

# A HOUSE OF REVIEW

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## 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 at the last 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 DEPARTMENT OF THE LEGISLATIVE COUNCIL

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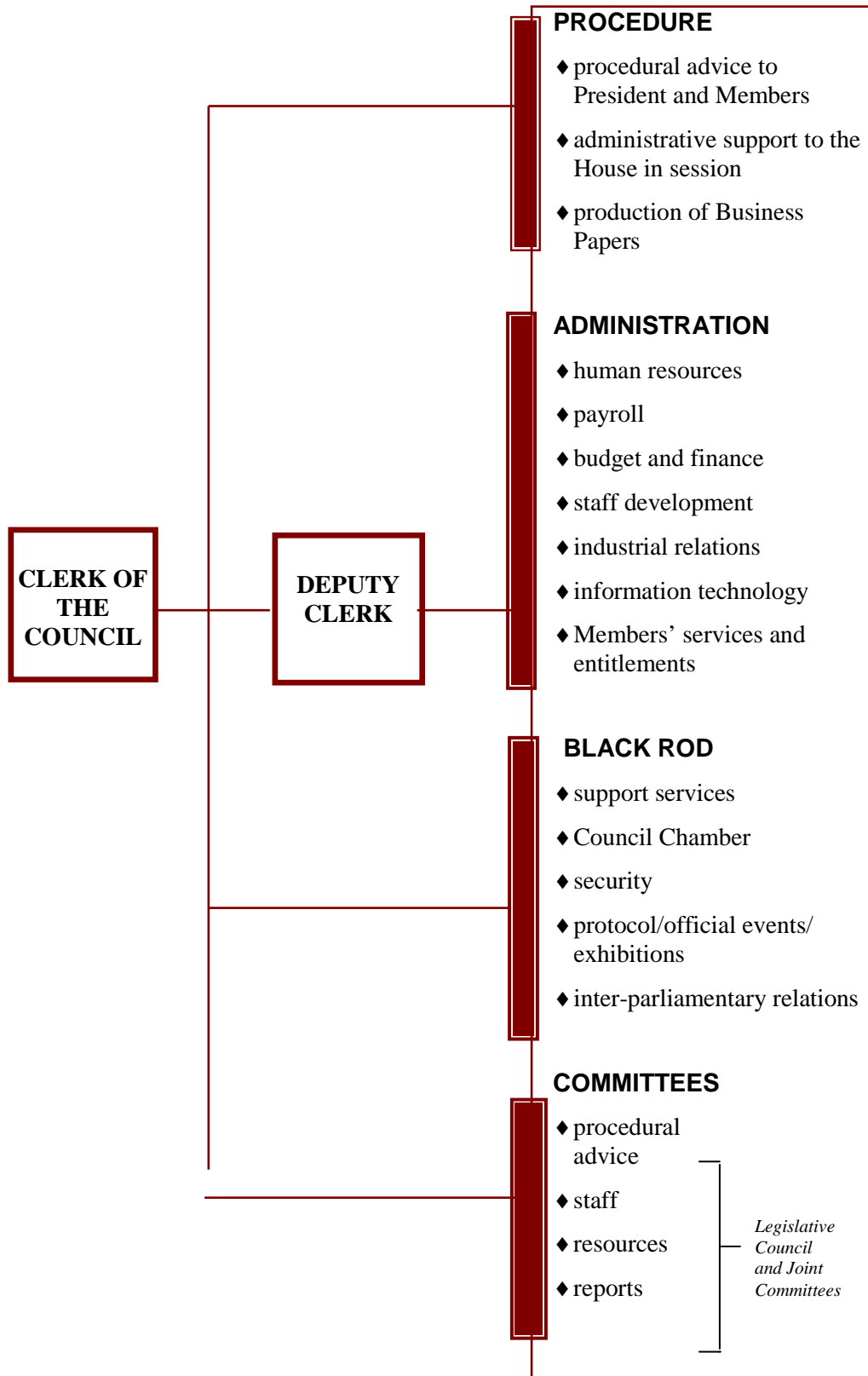
## VISION

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



A list of staff of the Legislative Council appears at Appendix B.

## **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.
- ◆ **List of Members** - A list of Council Members and senior officers in alphabetical order, detailing electoral division, party, postal address and phone and facsimile numbers.
- ◆ **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.
- ◆ **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 Handbook** - 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.
- ◆ **Briefing Notes on the Budget Estimates** - a key 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
- ◆ Acts Custody Act 1858
- ◆ 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 Capital Equipment Inventory
- ◆ 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. 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 and Deputy Leader of the Government together with the respective Chairs of Select and Standing 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 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 2008 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 2008.

The Financial Statements and accompanying Audit Report for the financial year ending on 30 June 2009 form part of this Annual Report.

The appointment in October 2008 of a part-time Financial Accountant has provided valuable additional accounting expertise to the Council operations.

## **SUMMARY OF FINANCIAL OUTCOMES**

The total expenditure by the Legislative Council from the Consolidated Fund for the year ending 30 June 2009 was within the budget approved by the Parliament with additional funds (RAF) being approved from the Treasurer's Reserve to meet additional expenditure associated with the reserved-by-law output. This increase was as a consequence of a 7 per cent salary increase for Members of Parliament effective from 1 July 2008. The budgeted salary increase was in the order of 3 per cent.

The additional reserved-by-law funding approved by the Treasurer totalled \$131,000. 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 Department of the Legislative Council ensures that Tasmanian businesses are given every opportunity to compete for the Department's business. It is the Department's policy 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 2009.

There were no individual consultancy contracts awarded with a value less than or equal to \$50,000 during the financial year ending on 30 June 2009.

## **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. Statutory 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 Systems and Electronic Security 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.

## DEPARTMENT OUTPUTS

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### 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 1973* as amended.

**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 MATTERS

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

In terms of parliamentary practice a very significant change in the practice for the conduct of Question Time in the House of Assembly was implemented during the reporting period. In short, by agreed Resolutions between the Legislative Council and the House of Assembly, Ministers of the Crown who are Members of the Legislative Council were given authority to participate in Question Time in the House of Assembly. This change is unprecedented in any Australian parliamentary jurisdiction.

After a level of communication between the two Houses the matter was referred by Resolution of both Houses to the Joint Select Committee on the Working Arrangements of the Parliament for consideration of the procedural, legal and related issues surrounding such a proposal. In addition the Clerks of both Houses jointly provided a brief to Mr Bret Walker SC for an opinion to be provided in relation to any legal or constitutional issues surrounding such a proposal.

These matters were adequately addressed by Mr Walker and as a consequence there was no need for any legislative amendment to the *Constitution Act 1934* or the Privileges legislation which currently applies in Tasmania.

The Resolution setting out the provisions for Members of the Legislative Council who are Ministers of the Crown to participate in Question Time in the House of Assembly was agreed on 12 March 2009. The Resolution *inter alia* provides that the provisions of the Resolution expire upon the prorogation of the Houses of Parliament and the dissolution of the House of Assembly prior to the next general election of that House.

Further detail, including the legal opinion of Mr Walker and a legal opinion of the Solicitor-General together with the joint advice of the Clerks of both Houses, is contained in Report No. 18 of the Joint Select Committee on the Working Arrangements of the Parliament (Paper No. 5 of 2009).

### 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, 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 the Bill 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 D 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:—

	<b>Briefing</b>	<b>Date</b>
1	Briefing on Tascorp activities by Don Challen (Chair) and John Hindmarsh (Chief Executive Officer)	10 July 2008
2	Motion by Hon Ruth Forrest; re Select Committee on People with Psychiatric Disabilities	26 August 2008
3	Tamar Valley Power Station Bill 2008 (Bill No. 50)	26 August 2008
	Consolidated Fund Appropriation (Supplementary Appropriation for 2008-09) (Bill No. 48)	26 August 2008
4	Taxi and Luxury Hire Car Industries Bill 2008 (No. 44) and Taxi and Luxury Hire Car Industries (Consequential Amendment) Bill 2008 (No. 45)	3 September 2008
5	Constitutions for Regional Corporations made for approval by Council under s.13 of the Water and Sewerage Corporations Act 2008	30 September 2008
6	Tasmania Tomorrow – Education Reforms	1 October 2008
7	Tasmania Tomorrow – Education Reforms: (Bills Nos. 57-61 of 2008)	29 October 2008
8	Royal Hobart Hospital	11 November 2008
9	Racing Regulation Amendment (Governance Reform): Bill 2008 (No. 79) and Racing Regulation Amendment (Governance Reform) (Transitional and Consequential Provisions) Bill 2008 (No. 78)	12 November 2008
10	Water and Sewerage Industry Amendment Bill 2008 (No. 71) and Water and Sewerage Industry (Consequential and Transitional ) Amendment Bill 2008 (No. 72)	13 November 2008
11	Nyrstar: Effects of Carbon Trading Scheme of the Commonwealth	19 November 2008
12	Water Legislation Amendment Bill 2008 (Bill No.28)	19 November 2008
13	Draft Proclamation under the Forestry Act 1920	20 November 2008
14	Aboriginal Lands Amendment Bill 2008(Bill No.77)	20 November 2008
15	TASCOSS	12 March 2009
16	Government Business Enterprises and State-owned Companies Legislation Amendment Bill 2009 (Bill No. 8)	8 April 2009
17	Heavy Vehicle Road Transport Bill 2008 (Bill No. 83)	8 April 2009
18	Nation Building and Jobs Plan Facilitation (Tasmania) Bill 2009 (Bill No.15)	8 April 2009
19	Tasmanian Community Fund	9 April 2009
20	Gaming Control Amendment Bill 2009 (Bill No. 18)	9 April 2009
21	TOTE Tasmania (Sale) Bill 2009 (No. 17)	9 April 2009
22	TOTE Sale Deed and related matters	28 April 2009
23	Swine Flu	28 April 2009

	<b>Briefing</b>	<b>Date</b>
24	Environment Tasmania Inc	19 May 2009
25	Auditor-General: Report No. 1 of 2009	19 May 2009
26	Forestry Tasmania - Report 'A New Silviculture for Tasmania's Public Forests'	20 May 2009
27	Dr Ian Woodward, Principle Environmental Scientist, Pitt & Sherry	21 May 2009
28	Disallowance: Fisheries (Scalefish) Amendment Rules 2008	26 May 2009
29	Youth Transitions Taskforce regarding the Federal Government youth allowance	27 May 2009
30	Water and Sewerage Industry (Community Service Obligation) Bill 2009 (Bill No.30);	27 May 2009
31	Subordinate Legislation Amendment Bill 2009 (Bill No. 14)	27 May 2009
32	Children, Young Persons and Their Families Bill 2009 (Bill No. 12)	28 May 2009
33	Racing (Tasracing Pty Ltd) Bill 2009 (Bill No. 33); Racing (Tasracing Pty Ltd) (Transitional and Consequential Provisions) Bill 2009 (Bill No. 34); and Racing Regulation Amendment (Race Fields) Amendment Bill 2009 ( Bill No. 35)	9 June 2009

## **INCREASED COMMITTEE ACTIVITY**

The following Select and purpose appointed Committees have undertaken their specific work during the course of the reporting period —

- ◆ Accreditation of Building Practitioners and Administration of the Building Act 2000
- ◆ Island Transport Services
- ◆ Management of Tamar and Esk Rivers
- ◆ Mental Health Legislative Measures
- ◆ Public Hospital System
- ◆ Public Sector Executive Appointments
- ◆ Recreational Marine Fishing in Tasmania
- ◆ Road Safety
- ◆ Estimates Committee A
- ◆ Estimates Committee B
- ◆ Government Businesses Scrutiny A
- ◆ Government Businesses Scrutiny B
- ◆ Mining Industry Regulation
- ◆ Surrogacy
- ◆ Working Arrangements of the Parliament (Joint)

In addition, the Legislative Council has Members on the Joint Standing Committees on Public Works; Public Accounts; Subordinate Legislation; Community Development; and Environment, Resources and Development – and its own Standing Orders and Privileges Committees. Two sessional domestic committees also operate.

Given that the Legislative Council comprises only fifteen Members to be appointed to these committees, the difficulty in timetabling meetings etc, as well as staffing issues, can be appreciated.

## **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 by the President be reported in this Report.

Accordingly during the reporting period the following disclosures are made:—

- ◆ Carolynn Jamieson (daughter of the Honourable Member for Mersey, Norma Jamieson) was employed in the Devonport Electorate Office on 10, 11 and 12 September 2008.
- ◆ Kathy Hall (wife of the Honourable Member for Western Tiers, Greg Hall) was employed in the Deloraine Electorate Office for the period 20 April to 24 April 2009.

The classification level for temporary family member support was drawn from the Administrative and Clerical Employees Award at Level 5, first year of service. A casual hourly rate was applicable.

## **LEGISLATIVE COUNCIL ELECTIONS**

The boundaries of the current 15 electoral divisions were determined by the Legislative Council Redistribution Tribunal during the last reporting period. 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.

Periodic elections for three electoral divisions were conducted on Saturday, 2 May 2009. As a consequence of those elections the two sitting Members were returned in the Divisions of Derwent and Windermere and the Honourable Mike Gaffney was elected to represent the Division of Mersey to replace Norma Jamieson who did not recontest the seat. Mr Gaffney received 11,836 votes after the distribution of preferences. Four candidates contested the vacant seat with 19,707 formal votes cast. The next best candidate was Steve Martin who received 7,871 votes.

In the Division of Derwent the sitting Member, the Honourable Michael Aird MLC was returned after receiving around 52 per cent of the formal first preference votes.

In the Division of Windermere the Honourable Ivan Dean MLC was returned after the distribution of preferences with 9,839 votes. There were 18,084 formal votes cast with Kathryn Hay receiving 8,051 votes.

## **TELEVISION BROADCAST OF PROCEEDINGS**

A Parliamentary broadcast tender was let during the reporting period for the operation of the television broadcast system (TBS) with the successful firm being Winning Post Productions. Television broadcast of proceedings in both Houses and Estimates Committees and GBEs formed part of the contract.

Broadcast commenced on 26 February 2009 for the House of Assembly with the Legislative Council broadcast commencing for the first time on 11 March 2009.

The broadcast operators are required to provide a directed sound and vision broadcast following the proceedings of the Houses on Parliamentary sitting days, including Estimates and GBE weeks and Legislative Council quorum days. There are four new studios, one for each of the Chambers, one for Committee Room 1 and the final one for Committee Room 2.

Committee Room 2 has been fitted with cameras ready to broadcast, with Committee Room 1 having cameras relocated from the House of Assembly Chamber when required. Provision for broadcasting from the Long Room and the Reception Room has also been made. For both of these locations there will be a need to relocate cameras from the House of Assembly Chamber.

TBS is directed by the Winning Post broadcast manager and manned by two or three Winning Post operators depending if one or two Houses are sitting. In the event of staff unavailability, staff from the Parliament's Systems Unit can also operate the system.

Certain technical support, procedures and non-political policy and direction is provided by Mr Peter Hancox, Manager, Computer Systems and Electronic Security and the broadcast manager is responsible for the broadcast quality.

The TBS provides a broadcast feed to the media room on the 1st floor of Parliament House. This is the location where all media services can record footage for re-broadcast on the public networks as news or current affairs. The broadcast feed is also streamed onto the internet and available to everyone. This facility is frequently used by the Premier, Ministerial and Regional offices. The broadcast is also distributed throughout the Parliament building via the MATV and CMS systems.

The broadcast feed is also recorded in PC and DVD format by the Computer Services Unit and kept as an archive. Members of Parliament can request specific speeches or segments from the broadcast proceedings so that they can be utilised on Members' web sites however there is a cost associated with these requests.

The broadcast of proceedings of the Legislative Council and its Estimates Committees has gone extremely smoothly.

## **ELECTORATE FAMILIARISATION TOUR**

An electorate tour of the Elwick electorate was undertaken by eleven Members of the Legislative Council between 9 and 11 February 2009.

The program included the following:—

- ◆ Cadbury Factory Tour;
- ◆ Local Social Service Providers Forum;
- ◆ Moorilla Estate Tour;
- ◆ Mission Australia's Chigwell House;
- ◆ Aurora Disability Services;
- ◆ Chance on Main;
- ◆ Putters Adventure Golf – Small Business success story;
- ◆ Tour of Derwent Entertainment Centre and Wilkinson Point developments;
- ◆ Technopark Tour;
- ◆ Glenorchy City Council – meeting with Mayor and Aldermen;
- ◆ Glenorchy Youth Taskforce presentation; and
- ◆ Tour of Glenorchy Transport Museum

## DEPARTMENT STAFF

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### INDUSTRIAL AGREEMENT

A new Staff Industrial Agreement was agreed between the parties and filed with the Tasmanian Industrial Commission in March 2009. A hearing was held on 17 March 2009 before Deputy President Shelley.

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, is operative from the first full pay period on or after 5 March 2009 and it is to remain in force until 31 December 2011.

The Deputy President of the Tasmanian Industrial Commission was satisfied that the agreement was consistent with the Wage Fixing Principles and the public interest and no disadvantage tests required by the Act.

### PARLIAMENTARY SERVICE AWARDS

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

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

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

The decision by the Joint Presiding Officers and Clerks to 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 future Parliamentary Service Award ceremonies.

## 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 2009.

During the 2008 calendar year the Assembly's Second 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 2009 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 —

<b>Superannuation Schemes</b>	<b>Number of employees for whom employer superannuation contributions are made (as at 30 June 2009)</b>
RBF defined benefit scheme	13
Tasmanian Accumulation Scheme (TAS)	16
Other complying superannuation schemes	6
<b>Total</b>	<b>35</b>

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 2009.

## **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 Department'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.

The ANZACATT Professional Development Seminar was hosted by the Parliament in Norfolk Island in January 2009. The theme for the seminar was Parliamentary Privilege. The Legislative Council's Deputy Clerk, Mr Nigel Pratt and Clerk-Assistant, Mrs Sue McLeod attended the seminar.



The Legislative Council is also able to nominate officers to undertake the Parliamentary Law, Practice and Procedure Program (PLPPP) which for the first time will be conducted in July 2009 by the University of Tasmania who were successful in their tender bid. 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.

Other courses of training were attended by selected staff during the reporting period. These included attendance at the annual Australasian Study of Parliament Group (ASPG) Conference, fire drill training and computer support training. In addition the third annual meeting of Executive Assistants and other officers was held in Launceston in December 2008.

## **INDUSTRIAL DEMOCRACY**

The Legislative Council administration continues to pursue a cooperative approach to decision making. The small numerical 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 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 continue to be addressed.

# PARLIAMENTARY STANDING COMMITTEES: STATUTORY IN NATURE

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## PUBLIC ACCOUNTS

The Public Accounts Committee is established by Statute. It comprises of three Members each from the Legislative Council and the House of Assembly. The Secretary is a Table Officer in the House of Assembly and its administration is attached to that House.

The Committee must inquire into, consider and report to the Parliament on any matter referred to the Committee by either House relating to —

- (a) the management, administration or use of public sector finances; or
- (b) the accounts of any public authority or other organisation controlled by the State or in which the State has an interest.

The Committee may inquire into, consider and report to the Parliament on —

- (a) any matter arising in connection with public sector finances that the Committee considers appropriate; and
- (b) any matter referred to the Committee by the Auditor-General.

## 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. 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 is comprised of three Members each from the Legislative Council and the House of Assembly. Ministers and Presiding Officers may not be members.

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 2008-2009 the Committee held 11 meetings and examined 99 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, retrospective provisions and other issues of concern.

A disallowance motion was moved in the Legislative Council on Tuesday, 26 May 2009 in relation to the Fisheries (Scalefish) Amendment Rules 2008.

The Committee received written and verbal evidence from several fishermen and the Department of Primary Industries and Water relating to the above Rules.

The Committee understood the importance of maintaining a sustainable fishery and that it should be the basis for any regulation of the industry. It was also noted that the consultation had been broad and ongoing from 2000 for the banded morwong fishery and from 2003 for calamari.

It was further acknowledged that these Rules had been operational since 1 October 2008 and that any contrary decision could have a negative impact on other fishermen.

The Committee believed, however, that there were fishermen who may be disadvantaged by the sections in the Rules that preclude exceptional circumstances being taken into account. Several examples were given to the Committee that demonstrated special reasons why it was not possible for the required catch history to be achieved.

For these reasons, the Committee recommended that provision be made in the Rules for exceptional circumstances to be considered by an independent appeal process and accordingly reported to the Parliament that sections of these Rules “unduly trespass on personal rights and liberties”.

The motion passed in the affirmative.

### **Committee Membership**

#### **Legislative Council**

Ms Ruth Forrest (Chair)  
Mrs Tania Rattray-Wagner  
Mrs Norma Jamieson (until May 2009)  
Mr Terry Martin (from 21 May 2009)

#### **House of Assembly**

Mr Jeremy Rockliff  
Mr Bryan Green  
Ms Lisa Singh (until March 2009)  
Mr Ross Butler (from March 2009)

# COMMITTEES

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## 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 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.

Two Joint Standing Committees were established by Resolution of both Houses in December 2000 and reappointed on 12 March and 27 November 2002 and again on 7 April 2004. These Joint Standing Committees are known as the Community Development Committee and the Environment, Resources and Development Committee. Both Committees were formally agreed and established by Resolution of both Houses on 25 November 2004. After the election for the House of Assembly on 30 March 2006 both Committees were reappointed on 31 May 2006 and again on 5 March 2008 following the prorogation of Parliament.

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 session.

## WORK OF JOINT STANDING AND SELECT COMMITTEES

### Joint Select Committee on the Working Arrangements of the Parliament

The Legislative Council and House of Assembly jointly administer this Committee.

The members of the Committee as at 30 June 2009 were: Mr Doug Parkinson MLC (Chair), Mrs Sue Smith MLC, Mr Jim Wilkinson MLC, Mr Don Wing MLC, Mr David Llewellyn MP, Mrs Sue Napier MP, Mr Nick McKim MP and Ms Lara Giddings MP.

During the year the Committee met on four occasions and tabled its 18<sup>th</sup> report – “Attendance of Ministers who are Members of the Legislative Council at House of Assembly Question Time”. The Committee is currently progressing its inquiry into whether the Children’s Commissioner or other statutory offices should be included in a separate Appropriation Act for the Parliament, Governor, Ombudsman and Auditor-General.

## **Joint Standing Committee on Environment, Resources and Development**

The Legislative Council administers this Committee.

The members of the Committee as at 30 June 2009 were : Mr Greg Hall MLC (Chair), Mrs Tania Rattray-Wagner MLC, Mr Paul Harriss MLC, Mr Jim Wilkinson MLC, Mr Brenton Best MP, Mr Bryan Green MP, Mr Peter Gutwein MP and Mr Kim Booth MP.

Mr Jim Wilkinson MLC was elected by the Legislative Council to succeed the Ms Lin Thorp MLC following her resignation from the Committee on Monday, 29 September 2008. Ms Thorpe's resignation was due to her elevation to Cabinet as Minister for Human Services.

During the year the Committee met on fourteen occasions. On Thursday, 10 July 2008 the Committee tabled its report on "*Alternative Fuels*". The Committee also tabled an Interim Report on "*The Sale of the TOTE*" on Wednesday, 8 April 2009.

The Committee has also progressed its inquiries into Coastal Erosion and Wildfires during the reporting period.

## **Joint Standing Committee on Community Development**

The Joint Select Committee on Community Development is administered by officers in the House of Assembly Secretariat. The Committee consists of four Members from each House. At 30 June 2009 the Legislative Council was represented on the Committee by Mr Kerry Finch MLC, Mr Terry Martin MLC, Ms Allison Ritchie MLC (until June 2009) and Mr Jim Wilkinson MLC. With the resignation from the Legislative Council of Ms Allison Ritchie in June 2009 the Council appointed Ms Ruth Forrest to the vacant position on the Committee.

The scope of the Committee covers issues and legislative proposals in the following areas —

- Health, welfare, education, justice and law;
- Sports and recreation;
- Racing and gaming;
- Public sector operations;
- Arts, cultural development; and
- Community quality of life.

For details of the Committee's activity refer to the Annual Report of the House of Assembly.

## **SELECT COMMITTEES – AN INVESTIGATORY FUNCTION**

Notwithstanding the establishment of two Joint House Standing 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 enquire 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.

### **Joint Select Committee on Gene Technology in Primary Industries**

The Legislative Council administered this Committee. It was established by Order of the Parliament on 5 July 2007 to determine the most appropriate and effective policy position on use of gene technology in primary industries that best serves the future market interests of Tasmania.

The Members of the Committee were Mr Kim Booth MP, Hon Ruth Forrest MLC, Hon Greg Hall MLC, Hon David Llewellyn MP (Chair), Hon Sue Napier MP and Hon Lin Thorp MLC.

The Committee met on two occasions during the reporting year to finalise its report which was Tabled in the Parliament on 28 August 2008. The main recommendation was that the "prohibition on the release of GMO food crops to the Tasmanian environment for commercial purposes should be extended and reviewed after five (5) years.

### **Legislative Council Select Committee on the Accreditation of Building Practitioners and Administration of the Building Act 2000**

The Committee was established by order of the Legislative Council on 13 July 2006 and re-established on 4 March 2008.

The Members of the Committee are the Mr Ivan Dean MLC, Mr Ruth Forrest MLC, Mr Paul Harriss MLC (Chair), Ms Lin thorp MLC and Mr Jim Wilkinson MLC.

The Committee met on four occasions during the financial year and held further hearings with major stakeholders in August 2008. The Committee is currently considering a draft report which it expects to Table in the Legislative Council during the next financial year.

## **Legislative Council Select Committee on Mining Industry Regulation**

The Committee was established by Order of the Legislative Council on 15 April 2008 to inquire into mining industry regulation.

The Members of the Committee were the Mr. Kerry Finch MLC, Ms Ruth Forrest MLC (Chair), Mr Paul Harriss MLC and Mr Jim Wilkinson MLC.

The Committee met on twelve occasions during the financial year and reported to the Legislative Council on 12 March 2009.

One of the Committee's major findings was that "the current general duties/duty of care legislation does and can continue to meet the needs of the industry, however, improvement can be made by introducing some prescription in defined highly hazardous areas through the implementation of mining specific regulations".

## **Legislative Council Select Committee on Surrogacy**

The Committee was appointed on 1 April 2008. The membership of the Committee as determined by order of the Legislative Council was Mrs Sue Smith MLC, Ms Lin Thorp (Chair) MLC and Mr Jim Wilkinson MLC. On 10 June 2008 Mrs Tania Rattray-Wagner MLC was appointed to the Committee to fill a vacancy caused by the resignation of Mrs Sue Smith MLC.

The Committee tabled its Report in the Legislative Council on Tuesday, 26 August 2008. The Report made eight recommendations. The Government released its response to the Report on Friday, 3 October 2008.

## **Legislative Council Select Committee on Recreational Marine Fishing**

This Committee was appointed by order of the Legislative Council on Tuesday, 20 November 2007. The membership of the Committee was determined to be Mrs Tania Rattray-Wagner MLC; Ms Lin Thorp MLC; Mr Jim Wilkinson MLC; and Mr Paul Harriss MLC (Chair). The Committee was re-appointed by order of the Legislative Council on Tuesday, 4 March 2008.

The Committee met three times in the reporting period and held one day of public hearings in Hobart. Hearings and deliberations of the Committee continue.

## **Legislative Council Select Committee on Public Sector Executive Appointments**

This Committee was appointed by order of the Legislative Council on Wednesday, 11 June 2008.

The membership of the Committee was determined to be Mr Greg Hall MLC; Mr Terry Martin MLC; Mr Jim Wilkinson MLC and Mr Paul Harriss MLC (Chair). The Committee was re-appointed by order of the Legislative Council on Tuesday, 4 March 2008.

Advertisements were placed in the three regional daily newspapers on Saturday, 12 July 2008, calling for submissions and evidence regarding the Committee's full terms of reference, with a closing date for submissions on Friday, 25 July 2008. Ten written submissions were received into evidence.



The Committee met 27 times in the reporting period, and held eleven days of public and private hearings at different locations around the State and took evidence from 25 witnesses. On Tuesday, 7 April 2009 the Committee tabled a substantial Interim Report finalising the greater portion of its terms of reference. Owing to matters under inquiry becoming the subject of criminal prosecutions and on-going Police inquiries, the Committee has resolved to await the outcome of those processes before proceeding to finalise the inquiry.

### **Legislative Council Select Committee on Road Safety**

The Committee was appointed on 26 August 2008 to inquire into road safety in accordance with the following Terms of Reference:

- (1) The main causes and effects of road traffic crashes and off road motor cycle crashes in Tasmania.
- (2) The short and long term care of crash casualties and the adequacy of the current data collection.
- (3) The adequacy and effectiveness of current road safety measures in Tasmania.
- (4) Road safety measures, adopted, proposed or recommended interstate and in some overseas countries which have relevance to circumstances in Tasmania.
- (5) The methods and means whereby road traffic crashes in Tasmania may be reduced.
- (6) Appropriate measures to control the use of motor cycles off road for the purpose of reducing casualties; and
- (7) Any matters incidental thereto.

The Council appointed Mr Dean, Mr Harriss, Ms Forrest and Mr Wing (Chair) to serve on the Committee.

Public submissions and requests to give evidence were called in August and again in September 2008, with advertisements placed in the three Tasmanian daily newspapers. As at 30 June 2009, 74 submissions had been received.

Public hearings took place during October 2008 and March, May and June 2009 in Hobart, Launceston and Devonport, with a total of 80 witnesses presenting verbal evidence. The Committee also travelled to Melbourne, Adelaide, Sydney and Canberra from 27 January to 4 February 2009 and met with 47 government and non-government stakeholders.

The Committee met 23 times during the 2008-09 period. At 30 June 2009, the Committee's investigations remained ongoing.

### **Legislative Council Select Committee on Mental Health Legislative Measures**

The Committee was appointed by the Legislative Council on 26 August 2008. The membership of the Committee was Mr Ivan Dean MLC, Ms Ruth Forrest (Chair), Mr Terry Martin MLC and Mr Jim Wilkinson MLC.

Twenty-seven written submissions were received by the Committee and verbal evidence was given by forty witnesses in Tasmania and six people interstate. Some Members of the Committee also visited "Tyenna", supported accommodation for people with mental illness.

The Committee met on ten occasions during the financial year and is expected to report later in 2009.

## **Legislative Council Select Committee on the Public Hospital System**

This Committee was appointed by order of the Legislative Council on Thursday, 28 August 2008. The membership of the Committee was determined to be Mr Ivan Dean MLC (Chair), Mr Paul Harriss MLC, Mrs Norma Jamieson MLC, Ms Ruth Forrest MLC, Ms Allison Ritchie MLC, Mr Don Wing MLC and the President. On Wednesday, 8 October 2008, Ms Allison Ritchie MLC resigned from the Committee on her appointment to Cabinet. On Saturday, 2 May 2009 Mrs Norma Jamieson MLC retired at the Legislative Council elections. At the conclusion of the reporting period therefore, the Committee had two unfilled vacancies.

Advertisements were placed in the three regional daily newspapers on Saturday, 6 September 2008, calling for submissions and evidence regarding the Committee's full terms of reference, with a closing date for submissions on Friday, 31 October 2008. The Committee took 31 written submissions into evidence in the reporting period.

The Committee met 10 times in the reporting period, and held three days of public and private hearings at different locations around the State and has thus far taken evidence from 32 witnesses.

## **Legislative Council Select Committee on Management of Tamar and Esk Rivers**

The Committee was appointed on 1 October 2008. The membership of the Committee as determined by order of the Legislative Council is Mr Don Wing MLC, Mr Kerry Finch MLC (Chair) and Mr Ivan Dean MLC.

Advertisements were placed in the three regional daily newspapers on 11 October 2008 calling for submissions and evidence regarding the Committee's full terms of reference on the management of the Tamar Estuary and Esk Rivers.

The Committee met on thirteen days and held public hearings on nine of those days. It also made four formal on-site inspections, three of which were interstate.

Thirty-nine witnesses gave verbal evidence to the Committee at public hearings in Launceston and Hobart. One of these witnesses gave evidence in camera. Nine witnesses gave evidence interstate, at Geelong, Bairnsdale and Brisbane. Sixteen written submissions were received.

The Committee expects to complete its hearings and table a Report early in the next financial year.

## **Legislative Council Select Committee on Island Transport Services**

This Committee was appointed by order of the Legislative Council on Wednesday, 10 June 2009. The membership of the Committee was determined to be Mr Greg Hall MLC (Chair), Mr Paul Harriss MLC, Ms Ruth Forrest MLC, and Mrs Tania Rattray Wagner MLC (Chair).

Advertisements were placed in the three regional daily newspapers three daily newspapers on Saturday, 20 June 2009 and in the King Island Courier, the Bruny Island News and the Flinders Island News at the next available publication date, calling for submissions and evidence regarding the Committee's full terms of reference, with a closing date for submissions on Friday, 24 July 2009.

The Committee met on one occasion during the reporting period. The Committee's deliberations continue.

## 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 Bill 2009-10*, 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 10 June 2009 contained the following provisions :-

Appointment and Membership      That the Legislative Council establish two Estimates Committees and that Committee A shall consist of 5 members and Committee B shall consist of 6 members.

And that the Members for –

Elwick  
Huon  
Murchison  
Nelson, and  
Western Tiers  
be of Committee A

and

Apsley  
Launceston  
Mersey  
Pembroke  
Rosevears, and  
Windermere  
be of Committee B

The Estimates Committee hearings were held during the week 22-25 June 2009. Committee A met on eight occasions and Committee B on six occasions.

## GOVERNMENT BUSINESSES SCRUTINY COMMITTEES

On 29 October 2008 the Legislative Council again established two Government Businesses Scrutiny Committees to inquire into Government Businesses on 4 and 5 December 2008.

The following businesses were scrutinised —

- ◆ Aurora Energy Pty Ltd
- ◆ Metro Tasmania Pty Ltd
- ◆ Tasmanian Public Finance Corporation
- ◆ Motor Accidents Insurance Board
- ◆ Port Arthur Historic Site Management Authority
- ◆ TOTE Tasmania

Both Committees met on six occasions.

## COMMITTEE SECRETARIAT SUMMARY

### Committees/Inquiries Commenced and Ongoing

	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Accreditation of Building Practitioners and Administration of the Building Act 2000 (re-appointed 4/3/08)	5	2	6	11
Island Transport Services (established 10/6/09)	1	-	-	-
Management of Tamar and Esk Rivers (established 1/10/08)	13	9	16	48
Mental Health Legislative Measures (established 26/8/08)	9	8	27	46
Public Hospital System (established 28/8/08)	10	3	31	32
Public Sector Executive Appointments (established 11/6/2008. Interim report 7/4/09)	27	11	10	25
Recreational Marine Fishing in Tasmania (commenced 20/11/07 – re-appointed 4/3/08)	3	3	-	12
Road Safety (established 26/8/2008)	23	18	74	127

## Committees/Inquiries Concluded

	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Estimates Committee A	8	4	-	
Estimates Committee B	8	4	-	
Government Businesses Scrutiny A	6	1	-	
Government Businesses Scrutiny B	6	2	-	
Mining Industry Regulation	12	9	-	37
Surrogacy	2	-	-	-
Joint Committee on Environment, Resources and Development: Alternative Fuels	1	-	28	17
Joint Select Committee on the Working Arrangements of Parliament (Attendance of Ministers Who are Members of the Legislative Council at House of Assembly)	3	-	-	-

## Joint Committee Inquiries Commenced and Staffed by the Legislative Council

	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Joint Committee on Environment, Resources and Development: Coastal Erosion (established 21/11/06)	6	2	14	8
Joint Committee on Environment, Resources and Development: Sale of the TOTE (established 5/2/09. Interim report released 8/4/09)	6	2	14	19
Joint Committee on Environment, Resources and Development: Shack Sites (established on 2/9/08)	16	8	51	-
Joint Committee on Environment, Resources and Development: Wildfires (established on 3/6/08)	4	-	-	-
Joint Select Committee on the Working Arrangements of Parliament (Children's Commissioner and other statutory officers)	2	1	-	2

## Statistics for Committees 2008-2009

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses
Accreditation of Building Practitioners and Administration of the Building Act 2000	5	2	6	11
Island Transport Services	1	0	0	0
Management of Tamar and Esk Rivers	13	9	16	48
Mental Health Legislative Measures	9	8	27	46
Public Hospital System	10	3	31	32
Public Sector Executive Appointments	27	11	10	25
Recreational Marine Fishing in Tasmania	3	3	0	12
Road Safety	23	18	74	127
Estimates Committee A	8	4	0	0
Estimates Committee B	8	4	0	0
Government Businesses Scrutiny A	6	1	0	0
Government Businesses Scrutiny B	6	2	0	0
Mining Industry Regulation	12	9	0	37
Surrogacy	2	0	0	0
ERD: Alternative Fuels	1	0	28	17
WAP: Attendance of Ministers Who are Members of the Legislative Council at House of Assembly	3	0	0	0
ERD: Coastal Erosion	6	2	14	8
ERD: Sale of the TOTE	6	2	14	19
ERD: Shack Sites	16	8	51	0
ERD: Wildfires	4	0	0	0
WAP: Children's Commissioner and other statutory officers.	2	1	0	2

## APPENDIX A

### MEMBERS OF THE LEGISLATIVE COUNCIL

*(as at 30 June 2009)*

MEMBER	ELECTORATE DIVISION	PARTY
<b>Aird, Michael Anthony</b> <i>Treasurer</i> <i>Minister for Racing</i>	Derwent	ALP
<b>Dean, Ivan Noel</b>	Windermere	Ind.
<b>Finch, Kerry</b> <i>Third Deputy Chair of Committees</i>	Rosevears	Ind.
<b>Forrest, Ruth Jane</b>	Murchison	Ind.
<b>Gaffney, Michael Victor</b>	Mersey	Ind.
<b>Hall, Gregory Raymond</b> <i>Chair of Committees</i>	Western Tiers	Ind.
<b>Harriss, Andrew Paul</b> <i>Second Deputy Chair of Committees</i>	Huon	Ind.
<b>Martin, Terence Lewis</b>	Elwick	Ind.
<b>Parkinson, Douglas John</b> <i>Leader of the Government</i>	Hobart	ALP
<b>Rattray-Wagner, Tania Verene</b> <i>Deputy Chair of Committees</i>	Apsley	Ind.
<b>Vacant seat</b>	Pembroke	ALP
<b>Smith, Susan Lynette</b> <i>President</i>	Montgomery	Ind.
<b>Thorp, Lin Estelle</b> <i>Deputy Leader of the Government</i>	Rumney	ALP
<b>Wilkinson, James Scott</b>	Nelson	Ind.
<b>Wing, Donald George</b>	Launceston	Ind.

## APPENDIX B

### STAFF OF THE LEGISLATIVE COUNCIL

*(as at 30 June 2009)*

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Clerk of the Council	-	Mr David Pearce
Deputy Clerk	-	Mr Nigel Pratt
Clerk-Assistant and Usher of the Black Rod	-	Mrs Sue E. McLeod
Clerk of Committees	-	Dr Colin Huntly
Committee Secretariat Assistants	-	Mr Tom Wise
	-	Mr Nathan Fewkes
Financial Accountant	-	Mrs Nicole Muller
Parliamentary Officer: Personnel and Administration	-	Miss Janet A. Chipman
Parliamentary Officer: Finance and Administration	-	Mr Denis J. Millhouse
Parliamentary Officer: Bills and Papers	-	Mr Mark J. Baily
Personal Assistant to the President and Clerk	-	Mrs Janet A. Harrison/ Mrs Sandra L. Phillips
Personal Assistant to the Deputy Clerk	-	Mrs Sandra L. Phillips
Personal Assistant to the Clerk-Assistant	-	Miss Julie Thompson/ Ms Allison Waddington
Personal Assistant to the Clerk of Committees	-	Mrs Jill Mann
Executive Assistant to the Leader of the Government	-	Miss Mandy J. Jenkins
Executive Assistant to the Deputy Leader of the Government	-	Ms Debbie Cleaver
Electorate Officers	-	Ms Allison Waddington
	-	Mrs Rachel Burgess
	-	Ms Dawn Vallance
	-	Mrs Bonnie Phillips
	-	Mrs Suzanne Carracher
	-	Mrs Sue Szoka
	-	Ms Di Bucknell
	-	Ms Melissa Partridge
	-	Mrs Sally Avery
	-	Mr Brett Galbraith
	-	Mrs Megan Graham
	-	Mr Eric Gooi
Research Officers:	-	Miss Emily Freeman
	-	Mr Nathan Fewkes
Computer Services Officer	-	Mr Brett Godfrey
Parliamentary Officers - Support Services	-	Mr Leigh T. Matthews
	-	Mr Craig M. Thorp
Communications Officer	-	Mrs Shirley Holzner

*Full-Time Equivalent Employees as at 30/6/2009 – 29.0*



## APPENDIX C

### SUMMARY OF ACTIVITIES OF THE COUNCIL

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	Forty-Fifth Parliament Second Session up to 30 June 2005	Forty-Fifth Parliament Second Session continued up to 31 December 2005	Forty-Sixth Parliament First Session up to 30 June 2006	Forty-Sixth Parliament First Session up to 30 June 2007	Forty-Sixth Parliament First Session up to 31 December 2007	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
Sitting Days	41	21	9	39	29	20	45
Hours of Sitting	144	73	19	142	106	86	188
Bills Amended	13	8	-	13	7	3	7
Bills Passed	85	43	14	68	62	25	72
Questions on Notice	40	3	4	71	25	25	45
Petitions	-	-	1	3	6	-	1
Substantive Motions	41	8	19	55	7	25	41
Matters of Public Importance	-	-	-	1	-	-	4
Divisions	9	7	-	6	6	3	8
Ministerial Statements	2	-	2	4	-	2	3
Motions for the Disallowance of Regulations	2	-	-	1	-	-	1

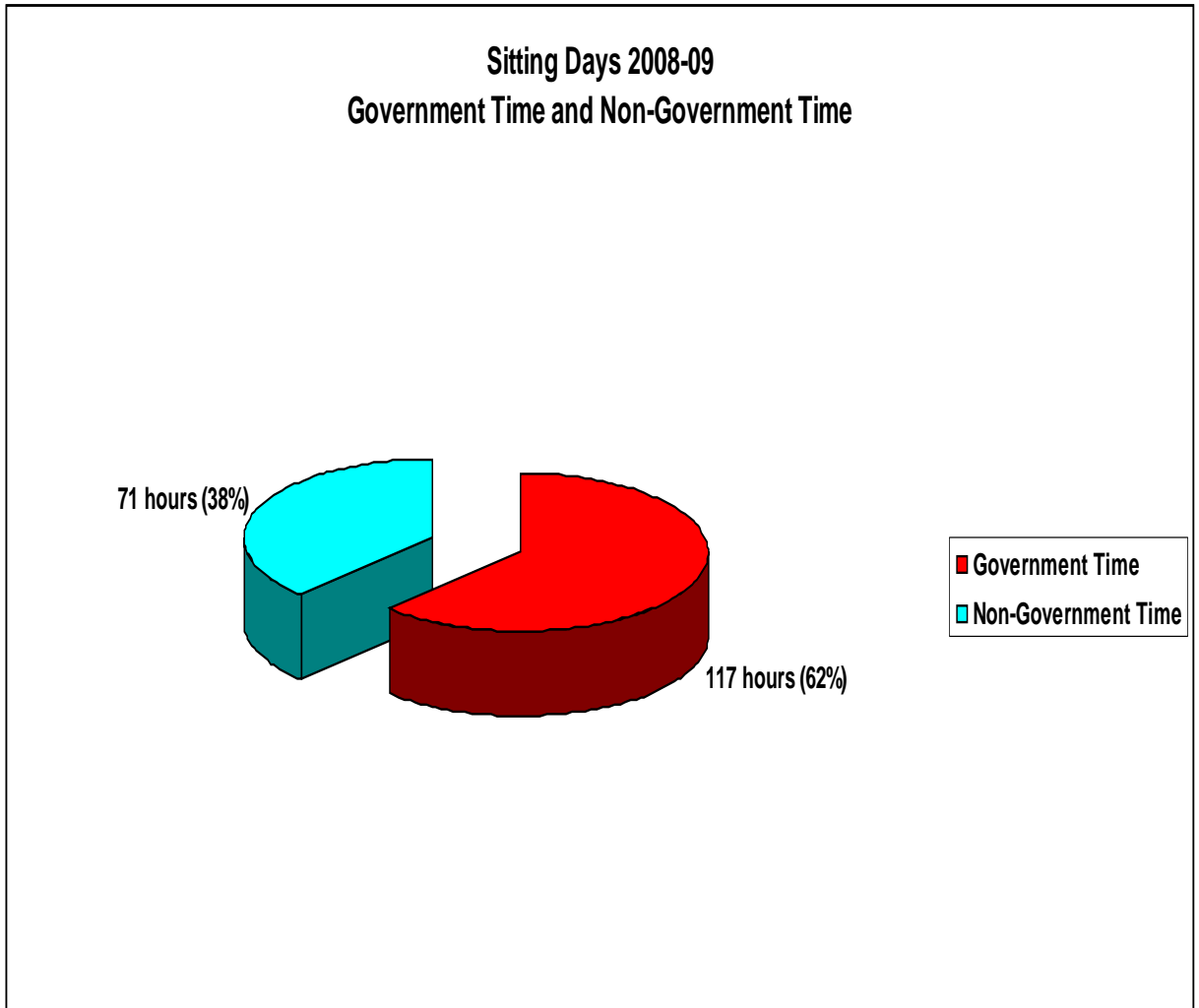
## APPENDIX D

### PASSAGE OF BILLS

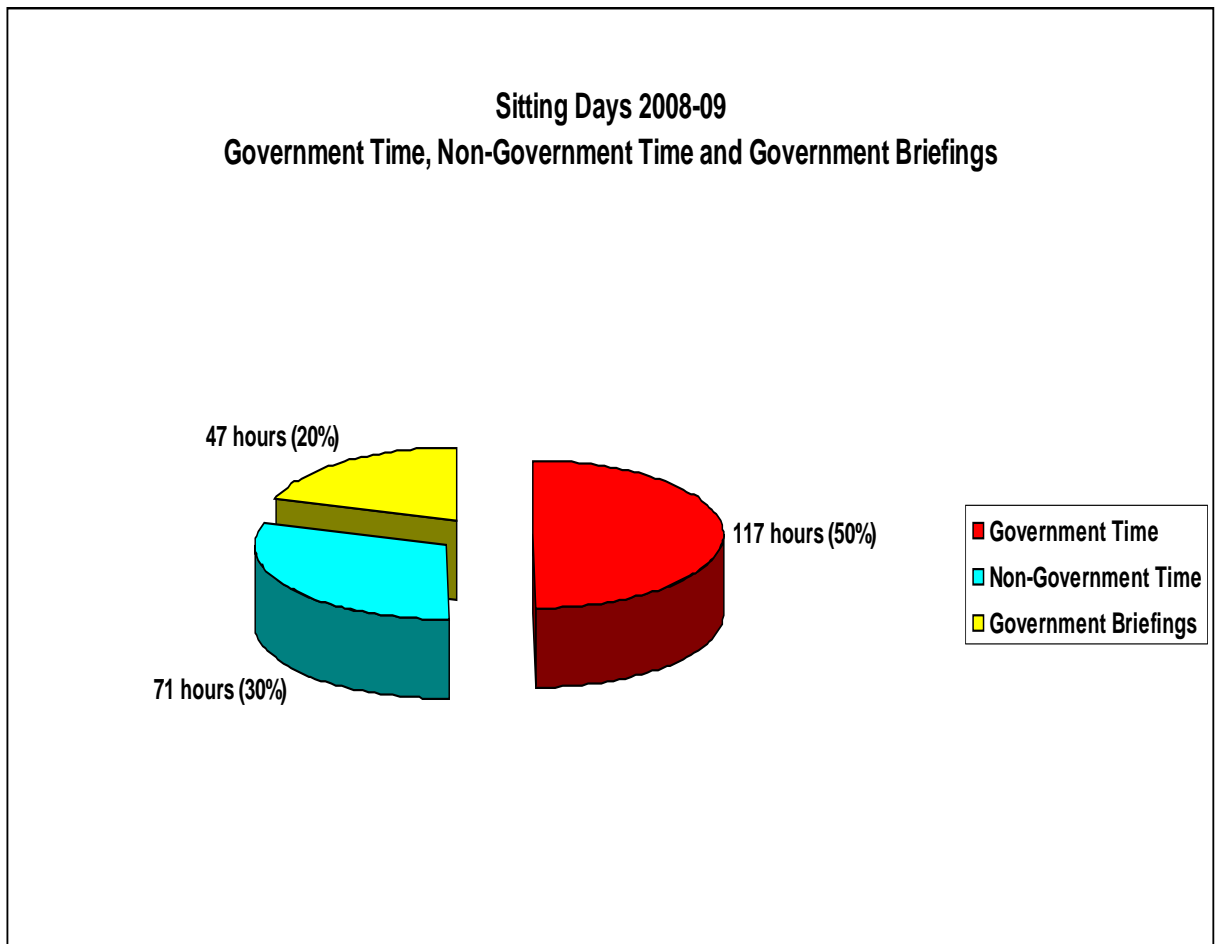
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<b>Bills</b>	<b>2003-2004 up to 30 June 2004</b>	<b>2004-2005 up to 30 June 2005</b>	<b>2005-2006 up to 30 June 2006</b>	<b>2006-2007</b>	<b>1 July 2007 to 31 December 2007</b>	<b>4 March 2008 to 30 June 2008</b>	<b>1 July 2008 to 30 June 2009</b>
Introduced	29	89	53	61	61	28	77
Lapsed	-	-	4	0	3	-	-
Negated at Second Reading	-	1	2	0	-	-	-
Passed	16	85	57	54	62	25	72
Without Amendment	13	72	49	41	55	22	65
With Amendment	3	13	8	13	7	3	7
Number of Amendments	3	131	52	58	27	24	42

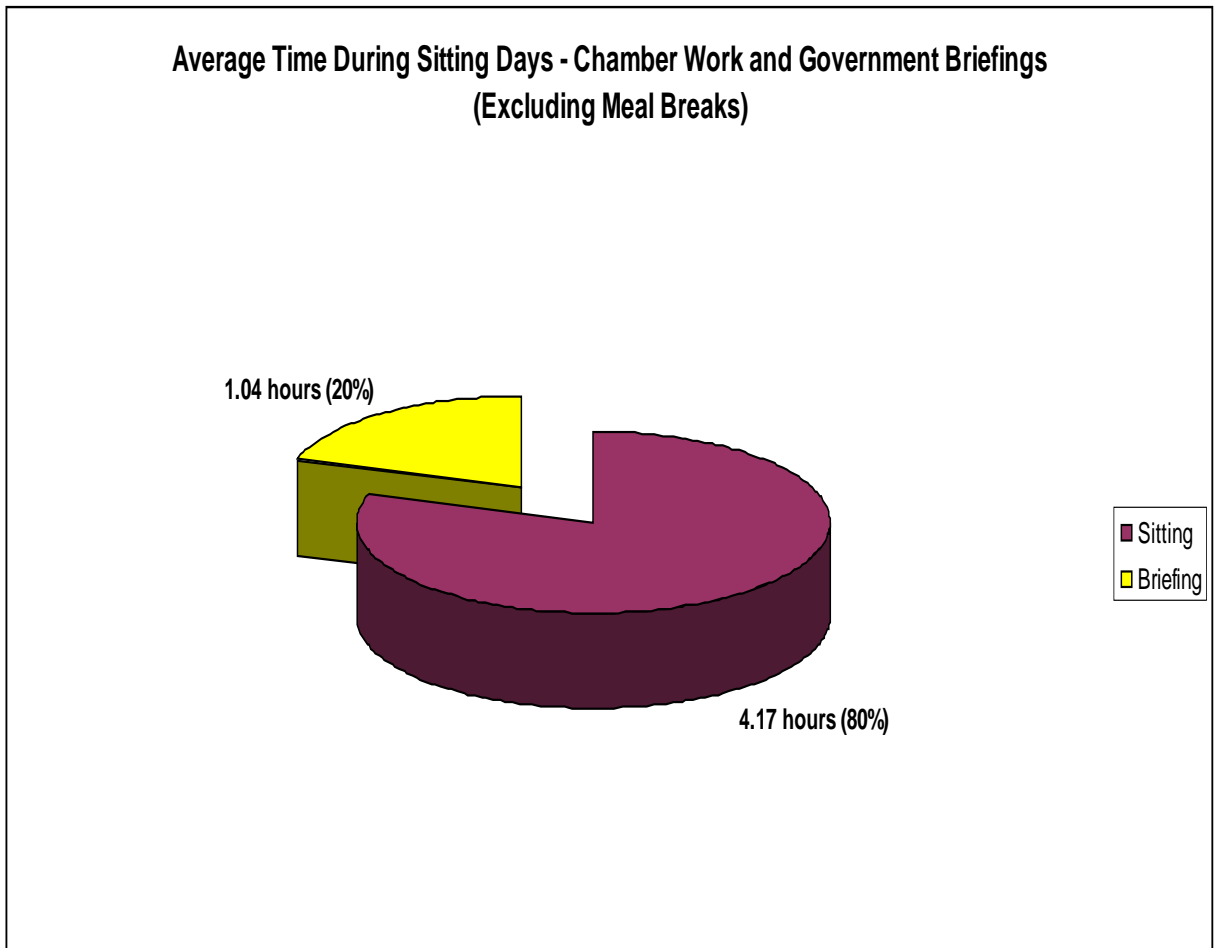
**APPENDIX E**  
**SITTING DAYS 2008-2009**  
**GOVERNMENT TIME AND NON GOVERNMENT TIME**



**APPENDIX F**  
**SITTING DAYS 2008-2009**  
**GOVERNMENT TIME, NON GOVERNMENT TIME**  
**AND GOVERNMENT BRIEFINGS**



**APPENDIX G**  
**SITTING DAYS 2008-2009**  
**AVERAGE TIME DURING SITTING DAYS –**  
**CHAMBER WORK AND GOVERNMENT BRIEFINGS**



## **APPENDIX H**

### **OFFICIAL VISITORS TO THE LEGISLATIVE COUNCIL**

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Association of Parliamentary Libraries of Australasia	23-24 July 2008
Tasmanian Society of Justices of the Peace Inc	28 August 2008
Ambassador of Italy His Excellency Mr Stefano Starace Janfolla	3 November 2008
Korean community members in honour of Korea's National Day	11 November 2008
Ambassador of Israel His Excellency Mr Yuval Rotem	11 December 2008

# APPENDIX I

## SCHOOL VISITS TO THE LEGISLATIVE COUNCIL

No.	Date Visited	School Name	Nos
1	July 2008	Mt Carmel	78
2	July 2008	St Virgils	26
3	July 2008	Latrobe High	15
4	July 2008	Hilyard Christian	30
5	July 2008	University of Tas	4
6	July 2008	St Marys College	58
7	July 2008	Kingston Primary	25
8	July 2008	Franklin Primary	26
9	August 2008	Claremont College	44
10	August 2008	St Brendan Shaw College	13
11	August 2008	Sacred Heart College	27
12	September 2008	Sacred Heart College	48
13	September 2008	Sheffield School	40
14	September 2008	Devonport Christian	24
15	September 2008	St Cuthberts	24
16	October 2008	Hagley School	60
17	October 2008	Oakwood School	15
18	October 2008	Claremont College	13
19	October 2008	Goulburn St Primary	102
20	October 2008	St Patricks College	16
21	November 2008	Molecreek Primary	14
22	November 2008	Oatlands High	55
23	November 2008	Waimea Heights	13
24	November 2008	Cosgrove High	90
25	November 2008	Reece High	60
26	November 2008	Bellerive Primary	25
27	November 2008	St Josephs	30
28	December 2008	Friends School	40
29	December 2008	Taroona High	50
30	December 2008	Ogilvie	20
32	December 2008	Taroona High	75
33	December 2008	Port Dalrymple	50
34	March 2009	Friends School	50
35	March 2009	Elizabeth College	15
36	March 2009	Mowbray Heights	72
37	March 2009	Oakwood Primary	10
38	March 2009	Rosetta High	20
39	March 2009	Glenora High	22
40	April 2009	Montagu Bay Primary	38
41	May 2009	Mackillop College	52
42	May 2009	Sacred Heart Geeveston	40
43	May 2009	Rosetta Primary	27
44	June 2009	Polytechnic Mt Nelson	24
45	June 2009	Rosny College	47
46	June 2009	Wesley Vale	52
47	June 2009	Claremont College	18

- Note – Numbers down this year probably due to the renovation of the House of Assembly Chamber and the regional sittings by the Assembly.

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

# **APPENDIX J**

## **FINANCIAL STATEMENTS**

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Financial Report of the Legislative Council for the period ending on 30 June 2009 including the Independent Audit Report.