic Services Manager, deals with matters such as data backup; off-site server facility; off-site software; web server recovery; file server recovery and network recovery. A Policy Statement in respect of computer and internet usage is published on the Parliament Intranet site.

Risk management in relation to finances is controlled by a series of checks and balances. The segregation of duties within the finance operating area combined with, at all times, a minimum two tier authorisation and certification of all transactions is maintained to provide the necessary management controls.

Personal risk in Regional Offices has been improved with the trial and introduction of personal security devices for staff to activate if necessary. These devices complement the fixed placement duress alarm system.

Installation of reception security barriers and the matter of access and egress in Regional Offices are matters which receive appropriate consideration.

As noted in last year's report the Legislative Council has accepted a proposal from Deloitte to undertake the role as internal auditor. Both KPMG and Deloitte submitted expressions of interest to provide the internal audit service for the three Parliamentary entities. The approach will be a collaborative one and will look to build upon existing systems of governance and risk management and give effect to Treasurer's Instruction No. 108 relating to Internal Audit.

The process has commenced with workshops having been conducted by Deloitte staff. An Audit Committee has been established and at 30 June 2014 the development of a risk register and a comprehensive risk assessment process is being progressed. Below is an overview of the indicative approach to be taken by Deloitte in their internal audit process.

YEAR ONE	YEAR TWO	YEAR THREE
Develop Governance Framework	Review Corporate Risk Assessment	Review Corporate Risk Assessment
Develop Internal Audit Strategy	Review the 3 Year Internal Audit Program	Review the 3 Year Internal Audit Program
Develop Internal Audit Charter	Confirm the Annual Audit Program including scope budget and timing	Confirm the Annual Audit Program including scope budget and timing
Establish Audit Committee	Deliver Internal Audit projects in accordance with Annual Audit Program	Deliver Internal Audit projects in accordance with Annual Audit Program
Undertake Corporate Risk Assessment		

YEAR ONE	YEAR TWO	YEAR THREE
Develop 3 Year Internal Audit Program with high level scope budget and timing		
Develop Annual Audit Program with scope budget and timing		
Deliver Internal Audit projects in accordance with Annual Audit Program		

COMMUNICATE AND CONSULT		
Attendance at Audit Committee to deliver outcomes (quarterly)	Attendance at Audit Committee to deliver outcomes (half yearly)	Attendance at Audit Committee to deliver outcomes (half yearly)

DEPARTMENT OUTPUTS

Summary and Description

OUTPUT SUMMARY

Output Group 1:

LEGISLATIVE COUNCIL SUPPORT SERVICES

- 1.1 - Procedural, administrative and research support and advice to the President and Members.
- 1.2 - Committee Support Services.

OUTPUT DESCRIPTION

Output Group 1:

LEGISLATIVE COUNCIL SUPPORT SERVICES

Description: Services provided under this Output Group include —

- procedural, administrative and research support and advice to the President and Members of the Legislative Council;
- assistance to Members of the Legislative Council in order that they are able to execute their duties and responsibilities as elected representatives of the people of Tasmania;
- tabling of Legislative Council Sessional, Standing, Select and Parliamentary Joint Select Committee reports on a variety of subject specific matters agreed to by Resolution of the Council;
- the continuing statutory obligations of the four Joint Parliamentary Standing Committees; and
- the administration of travel and research and equipment support allowances to Members.

Outcomes to be achieved from this Output Group are as follows:—

- the continuing lawful and constitutional operation of the Legislative Council;
- the provision of quality and timely advice on Parliamentary practice and procedure to the President and Members;
- the provision of a full range of services to directly support the functioning of the Council during ordinary sittings and to support its Sessional, Standing and Select Committees;
- the provision of quality and timely research and information to Members;
- the provision of accommodation and office services to Members so as to enable the efficient and effective discharge of their Parliamentary and representational responsibilities; and
- the effective financial management of the Council in accordance with statutory requirements and other instructions.

OUTPUT SUMMARY

Output Group 2:

PAYMENTS ADMINISTERED BY THE LEGISLATIVE COUNCIL

2.1 - Salaries, allowances and entitlements of elected Members of the Legislative Council.

OUTPUT DESCRIPTION

Output Group 2:

DESCRIPTION

This Output Group specifically provides for the Parliamentary Salaries and Allowances of Members of the Legislative Council as prescribed in the *Parliamentary Salaries, Superannuation and Allowances Act 2012*.

Description: Activities undertaken as part of this Output Group include —

- the consideration of legislative and other measures presented to the Legislative Council; and
- the passage of statute law in Tasmania.

The Legislative Council's outputs are largely demand driven by the Government's legislative program, the Council itself in its Resolutions, Committees and Members.

The Legislative Council's services are delivered in accordance with certain general standards.

These standards seek to ensure that:—

- procedural advice conforms to Standing Order provisions, President's rulings and practices of the Council and its Committees;
- procedural advice is provided to meet the priorities of the Council and its Committees and within time frames agreed with Members;
- the preparation necessary for the Council and its Committees to meet and carry out their programmed business is undertaken enabling them to meet as scheduled, with the necessary papers and undertake their activities having regard to the Standing Orders and established Council practices as they relate specifically to House and Committee activity;
- all documents, papers and other House records are held in safekeeping by the Clerk of the Council and his office;
- information provided to other Agencies and those individuals and groups who have a connection with the Council is provided in a timely manner and is accurate;
- the administration of Members' entitlements is carried out efficiently and in accordance with prescribed legislation and other relevant determinations as varied from time to time;
- adequate levels of personal staff support with appropriate skills are provided to Members in order to assist them to efficiently and effectively discharge their range of duties and responsibilities as elected Members of Parliament.

Each Member of the Legislative Council who does not hold a Parliamentary office has personal staff support funded to the level of one full-time equivalent employee.

HOUSE AND RELATED MATTERS

LEGISLATIVE COUNCIL ELECTIONS

The boundaries of the current 15 electoral divisions were determined by the Legislative Council Redistribution Tribunal during 2007/08. Under the *Legislative Council Electoral Boundaries Act 1995* the enrolment of each Legislative Council division is determined as at the last day of January, April, July and October of each year and are published in the Gazette and in the three daily newspapers circulating generally in the State. Elections are conducted on a six year periodic cycle. Elections for three Members are held in May in one year, with elections for two Members held in May the following year and so on. Voting in Legislative Council elections is compulsory.

Legislative Council elections for two divisions, Huon and Rosevears, were held on Saturday, 3 May 2014. The Writs were returned to His Excellency the Governor on 8 May 2014.

Seven candidates contested the Huon election. After the distribution of preferences Robert Armstrong was elected with almost fifty-seven per cent of formal votes cast.

The former Member for Huon, the Honourable Paul Harriss resigned his seat in order to stand as a candidate in the Division of Franklin at the general election for the House of Assembly which was held on Saturday, 15 March 2014. Mr Harriss was successful in his attempt and was elected on that day.

Only two candidates contested the Rosevears election. The incumbent Member, the Honourable Kerry Finch who was first elected in May 2002 contested the seat along with Don Morris who contested as an endorsed Liberal Party candidate. With 19,641 formal votes cast Kerry Finch was successful for a third term, having obtained just over sixty per cent of the vote.

The two newly elected Members were sworn in on Tuesday, 27 May 2014.

NEW MEMBER INDUCTION

The induction for the newest Member elected to the Legislative Council, the Honourable Robert Armstrong MLC was conducted on Tuesday, 20 May 2014. Mr Armstrong was sworn on Tuesday, 27 May 2014 and took his seat. It is usual practice for new Members to have a follow-up session with the Clerk or Deputy Clerk after having experienced several sitting days. This provides the newly elected Member with an opportunity to witness the conduct of business in the Legislative Council and the various procedures.

The new Member then is in a better position to not only ask questions but relate what has been observed on the floor of the House to the information provided by the Clerk and Deputy Clerk as part of the initial induction.

Induction topics included —

- ◆ Role of Clerk and Deputy Clerk.
- ◆ Legislative Council – Organisation structure.
- ◆ Staff support.
- ◆ Office Accommodation – Parliament House and Electorate.

- ◆ The Constitution; Standing and Sessional Orders and Pecuniary Interest.
- ◆ The Legislative Council and its role in the system of Government.
- ◆ The role of a Member.
- ◆ Travel Claims and Party Meetings (if applicable).
- ◆ Parliamentary Privilege.
- ◆ Opportunities for Members to raise issues.
- ◆ Separation of powers.
- ◆ Relationship with the House of Assembly.
- ◆ A typical day in the Legislative Council.
- ◆ The Legislative process – passage of legislation.
- ◆ The relationship between Executive Government and the Legislative Council.
- ◆ The role of Members and Staff.
- ◆ The rules surrounding the engagement of family members to provide electorate office support.

In addition the Honourable Member for Huon also received briefings from various Parliamentary and Statutory Officers as part of the induction process.

Briefings —

- ◆ Jim Wilkinson, President
- ◆ Stuart Clues, Andrew Mitchell and Mandy Jenkins, Office of the Leader of the Government
- ◆ Juliet Webster, Parliamentary Librarian
- ◆ Dr Bryan Stait, Director of Parliamentary Research
- ◆ Helen Allmich, Editor of Debates
- ◆ Mike Blake, Auditor-General
- ◆ Diane Merryful, Chief Executive Officer, Integrity Commission
- ◆ Robyn Banks, Anti-Discrimination Commissioner
- ◆ Professor Michael Tate, Parliamentary Standards Commissioner

ELECTION OF NEW CHAIR OF COMMITTEES

As a consequence of the resignation from the Legislative Council of Paul Harriss, former Member for Huon who held the Office of Chair of Committees of the Legislative Council, it was necessary for the Members of the Legislative Council to elect a new Chair of Committees in accordance with the provisions contained in the Legislative Council Standing Orders.

The election for Chair of Committees was conducted on Tuesday, 27 May 2014 and saw the Honourable Member for Western Tiers, Greg Hall MLC elected to that office. The Chair of Committees continues to hold office unless it becomes vacant by death, resignation or removal by a majority decision of the Members of the Legislative Council. Whenever the Chair of Committees retires by effluxion of time, he or she continues to hold the office until the next meeting of the Council unless he or she is not re-elected as a Member.

GOVERNMENT BRIEFINGS

Although not unique to the Parliament of Tasmania, briefings of Members arranged by the Leader's Office have become one of the methods by which Members of the Council may inform themselves of various matters being promoted by the Government. The device, although not formally part of the Standing Orders, has developed due to two factors: the political composition of the Council Chamber, which has always had a majority of Independent Members; and the increased complexity of legislation. Due to the absence of any official caucusing by Independents, there is often no consensus view developed prior to the debate in the Chamber. As a result, through the 1990s Government briefings developed into an accepted mechanism to deal with complex or contentious issues.

Members are briefed by the various parties involved or interested in the issue; generally this will include Government departments, lobby groups and sometimes even private individuals. By this method Members can obtain information and clarification more quickly than could normally occur in the Chamber. Though briefings have their advantages in usually speeding up the process of legislating, there are two aspects of the briefings process which should be noted. Firstly, it could be argued that a briefing may not be viewed as a proceeding in Parliament and may not therefore be protected by parliamentary privilege. Secondly, they are conducted outside of the Chamber and as a rule are not minuted or recorded. This requires Members to be vigilant in ensuring any undertakings or explanations of the effect of clauses in legislation are reaffirmed in the public debate in the Chamber.

The sittings of the Council are often suspended, on motion by the Leader, to enable a briefing on a Bill or other matter to be undertaken prior to, or even during, consideration of a Bill or matter.

Briefings can take up a significant portion of a sitting day. Briefings, although not compulsory, are well attended by Independent Members. See Appendix F of this Report for briefing time statistics.

Briefing time is not included in the official statistics for a sitting day. The trend in the use of briefings is unlikely to abate, though a more formal structure with provision in the Standing Orders for this procedure would provide the protection of absolute privilege afforded to a proceeding in parliament.

It is noted that the Legislative Council resolved on Tuesday, 24 June 2014 to have certain briefing sessions on the Forestry (Rebuilding the Forest Industry) Bill 2014 recorded and a transcript produced and provided to all Members by the Parliamentary Reporting Service. This is uncommon and is reflective of the complex nature of forestry legislation and the number of interested parties.

Detail of briefings conducted are as follows:—

	Briefing	Date
1	Heavy Vehicle National Law (Tasmania) Bill 2013 (No. 37)	4 July 2013
2	Ms Jan Hyde, Deputy Commissioner, Australian Government Department of Veterans Affairs	20 August 2013
3	Ms Ros Harvey, Director of Sense T	20 August 2013
4	Residential Building Work Quality (Warranties and Disputes) Bill 2012 (No. 52)	22 August 2013
5	Tasmanian Forests Agreement Act 2013 – Special Council's Durability Report	28 August 2013
6	Workers Rehabilitation and Compensation Amendment (Fire-fighters) Bill 2013 (No. 27)	19 September 2013

	Briefing	Date
7	Dorset Renewable Industries Pty Ltd	24 September 2013
8	Ambulance Service Amendment Bill 2013 (No. 51)	26 September 2013
9	'Towards a Smoke Free Generation'	15 October 2013
10	Same-Sex Marriage Bill 2012 (No. 41) – Tasmania Law Reform Institute; Mr Guy Barnett and the Save Marriage Coalition; Australian Marriage Equality (AME)	15 October 2013
11	Forest Management Bill 2013 (No. 56)	16 October 2013
12	Forest Management (Consequential Amendments) Bill 2013	16 October 2013
13	Electricity Supply Industry Amendment (Feed-in Tariffs and Other Matters) Bill 2013 (No. 54)	17 October 2013
14	Historic Cultural Heritage Amendment Bill 2012 (No. 41 of 2012)	17 October 2013
15	Land Use Planning and Approvals Amendment (Historic Cultural Heritage Bill 2012 (No. 34)	30 October 2013
16	Urban Drainage Bill 2013 – Local Government Association of Tasmania	30 October 2013
17	Evidence (Children and Special Witnesses) Amendment Bill 2013 (No. 46)	31 October 2013
18	Land Use Planning and Approvals (Development on Mount Wellington) Amendment Bill 2012 (No. 42)	12 November 2013
19	Land Use Planning and Approvals Amendment Bill 2013 (No. 67)	13 November 2013
20	National Parks and Reserves Management Amendment (Parks and Reserves Authority) Bill 2013 (No. 62)	20 November 2013
21	Pulp Mill Assessment Amendment Bill 2014 (No. 1)	28 January 2014
22	Forestry (Rebuilding the Forest Industry) Bill 2014 (No. 6)	29 May 2014
23	Consolidated Fund (Supplementary and Supply Bills)	29 May 2014
24	Forestry (Rebuilding the Forest Industry) Bill 2014 (No. 6)	25 June 2014

FAMILY MEMBERS PROVIDING SUPPORT IN MEMBERS' OFFICES

In accordance with the Legislative Council's policy relating to the paid engagement of family members to provide electorate office support effective from 1 January 2008 it is a requirement that such approvals, if any, by the President, be reported in the Annual Report.

During the reporting period there were no approvals for the engagement of family members.

ELECTORATE FAMILIARISATION TOUR

An electorate tour of the Apsley Electorate was undertaken during the reporting year. Nine Members of the Legislative Council undertook the tour between 18 and 20 February 2014. The program included the following —

- ◆ Tour of Callington Mill
- ◆ Southern Midlands Council
- ◆ Elphinstone Engineering Australia Pty Ltd
- ◆ Glamorgan Spring Bay Council
- ◆ Maria Island
- ◆ May Shaw Health Centre
- ◆ St Helens History Room
- ◆ Seafoods Tasmania Pty Ltd, Goshen

PARLIAMENT RECALLED

By a Proclamation of His Excellency the Governor dated 16 January 2014 the two Houses of the Tasmanian Parliament were recalled to meet at 11.00 o'clock a.m. on Tuesday, 28 January 2014 for the specific purpose of considering the Pulp Mill Assessment Amendment Bill 2014 (No. 1 of 2014) which was introduced into the House of Assembly and passed on that day.

Briefings on the Bill were conducted in the Legislative Council on the Tuesday with the Bill read the First time and debated, under suspension of Standing Orders, on Wednesday, 29 January 2014.

The Bill was passed by the Legislative Council, without Amendment, and received the Royal Assent on Tuesday, 11 February 2014.

The purpose of the Bill was to provide certainty to any new proponent that the Pulp Mill Permit was still in force by extending the time during which the Pulp Mill Project must be substantially commenced from four to 10 years (that is by 30 August 2017).

The Bill clarified that the Pulp Mill Permit cannot be taken to have lapsed at any time during that 10 year period.

The Bill provided that the entire Pulp Mill Permit lapses if the Project is not substantially commenced before the end of the period of 10 years from the Pulp Mill Permit coming into force.

It also provided that the permits, licences and other approvals contained in the Pulp Mill Permit, that are taken to have been issued under other Tasmanian legislation, will not lapse unless the Pulp Mill Permit lapses.

RE-ESTABLISHMENT OF GOVERNMENT ADMINISTRATION SESSIONAL COMMITTEES A AND B

On Tuesday, 27 May 2014 the Legislative Council again agreed to the re-establishment of two Sessional Government Administration Committees in the following terms —

1. **SESSIONAL COMMITTEE A ON GOVERNMENT ADMINISTRATION**
 - 1.1 The Sessional Committee A on Government Administration is re-established.
 - 1.2 The Committee consists of not less than 5 members.
 - 1.3 The functions of the Committee are to inquire into and report on any matter relating to —

- (a) Any Bill or other matter referred to it by the Council;
- (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible —
 - i. The Treasurer
 - ii. The Minister for Health
 - iii. The Minister for State Growth
 - iv. The Minister for Infrastructure
 - v. The Minister for Police and Emergency Management
 - vi. The Minister for Energy
 - vii. The Minister for Planning and Local Government
 - viii. The Minister for Information Technology and Innovation
 - ix. The Minister for Environment, Parks and Heritage
- (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

1.4 And that the Members proposed to serve on the Committee be appointed by Resolution of the Council.

2. SESSIONAL COMMITTEE B ON GOVERNMENT ADMINISTRATION

2.1 The Sessional Committee B on Government Administration is re-established.

2.2 The Committee consists of not less than 5 members.

2.3 The functions of the Committee are to inquire into and report on any matter relating to —

- (a) Any Bill or other matter referred to it by the Council;
- (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible —
 - i. The Premier
 - ii. The Deputy Premier
 - iii. The Attorney-General
 - iv. The Minister for Justice
 - v. The Minister for Corrections
 - vi. The Minister for Education and Skills
 - vii. The Minister for Sport and Recreation
 - viii. The Minister for Racing
 - ix. The Minister for Aboriginal Affairs
 - x. The Minister for Tourism, Hospitality and Events
 - xi. The Minister for the Arts; and
 - xii. The Minister for Primary Industries and Water
 - xiii. The Minister for Human Services
 - xiv. The Minister for Women
 - xv. The Minister for Resources
- (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

2.4 And that the Members proposed to serve on the Committee be appointed by Resolution of the Council.

The two Sessional Committees were first established in October 2010 and continue to operate well with support from all Members.

INTEGRITY COMMISSION WORKSHOP

The Integrity Commission's objectives to improve the standard of conduct, propriety and ethics in public authorities in Tasmania; and enhance the quality of and commitment to ethical conduct; also extend to Members of the Tasmanian Parliament.

A key component of the Commission's work with MPs is the Ethics and Integrity Workshop for Members of Parliament. The workshop explores ethics and integrity issues in public service, with a specific focus on how these issues apply to Members of Parliament. It provides practical guidance for MPs on topics such as accountability, conflicts of interest, governance and responsibilities in various context, interactions with stakeholders and ethical dealings within parliament.

The workshop was conducted in May 2014 and 16 Members of Parliament attended, eight from each House. The workshop was led by training consultants Dr Peter Patmore AM PhD and Professor Richard Herr OAM PhD.

Previously the workshop was provided to Members of Parliament in 2012. The Commission intends to conduct the training on a regular basis as needed.

For confidential ethical advice Parliamentarians can also contact the Parliamentary Standards Commissioner.

OPENING OF NEW PARLIAMENT AFTER ASSEMBLY ELECTION

His Excellency the Governor, by Proclamation dated 12 February 2014, prorogued the Parliament and by a further Proclamation of the same date dissolved the House of Assembly in order for a general election to be held for that House. There is no power to dissolve the Legislative Council.

The election was subsequently held on Saturday, 15 March 2014. The term, or duration, of Parliament is part of a constitutional process controlled by law and conventions. It is the Governor who also sets dates for the issuing of writs and the return of the same once an election result is obtained.

The Opening of the Forty-Eighth Parliament of Tasmania was conducted by His Excellency's Commissioners on Tuesday, 6 May 2014 at 11.00 o'clock a.m. in accordance with His Excellency's Proclamation. His Excellency the Governor in person attended in the Legislative Council Chamber at 3.00 o'clock p.m. that afternoon where he addressed the Members of both Houses of the Parliament.

The Address-in-Reply to His Excellency's Speech was presented to the Lieutenant-Governor by the President of the Legislative Council at Government House on Wednesday, 4 June 2014.

MEMBERS' SALARIES – THE PARLIAMENTARY SALARIES AND ALLOWANCES TRIBUNAL

The *Parliamentary Salaries, Superannuation and Allowances Act 2012* provides for the establishment of a tribunal to prepare a report "determining the basic salary and other matters". By Order-in-Council dated 26 June 2013 Timothy John Abey (chair), Nicole Mary Wells and Barbara Deegan were appointed to constitute the Tribunal and were provided with the following Terms of Reference:

“With the object of determining

the basic salary for Members of the Tasmanian Parliament as required by clause 4 of Part 1 of Schedule 1 to the Parliamentary Salaries, Superannuation and Allowances Act 2012; and

whether the entitlements of, and benefits provided to, Members of the Tasmanian Parliament (other than the basic salary, additional salary, or superannuation) provided for in Schedule 2 of the Parliamentary Salaries, Superannuation and Allowances Act 2012 remain appropriate to the contemporary needs of such Members;

and taking account of the Government’s wages policy;

by 31 May 2014, prepare and provide to the Primer a report determining:

- 1. the basic salary; and*
- 2. any changes to any of the allowances and benefits provided for in Schedule 2 to the Parliamentary, Salaries, Superannuation and Allowances Act 2012; and*
- 3. in respect of the basic salary and of any change to any allowance or benefit aforesaid, the date from which that salary, allowance or benefits to be effective, and a formula or method to enable the annual or other periodic adjustment of that salary, allowance or benefit, as the case may be.*

The Report of the Parliamentary Salaries and Allowances Tribunal was presented on 30 May 2014 and followed the release of an Issues Paper in October 2013.

A range of submissions from interested individuals and organisations were received by the Tribunal following the release of the Issues Paper.

The Tribunal made a number of findings and relevant determinations in its Report. The following provides a summary of those determinations:

Basic Salary

1. *The basic salary shall be:*
 - \$124,000 with effect from 1 July 2014
 - \$128,000 with effect from 1 January 2015
 - From 1 July 2015 and 1 July 2016, the basic salary is to be adjusted by the change in the Wage Price Index, Ordinary Time Hourly Rates of Pay, Excluding Bonuses; Tasmania, Private and Public; All Industries [ABS catalogue 6345.0] between the March quarter in that year and the March quarter in the preceding year
 - That during 2016/17 the basic salary and allowances be subject to review by an independent tribunal, with a view that any change would take effect from 1 July 2017.

2. *Recommendation:*

That, consistent with the practice since 1997, the relevant legislation be amended to specify that the independent tribunal referred to above be a Full Bench of the Tasmanian Industrial Commission.

Motor Vehicle Allowance

1. Each Member is entitled to a Vehicle Allowance of \$15,419 pa effective from 1 July 2014. This allowance shall be adjusted on 1 July each year to reflect the change in the CPI, Hobart, All Groups between the March quarter in that year and the March quarter in the preceding year.
2. Members may elect, in lieu of the allowance, to be provided with a fully maintained, private plated vehicle for parliamentary, electorate and private use, but not for commercial purposes. The standard vehicle is that which is generally available to State Servants at SES Level 1. Members are responsible for the running costs of the vehicle when used outside Tasmania.

Telecommunications Allowance

There shall be payable, by way of reimbursement, to each Member of Parliament a Telecommunications Allowance consisting of the following:

1. 80% of all charges for a mobile telephone
2. \$50 per month for costs associated with a landline home telephone service (evidence that a home phone is installed is required)
3. The allowance in respect of a mobile telephone for the holder of offices of the President of the Legislative Council, Speaker of the House of Assembly, Leader of the Opposition and Leader of a recognised non-government party, is to be unlimited.

The above allowance is to take effect from 1 July 2014.

Committee Sitting Fees

1. The daily sitting fee for a member of a Standing Committee is to be abolished with effect from 1 July 2014.
2. The Chair of a Standing or Select Committee to be paid a daily sitting fee equivalent to 0.12% of the annual basic salary for each day on which the Chair attends a summoned meeting of the Committee at which a quorum is present. This allowance is to take effect from 1 July 2014.

Away From Home Travelling Allowance

1. There is payable to a member of Parliament an Away From Home Travelling Allowance for expenses incurred while travelling on official parliamentary business.
2. The rate of and the circumstances under which the allowance is payable shall be in accordance with the Travel Allowance and Meal Allowance components prescribed from time to time by the Tasmanian State Service Award of the Commission.
3. Where a member of Parliament exceeds the Allowance to which he or she is entitled, the member may, subject to any guidelines issued from time to time by Government, claim an allowance by way of reimbursement of expenses, at the rate equivalent to the actual expenses incurred, on submission of documentary evidence of those expenses.

4. The Allowances referred to in subclauses (2) and (3) are mutually exclusive and a member must claim either the Travelling Allowance referred to in subclause (2) or the reimbursement of actual expenses referred to in subclause (3).

Taxi Allowance

This allowance is abolished with effect from 1 July 2014.

Entertainment Allowance

There is payable to a person holding an office specified in the first column of this clause an Entertainment Allowance of an amount equivalent to the percentage of the basic salary as specified in the second column.

Column 1	Column
Office	% of basic salary
Premier	12
President of the Legislative Council	6
Speaker of the House of Assembly	6

Electorate Allowance

1. The following Allowances are payable with effect from 1 July 2014

Members of the Legislative Council

<i>Group 1</i>	
<i>Apsley</i>	\$48 835
<i>Group 2</i>	
<i>Murchison, Western Tiers</i>	\$44 977
<i>Group 3</i>	
<i>Derwent, Huon</i>	\$38 551
<i>Group 4</i>	
<i>Montgomery, Rumney</i>	\$36 075
<i>Group 5</i>	
<i>Mersey, Rosevears, Windermere, Elwick, Nelson, Launceston, Pembroke Hobart</i>	\$30 842

Members of the House of Assembly

<i>Bass</i>	\$42 408
<i>Braddon</i>	\$46 263
<i>Denison</i>	\$30 842
<i>Franklin</i>	\$37 267
<i>Lyons</i>	\$51 405

2. The Allowances will be adjusted from 1 July each subsequent year to reflect the change in the CPI, Hobart, All Groups, between the March quarter in that year and the March quarter in the previous year.

Resettlement Allowance

Members shall be entitled to a Resettlement Allowance equivalent to 12 weeks at the basic salary subject to meeting the following criteria:

1. Members have served at least one full term immediately prior to an election, and
2. Are defeated at a subsequent election or lose party endorsement.
3. Members elected at a by-election or a recount will not be eligible until they have served at least one full term.
4. Members who choose to resign from one House or electorate and nominate for another House or electorate (other than as a consequence of electoral reform) and are subsequently defeated are not eligible for the resettlement allowance.

This allowance will take effect from 1 July 2014.

ATTENDANCE OF LEGISLATIVE COUNCIL MEMBERS WHO ARE MINISTERS AT QUESTION TIME IN THE HOUSE OF ASSEMBLY

With the change of Government at the March poll the first sitting day of the New Parliament on 6 May 2014 saw the Legislative Council consider a Message from the House of Assembly relating to the attendance of Legislative Council Members who are Ministers at Question Time in the House of Assembly.

With the new majority Liberal Government being represented in the Legislative Council by the Honourable Vanessa Goodwin MLC who was not only appointed by the Premier to the Office of Leader of the Government, but Dr Goodwin was also appointed by His Excellency the Governor as Attorney-General, Minister for Justice, Minister for Corrections and Minister for the Arts in the new Government. The Government did not appoint a Deputy Leader.

As a consequence several Members expressed real concerns regarding the possible impact and disruption to business in the Legislative Council if leave was given for the Leader to attend Question Time particularly when both Houses were sitting on the same day.

After some debate on the matter the Council voted not to give leave to the Leader to attend Question Time in the Assembly. In the days after the vote the Premier and Leader considered carefully the concerns expressed in the debate on the matter and sought to provide a level of assurance to the Members and gave certain undertakings. As a result the matter was revisited on Thursday, 29 May 2014.

The previous vote was rescinded in accordance with the Legislative Council's Standing Orders and the Attorney-General was subsequently given leave to attend Question Time in the House of Assembly as she thought fit. There has not been any interference or disruption to the work of the Legislative Council as a result of the Council's decision.

DEPARTMENT STAFF

INDUSTRIAL AGREEMENT

The current Legislative Council Staff Industrial Agreement was agreed between the parties and filed with the Tasmanian Industrial Commission in March 2009.

The Agreement applies to all relevant persons employed under the *Parliamentary Privilege Act 1898* in the Legislative Council.

In accordance with the provisions of the *Industrial Relations Act 1984*, *Industrial Relations Regulations 1984*, and the *Parliamentary Privilege Act 1898* as subsequently amended, the President of the Legislative Council, as Controlling Authority of the Legislative Council and the CPSU agree *inter alia* that —

As minimum conditions of service the President shall observe, as though bound by, the terms and conditions of employment of the following Awards and Agreements of the Tasmanian Industrial Commission —

- (i) the *Tasmanian State Service Award (S085)*; and
- (ii) includes the Tasmanian State Service Union Agreement 2008 and any previous or successor agreements however titled.

The Agreement known as the Legislative Council Staff Agreement 2009, has been operative from the first full pay period on or after 5 March 2009 and remains in force until varied between the parties to the Agreement.

Order No. 1 of 2012 of the Tasmanian Industrial Commission provided for an Award variation of 2 per cent from December 2011. Further Orders of the Commission provide for Award variations of 2 per cent in December 2013, 2014 and 2015.

PARLIAMENTARY SERVICE AWARDS

From a staff perspective one of the more significant functions held once again during the reporting year was the presentation by the President and Speaker of Parliamentary Service Awards.

The Awards recognised those employees across both Houses and the Joint Services areas who had served the Parliament of Tasmania for a period of 15 years or more. Permanent, part-time and casual staff are all eligible to receive awards under the scheme. Certificates of Service were presented along with a gift voucher to each eligible member of staff. Service awards are presented each year at a function held during the month of December.

Service of 15 years has been determined as the base for an award with additional service to be recognized in five-year increments thereafter.

The decision by the Joint Presiding Officers and Clerks to continue to support a Parliamentary Service Award Scheme is seen as a fitting way to recognise and reward officers of the Parliament who had served for long periods with dedication, enthusiasm and loyalty.

One of the Parliament's goals is to attract and retain a highly skilled and motivated team, to recognise the contribution of its employees and to encourage them to develop and perform to their fullest capabilities. The fact that so many staff have long years of service and have made a career working in the Parliament and progressing to senior positions within the Parliamentary system, demonstrates that this goal has been achieved.

The awards presentation function was extremely well attended and feedback from those who attended continues to be extremely positive. The award concept continues to be well received by all employees.

The Tasmanian Parliament follows other Australian parliamentary jurisdictions who have in place similar award schemes.

The certificates of service which were presented were enthusiastically received as they represented a permanent record of service to the Parliament and an acknowledgement of the high regard which the Presiding Officers have for those award recipients.

The Tasmanian Parliament looks very much forward to the next Parliamentary Service Award ceremony which is scheduled for December 2014.

MEETING OF LEGISLATIVE COUNCIL ELECTORATE OFFICERS AND STAFF

The annual meeting and training sessions for Electorate Officers and other Legislative Council Staff was held at Parliament House from Monday 16 to Wednesday 18 December 2013.

On Monday, 16 December 2013 Legislative Council staff attended two training courses at Quill Consultancy in Hobart:

- (a) Microsoft Office 2010 – attended by eight staff
- (b) Introduction to Exel – attended by eleven staff

The meeting was held at Parliament House on Tuesday, 17 December 2013. The meeting provides an opportunity for staff from regional offices around the State to meet with colleagues based at Parliament House to discuss a range of matters associated with their work in supporting the elected Members of the Legislative Council and the work of the Legislative Council generally as a constituent part of the Parliament. The meeting was well attended.

Topics —

- ◆ Peter Hancox, Manager of Parliamentary Computer and Electronic Services, and Systems Officers, Ben Hughes, Brett Godfrey and Chris Machin discussed broadcasting and clippings of proceedings, Telstra Internet Protocol Telephony (TIPT), and email archiving.
- ◆ Nigel Pratt, Deputy Clerk of the Legislative Council provided a review on Sources of Members' Funding and provided a document entitled 'Legislative Council – Sources of Members' Funding'.
- ◆ Leigh Matthews, Parliamentary Officer-Support Services, provided a review on ordering procedures and provided a document entitled 'Policy Guidelines for Members' Printing'.

- ◆ Craig Thorp, Parliamentary Officer-Finance, provided a review on the Resource Allocation Policy and Additional Funding and provided information relating to the Resource Allocation taken from the Members' Guide.
- ◆ Philip Stansfield, Adviser, Office of the Leader of the Government provided a review on the process for questions placed on the Legislative Council Notice Paper and provided documents entitled 'Questions placed on the Legislative Council Notice Paper' and 'Questions without Notice'.
- ◆ Mark Chilcott, Senior Spatial Information Analyst, Information and Land Services Division, Department of Primary Industries, Parks, Water and Environment provided training on the use of the Land Information System Tasmania (LIST). The course was attended by six staff on Wednesday, 18 December 2013.

The next meeting will be held at Parliament House in December 2014.

HOUSE COMMITTEE SECRETARY

In the Tasmanian Parliament the position of Secretary of the Joint House Committee is held on a 12 monthly rotational basis by a Table Officer from each House. The position of Secretary involves being generally responsible for the effective and efficient management of the joint services area of the Parliament, as well as supporting the Joint House Committee which consists of three Members from each House. The Council's Standing Orders provide for the House Committee's establishment at the commencement of every session.

Rotation of the position to an officer in the House of Assembly took place from January 2014.

During the 2013 calendar year the Legislative Council's Mrs Sue McLeod, held the position of Secretary.

The responsibility for the day to day management of the Legislature-General [Joint House] Department will remain with the House of Assembly until January 2015 at which time the Legislative Council will assume day to day oversight and directional responsibility.

Standing Order No. 218 *inter alia* provides —

At the commencement of every Session the Council shall appoint the following Committee —

A Committee of three Members, one of whom shall be the President, to serve on a Joint Committee to be known as the House Committee to control Parliament House and the grounds appurtenant thereto, with power to regulate and control all matters relating to —

- (i) Catering for Parliament.
- (ii) Allotment of rooms, subject to the approval of the President or Speaker, as the case may be.
- (iii) Repairs, renewals, and alterations to Parliament House.
- (iv) Maintenance and upkeep of the gardens and roadways of the Parliament Reserve.
- (v) Any other matters referred to the Committee by a joint Resolution of both Houses.

Any expenditure incurred by the House Committee in the exercise of any of its functions shall be defrayed out of moneys to be provided by Parliament for the purposes of the Committee.

The Committee shall have power to sit and act during any recess of Parliament.

A majority of Members shall form a quorum of the said Committee, provided that the quorum of the Committee shall not consist exclusively of Members of one House only.

The Committee shall meet within one month after the commencement of every Session when summoned by its Secretary.

SUPERANNUATION SCHEMES

The Table below provides detail of the level of superannuation fund choice being exercised by staff of the Legislative Council —

Superannuation Schemes	Number of employees for whom employer superannuation contributions are made (as at 30 June 2014)
RBF defined benefit scheme	11
Tasmanian Accumulation Scheme (TAS)	15
Other complying superannuation schemes	9
Total	35

As indicated in the Table there were nine Legislative Council employees who were members of an alternative complying superannuation scheme during the period up to 30 June 2014.

DEVELOPMENT AND TRAINING

The benefits available to staff through attendance at specialised courses is recognised and every encouragement is made to allow selected staff the opportunity to attend appropriate courses. Development of both new and existing skills ensures a continued high standard in the delivery of service to Members and other clients of the Legislative Council.

The Council's Clerks-at-the-Table are members of the Australian and New Zealand Association of Clerks-at-the-Table (ANZACATT). That Association conducts annual professional development seminars in various parliamentary jurisdictions throughout Australia and New Zealand. The Legislative Council is represented at these seminars whenever possible.

The Legislative Council is also able to nominate officers to undertake the Parliamentary Law, Practice and Procedure Program (PLPPP) which was for the first time conducted in July 2009 by the University of Tasmania who were successful in their tender bid. From its inception in 2004 through to 2008 the course was delivered by the Queensland University of Technology. The course is conducted with the agreement of ANZACATT. This program provides an overview of the constitutional and legal frameworks underpinning Australia and New Zealand's parliamentary systems.

The Legislative Council was represented at the 2011 course by the Clerk of Committees, Mr Tom Wise. The Council did not have a course participant for the course in 2012 however Mrs Jenifer Austin, the former Secretary to the Parliamentary Standing Committee of Public Accounts, was the Legislative Council's nominee for the 2013 course.

In 2014 the Legislative Council nominated Mr Stuart Wright, Clerk-Assistant and Secretary to the Subordinate Legislation Committee to undertake the course. In addition Mr Wright was hosted by the Clerk of the New South Wales Legislative Council and his staff during the reporting period where a program was prepared with a focus on the Committee system which exists in that jurisdiction.

Other courses of training were attended by selected staff during the reporting period. In addition the seventh annual meeting of Electorate Officers, Executive Assistants and other Legislative Council officers was held in Hobart in December 2013.

In-house induction programs are conducted and training for new members of staff appointed both at Parliament House and in the Regional Electorate Offices is undertaken through an orientation session. The Legislative Council's Financial Accountant, Mrs Nicole Muller, undertakes ongoing professional development as a Registered Member of the Institute of Chartered Accountants. Mrs Muller is also currently undertaking an MBA in Human Resource Management through the University of Tasmania. Mr Craig Thorp, Parliamentary Officer-Finance, is continuing an accounting related certificate course at TAFE.

INDUSTRIAL DEMOCRACY

The Legislative Council administration continues to pursue a cooperative approach to decision making. The small numerical staff size of the Legislative Council allows for direct and immediate consultation between executive officers and staff. Should they be required, more formal channels are available to resolve disputes. These channels are accessible by all staff and are clearly prescribed in the Legislative Council Staff Industrial Agreement.

OCCUPATIONAL HEALTH AND SAFETY

Occupational health and safety is a principal management consideration. Appropriate equipment, facilities and programs are provided to ensure the ongoing safety and well-being of staff.

Elements of Occupational Health and Safety have been addressed through —

- ◆ the maintenance of plant and equipment through a single maintenance contract; and
- ◆ the progressive removal and upgrading of engineering services throughout the building complex as part of the continuing works program on site.

Additional Occupational Health and Safety issues such as work practices and the provision of ergonomically designed facilities remain a focus.

STAFFING CHANGES

There were a number of significant staffing and related structural changes in the Legislative Council during the reporting period.

The Deputy Clerk, Mr Nigel Pratt who served the House and the Parliament with distinction since his appointment back in 2008 returned to the Western Australian Parliament in January 2014 having been appointed Clerk of the Legislative Council in that State.

As a consequence His Excellency the Governor-in-Council accepted the President's recommendation and appointed Mrs Sue McLeod to the position of Deputy Clerk. Mrs McLeod formerly held the position of Clerk-Assistant and Usher of the Black Rod as well as holding the position of Secretary to the Joint Standing Committee on Subordinate Legislation. The appointment was a significant one for the Legislative Council with Mrs McLeod having served with distinction in various positions since 1998.

Some position restructuring at a senior level was then undertaken which resulted in a slight flattening of the structure with creation of two Clerk-Assistant positions. Again on the President's recommendation Mr Tom Wise and Mr Stuart Wright were appointed by His Excellency the Governor-in-Council to fill the respective positions. Mr Wise was also appointed Usher of the Black Rod and Mr Wright appointed as Secretary to the Subordinate Legislation Committee. Both are experienced and highly skilled officers.

The reporting year also saw the departure of two outstanding parliamentary officers. Mrs Jenifer Austin, the former Secretary to the Joint Standing Committee of Public Accounts resigned to pursue her career overseas after making a most positive impact during her time with the Legislative Council. Ms Emily Ratnagobal who provided outstanding service and support in the Committee Secretariat resigned to pursue her legal career in Victoria.

Ms Gabrielle Woods was appointed to fill the vacancy left by Jenifer Austin.

Again as a consequence of resignations the opportunity was taken to again make alteration to the organisational structure to better reflect the changing nature and focus of our Committee Secretariat activity. Two positions of Assistant Committee Secretary were advertised and officers appointed. Mrs Natasha Exel and Ms Jenny Leaman joined the staff of the Legislative Council as Assistant Committee Secretaries.

All of the new appointees come with requisite experience and qualifications and have all made significant contributions to the work of the Legislative Council and the Parliament since their respective appointments.

In addition to those appointments His Excellency the Governor-in-Council, on the recommendation of the President, appointed Mr Craig Thorp to the position of Finance Officer. Mr Thorp had been acting in the position prior to his permanent appointment. The appointment recognised Mr Thorp's very dedicated approach to the role and the efficient discharge of the duties and responsibilities associated with it.

PARLIAMENTARY STANDING COMMITTEES: STATUTORY IN NATURE

PUBLIC ACCOUNTS

The Public Accounts Committee is a joint standing committee of the Tasmanian Parliament established under the *Public Accounts Committee Act 1970* (the Act).

The Committee consists of six Members of Parliament, three are Members of the Legislative Council and three Members of the House of Assembly.

Functions of the Committee

In accordance with section 6 of the Act, the Committee:

- must inquire into, consider and report to the Parliament on any matter referred to the Committee by either House relating to:
 - ◆ the management, administration or use of public sector finances; or
 - ◆ the accounts of any public authority or other organisation controlled by the State or in which the State has an interest;
- may inquire into, consider and report to the Parliament on:
 - ◆ any matter arising in connection with public sector finances that the Committee considers appropriate; and
 - ◆ any matter referred to the Committee by the Auditor-General.

Under the *Audit Act 2008* the Committee also has responsibilities with regard to the appointment of the Auditor-General, the development of the Auditor-General's Annual Plan and the periodic review of the Tasmanian Audit Office.

Committee Activity

Committee operations combine self-initiated inquiries and referred inquiries. The Committee receives submissions and conducts briefings and hearings on such matters as required. Results of inquiries are presented in reports that are Tabled in both Houses of Parliament. The reports are available to the public and published on the Committee website <http://www.parliament.tas.gov.au/ctee/Joint/pacc.htm>.

The Committee met on twenty-four occasions during 2013-14.

The Committee's Report No. 23 of 2013: Royal Society for the Prevention of Cruelty to Animals (RSPCA) Inquiry was Tabled in Parliament on 14 November 2013.

The following work is currently being undertaken by the Committee and is at various stages of progress:

- ◆ Review of the Report provided by Nexia Australia in accordance with section 44 of the *Audit Act 2008*, under which the Tasmanian Audit Office is subject to a review of the efficiency, effectiveness and economy of its operations at least once in every period of five years. This is the first review undertaken since the commencement of the Act.

- ◆ The new Committee is to determine whether to proceed with a number of inquiries commenced by the previously constituted Committee, including:
 - An inquiry into the separation arrangement for Mr Barry Greenberry;
 - A review of the ABT Railway lease;
 - An inquiry into the Tasmanian Education Foundation; and
 - An inquiry into government funding of Australian Rules community football in Tasmania.

- ◆ Follow-up review on Auditor-General Special Report No. 95: Fraud control.

The Committee continues to meet periodically with the Auditor-General and in accordance with section 11 of the *Audit Act 2008* has reviewed and approved the Auditor-General's Annual Plan of Work 2014-15.

Committee Membership – Forty-Seventh Parliament

Legislative Council

Mr Ivan Dean (Chair)
Mr Paul Harriss
Mrs Adriana Taylor

House of Assembly

Mr Brenton Best
Mr Kim Booth
Mr Peter Gutwein (Deputy Chair)

Committee Membership – Forty-Eighth Parliament

Legislative Council

Mr Ivan Dean (Chair)
Ms Ruth Forrest (Deputy Chair)
Mrs Adriana Taylor

House of Assembly

Mr Scott Bacon
Ms Sarah Courtney
Ms Joan Rylah

The Committee was assisted by the following Secretariat:

Secretary:	Ms Jenifer Austin (to 19 March 2014) Mrs Sue McLeod (19 March to 10 June 2014) Ms Gabrielle Woods (from 10 June 2014)
Assistant Committee Secretary:	Ms Natasha Exel (from 10 June 2014)
Executive Assistant:	Ms Emily Ratnagobal (to 24 December 2013)
Research Officer:	Dr Bryan Stait

Further detail on the activities of the Committee for 2013-14 can be found in its Annual Report (Paper No. 13 of 2014) which was Tabled in the Legislative Council on 28 August 2014.

PUBLIC WORKS

The Public Works Committee is also established by Statute. It comprises three Members from the House of Assembly and two Members from the Legislative Council; the Secretary is a Table Officer in the House of Assembly and it is therefore administered by that House.

The function of the Committee is to report on every proposed public works which is estimated to cost at least \$5 million. The Committee is provided with plans, specifications and other related material from the relevant Department, and may also summon witnesses. It then reports back to the Parliament the results of its enquiries.

SUBORDINATE LEGISLATION

The Subordinate Legislation Committee was established in 1969 by Statute. The Committee is comprised of three Members each from the Legislative Council and the House of Assembly. Ministers and Presiding Officers may not be members. Although it is a Joint Standing Committee the Secretary to the Committee has traditionally been a Table Officer in the Legislative Council, and therefore the Council is responsible for administering the Committee.

The Committee's charter is to examine every Regulation, By-Law and Rule. Regulations comprise all subordinate legislation made by the Governor-in-Council but do not include Orders, Proclamations or Rules of the Supreme Court. By-Laws are those made by municipal councils, marine boards and other semi-government authorities. The Committee is also responsible for ensuring the *Subordinate Legislation Act 1992* is complied with, and the examination of other Instruments referred to it under the authority of an Act.

The Government Printer sends the Committee copies of all regulations as soon as they have been gazetted. Each municipality is required under the *Local Government Act 1993* to provide the Committee with a copy of any new or amended By-Laws.

Statistical Information for the Financial Year

	Forty-Seventh Parliament	Forty-Eighth Parliament	Total
Meetings	9	4	13
Instruments	46	32	78
Briefings	1	1	2
Public Hearings	3	-	3
Reports Tabled	2	-	2

During the reporting year, the Committee held a total of thirteen (13) meetings, nine (9) during the Forty-Seventh Parliament and four (4) during the Forty-Eighth Parliament. The Committee examined seventy eight (78) instruments of subordinate legislation, forty six (46) during the Forty-Seventh Parliament and thirty two (32) during the Forty-Eighth Parliament that had been published in the Government Gazette.

As part of the examination of these instruments, the Committee requested information from Ministers in writing, in relation to regulations imposing significant increases in fees, explanation of some provisions and other issues of concern. The majority of queries were resolved to the Committee's satisfaction using this mechanism to obtain further information.

During the year the Committee also received briefings from Departmental officers in relation to the following instruments –

- ◆ Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment (Mandatory Alcohol Interlock) Regulations 2013 (S.R. 2013, No.50) -completed during the Forty-Seventh Parliament
- ◆ Restricted Hire Vehicle Industry Amendment Regulations 2014 (S.R. 2014, No.13) - completed during the Forty-Eighth Parliament

The briefings provided Members with further details and clarification of specific issues.

The Committee completed one (1) inquiry in relation to the Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment (Mandatory Alcohol Interlock) Regulations 2013 (S.R. 2013, No.50) and the Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment (Mandatory Alcohol Interlock) Regulations 2013 (S.R. 2013, No. 63).

The Committee conducted two (2) dates of hearings and received evidence from six (6) witnesses. The report of the Committee was tabled in both Houses of the Tasmanian Parliament - completed during the Forty-Seventh Parliament. The inquiry resulted in amendments being made to the legislation by the Government.

Committee Membership – Forty-Seventh Parliament

Legislative Council

Ms Ruth Forrest (Chair)
Ms Tania Rattray (Deputy Chair)
Mrs Adriana Taylor

House of Assembly

Ms Elise Archer
Mr Tim Morris
Mr Graeme Sturges

Committee Membership – Forty-Eighth Parliament

Legislative Council

Ms Ruth Forrest
Mrs Leonie Hiscutt (Deputy Chair)
Ms Tania Rattray (Chair)

House of Assembly

Mr Guy Barnett
Mr Roger Jaensch
Ms Madeleine Ogilvie

INTEGRITY

The *Integrity Commission Act 2009* received the Royal Assent on 17 December 2009. The Act by Proclamation of His Excellency the Governor, acting with the advice of the Executive Council, commenced from 1 December 2010.

Division 2 of Part 3 of the Act provides for the establishment of the Joint Parliamentary Standing Committee on Integrity consisting of six Members of Parliament of whom three are to be Members of the Legislative Council.

Section 24 of the *Integrity Commission Act 2009* prescribes the functions and powers of the Joint Committee. By agreement between the Joint Presiding Officers and Clerks, the Joint Committee is administered by the House of Assembly. The Committee is, in accordance with the Act, to provide a Report of its proceedings and cause a copy of the Report to be laid before both Houses of Parliament.

The Joint Integrity Committee has the following functions:

- (a) to monitor and review the performance of the functions of an integrity entity;
- (b) to report to both Houses of Parliament, as it considers appropriate, on the following matters:
 - (i) matters relevant to an integrity entity;
 - (ii) matters relevant to the performance of an integrity entity's functions or the exercise of an integrity entity's powers;

- (c) to examine the annual reports of an integrity entity and any other report of an integrity entity and report to both Houses of Parliament on any matter appearing in or arising out of such reports;
- (d) to report to the Legislative Council or House of Assembly on any matter relevant to an integrity entity's functions that is referred to it by the Legislative Council or House of Assembly;
- (e) to review the functions, powers and operations of the Integrity Commission at the expiration of the period of 3 years commencing on the commencement of this section and to table in both Houses of Parliament a report regarding any action that should be taken in relation to this Act or the functions, powers and operations of the Integrity Commission;
- (f) to provide guidance and advice relating to the functions of an integrity entity under this Act;
- (g) to refer any matter to the Integrity Commission for investigation or advice;
- (h) to comment on proposed appointments to be made under section 14(1)(e), (f) or (g), section 15 and section 27 of the *Integrity Commission Act 2009*.

The Joint Committee is not authorised to:

- (a) investigate any matter relating to a complaint that is being dealt with by the Integrity Commission; or
- (b) review a decision of the Integrity Commission to investigate, not investigate or discontinue an investigation or inquire into or not inquire into a particular complaint; or
- (c) make findings, recommendations, determinations or decisions in relation to a particular investigation or inquiry of a complaint that is being or has been dealt with by the Integrity Commission.

On Wednesday, 20 November 2013 the Honourable Member for Pembroke, Dr Vanessa Goodwin presented three Reports of the Committee namely —

- ◆ Annual Report 2013
- ◆ Report of the Office of the Ombudsman
- ◆ Report on the Integrity Commission Report under section 13(c) of the *Integrity Commission Act 2009*

COMMITTEES

OVERVIEW

The Legislative Council has the power to appoint Members to form Committees for the purpose of investigating specific matters and reporting their findings to the House. With the need for expert technical advice, and the importance of giving all groups and individuals direct access to the Parliament, committees perform an increasingly important function. The main types of committees are:

- (a) Statutory (Standing) Committees of both Houses;
- (b) Sessional Committees of both Houses;
- (c) Joint Select and Standing Committees of both Houses; and
- (d) Select and Sessional Committees of one House.

There are at present four Standing Committees of both Houses established by Statute. They are: the Public Works Committee, which investigates all major Government construction works; the Subordinate Legislation Committee, which examines all Government Regulations and local government by-laws; the Public Accounts Committee, which examines the manner in which public funds are spent and the Integrity Committee.

The two Joint Sessional Committees are: the House Committee, which manages and controls the building of the Parliament, the Dining Room and the grounds of Parliament House; and the Library Committee, which supervises the activities of the Parliamentary Library. Although these Committees operate almost continuously, they must, unlike Standing Committees, be reappointed at the commencement of each new session.

Two Legislative Council Sessional Committees, first appointed on 12 October 2010, were re-established on 27 May 2014, following the prorogation of the Parliament for the purposes of the State Election in March 2014, to inquire into and report on any matter relating to –

- (a) Any Bill or other matter referred to it by the Council;
- (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise or State-owned Company; and
- (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

SELECT COMMITTEES – AN INVESTIGATORY FUNCTION

Notwithstanding the establishment of two Sessional Committees previously detailed, an important function of the Legislative Council has been the work carried out over time by its Select Committees. The Council's Standing Orders prescribe the way in which Select Committees operate. A Select Committee is formed by the Council agreeing to a motion moved by a Member for its establishment. A Select Committee can inquire into a Bill which is before the House or a matter which the House considers requires further investigation.

A Select Committee has a number of powers. It is able to summon witnesses to appear before it and call for such papers and records as it may require. All submissions, written or verbal, become the property of the Committee and in most instances cannot be made public until the Committee has reported to Parliament and Tabled the associated documents.

Witnesses are usually heard with open doors enabling the media and interested members of the public to attend but not participate in the proceedings. A Committee may however, when it considers necessary, meet behind closed doors and hear evidence in private.

Expenses associated with the activities of all Select Committees are met through funds appropriated from the Consolidated Fund and approved by the Parliament.

The following Select Committees were ongoing from the previous financial year —

- ◆ Recreational Marine Fishing in Tasmania
- ◆ Violence in the Community
- ◆ PV Fortescue
- ◆ Tasmanian Poppy Industry
- ◆ Preventative Health Care (Joint)

These Select Committees ceased their activity when the Parliament was prorogued on 12 February 2014 for the purposes of the State Election which was held on 15 March 2014. As at the 30 June 2014 these Committees had not been re-established.

The following Select Committee was ongoing from the previous financial year and presented its Final Report during 2013-14 —

- ◆ Rural Roads Speed Limit Reduction –
Final Report presented on 31 October 2013

ESTIMATES COMMITTEES

As a result of the decision by the newly-elected Tasmanian Government to defer the handing down of the State Budget until 28 August 2014, the Legislative Council did not establish Estimates Committees in the reporting period 2013-14.

GOVERNMENT BUSINESSES SCRUTINY COMMITTEES

On 16 October 2013 the Legislative Council again established two Government Businesses Scrutiny Committees to inquire into Government Businesses on 3 and 4 December 2013.

The following businesses were scrutinised —

- *Forestry Tasmania*
- *Hydro Tasmania*
- *Transend Networks Pty Ltd*
- *Tasmanian Ports Corporation Pty Ltd*
- *The Public Trustee*
- *TT Line Company Pty Ltd*

Committee A met on 3 occasions and Committee B on 3 occasions.

SESSIONAL COMMITTEES

Government Administration Committee A

This Committee held its first meeting of the year on 29 July 2013 with Ms Ruth Forrest as Chair and Dr Vanessa Goodwin as Deputy Chair.

Committee Membership

Ms Rosemary Armitage
Ms Ruth Forrest (Chair)
Dr Vanessa Goodwin (Deputy Chair)
Mr Paul Harriss
Mrs Leonie Hiscutt
Mr Rob Valentine

The Committee met a total of 14 times to 30 June 2014, including meetings and hearings related to the inquiry into the Reproductive Health (Access to Terminations) Bill 2013.

This Committee ceased its activity when the Parliament was prorogued on 12 February 2014 for the purposes of the State Election which was held on 15 March 2014. The Committee was re-established by Resolution of the Legislative Council on 27 May 2014.

Inquiries

The Committee had three ongoing inquiries from the previous financial year. The details of these inquiries for the current financial year are listed below. The Committee did not initiate any inquiries during the reporting period.

Sub-Committee Inquiry into the Cost Reduction Strategies in the Health Department

By resolution of its own motion on 24 October 2011 the Committee established a sub-committee to inquire into and report upon the cost reduction strategies announced by the Department of Health and Human Services on the 4 October 2011. The Committee resolved that Ms Ruth Forrest, Dr Vanessa Goodwin, Mr Greg Hall, Mr Paul Harris and Mr Jim Wilkinson be of the sub-committee with Ms Forrest elected as Chair.

The sub-committee did not meet during the financial year. As a consequence of the Committee ceasing its activity when the Parliament was prorogued on 12 February 2014, this inquiry also ceased activity on that date. As at 30 June 2014 this inquiry had not been re-established.

Sea based Abalone Farming

This inquiry was commenced by resolution of the Committee's own motion on 13 November 2012. Mr Jim Wilkinson was appointed as the Inquiry Chair.

The Committee did not meet in relation to this inquiry during the reporting year. As a consequence of the Committee ceasing its activity when the Parliament was prorogued on 12 February 2014, this inquiry also ceased activity on that date. As at 30 June 2014 this inquiry had not been re-established.

Reproductive Health (Access to Termination) Bill 2013

On 12 June 2013 the Reproductive Health (Access to Termination) Bill 2013 was referred by motion of the Legislative Council to Government Administration Committee A for further consideration and report. The Committee met later that day and Mr Paul Harriss was appointed as Chair for the inquiry. At this meeting, Mr Tony Mulder was appointed as a substitute for Ms Rosemary Armitage.

The Committee called for submissions in Tasmania's three daily papers on Saturday, 22 June 2013. As at 30 June 2013, five submissions had been received by the Inquiry Committee and a further 138 submissions were received during this reporting year.

During the reporting period the Committee held 14 meetings in relation to this inquiry, including nine days of public hearings. At these hearings 55 witnesses presented verbal evidence to the Committee.

The Committee presented its Report in relation to this Inquiry on 13 November 2013.

Government Administration Committee B

The Committee held its first meeting of the year on 2 July 2013 with Ms Tania Rattray as Committee Chair and Mr Kerry Finch as Deputy Chair.

Committee Membership

Mr Ivan Dean
Mr Kerry Finch (Deputy Chair)
Mr Mike Gaffney
Mr Greg Hall
Mr Tony Mulder
Ms Tania Rattray (Chair)
Mrs Adriana Taylor

The Committee met a total of 37 times from 1 July 2013 to 30 June 2014.

Inquiries

The Committee had three ongoing inquiries from the previous financial year. The details of these inquiries for the current reporting year are listed below.

The Committee established one new inquiry in this period.

Overtime Costs of the Tasmanian Prison Service

This inquiry was commenced by resolution of the Committee's own motion on 29 March 2012 to inquire into and report upon the overtime costs of the Tasmanian Prison Service. Mr Ivan Dean was elected Chair of the inquiry. An Interim Report was presented on 22 May 2013.

During the reporting period 2013-14 the Committee held five meeting meetings in relation to this inquiry and held two days of public hearings at which four witnesses presented verbal evidence.

The Committee presented its Final Report in relation to this inquiry on 12 November 2013.

Integrated Transport Options Inquiry

This inquiry was commenced by resolution of the Committee on 20 June 2012 to inquire into and report upon options for an integrated sustainable public transport system in Southern Tasmania. Mrs Adriana Taylor MLC was elected Chair of the inquiry and Mr Tony Mulder was elected Deputy Chair. There were three substitute members – Mr Craig Farrell substituted for Mr Kerry Finch, Mr Rob Valentine substituted for Mr Mike Gaffney and Dr Vanessa Goodwin substituted for Mr Ivan Dean.

In the reporting year 2013-14 the Committee held one meeting in relation to this inquiry and presented its Final Report on 4 July 2013.

Aboriginal Lands Amendment Bill 2012 (No. 27) Inquiry

On 22 November 2012 the Legislative Council resolved that the Aboriginal Lands Amendment Bill (No. 27) be referred to the Legislative Council Government Administration Committee B for further consideration and report. On 27 March 2013 two substitute members were appointed – Mr Rob Valentine as substitute for Mr Mike Gaffney and Ms Ruth Forrest as substitute for Mr Greg Hall. This inquiry held its first meeting on 28 March 2013 and Mr Kerry Finch was elected as Inquiry Chair and Mr Tony Mulder was elected as Deputy Chair.

In the reporting period 2013-14 the Committee met on 13 occasions and held four days of public hearings in various locations around Tasmania. Twenty-two witnesses gave verbal evidence at these public hearings. Seven written submissions were received in the reporting period.

The Committee presented its Final report in relation to this inquiry on 20 November 2013.

COMMITTEE SECRETARIAT SUMMARY

Committees/Inquiries Commenced and Ongoing *

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
*Tasmanian Poppy Industry (<i>established 25/09/2012</i>)	4	2	7	8
*Inquiry into PV Fortescue (<i>established 16/11/2010 and Special Report presented 14/07/2011</i>)	2	-	-	-
*Violence in the Community (<i>established 13/10/2010 and re-established 4/5/2010</i>)	2	-	-	-
*Recreational Marine Fishing in Tasmania (<i>established 20/11/2007, re-established 04/03/2008 and 04/05/2010</i>)	-	-	-	-

*All Committees ceased to exist as at 12 February 2014 at the time of Prorogation of the Forty-Seventh Parliament and were not re-established prior to the conclusion of the reporting period.

Committees/Inquiries Concluded

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Government Businesses Scrutiny Committee A (established 28/10/2013 and Report presented 12/12/2013)	4	1	-	17
Government Businesses Scrutiny Committee B (established 28/10/2013 and Report presented 12/12/2013)	3	1	-	16
Government Administration Committee A – Reproductive Health (Access to Terminations) Bill 2013 (No. 24) (Established on 20/6/2013, Report presented 12/11/2013)	14	9	143	55
Government Administration Committee B – Overtime Costs of the Tasmanian Prison Service (Established 29/03/2012 and Interim Report presented 22/5/2013 and Final Report 13/11/2013)	5	2	-	4
Integrated Transport Options (Established 20/06/2012, Final Report Tabled 4/7/2013)	1	-	-	-
Aboriginal Lands Amendment Bill 2012 (No. 27) (Established 22/11/2012, Report Tabled 20/11/2013)	13	4	7	22
Rural Road Speed Limits (established 20/11/2012 and Report Tabled 31/10/2013)	6	4	-	4

Joint Select Committee Inquiry Commenced which are Staffed by the Legislative Council *

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
*Preventative Health Care (Established 22/11/2012)	5	3	-	26

*This Committee ceased to exist as at 12 February 2014 at the time of Prorogation of the Forty-Seventh Parliament and was not re-established prior to the conclusion of the reporting period.

Sessional Committees/Inquiries Commenced and Ongoing *

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Government Administration Committee A – *Cost Reduction Strategies in the Health Department – Sub-Committee (<i>Established 26/10/2011 .and Interim Report presented 30/08/2012</i>)	-	-	-	-
*Sea Based Abalone Farming (<i>Established 13/11/2012</i>)	-	-	-	-
Government Administration Committee B – Aboriginal Lands Amendment Bill (No. 27) (<i>Established 22/11/2012</i>)	3	-	9	-
Overtime Costs of the Tasmanian Prison Service (<i>Established 29/03/2012 and Interim Report presented 22/05/2013</i>)	9	2	-	8
Integrated Transport Options for Southern Tasmania (<i>Established 20/06/2013</i>)	18	11	57	43

*These inquiry references ceased at Prorogation on 12 February 2014.

Statistics for Committees 2013-2014

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Government Administration Committee A (<i>including Cost Reduction Strategies in Health, Sea Based Abalone Farming in Tasmania and Reproductive Health (Access to Terminations) Bill 2013</i>)	14	9	143	55
Government Administration Committee B (<i>including Overtime Costs of the Tasmanian Prison Service, Integrated Transport Options for Southern Tasmania and Aboriginal Lands Amendment Bill 2012 (No. 27)</i>)	37	14	65	52
Government Businesses Scrutiny Committee A	4	1	-	17
Government Businesses Scrutiny Committee B	3	1	-	16
Inquiry into PV Fortescue	-	-	-	-
Preventative Health Care	5	3	-	26
Recreational Marine Fishing in Tasmania	-	-	-	-
Rural Road Speed Limits	6	4	-	4
Tasmanian Poppy Industry	-	-	-	-
Violence in the Community	-	-	-	-

APPENDIX A

MEMBERS OF THE LEGISLATIVE COUNCIL

(as at 30 June 2014)

MEMBER	ELECTORATE DIVISION	PARTY
Armitage , Rosemary Lois <i>Third Deputy Chair of Committees</i>	Launceston	Ind.
Armstrong , Robert Henry	Huon	Ind.
Dean , Ivan Noel	Windermere	Ind.
Farrell , Craig Maxwell	Derwent	ALP
Finch , Kerry	Rosevears	Ind.
Forrest , Ruth Jane <i>Second Deputy Chair of Committees</i>	Murchison	Ind.
Gaffney , Michael Victor	Mersey	Ind.
Goodwin , Vanessa <i>Leader of the Government Attorney-General Minister for Justice Minister for Corrections Minister for the Arts</i>	Pembroke	Lib.
Hall , Gregory Raymond <i>Deputy President Chair of Committees</i>	Western Tiers	Ind.
Hiscutt , Leonie Ann	Montgomery	Lib.
Mulder , Tony	Rumney	Ind.
Rattray , Tania Verene	Apsley	Ind.
Taylor , Adriana Johanna <i>Deputy Chair of Committees</i>	Elwick	Ind.
Valentine , Robert Henry Francis	Hobart	Ind.
Wilkinson , James Scott <i>President</i>	Nelson	Ind.

APPENDIX B

STAFF OF THE LEGISLATIVE COUNCIL

(as at 30 June 2014)

Clerk of the Council	-	Mr David Pearce
Deputy Clerk	-	Mrs Sue McLeod
Clerk-Assistant and Usher of the Black Rod	-	Mr Tom Wise
Clerk-Assistant and Subordinate Legislation Committee Secretary	-	Mr Stuart Wright
Financial Accountant	-	Mrs Nicole Muller
Secretary - Public Accounts Committee (Joint)	-	Ms Gabrielle Woods
Assistant – Committee Secretaries	-	Mrs Natasha Exel
	-	Ms Jennifer Leaman
Parliamentary Officer: Finance	-	Mr Craig Thorp
Parliamentary Officer: Bills and Papers	-	Mr Mark Bailly
Executive Assistant to the President and Clerk	-	Mrs Janet Harrison/ Mrs Sandra Phillips
Executive Assistant to the Deputy Clerk	-	Mrs Sandra Phillips
Executive Assistant to the Clerk-Assistant	-	Miss Julie Thompson/ Ms Allison Waddington
Executive Assistant to the Clerk Assistant and Usher of the Black Rod	-	Mrs Jill Mann
	-	
Parliamentary Adviser to the Leader of the Government	-	Miss Mandy Jenkins
Electorate Officers	-	Ms Debbie Cleaver
	-	Ms Allison Waddington
	-	Ms Luci Wildeboer
	-	Mr James Reynolds
	-	Mr Trevor Jones
	-	Ms Dawn Vallance
	-	Mrs Bonnie Phillips
	-	Mrs Sue Szoka
	-	Ms Di Bucknell
	-	Ms Melissa Partridge
	-	Mr Mathew Blunt
	-	Ms Yvonne Murfet
	-	Miss Karen Shirley
	-	Mrs Lea Coates
	-	Ms Amanda Pepper
Computer Services Officer	-	Mr Brett Godfrey
Parliamentary Officer – Support Services	-	Mr Leigh Matthews
Communications Officer	-	Ms Shirley Round

Full-Time Equivalent Employees as at 30/6/2014 – 29

APPENDIX C

SUMMARY OF ACTIVITIES OF THE COUNCIL

	Forty-Seventh Parliament First Session 4 May 2010 up to 30 June 2010	Forty-Seventh Parliament First Session continued 1 July 2010 to 30 June 2011	Forty-Seventh Parliament First Session continued 1 July 2011 to 30 June 2012	Forty-Seventh Parliament First Session 1 July 2012 to 30 June 2013	Forty-Seventh Parliament First Session continued 1 July 2013 to 12 February 2014	Forty-Eighth Parliament First Session 6 May 2014 to 30 June 2014
Sitting Days	10	41	54	49	30	11
Hours of Sitting	36	169	235	229	160	24
Bills Amended	1	11	15	13	13	0
Bills Passed	7	61	69	52	47	5
Questions on Notice	4	40	82	31	16	13
Petitions	1	4	7	12	4	0
Substantive Motions	1	35	38	36	13	14
Matters of Public Importance	1	1	1	2	0	0
Divisions	1	11	13	17	23	3
Ministerial Statements	1	1	1	0	0	2
Motions for the Disallowance of Regulations	0	0	0	0	0	0

APPENDIX D

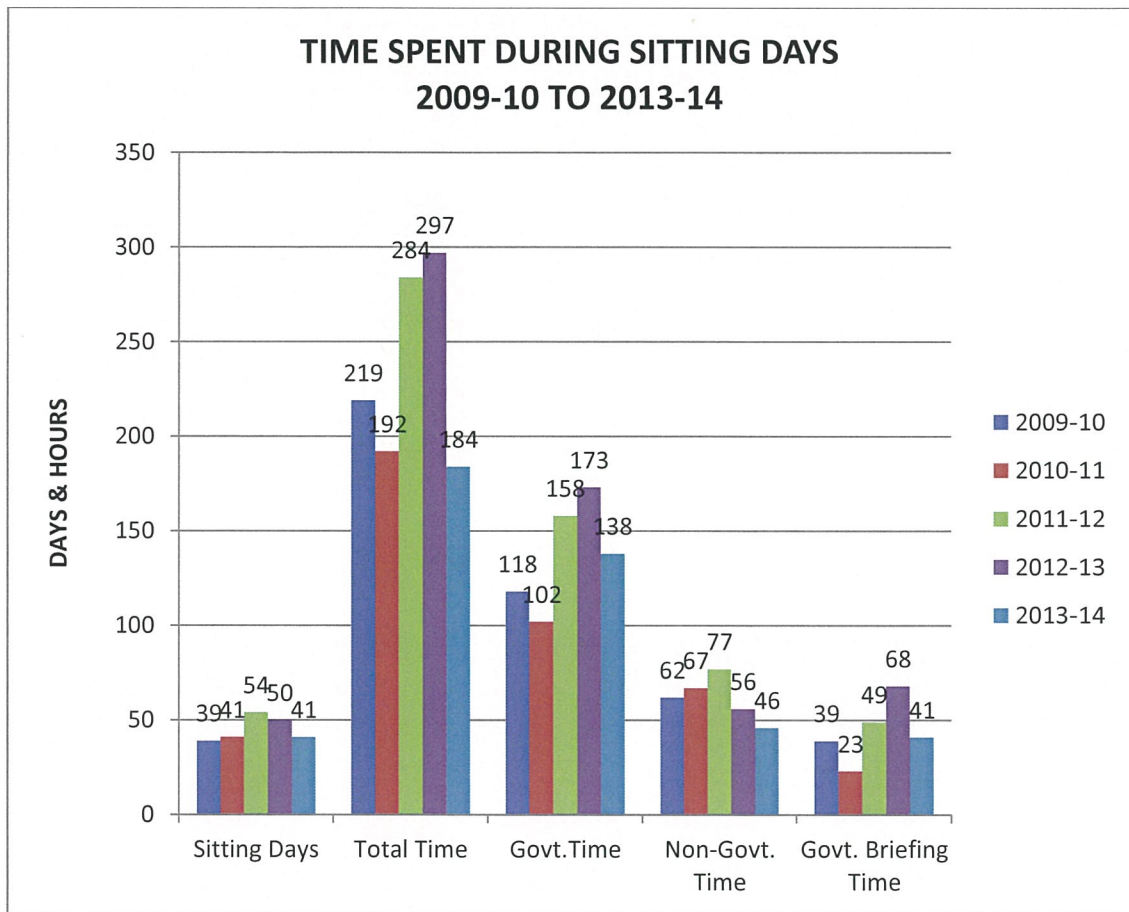
PASSAGE OF BILLS

Bills	1 July 2009 to 19 November 2009	4 May 2010 to 30 June 2010	1 July 2010 to 30 June 2011	1 July 2011 to 30 June 2012	1 July 2012 to 30 June 2013	1 July 2013 to 12 February 2014	6 May 2014 to 30 June 2014
Introduced	57	12	70	67	63	48	10
Lapsed	3	-	-	-	-	20	-
Negatived at Second Reading	1	-	-	1	1	2	-
Passed	55	7	61	69	52	47	5
Without Amendment	39	6	50	54	39	34	5
With Amendment	16	1	11	15	13	13	-
Number of Amendments	110	2	44	39	126	139	-

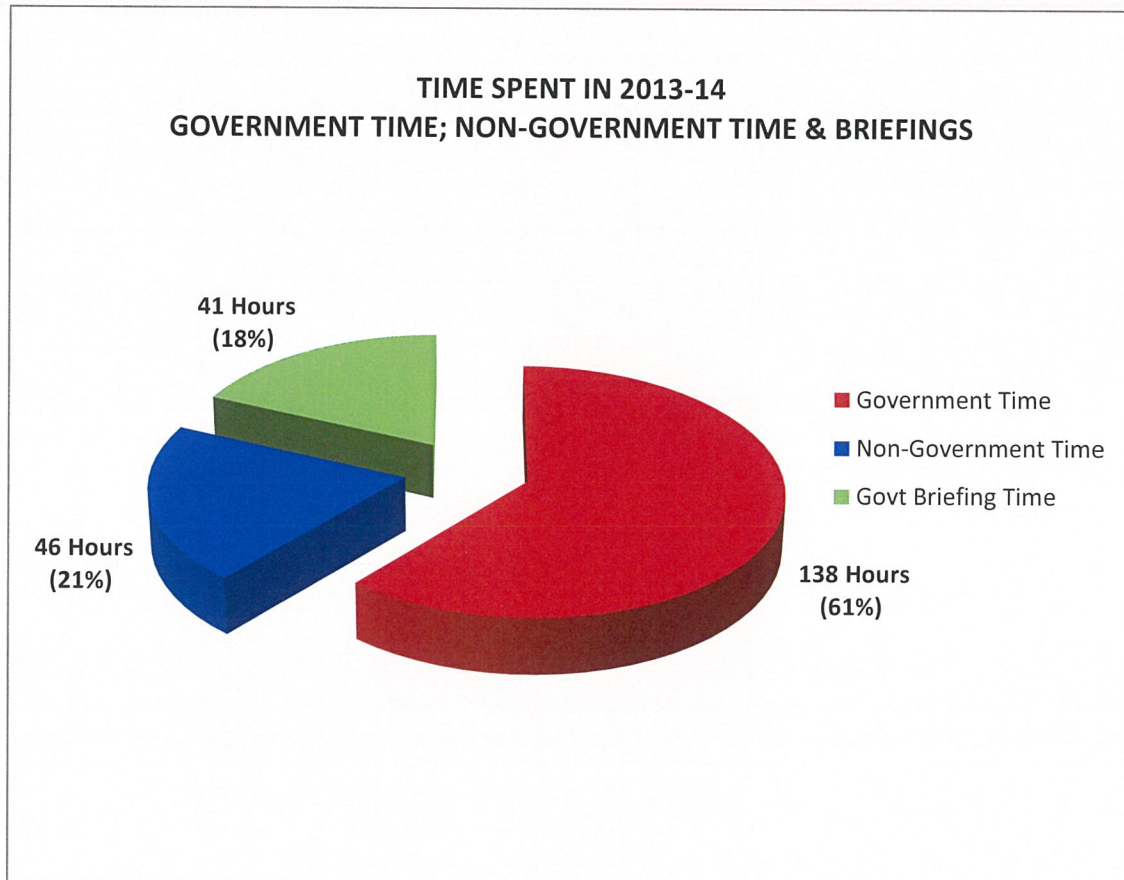
APPENDIX E

SITTING DAYS 2009-10 TO 2013-14

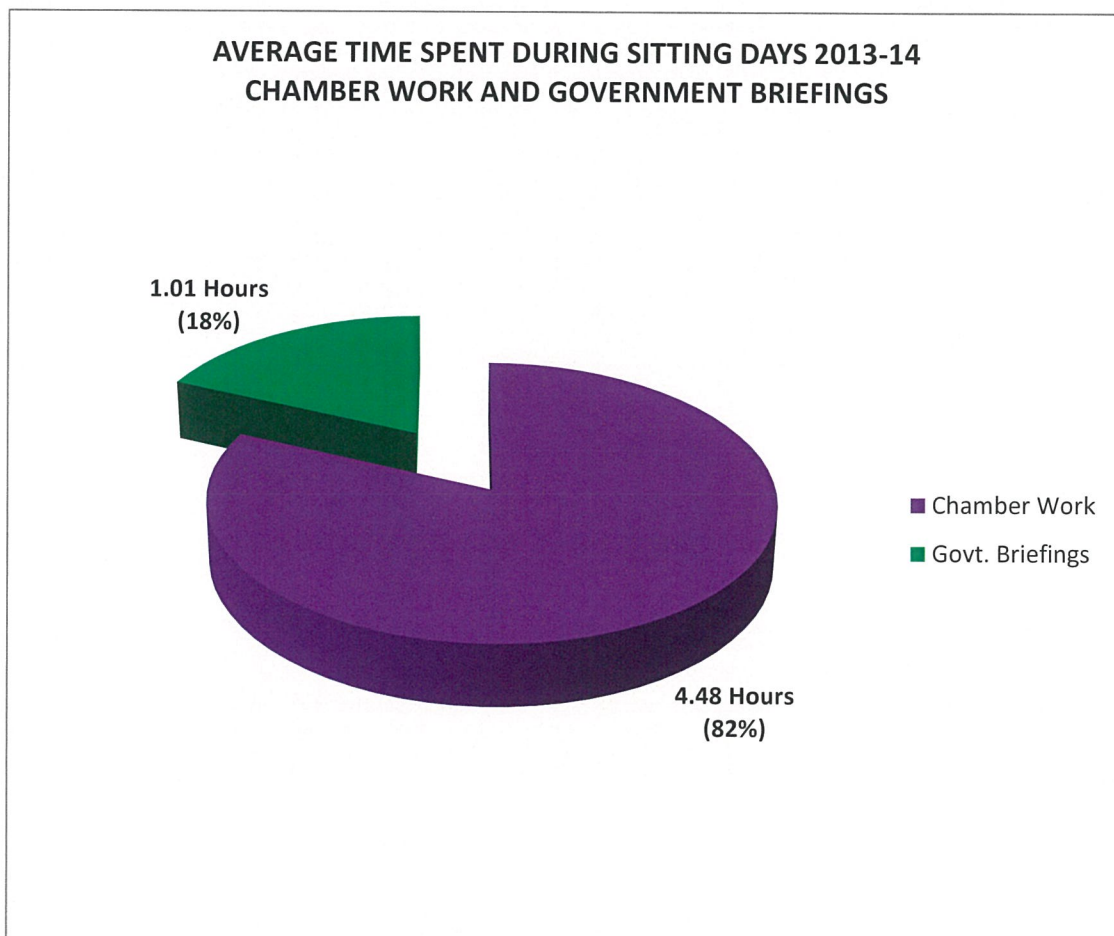
GOVERNMENT TIME AND NON GOVERNMENT TIME



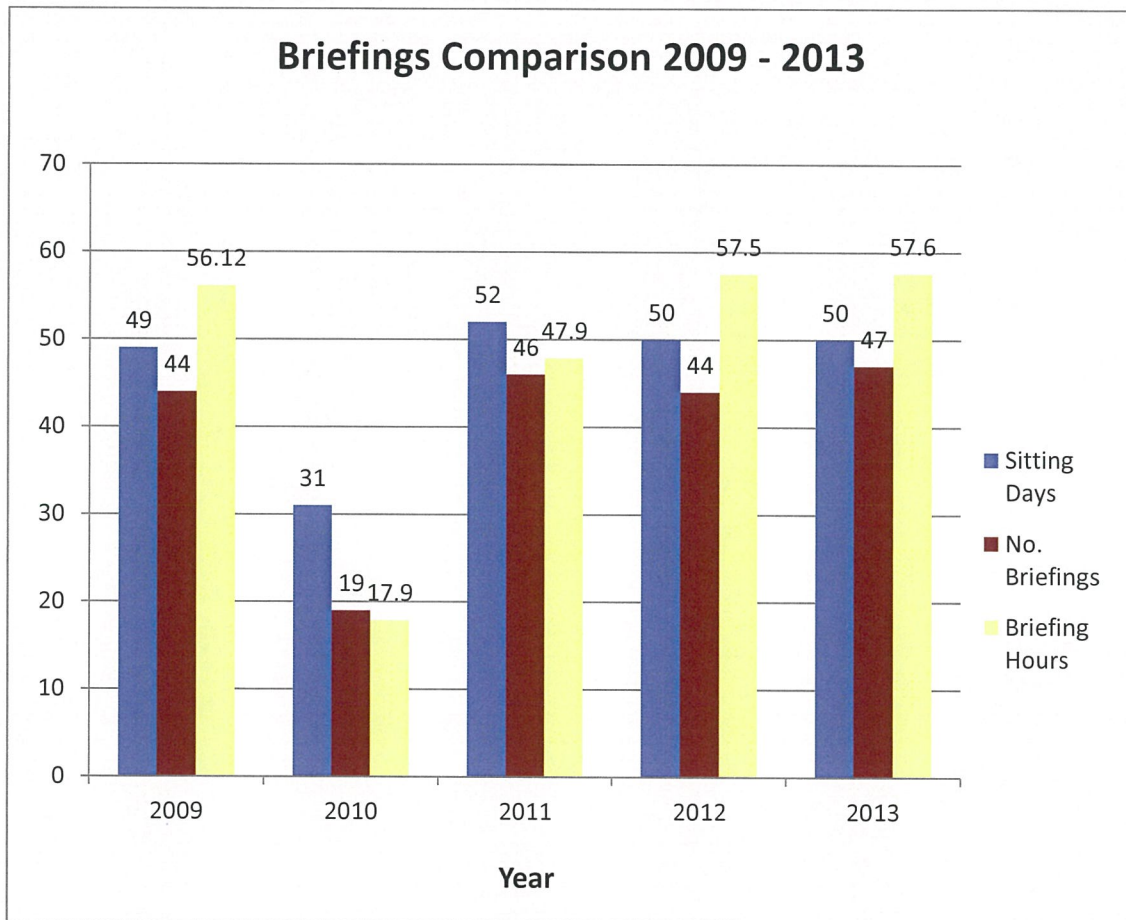
APPENDIX F
SITTING DAYS 2013-2014
GOVERNMENT TIME, NON GOVERNMENT TIME
AND GOVERNMENT BRIEFINGS



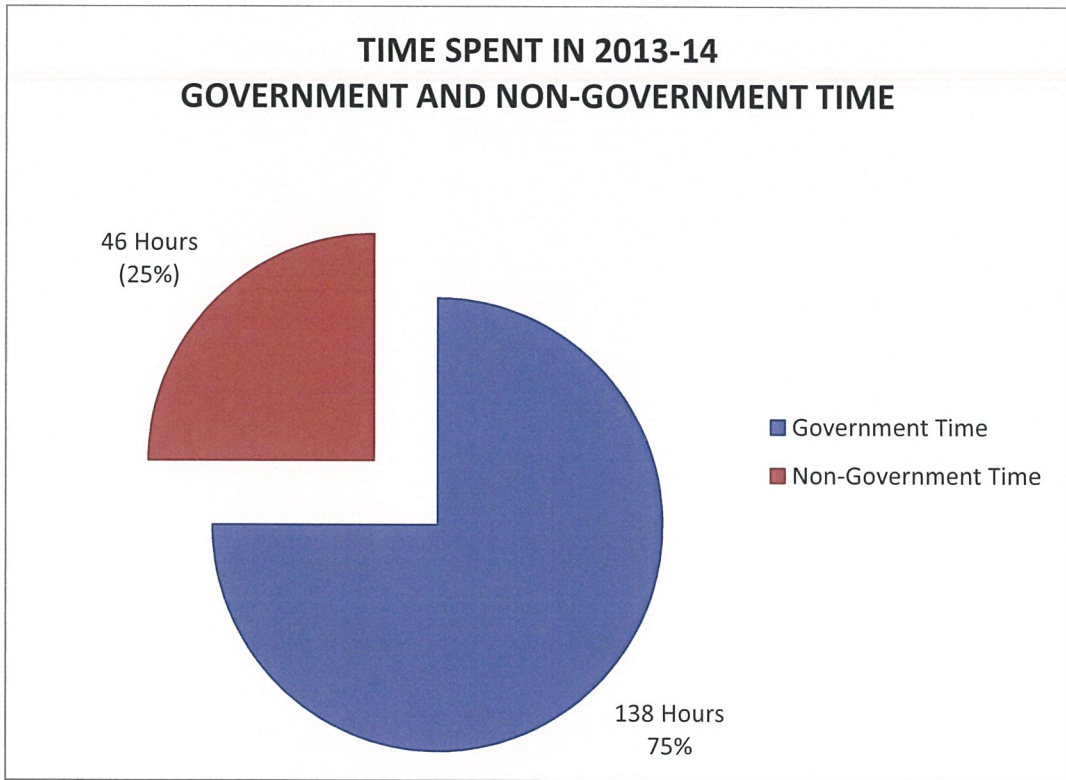
APPENDIX G
SITTING DAYS 2013-2014
AVERAGE TIME DURING SITTING DAYS –
CHAMBER WORK AND GOVERNMENT BRIEFINGS



APPENDIX H
SITTING DAYS 2008-2013
BRIEFINGS COMPARISON 2009 TO 2013



APPENDIX I
TIME SPENT IN 2013-14
GOVERNMENT TIME AND NON-GOVERNMENT TIME
EXCLUDING BRIEFINGS



APPENDIX J

OFFICIAL VISITORS TO THE LEGISLATIVE COUNCIL

Ambassador of Peru
His Excellency Mr Luis Quesada 30 July 2013

Hon. Kezia Purick MLA
Speaker of the Parliament of the Northern Territory
and
Mr Michael Tatham
Clerk of the Legislative Assembly of the Northern Territory 23-24 September 2013

Ambassador of Switzerland
His Excellency Mr Marcel Stutz 8 October 2013

Ambassador of Italy
His Excellency Mr Pier Francesco Zazo 16 June 2014

APPENDIX K

SCHOOL VISITS TO THE LEGISLATIVE COUNCIL

Date Visited	School Name	Nos.	Date Visited	School Name	Nos.
July 2013	South Hobart Primary	36	Nov 2013	Cottage School	20
Aug 2013	North West Christian	25	Nov 2013	St Aloysius	7
Aug 2013	TAFE	35	Nov 2013	Meander Primary	15
Aug 2013	Hobart College	12	Feb 2014	Guilford Young College	10
Aug 2013	Invermay Primary	30	Feb 2014	Home School Network	25
Aug 2013	Goulbourn Primary	27	Apr 2014	Sorell High	65
Sept 2013	Margate Primary	28	Apr 2014	Springfield Primary	28
Sept 2013	Bridport Primary	39	Apr 2014	Montagu Bay Primary	35
Sept 2013	St Brigid's	23	Apr 2014	Longford Primary	34
Sept 2013	UTAS	20	Apr 2014	Fahan	11
Sept 2013	Lenah Valley Primary	7	Apr 2014	Forest Primary	35
Sept 2013	Howrah Primary	50	Apr 2014	Burnie Primary	50
Sept 2013	Cambridge Primary	58	May 2014	Snug Primary	40
Oct 2013	Glenorchy Primary	50	May 2014	Scotch Oakburn	106
Oct 2013	Mount Stuart Primary	60	May 2014	Beaconsfield Primary	68
Oct 2013	Flinders Island	15	May 2014	Riverside Primary	78
Oct 2013	Hagley Farm	90	May 2014	Riana Primary	19
Nov 2013	Campbell Street Primary	28	June 2014	Westbury Primary	16
Nov 2013	Winnaleah High	29	June 2014	Rosny College	25
Nov 2013	Taroona Primary	46	June 2014	Bellerive Primary	54
Nov 2013	TAFE	32	June 2014	Lindisfarne Primary	54
Nov 2013	Rosny College	30	June 2014	MacKillop College	12
Nov 2013	Hobart College	18			

- ◆ Table does not show scheduled 10.00 am and 2.00 pm tours on non-sitting days for members of the public.

APPENDIX L

FINANCIAL STATEMENTS

Financial Report of the Legislative Council for the period ending on 30 June 2014 including the Independent Audit Report.