



2013

Parliament of Tasmania

LEGISLATIVE COUNCIL



– Twenty-fourth Annual Report to 30 June 2013 –

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.

The Integrity Commission is proposing to review the disclosure forms and accompanying explanatory notes with a view to requesting the Department of Premier and Cabinet to make certain amendments. The main purpose of which will be to provide a greater level of clarity for Members of both Houses when completing these forms. I expect that modified disclosure forms will be utilised for the 2013-14 ordinary return period.

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.

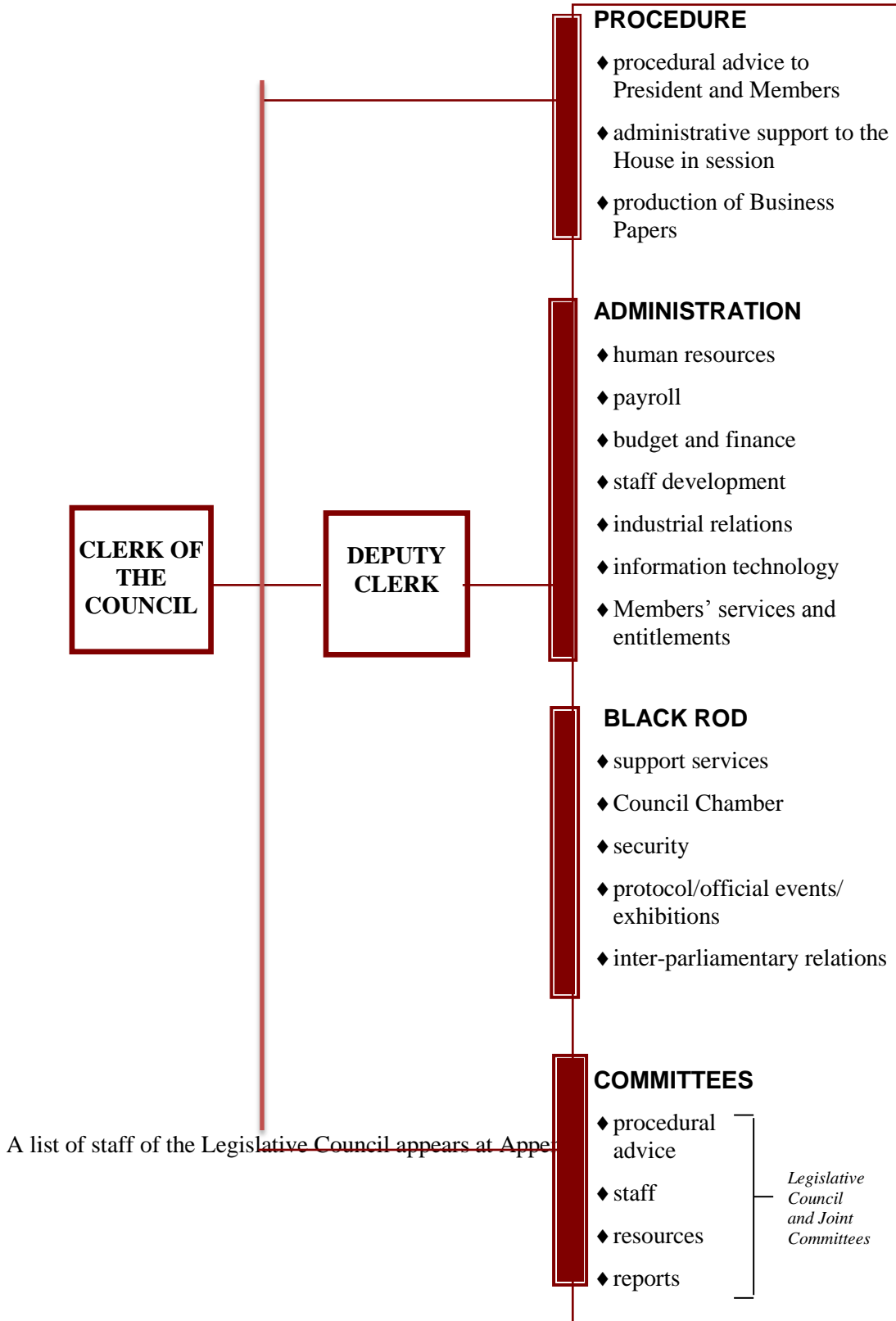
- ◆ *Education and Community Relations*
To improve community perception and understanding of the Parliament generally and the Legislative Council specifically.

- ◆ *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.

ORGANISATIONAL CHART



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 procedures;
- ◆ 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.
- ◆ **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 a complete examination and review the 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.
- ◆ **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 2012 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 2012.

The Financial Statements and accompanying Audit Report for the financial year ending on 30 June 2013 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 2013 was within the budget approved by the Parliament with additional funding of \$110,000 (RAF) being approved from the Treasurer's Reserve. These additional costs related to staff costs for the newly elected Member for Hobart, additional staff costs for the division of Pembroke and additional costs associated with increased committee activity.

The additional Reserved-by-Law funding approved by the Treasurer totalled \$60,000 to cover increases connected with Council sittings and committee activity. 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 2013.

There were no consultancies undertaken for the Council with a value less than or equal to \$50,000 during the financial year ending on 30 June 2013.

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.

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. Below is an overview of the indicative approach to be taken by Deloitte in their internal audit process which is aimed to commence prior to the end of the 2013 calendar year.

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		
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

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 Select Committee 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 three 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 Department'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 extent necessary to allow for an allocation of no less than one full-time equivalent employee.

HOUSE AND RELATED MATTERS

NEW MEMBER INDUCTION PROGRAM

The induction for the newest Member elected to the Legislative Council, the Honourable Leonie Hiscutt MLC was conducted on Friday, 31 May 2013. Mrs Hiscutt was sworn on Tuesday, 21 May 2013 and, as is usual practice for new Members, was given several sitting days to witness the conduct of business in the Legislative Council and the various associated procedures prior to a more formal induction day. Invariably 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 induction.

Induction topics —

- ◆ 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.

In addition the Honourable Member for Montgomery also received briefings from various Parliamentary and Statutory Officers.

Briefings —

- ◆ Sue McLeod, Clerk-Assistant
- ◆ Juliet Webster, Parliamentary Librarian
- ◆ Dr Bryan Stait, Director of Parliamentary Research
- ◆ Helen Allmich, Editor of Debates
- ◆ Jane Patten, Head of Office of the Leader of the Government
- ◆ Mike Blake, Auditor-General
- ◆ Diane Merryful, Chief Executive Officer, Integrity Commission

TASMANIAN FORESTS AGREEMENT BILL 2012 (No. 30 of 2012) A SELECT COMMITTEE OF THIRTEEN MEMBERS

The debate on the Second reading of the Tasmanian Forests Agreement Bill 2012 was adjourned in the Legislative Council on Thursday, 13 December 2012 for the purpose of providing an opportunity for the Bill to be referred to a Select Committee of the Legislative Council.

A Motion was proposed by the Honourable Member for Huon, Paul Harriss MLC and agreed on 17 December 2012 that the Tasmanian Forests Agreement Bill 2012 be referred to a Select Committee of the Legislative Council and that the Select Committee consist of all Members of the Legislative Council with the exception of the President and that a quorum be eight Members.

Having all Members appointed to serve on a Select Committee was most unusual and in fact the records indicate that it has not previously occurred. The Standing Orders require that a Select Committee shall not consist of fewer than three Members or more than five Members unless the Council shall otherwise order. The Honourable Kerry Finch MLC resigned his membership of the Select Committee shortly after its establishment and did not take part in any of the Committee's business.

The Committee received a significant response to the invitation for public submissions by two separate public notices in December 2012 and January 2013. In total 136 submissions were received.

The Committee conducted 12 days of public hearings in Hobart (11) and Launceston (1) during January and February 2013. A minimum of one hearing date was held with each of the signatories to the TFA. Hearings were also held with a range of non-signatory stakeholders and Government representatives.

The Committee determined to hear from as many witnesses as possible in the limited time available to conduct the public hearings. The Committee endeavoured to speak with a diverse representation of stakeholders. The witnesses all came from one of the following categories:-

- (a) The signatories;
- (b) Non-signatory stakeholders from the forest industry;
- (c) Non-signatory stakeholders from the Environmental Non-Government Organisation (ENGO) sector;
- (d) Community representatives;
- (e) Scientists and professional foresters; and
- (f) Government and political representatives.

The Committee, supported by the very dedicated officers in the Legislative Council Committee Secretariat, Tabled its Report in the Legislative Council on Friday, 15 March 2013 being the first sitting day of the 2013 scheduled sittings as was its intention and desire. The effort to achieve the reporting date required certain of our staff to postpone leave and reprioritise other work demands in order for the Committee to deliver its Report, which contained 89 findings, within an extremely tight timeline.

The Select Committee's Report was noted in the Legislative Council on Tuesday, 19 March 2013. The Tasmanian Forests Agreement Bill 2012 passed the Second reading eight votes to six on Wednesday, 20 March 2013. The Legislative Council completed its detailed examination of the Bill in Committee of the Whole Council in the early hours of Wednesday, 17 April 2013.

During the Committee of the Whole Council consideration of the Bill 58 amendments were made to the Clauses of the Bill with two new Clauses A and B added together with a New Part A. A further New Schedule A of some 114 pages was also added followed by a further six New Schedules in what was probably the most heavily amended piece of legislation in the Council's history.

The Bill which was initially considered at Second reading in the Legislative Council consisted of about 63 pages. The Bill which was amended and presented to His Excellency the Governor for Royal Assent consisted of 265 pages. The consideration of this piece of legislation certainly stretched the resources of all those involved, not only in its drafting and presentation but Members and officers of the Legislative Council charged with the responsibility of scrutiny in the Upper House.

The amendments were agreed by the House of Assembly and the Bill was given Royal Assent by His Excellency the Governor on 3 June 2013.

ESTABLISHMENT OF JOINT SELECT COMMITTEE – PREVENTATIVE HEALTH CARE

On 18 October 2011 the House of Assembly agreed to the establishment of a Joint Select Committee to inquire into preventative health care and by Message requested the concurrence of the Legislative Council. The House of Assembly's Resolution was in the following terms:—

Resolved, That a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place, to inquire into and report upon —

The need for an integrated and collaborative preventative health, early detection and early intervention health care model to deliver preventative services on the scale required to address the social and economic cost of chronic diseases and acute care needs, having regard to —

- (1) Policy direction for improved health outcomes —
 - (a) assessment of current and future preventative, early detection and early intervention health policies and strategies, across all health disciplines, including mental health, and relevant Government departments to assess capacity for improved collaboration, innovation and streamlining;
 - (b) capacity for, and utilisation of, electronic records systems (e-governance) across both the public and private sector, and its potential contribution to better health outcomes and economic efficiencies; and
 - (c) assessment of contributing social factors, and capacity to impact upon policy settings and successful implementation, including but not limited to junk food advertising, and political donations.
- (2) Need for economic structural reform within the health sector —
 - (a) preventative health models and capacity to deliver appropriate economic savings and structural reform; and
 - (b) a preferred Federal and or State funding model that allows sufficient integration of a preventative health focus.
- (3) Any other issue incidental thereto.

That the number of members to serve on the committee on the part of the House be three and that the committee shall report by 30 April 2012.

The matter was considered by the Legislative Council on 28 June 2012 where an Amendment was proposed to be made to the terms of the inquiry by the Honourable Member for Murchison, Ruth Forrest MLC as follows: —

Leave out all words after ‘report upon —’ and *insert instead* —

- (1) The current impact of inequalities in the major social determinants of health on the health outcomes, including mental health outcomes of Tasmanians and including current evidence describing social gradients in health, and the capacity for health and community services to meet the needs of populations adversely affected by the social determinants of health;
- (2) The need for an integrated and collaborative preventative health care model which focuses on the prevention, early detection and early intervention for chronic disease, including the establishment of a legislated, independent intersectoral body to provide advice on a preventative approach to health and wellbeing;
- (3) The need for structural and economic reform that promotes the integration of a preventative approach to health and wellbeing, including the consideration of funding models;
- (4) The extent to which experience and expertise in the social determinants of health is appropriately represented on whole of government committees or advisory groups;
- (5) The level of government and other funding for research addressing social determinants of health;
- (6) Any other matter incidental thereto.

That the number of members to serve on the committee on the part of the House be three and that the committee shall report by 30 September 2013.

Further consideration of the matter was given by the Legislative Council on 23 August 2012 where the Leader of the Government in the Legislative Council, the Honourable Craig Farrell MLC proposed a further Amendment to paragraph (2) of Ms Forrest’s proposed Amendment by leaving out the words —

‘, including the establishment of a legislated, independent intersectoral body to provide advice on a preventative approach to health and wellbeing’.

The Legislative Council agreed to the deletion of the words and agreed further that the terms of reference as amended be the terms of reference of the Joint Select Committee and that a Message be sent to the House of Assembly seeking its concurrence. The Assembly agreed to the amended terms of reference on 22 November 2012 at which point the Legislative Council formally appointed Ms Forrest, Mrs Taylor and Mr Valentine to serve on the Joint Select Committee on the part of the Legislative Council and set down Tuesday, 4 December 2012 at 2.00 o’clock pm as the time for the Committee’s first meeting.

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 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 in private and 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 to be undertaken prior to, or even during, the Bill's consideration.

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.

Detail of briefings conducted are as follows:—

	Briefing	Date
1	Workers Rehabilitation and Compensation Amendment (Validation) Bill 2012 (No. 20): Department officials	22 August 2012
2	Workers Rehabilitation and Compensation Amendment (Validation) Bill 2012 (No. 20): Law Society and Australian Lawyers Alliance	22 August 2012
3	Surrogacy Bill 2011 (No. 7)	23 August 2012
4	Surrogacy (Consequential Amendments) Bill 2011 (No. 8)	23 August 2012
5	Surrogacy Bill 2011 (No. 7)	29 August 2012
6	Surrogacy (Consequential Amendments) Bill 2011 (No. 8)	29 August 2012
7	Professor George Williams: "Can Tasmania Legislate for Marriage Equality?"	30 August 2012
8	Same-Sex Marriage Bill 2012 (No. 41): Mr Guy Barnett	26 September 2012
9	Same-Sex Marriage Bill 2012 (No. 41): Mr Rodney Croome	26 September 2012
10	Same-Sex Marriage Bill 2012 (No. 41): Solicitor-General	26 September 2012
11	Historic Cultural Heritage Amendment Bill 2012 (No. 33)	17 October 2012

	Briefing	Date
12	Land Use Planning and Approvals Amendment (Historic Cultural Heritage) Bill 2012 (No. 34)	17 October 2012
13	University of Tasmania Amendment Bill 2012 (No. 32)	18 October 2012
14	Poisons Amendment (Poppy Advisory and Control Board Levy) Bill 2012 (No. 46)	31 October 2012
15	State Service Amendment Bill 2012 (No. 49)	1 November 2012
16	Environmental Management and Pollution Control Amendment Bill 2012 (No. 38)	1 November 2012
17	Historic Cultural Heritage Amendment Bill 2012 (No. 33)	14 November 2012
18	Aboriginal Lands Amendment Bill (No. 27)	15 November 2012
19	Water and Sewerage Corporation Bill 2012 (No. 50)	15 November 2012
20	Parliament Square Planning Permit Bill 2012 (No. 57)	20 November 2012
21	Water and Sewerage Corporation Bill 2012 (No. 50)	21 November 2012
22	Macquarie Point Development Corporation Bill 2012 (No. 55)	21 November 2012
23	Electricity Reform Bill 2012 (No. 53)	22 November 2012
24	Tasmanian Forests Agreement Bill 2012 (No. 30)	11 December 2012
25	Tasmanian Forests Agreement Bill 2012 (No. 30)	13 December 2012
26	Forestry Tasmania and production forests	19 March 2013
27	Tasmanian Forests Agreement Bill 2012 (No. 30)	20 March 2013
28	Tasmanian Forests Agreement Bill – Sovereign Risk – New Part A	26 March 2013
29	Gunns' Liquidator	26 March 2013
30	Mental Health Bill 2012 (No. 29)	27 March 2013
31	Tasmanian Forests Agreement Bill 2012 (No. 30)	27 March 2013
32	Electricity Reform (Implementation) Bill 2013 (No. 20)	18 April 2013
33	Tasmanian Community Fund	21 May 2013
34	Local Government Amendment (Elections) Bill 2013 (No. 21)	22 May 2013
35	Local Government Amendment (Elections) Bill 2013 (No. 21)	23 May 2013
36	TasTAFE Restructure (Bills Nos. 9,10 and 11 of 2013)	29 May 2013
37	Youth Justice (Miscellaneous Amendments) Bill 2012 (No. 51)	12 June 2013
38	Youth Justice (Miscellaneous Amendments) Bill 2012 (No. 51)	13 June 2013
39	Spatial Information Foundation Project	25 June 2013
40	Anti-Discrimination Amendment Bill 2012 (No. 45)	26 June 2013
41	Adoption Amendment Bill 2013 (No. 6)	27 June 2013

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 this Report.

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

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 three divisions, Nelson, Pembroke and Montgomery, were held on Saturday, 4 May 2013. The Writs were returned to His Excellency the Governor on 8 May 2013.

The outcome of the Nelson election saw the incumbent Member, Jim Wilkinson, defeat three other candidates. With 18,150 formal votes cast, Jim Wilkinson received nearly 49 per cent of first preference votes. After the distribution of preferences this figure increased to nearly 52.5 per cent which resulted in Jim Wilkinson being returned for a fourth term.

The election for the seat of Pembroke was contested by three candidates with the incumbent Member, Dr Vanessa Goodwin, recontesting the seat. With 20,486 formal votes cast, Dr Goodwin received just over 51 per cent of votes to defeat the former Member for Pembroke, Allison Ritchie by 3,099 votes.

The retirement of sitting Member Sue Smith in the seat of Montgomery saw four candidates contest the vacancy. Only one of the four candidates, Leonie Hiscutt was a Member of a political party, namely the Liberal Party. Of the 19,619 formal votes cast, it was the Liberal Party candidate who secured 10,887 votes or 55.49 per cent of the vote to be elected. Mrs Hiscutt defeated Cheryl Fuller by 2,155 votes.

The three newly elected Members were sworn in on Tuesday, 21 May 2013.

ELECTION OF NEW PRESIDENT

As a consequence of the retirement from the Legislative Council of the Honourable Sue Smith MLC, former Member for Montgomery who held the Office of President of the Legislative Council up to and including Friday, 3 May 2013 it was necessary for the Members of the Legislative to elect a new President in accordance with the provisions of Section 21 of the *Constitution Act 1934* and the provisions contained in the Legislative Council Standing Orders.

The election for President was conducted on Tuesday, 21 May 2013 and saw the newly returned Honourable Member for Nelson, Jim Wilkinson MLC elected as the Legislative Council's thirtieth President. The President 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 President retires by effluxion of time, he or she continues to hold the office until the next meeting of the Parliament unless he or she is not re-elected as a Member.

As required by the Constitution Act the new President was presented to His Excellency the Governor at Government House on the afternoon of Tuesday, 21 May 2013.

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. A further Order of the Commission provided for an Award variation of 2 per cent from December 2012.

PARLIAMENTARY SERVICE AWARDS

From a staff perspective one of the more significant functions held once again during December 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 2013.

MEETING OF LEGISLATIVE COUNCIL ELECTORATE OFFICERS AND STAFF

The annual meeting of Electorate Officers and other Legislative Council Staff was held at Parliament House on Monday 17 and Tuesday 18 December 2012.

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 —

- ◆ Dr Bryan Stait, Director of the Parliamentary Research Service provided a review of Hansard search techniques.
- ◆ Juliet Webster, Parliamentary Librarian and Rebecca Taylor from the Parliamentary Library reviewed services provided by the Parliamentary Library and provided documents entitled "Online Resources" and Tasmanian Parliamentary Library and Parliamentary Research Services – Service Synopsis 2012".
- ◆ Helen Allmich, Editor of Debates provided a review of Hansard protocols and provided a document entitled "Hansard and Assistants to Members".
- ◆ Peter Hancox, Manager of Parliamentary Computer Services and Electronic Security and Brett Godfrey, Systems Officer discussed regional office security, Network Assigned Storage (NAS), Hansard search engine and hardware and software upgrades.

The next meeting will be held at Parliament House in December 2013.

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 Legislative Council took place from January 2013.

During the 2012 calendar year the Assembly's Clerk-Assistant, Mr Shane Donnelly, held the position of Secretary.

The responsibility for the day to day management of the Legislature-General [Joint House] Department will remain with the Legislative Council until January 2014 at which time the House of Assembly 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 2012)
RBF defined benefit scheme	11
Tasmanian Accumulation Scheme (TAS)	17
Other complying superannuation schemes	6
Total	34

As indicated in the Table there were six Legislative Council employees who were members of an alternative complying superannuation scheme during the period up to 30 June 2013.

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 will be represented at the 2014 Professional Development Seminar which is being organised and hosted by the Northern Territory Legislative Assembly.

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, Secretary to the Parliamentary Standing Committee of Public Accounts, was the Legislative Council's nominee for the 2013 course.

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 2012.

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. Mr Craig Thorp, Acting Parliamentary Officer-Finance, is undertaking 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.

Attention has been focussed in recent years on the development and refinement of detailed surveys of the building complex in order to —

- ◆ assess compliance with the requirements of the Building Code of Australia with regard fire escape;
- ◆ assess compliance with the requirements of the Disability Discrimination Act in reference to the provision of access and facility for the disabled; and
- ◆ assess the performance of mechanical services in the provision of a controlled environment.

These surveys have identified the need to —

- ◆ improve fire escape from the building;
- ◆ improve access and facility for the disabled; and
- ◆ remove redundant mechanical services, reinstate natural ventilation and introduce thermostatically controlled electric heating where appropriate, and maximise efficiency of remaining mechanical services.

As a consequence work has been and continues to be done to address the areas identified.

Other 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 major works program on site.

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

The actual working conditions in the Legislative Council Chamber have been addressed formally with a scoping exercise and report provided by the Parliament's conservation architect. The report looked at proposed works to address functionality issues in the Legislative Council Chamber and will inform the future approach to be taken to improve the working conditions in the Chamber for both Members and officers.

The new *Work Health and Safety Act 2012* received the Royal Assent on 18 April 2012 and by amendment made by the Legislative Council will come into operation on 1 January 2013. This legislation is significant not only in terms of the duties and obligations which rest with employers as they relate to the occupational health and safety of employees but also the ability for employees to be actively involved and be key participants in health and safety issues in the workplace.

PARLIAMENTARY STANDING COMMITTEES: STATUTORY IN NATURE

PUBLIC ACCOUNTS

The Public Accounts Committee is a joint standing committee of the Tasmanian parliament constituted under the *Public Accounts Committee Act 1970*.

The Committee comprises six Members of Parliament, three Members drawn from the Legislative Council and three Members from the House of Assembly.

Its functions under the Public Accounts Committee Act (Section 6) are to inquire into, consider and report to 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;
- 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.

The Public Accounts Committee (PAC) also has oversight responsibilities regarding the independence of the Auditor-General, which are derived from the *Audit Act 2008*.

Committee Membership

Legislative Council

Mr Ivan Dean (Chair)
Mr Jim Wilkinson (Chair) (to 3 May 2013)
Ms Ruth Forrest (to 20 March 2013)
Mrs Adriana Taylor (from 16 April 2013)
Mr Paul Harriss (from 28 May 2013)

House of Assembly

Mr Brenton Best
Mr Kim Booth
Mr Peter Gutwein

The Parliamentary Research Service has assisted the Committee during the year, providing timely and valuable research assistance when requested.

Committee Activity

The Committee operations include a mix of 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 the House of Assembly and the Legislative Council. Those reports are available to the public and are posted on the Committee website <http://www.parliament.tas.gov.au/ctee/Joint/pacc.htm>.

The Committee met on twenty one occasions during 2012-13.

The Committee's report on the review of Auditor-General's Report #72 "Public Sector Performance Information" was tabled in Parliament House on 27 June 2013 in the Legislative Council and the House of Assembly. Current work in progress which is at various stages of completion includes: a follow up review on Auditor-General Special Reports – No. 82 to No. 86 (for the period July 2009 – December 2009); a review of Public Works Committee approved projects April – December 2009; Inquiry into the capacity of the RSPCA to receive and expend public monies in accordance with public expectations; Inquiry into the separation of Mr Barry Greenberry, Director of Prisons, Department of Corrective Services; and a follow up review on Auditor-General Special Reports – No. 88 to No. 99 (for the period June 2010 – June 2011).

The Committee has continued to meet periodically with the Auditor-General and as a consequence of the requirement of the Audit Act has reviewed and approved the Auditor-General's Annual Plan of work 2013-14.

The Committee held a number of briefings on other matters of interest including briefings from the Auditor-General on his Special Reports #88 - 99, and in relation to his review of the sale of the Derwent Valley hospital site. The PAC Committee also received a briefing from Treasury officials with respect to the Financial Management and Audit Amendment Bill.

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 to provide the Committee with a copy of any new or amended By-Laws.

During 2012-2013 the Committee held eleven (11) meetings and examined eighty nine (89) instruments of subordinate legislation that had been published in the Government Gazette.

As part of the examination of these instruments the Committee requested information from Ministers in relation to regulations imposing significant increases in fees, explanations of some provisions and other issues of concern.

Additional information was requested, and received, in relation to –

Additional information was requested, and received, in relation to :

- Regulatory Impact Analysis
- National Energy Retail Law (Tasmania) Regulators 2012 (SR 2012, No. 51)
- Liquor Licensing (Fees) Amendment Regulators (SR 2012, No. 96)
- Building Amendment Regulations 2012 (SR 2012, No. 104)
- Plumbing Amendment Regulations 2012 (SR 2012, No. 105)
- Magistrates Court (Civil Division) (Fees) Amendment Regulations 2012 (SR 2012, No. 132)
- Work Health and Safety Regulations 2012 (SR 2012, No. 122)

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

- Taxation Administration Amendment Regulations 2012 (SR 2012, No. 32)
- Work Health and Safety Regulations 2012 (SR 2012, No. 122)
- Electricity Supply Industry (Pricing and Related Matters) Regulations 2013 (SR 2013, No. 26)

The briefings provided Members with further details and clarification of specific issues. The Regulations were subsequently passed as ‘Examined’ by the Committee.

The Director and Assistant Director of the Economic Policy Branch, Department of Treasury and Finance also briefed the Committee in relation to Regulatory Impact Analysis.

Committee Membership

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

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 three 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; and the Public Accounts Committee, which examines the manner in which public funds are spent.

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 were appointed on 12 October 2010 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 including entities established under *Water and Sewerage Corporations Act 2008*; 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 are ongoing from the previous financial year —

- ◆ Recreational Marine Fishing in Tasmania
- ◆ Violence in the Community
- ◆ PV Fortescue

The following Select Committees were commenced during 2012/13 and are ongoing —

- ◆ Tasmanian Poppy Industry – commenced 26 September 2012
- ◆ Rural Roads Speed Limit Reduction – commenced 20 November 2012
- ◆ Preventative Health Care (Joint) – commenced 22 November 2012

The following Select Committee was established on 17 December 2012 and reported on 15 March 2013:

- ◆ Tasmanian Forests Agreement Bill 2012

ESTIMATES COMMITTEES

The Legislative Council again agreed to the establishment of Estimates Committees which could not vote on, but could examine and report upon the proposed expenditures contained in the *Consolidated Fund Appropriation Bills (Nos. 1 and 2) of 2012*, with such expenditures being considered on an output by output basis, including Grants, Subsidies and Loans and the Capital Investment Program.

The Resolution adopted by the Legislative Council on 22 May 2013 contained the following provisions —

Appointment and Membership That the Legislative Council establish two Estimates Committees and that Committee A shall consist of 7 members and Committee B shall consist of 6 members.

And that —

Mrs Armitage
Ms Forrest
Mr Hall
Mr Harris
Mrs Hiscutt
Mr Mulder, and
Mr Valentine
be of Committee A

and

Mr Dean
Mr Finch
Mr Gaffney
Dr Goodwin
Ms Rattray, and
Mrs Taylor
be of Committee B

Reporting Date That the Estimates Committees report upon the proposed expenditures contained in the *Consolidated Fund Appropriation Bills (No. 1 and No. 2)* and budget papers by no later than 25 June 2013.

Committee Timetable And that the schedule emailed to Members on 21 May 2013 be adopted as the Estimates Committee timetable.

GOVERNMENT BUSINESSES SCRUTINY COMMITTEES

On 17 October 2012 the Legislative Council again established two Government Businesses Scrutiny Committees to inquire into Government Businesses on 6 and 7 December 2012.

The following businesses were scrutinised —

- *Tasmanian Irrigation Pty Ltd*
- *Tasmanian Railways Pty Ltd*
- *Water Corporations*
- *Metro Tasmania Pty Ltd*
- *Motor Accidents Insurance Board*
- *Port Arthur Historic Site Management Authority*

Committee A met on 4 occasions and Committee B on 6 occasions.

SESSIONAL COMMITTEES

Government Administration Committee A

This Committee held its first meeting of the year on 5 July 2012 with Ms Ruth Forrest as Chair and Dr Vanessa Goodwin as Deputy Chair.

Committee Membership

Mrs Rosemary Armitage
 Ms Ruth Forrest (Chair)
 Dr Vanessa Goodwin (Deputy Chair)
 Mrs Leonie Hiscutt (from May 2013)
 Mr Paul Harriss
 Mr Rob Valentine
 Mr Jim Wilkinson (until May 2013)

The membership of the Committee changed in May 2013 when Mr Jim Wilkinson was appointed as President of the Legislative Council and Mrs Leonie Hiscutt was appointed to the Committee in his place.

The entire Committee met a total of 8 times to 30 June 2013 (with inquiry specific meetings held on an additional 8 occasions).

Inquiries

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

Two new inquiries were initiated in this financial year.

Forestry Intergovernmental Agreement – Chairman’s Report

This inquiry was commenced by resolution of the Committee’s own motion on 1 May 2012. Mr Jim Wilkinson was elected Chair of the inquiry. Following on from the Committee’s proceedings in the 2011-2012 financial year, the inquiry committee held a further public hearing on 27 July 2012.

A final report was prepared and Tabled in the Legislative Council on 1 November 2012.

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.

During this financial year the Sub-Committee met on six occasions and held a further day of hearings at which 12 witnesses appeared. The inquiry is ongoing.

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 inquiry called for submissions on 17 November 2012. Seven submissions were received by the inquiry. The inquiry is ongoing.

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 the Mr Paul Harris was appointed as Chair for the inquiry. At this meeting, Mr Tony Mulder was appointed as a substitute for Mrs 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. The inquiry is ongoing.

Government Administration Committee B

This Committee held its first meeting of the year on 10 July 2012 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 32 times from 1 July 2012 to 30 June 2013.

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 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. Following on from the Committee's proceedings in the 2011-2012 financial year, the inquiry committee held a further nine meetings of which two were public hearings and one was an *in camera* hearing.

The Committee heard from 3 witnesses.

An interim report was prepared and tabled in the Legislative Council on 22 May 2013.

The inquiry is ongoing.

Operation and Administration of the Tasmanian Parks and Wildlife Service

This inquiry was commenced on 29 March 2012 to inquire into the operation and administration of the Tasmanian Parks and Wildlife Service. Ms Tania Rattray was elected Chair of the inquiry. Following on from the Committee's proceedings in the 2011-2012 financial year, the inquiry committee received one further written submission and held seven further meetings of which one was a public hearing.

The Committee heard from 1 witness.

A Final Report was prepared and tabled in the Legislative Council on 13 November 2012.

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. Following on from the Committee's proceedings in the 2011-2012 financial year, the inquiry committee received 57 submissions and held 11 days of public hearings.

The Committee also undertook site inspections and public hearings in Brisbane, Queensland (two days) and Wellington, New Zealand (one day).

The Committee heard from a total of 43 witnesses.

The inquiry is ongoing.

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.

The Committee did not receive any submissions or hold any hearings in the 2012-13 financial year.

The inquiry is ongoing.

COMMITTEE SECRETARIAT SUMMARY

Committees/Inquiries Commenced and Ongoing

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Rural Road Speed Limits (<i>established 20/11/2012</i>)	4	2	41	13
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>)	-	-	-	-

*The 8 witnesses include multiple groups of "Poppy Growers Tasmania" - they were all described similarly by Hansard

Committees/Inquiries Concluded

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Government Businesses Scrutiny Committee B <i>(established 17/10/2012 and Report presented 15/03/2013)</i>	6	1	-	11
Estimates Committee A <i>(established 22/05/2013 and Report presented 21/06/2013)</i>	7	4	-	-
Estimates Committee B <i>(established 22/05/2013 and Report presented 21/06/2013)</i>	7	4	-	-
Tasmanian Forests Agreement Bill 2012 <i>(established 13/12/2012 and Report presented 15/03/2013)</i>	8	12	136	50
Government Businesses Scrutiny Committee A <i>(established 17/10/2012 and Report presented 15/03/2013)</i>	4	1	-	15
Government Administration Committee A – Tasmanian Forests Intergovernmental Agreement Independent Verification Group – Report of the Chairman <i>(Established 01/05/2012 and Report presented 01/11/2012)</i>	5	1	-	2
Government Administration Committee B – The Operation and Administration of the Tasmanian Parks and Wildlife Service <i>(Established 29/03/2012 and Report presented 13/11/2012)</i>	7	1	-	1

Joint Select Committee Inquiries Commenced and Ongoing which are Staffed by the Legislative Council

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Preventative Health Care <i>(Established 22/11/2012)</i>	2	-	41	-

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>	11	2	-	9
Reproductive Health (Access to Termination) Bill 2013 <i>(Established 12/06/2013)</i>	1	-	5	-
Sea based Abalone Farming <i>(Established 13/11/2012)</i>	2**	-	7	-
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

**Please note – Sea based Abalone has not held its own unique meeting (it has just been considered within GAA)

Statistics for Committees 2012-2013

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Estimates Committee A	7	4	-	-
Estimates Committee B	7	4	-	-
Government Administration Committee A (including Cost Reduction Strategies in the Health Department – Sub Committee)	7	2	12	14
Government Administration Committee B (including Integrated Transport Options for Southern Tasmania)	37	14	65	52
Government Businesses Scrutiny Committee A	4	1	-	15
Government Businesses Scrutiny Committee B	6	1	-	11
Inquiry into PV Fortescue	2	-	-	-
Preventative Health Care	2	-	41	-
Recreational Marine Fishing in Tasmania	-	-	-	-
Rural Road Speed Limits	4	2	41	13
Tasmanian Forests Agreement Bill 2012	8	12	136	50
Tasmanian Poppy Industry	4	2	7	8*
Violence in the Community	2	-	-	-

APPENDIX A

MEMBERS OF THE LEGISLATIVE COUNCIL

(as at 30 June 2013)

MEMBER	ELECTORATE DIVISION	PARTY
Armitage , Rosemary Lois	Launceston	Ind.
Dean , Ivan Noel	Windermere	Ind.
Farrell , Craig Maxwell <i>Leader of the Government</i>	Derwent	ALP
Finch , Kerry <i>Second Deputy Chair of Committees</i>	Rosevears	Ind.
Forrest , Ruth Jane <i>Third Deputy Chair of Committees</i>	Murchison	Ind.
Gaffney , Michael Victor	Mersey	Ind.
Goodwin , Vanessa <i>Shadow Attorney-General</i> <i>Shadow Minister for Justice</i> <i>Shadow Minister for Corrections</i>	Pembroke	Lib.
Hall , Gregory Raymond	Western Tiers	Ind.
Harriss , Andrew <u>Paul</u> <i>Deputy President</i> <i>Chair of Committees</i>	Huon	Ind.
Hiscutt , Leonie Ann	Montgomery	Lib.
Mulder , Tony	Rumney	Ind.
Rattray , Tania Verene <i>Deputy Chair of Committees</i>	Apsley	Ind.
Taylor , Adriana Johanna	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 2013)

Clerk of the Council	-	Mr David Pearce
Deputy Clerk	-	Mr Nigel Pratt
Clerk-Assistant and Usher of the Black Rod	-	Mrs Sue McLeod
Clerk of Committees	-	Mr Tom Wise
Committee Secretary	-	Mr Stuart Wright
Secretary - Public Accounts Committee (Joint)	-	Mrs Jenifer Austin
Financial Accountant	-	Mrs Nicole Muller
Acting Parliamentary Officer: Finance	-	Mr Craig Thorp
Parliamentary Officer: Bills and Papers	-	Mr Mark Baily
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 of Committees	-	Mrs Jill Mann
Executive Assistant – Committee Secretariat	-	Mrs Emily Ratnagobal
Executive Assistant 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 Mrs Megan Graham Mrs Stephanie Webb Mrs Debra Thurley Ms Georgina Burgess Mrs Lea Coates
Computer Services Officer	-	Mr Brett Godfrey
Parliamentary Officer – Support Services	-	Mr Leigh Matthews
Communications Officer	-	Ms Shirley Round

APPENDIX C

SUMMARY OF ACTIVITIES OF THE COUNCIL

	Forty-Sixth Parliament Second Session 4 March 2008 up to 30 June 2008	Forty-Sixth Parliament Second Session 1 July 2008 up to 30 June 2009	Forty-Sixth Parliament Second Session continued up to 31 December 2009	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 continued 1 July 2012 to 30 June 2013
Sitting Days	20	45	28	10	41	54	49
Hours of Sitting	86	188	143	36	169	235	229
Bills Amended	3	7	16	1	11	15	13
Bills Passed	25	72	55	7	61	69	52
Questions on Notice	25	45	34	4	40	82	31
Petitions	-	1	1	1	4	7	12
Substantive Motions	25	41	34	1	35	38	36
Matters of Public Importance	-	4	1	1	1	1	2
Divisions	3	8	8	1	11	13	17
Ministerial Statements	2	3	1	1	1	1	0
Motions for the Disallowance of Regulations	-	1	0	0	0	0	0

APPENDIX D

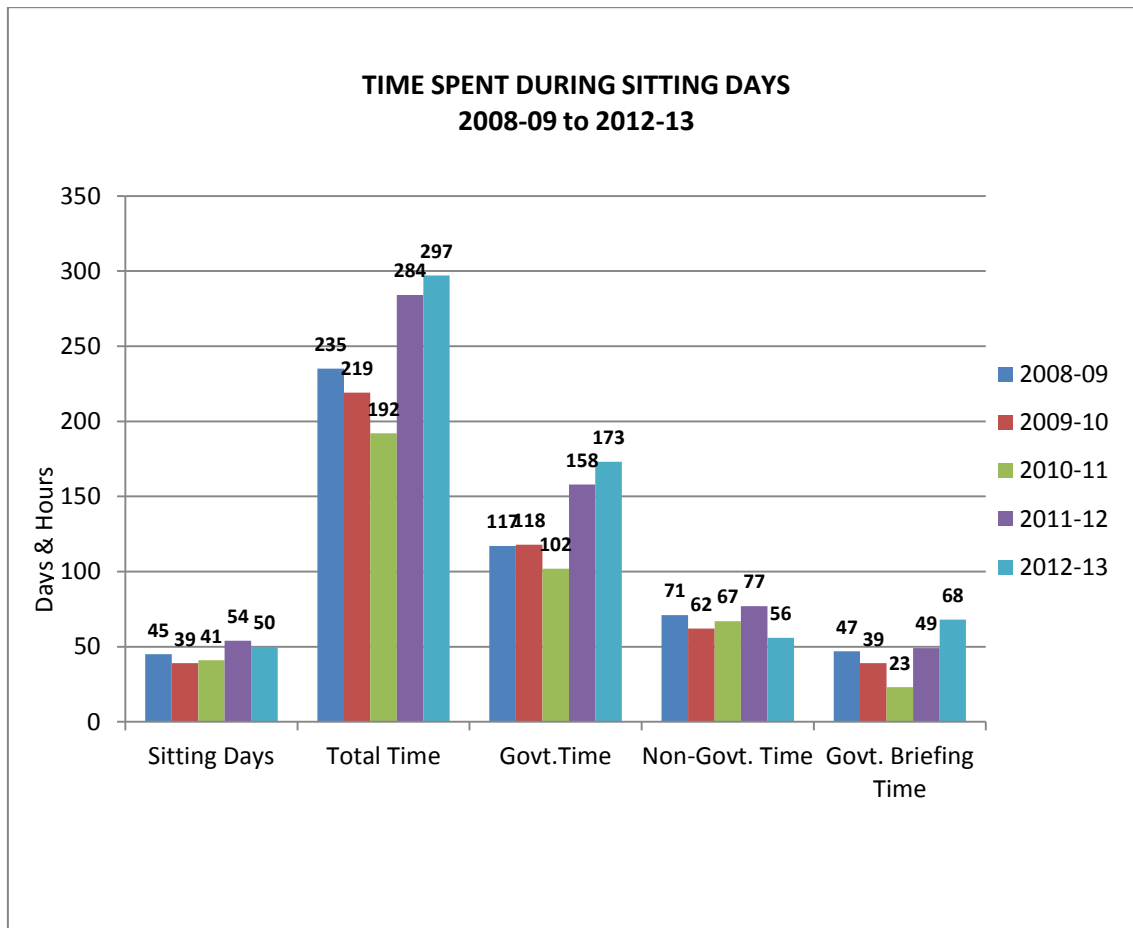
PASSAGE OF BILLS

Bills	4 March 2008 to 30 June 2008	1 July 2008 to 30 June 2009	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
Introduced	28	77	57	12	70	67	63
Lapsed	-	-	3	-	-	-	-
Negatived at Second Reading	-	-	1	-	-	1	1
Passed	25	72	55	7	61	69	52
Without Amendment	22	65	39	6	50	54	39
With Amendment	3	7	16	1	11	15	13
Number of Amendments	24	42	110	2	44	39	126

APPENDIX E

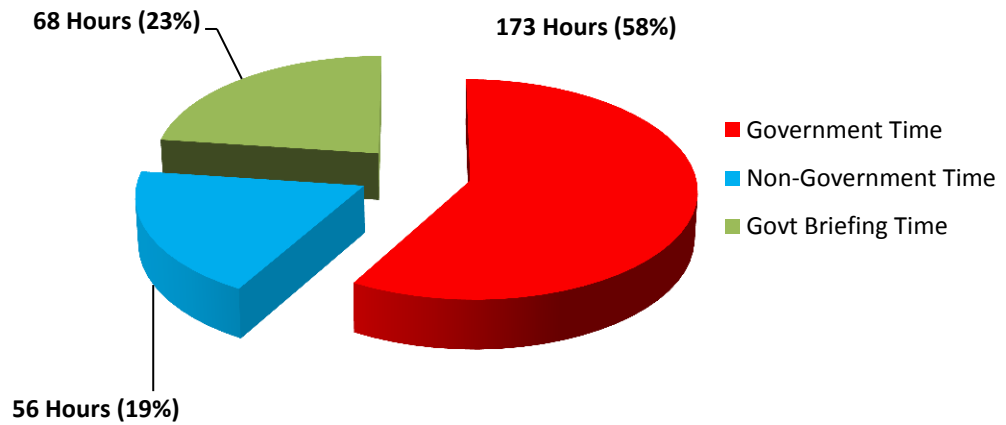
SITTING DAYS 2008-09 TO 2012-13

GOVERNMENT TIME AND NON GOVERNMENT TIME



APPENDIX F
SITTING DAYS 2012-2013
GOVERNMENT TIME, NON GOVERNMENT TIME
AND GOVERNMENT BRIEFINGS

TIME SPENT IN 2012-13
GOVERNMENT TIME; NON-GOVERNMENT TIME, & BRIEFINGS

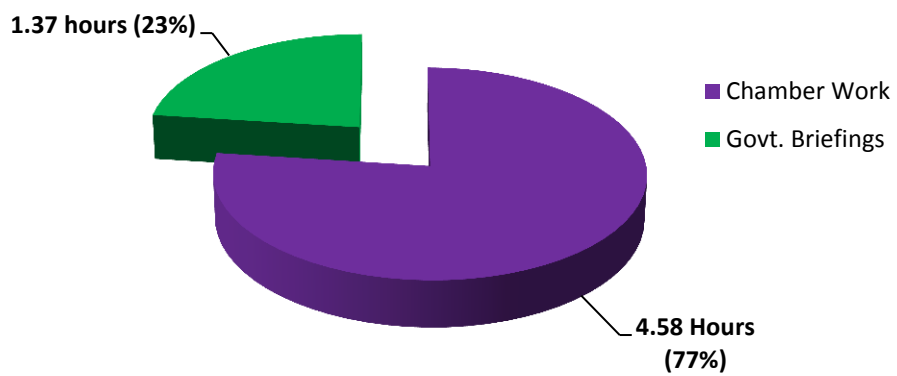


APPENDIX G

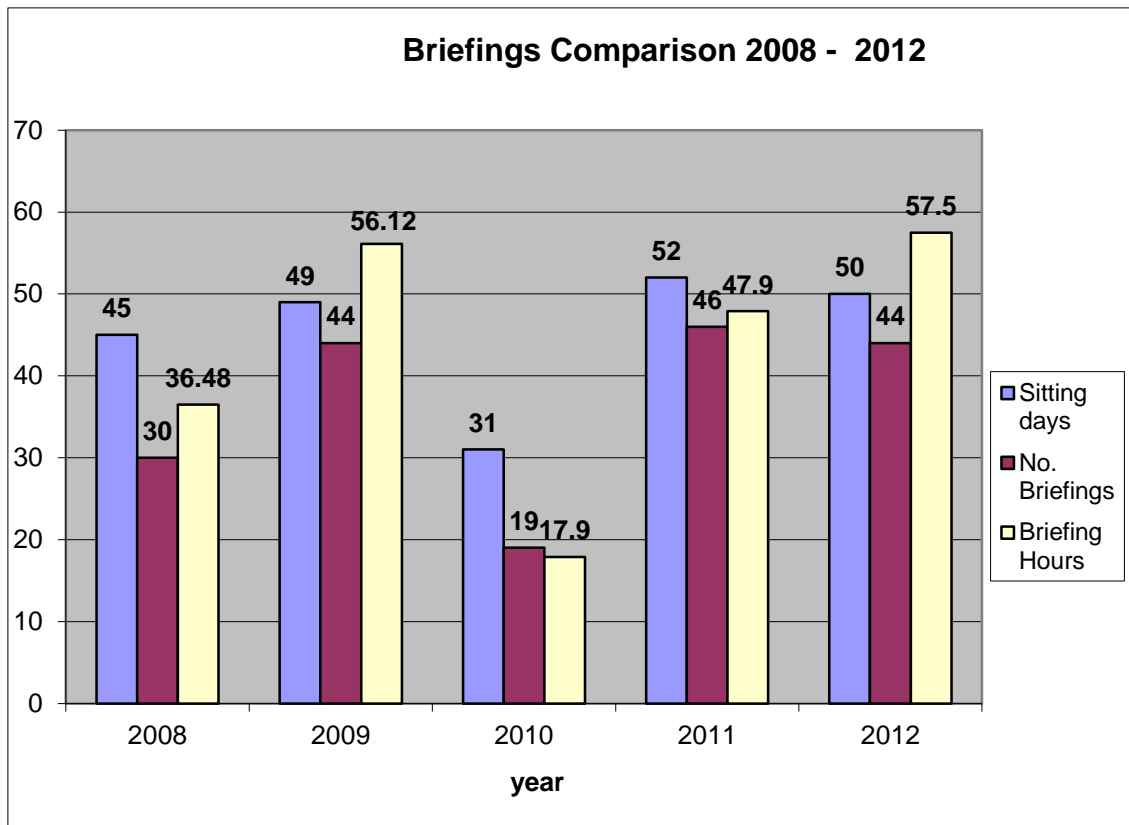
SITTING DAYS 2012-2013

AVERAGE TIME DURING SITTING DAYS – CHAMBER WORK AND GOVERNMENT BRIEFINGS

AVERAGE TIME SPENT DURING SITTING DAYS 2012-13
CHAMBER WORK AND GOVERNMENT BRIEFINGS



APPENDIX H
SITTING DAYS 2008-2012
BRIEFINGS COMPARISON 2008 TO 2012



APPENDIX I

OFFICIAL VISITORS TO THE LEGISLATIVE COUNCIL

Ambassador of Hungary
Her Excellency Mrs Anna Siko

2 October 2012

Ambassador of Indonesia
His Excellency Mr Nadjib Riphath Kesoema

15 April 2013

APPENDIX J

SCHOOL VISITS TO THE LEGISLATIVE COUNCIL

Date Visited	School Name	Nos.	Date Visited	School Name	Nos.
July 2012	Princes Street Primary	25	Nov 2012	Campbell Street Primary	30
July 2012	Sacred Heart College	66	Nov 2012	South George Town Primary	30
Aug 2012	Waimea Heights	72	Dec 2012	Oakwood School	11
Aug 2012	Rosebery High	34	Dec 2012	Marist College	26
Aug 2012	University 3A	40	Feb 2013	Hobart College	30
Aug 2012	Hobart College	20	Feb 2013	Elizabeth College	20
Aug 2012	St Marys College	10	Mar 2013	Kingston Primary	26
Aug 2012	Levendale Primary	22	Mar 2013	Friends School	80
Aug 2012	Mountain Heights	23	Mar 2013	Rosny College	60
Aug 2012	Hobart Polytechnic	18	Mar 2013	Mowbray Primary	120
Sept 2012	Fairview Primary	30	Mar 2013	Guilford Young	30
Oct 2012	Calvin Christian	30	Mar 2013	St Patricks	22
Oct 2012	Windermere Primary	91	Mar 2013	Elizabeth College	40
Oct 2012	Hobart College	10	Mar 2013	Jordan River	15
Oct 2012	Mole Creek Primary	23	Apr 2013	Burnie Primary	50
Nov 2012	Howrah Primary	52	Apr 2013	Youngtown Primary	50
Nov 2012	St Aloysius	7	Apr 2013	Molesworth Primary	27
Nov 2012	Albuera Street	28	Apr 2013	Montagu Bay Primary	27
Nov 2012	Claremont College	10	May 2013	Mount Carmel	28
Nov 2012	Burnie Primary	66	May 2013	Scotch Oakburn	120
Nov 2012	Perth Primary	32	June 2013	Emmanuel Christian	24
Nov 2012	Hobart Polytechnic	24	June 2013	Oakwood School	18
Nov 2012	Riana Primary	30			

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

APPENDIX K

FINANCIAL STATEMENTS

Financial Report of the Legislative Council for the period ending on 30 June 2013 including the Independent Audit Report.