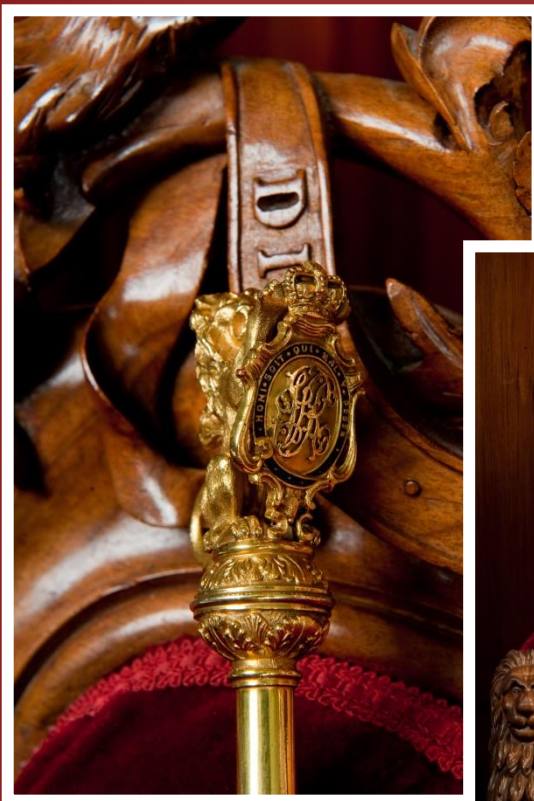




Annual Report 2018-2019



Legislative Council
Parliament of Tasmania



THIRTIETH ANNUAL REPORT TO 30 JUNE 2019

PRESENTED TO BOTH HOUSES OF PARLIAMENT

LEGISLATIVE COUNCIL
PARLIAMENT HOUSE
HOBART TAS 7000

Access to Services

OFFICE HOLDERS

President

The Honourable Craig Farrell MLC
Telephone: [03] 6212 2343
Email: craig.farrell@parliament.tas.gov.au

Deputy President and Chair of Committees

The Honourable Ruth Forrest MLC
Telephone: [03] 6212 2317
Email: ruth.forrest@parliament.tas.gov.au

EXECUTIVE OFFICERS

Clerk of the Council

Mr David T. Pearce
Telephone: [03] 6212 2331
Email: david.pearce@parliament.tas.gov.au

Deputy Clerk

Ms Catherine L. Vickers
Telephone: [03] 6212 2333
Email: catherine.vickers@parliament.tas.gov.au

Clerk-Assistant & Usher of the Black Rod and Secretary to the Subordinate Legislation Committee

Mr Stuart M. Wright
Telephone: [03] 6212 2250
Email: stuart.wright@parliament.tas.gov.au

Director – Corporate Services

Mrs Nicole Muller
Telephone: [03] 6212 2302
Email: nicole.muller@parliament.tas.gov.au

ENQUIRIES

General

Telephone : [03] 6212 2300
Email: council@parliament.tas.gov.au

Papers Office

Telephone: [03] 6212 2310

Website

<http://www.parliament.tas.gov.au>

Public Awareness

The Chamber

During the year a variety of groups and individuals are introduced to the Parliament and in particular the Legislative Council through conducted tours. The majority of the groups conducted through the Parliament consisted of secondary and primary school groups. Other visitors included individuals and community groups representing a variety of ages, interests and organisations.

The majority of groups and other visitors who visited the Parliament did so when the Houses were in session giving them a valuable insight into the debating activity that occurs on the floor of both Houses. The public gallery in the Council is available at all times for this purpose.

Visitors to the Legislative Council during non-sitting times have been and will continue to be personally conducted through the Parliament by parliamentary officers. During times when the Council is in session personal tours are more difficult with staff being required to perform other duties, however, at these times visitors have a unique opportunity to view proceedings in the Chamber as they happen.

The fine work undertaken by Kimbra McCormack and her team in the House of Assembly Education Office is acknowledged and appreciated by Members and staff in the Legislative Council.

Office Hours

The Legislative Council is open weekdays, excluding public holidays, between 8.30 am and 5.00 pm on non-sitting days, and from 8.30 am until the adjournment of the House on sitting days.

Sitting Days

The Legislative Council normally meets at 11.00 am on Tuesday, Wednesday and Thursday during scheduled sitting weeks.

Tuesday is generally reserved for non-government and private members' business. Wednesday and Thursday are set aside for government business predominantly the debated passage of government Bills.

Visitors may attend the sittings at any time and observe proceedings from the public gallery.

CONTENTS

	Page
A House of Review	1
Background.....	1
A Constituent part of the Parliament.....	3
Council Elections	3
Disclosure of Interests.....	3
The Department of the Legislative Council.....	5
Vision and Goals	5
Organisational Chart.....	6
Purpose.....	7
Objectives.....	8
Pursuit of Objectives	8
Major Documents.....	8
Statutes affecting Legislative Council Standing Order Provisions	10
Asset Management	10
Delivery of Services	10
Performance Information.....	11
Procedural Support and Advice.....	11
Executive Assistance and Support to Members.....	11
Financial Activity.....	11
Summary of Financial Outcomes.....	12
Support for Local Business	12
Risk Management.....	12
School Visits to the Legislative Council	14
Sitting Statistics.....	16
Department Outputs	20
Summary and Description	20
House and Related Matters.....	22
Legislative Council Elections.....	22
Public Interest Disclosures Act 2002	22
Reports of the Joint Standing Committee on Integrity – Code of Conduct for Members of the Tasmanian Parliament	23
Re-establishment of Government Administration Committees A and B	28
Chamber Refurbishment Project.....	29
New President Elected	32
Opening of New Session.....	32
Senate Vacancy	32
Premier’s Address	33
Select Committee on Production of Documents.....	33
Justice and Related Legislation (Marriage Amendments) Bill 2018 (No. 47 of 2018).....	34
Parliamentary Fellowship Program – Parliament of Bhutan.....	35
Government Briefings	35
Family Members Providing Support in Members’ Offices	38

Department Staff	39
Staff of the Legislative Council	39
New Staff Appointments	40
Industrial Agreement	40
Parliamentary Service Awards.....	40
Superannuation Schemes.....	41
Development and Training.....	41
Workplace Health and Safety.....	42
Electorate Offices	42
Meeting of Legislative Council Electorate Officers and Staff	44
Committees	
Overview	45
Standing Committees Statutory in Nature	45
Public Accounts	45
Public Works.....	47
Subordinate Legislation.....	48
Integrity	50
Select Committees - An Investigatory Function	51
Inquiries.....	51
Estimates Committees	53
Government Business Scrutiny Committees.....	54
Sessional Committees	55
Committee Secretariat Summary.....	58
Appendix A	
Members of the Legislative Council	59
Appendix B	
Official Visitors to the Legislative Council	60
Appendix C	
Financial Statements including Audit Report.....	61

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.

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.

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.

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.

The Electoral Boundaries have changed since that time in accordance with the provisions of the *Legislative Council Electoral Boundaries Act 1995*. This Act requires a review of the electoral boundaries every nine years with a view to maintaining a statistically balanced number of electors across all electoral divisions. The last redistribution was conducted during 2016-17.

A Constituent part of the Parliament

The Legislative Council, together with the House of Assembly and Her 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, which enables the Legislative Council to have all 15 Members available for the Budget debate and Estimates Committee scrutiny.

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 Act was about protecting the public interest

and to enhance public confidence in government and the Parliament. The introduction by the Government of the Parliamentary (Disclosure of Interests) Amendment Bill 2017 (Bill No. 30 of 2017) recognised that the Act had been in force for over 20 years and that some modernisation of the legislation was necessary to reflect contemporary community expectations with greater levels of scrutiny being placed on government and the Parliament. The amendment Bill contained provisions to provide greater clarity to Members on what is required to be disclosed, and to enable the community to better access information about Members' interests.

The amendment Bill made a series of significant changes to the Act:—

- A requirement to disclose interests held by spouses and partners;
- A requirement to publish registers online in addition to the hard copy held in the Parliament;
- A broadened definition of 'gift' to include all items of personal property and real property as well as financial or other benefits; and
- The inclusion of two exemptions to the penalty of being held in contempt of Parliament if Members do not comply with the requirements of the Act, firstly a Member will not be guilty of contempt if they fail to disclose information in relation to a spouse as long as all reasonable attempts have been made to obtain information, or if a Member could not reasonably be expected to be aware of the information and secondly a Member will not be guilty of contempt if a return is lodged in good faith and complies with the Act at the time it is lodged.

The amendment Bill was passed by the Legislative Council with amendment on 24 August 2017 and received the Royal Assent on 16 October 2017. Regulations made under the amendment Act provided, among other things, for document security properties to be applied to Members' returns ensuring returns are published as a scanned PDF document, with a watermark applied across the document to authenticate the information.

On Tuesday, 30 October 2018, in accordance with Sections 19 and 20 of the Parliamentary (Disclosure of Interests) Act 1996 Disclosure Returns for Members representing 14 Legislative Council electoral divisions for 2017-18 were Tabled. The Register of Annual Returns did not include a Return for the newly elected Member for Prosser, the Honourable Jane Howlett who had already provided a Primary Return which had previously been Tabled on Wednesday, 22 August 2018.

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.

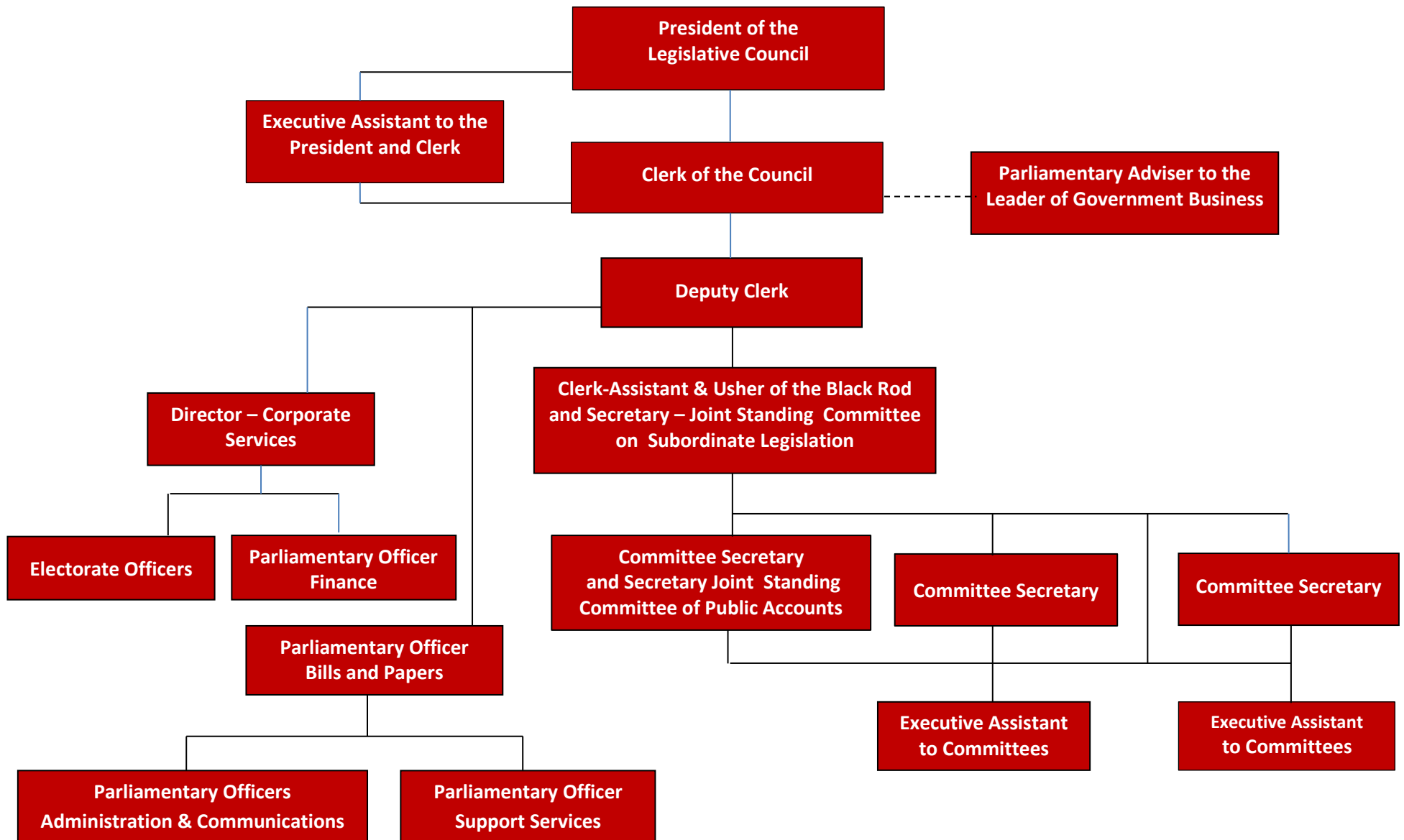
Finance and Resource Management

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.

Legislative Council 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 Legislative Council is to a very considerable extent demand driven by the Government of the day, the House itself, Committees and Members' electoral and associated responsibilities. The Department has no control over the number of Bills introduced, Committee inquiries held or any other decision or Resolution agreed in the House.

There are three principal program areas of the Department.

Advisory and procedural services

These include:

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

Administrative and support services

- provision of support staff and equipment for Members;
- administration of Members' salaries, allowances and entitlements;
- effective delivery of other services available to Members both within and outside Parliament House;
- provision of staff and advice 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 Her 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; and
- 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.

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 being the Journals of the House.

The Legislative Council Brochure

An information and souvenir booklet providing a brief history and other relevant procedural information for visitors to the Council.

The Black Rod

A souvenir fold-out pamphlet outlining the history of the Black Rod and the position of Usher of the Black Rod.

Standing Orders of the Legislative Council

The standing rules and orders of procedure for the operation of the Council and its committees. 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.

Guide for Newly Elected Members

A guide containing basic information about the essential features of procedure and practice in the Legislative Council.

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 Committees.

Leaflet

Making a Submission to a Parliamentary Committee.

Committee Hearings

Information for Witnesses.

Estimates Committees

Committee Manual

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
- Promissory Oaths Act 2015

Asset Management

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

- Members Equipment Register;
- General Inventory
 - Legislative Council [furniture and general items];
 - Regional Offices [furniture and general items]; and
- 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 again 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 practice.

Executive Assistance and 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 administrative and personal support to enable them to adequately discharge their responsibilities. Electoral Officer and Executive Assistant support continues to be assessed on an ongoing basis by the President and Clerk.

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*, the guidance of Treasurer's Instructions together with other statutory provisions, the Clerk of the Council, in respect of the financial year ending on 30 June 2018 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 2018.

The Financial Statements and accompanying Audit Report for the financial year ending on 30 June 2019 form part of this Annual Report.

Summary of Financial Outcomes

An additional \$20,000 was approved by the Treasurer from the Consolidated Fund for the purpose of establishing a regional office for the newly elected Member for Prosser.

An additional \$13,000 was also approved by the Treasurer from the Consolidated Fund for increased costs related to committee activity.

A saving of \$83,000 was recognised at the completion of the Legislative Council Chamber Occupational Health and Safety upgrade.

The additional Reserved-by-Law funding approved by the Treasurer totalled \$179,000 to provide for an increase in Members' salaries as determined by the Industrial Commission in accordance with the *Parliamentary Salaries, Superannuation and Allowances Act 2012*. 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.

The Legislative Council Chamber Refurbishment Project completed during the reporting year was a significant capital works project funded through the Works and Services Appropriation to the Legislative Council.

As a result three contracts were awarded with a value greater than \$50,000 during the year ended 30 June 2019.

The local architectural firm, Jaws Architects, and Andrew Sutherland Consulting Engineers were engaged to prepare documentation and drawings and oversee the project to completion. Both of these consultancies had values less than \$50,000.

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 again been a focus during the reporting period.

Other security related measures have been put in place during the reporting period 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 is addressed through the availability and use 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, particularly when new leases for accommodation are being considered.

School Visits to the Legislative Council

Date Visited	School Name	Nos.	Date Visited	School Name	Nos.
July 2018	Rosny College	27	November 2018	Goodwood Primary	52
	Rokeby Primary	81		Cygnets Primary	18
	Mt Carmel College	62		Margate Primary	54
August 2018	Holy Rosary Catholic	62		Spreyton Primary	52
	Swansea Primary	32		Sacred Heart	179
	St Marys College	130		Mole Creek Primary	14
	Somerset Primary	46		TasTAFE	31
	Scottsdale Primary	86		Latrobe Primary	44
	Oatlands District High	4		Rosebery District High	19
	Mountain Heights	27	March 2019	Claremont College	21
	Leighland Christian	3		St Mary's College	4
	Scotch Oakburn College	11		Oakwood	48
	Invermay Primary	35		Leighland Christian	61
September 2018	St Michaels Collegiate	54	April 2019	Kingston Primary	51
	Bagdad Primary	53		Howrah Primary	79
	St Johns Catholic	45		St Mary's College	14
	St Marys College	104		Campbell Town District High	23
	St Cuthberts	7		Franklin Primary	24
	TasTAFE	15		Scotch Oakburn	46
	Miandetta Primary	102		Deloraine Primary	214
	Scotch Oakburn College	10		Our Lady of Mercy	28
	Riverside Primary	112		Scotch Oakburn College	46
	QUT Business School	17		Friends	80
	King Island District High	25		Elizabeth College	45
	Sheffield Primary	44	May 2019	Elizabeth College	47
October 2018	Childrens University	61		Rosny College	53
	Sacred Heart College	56		Lauderdale Primary	88
	St Thomas More's Catholic Primary	46		Hutchins	78
	Tarremah Steiner	18		Kingston Primary	51
	Campbell Town Primary	14		Circular Head Christian	24
	Oakwood	40		Montagu Bay Primary	53
	Kempton Primary	15		Hobart College	8
	Geneva Christian	45		Glenora District High	43

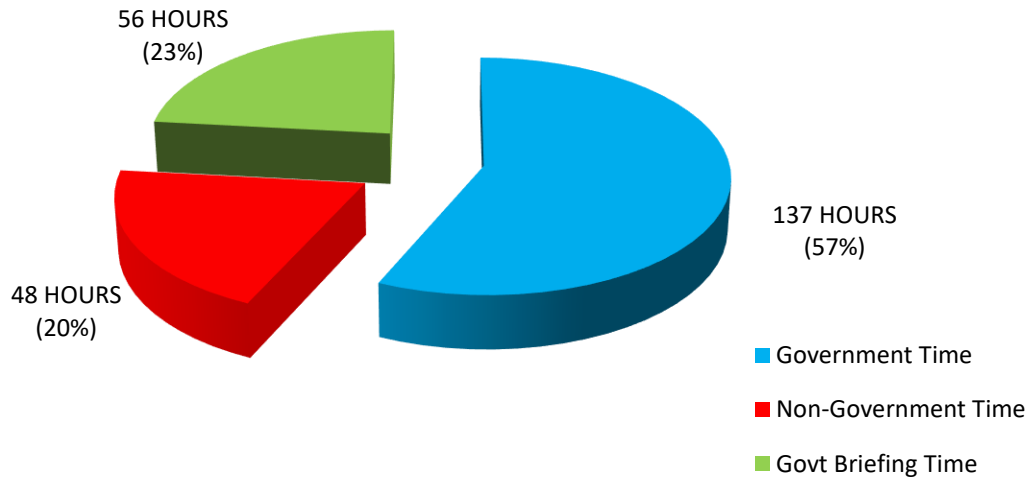
School Visits to the Legislative Council (cont.)

Date Visited	School Name	Nos.	Date Visited	School Name	Nos.
May 2019 (cont)	Rosny College	52		South Georgetown Primary	70
	Burnie Primary	56	June 2019	Elizabeth College	25
	Mt Carmel College	49		Bagdad Primary	55
	Launceston Grammar	45		Montrose Bay High	33
	Newtown High	28		Bicheno Primary	24
	Friends	7		Dodges Ferry Primary	75
	St Pauls Catholic	26		Molesworth Primary	24

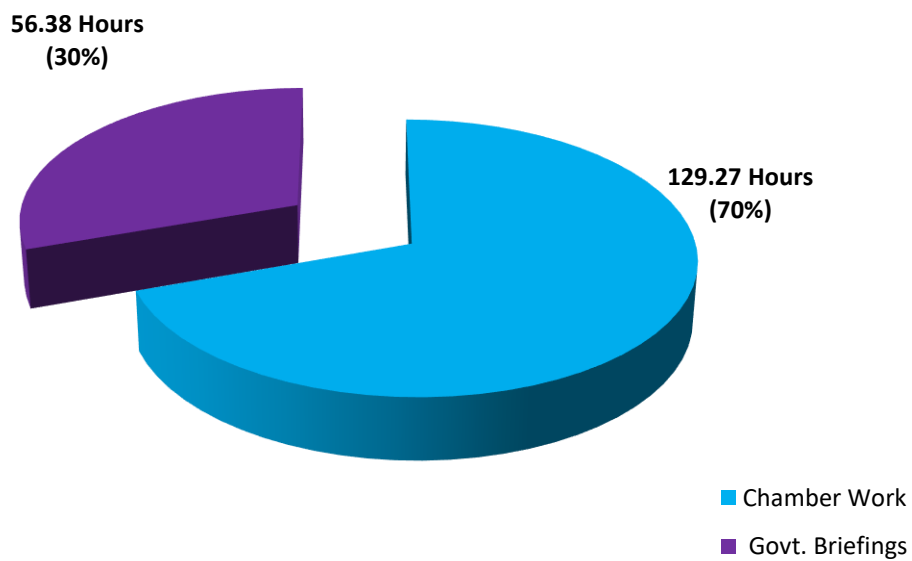
Table does not show scheduled 10.00 am and 2.00 pm tours on non-sitting days for members of the public.

SITTING STATISTICS

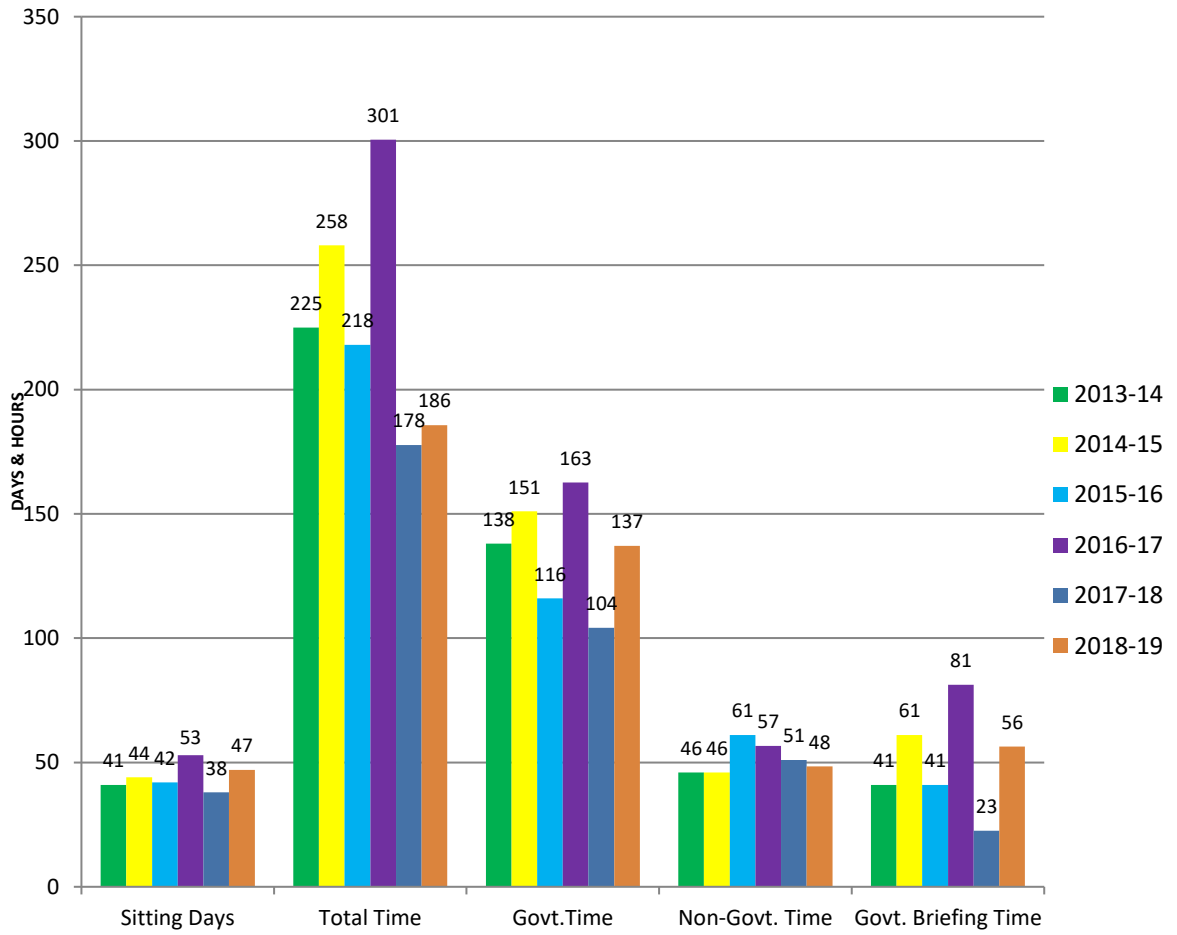
TIME SPENT IN 2018-19 GOVERNMENT TIME; NON-GOVERNMENT TIME & BRIEFINGS



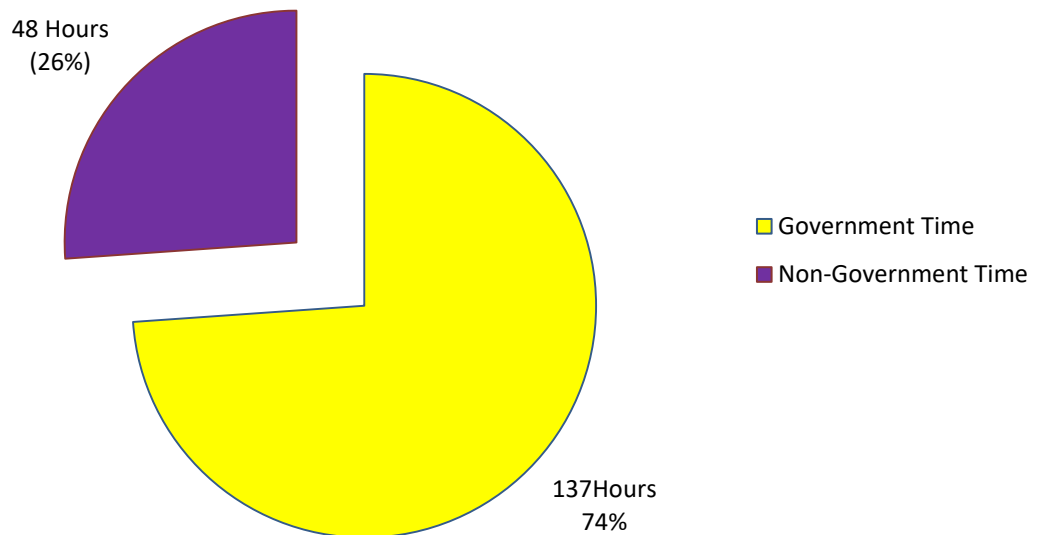
AVERAGE TIME SPENT DURING SITTING DAYS 2018-19 CHAMBER WORK AND GOVERNMENT BRIEFINGS



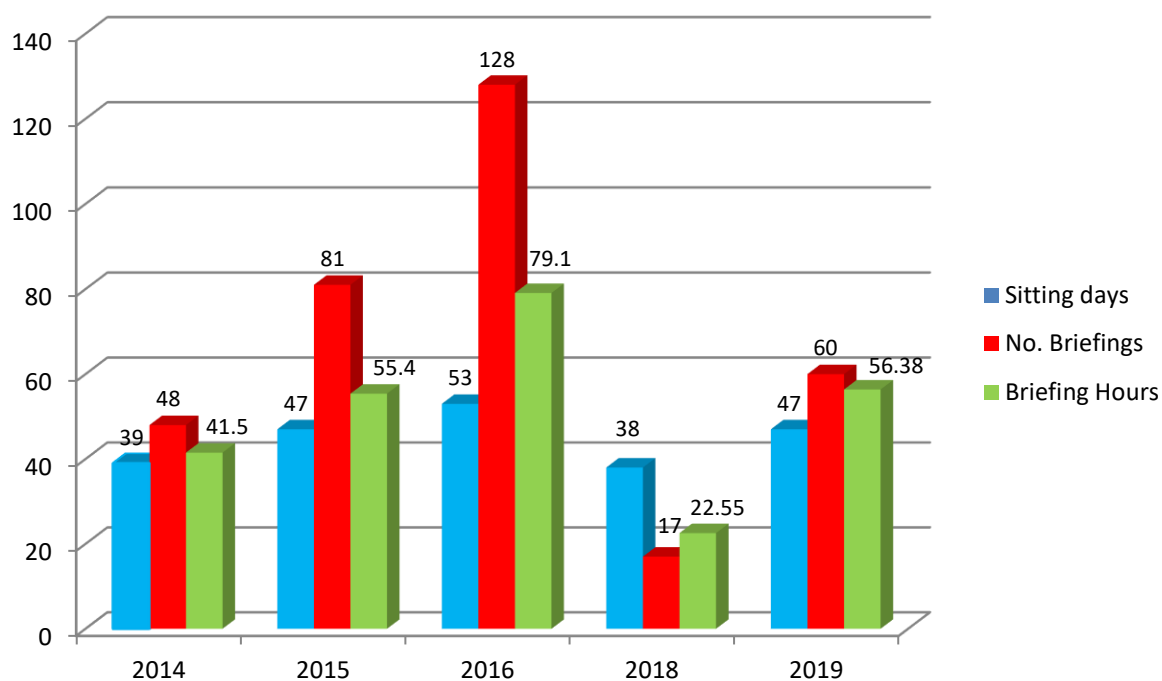
TIME SPENT DURING SITTING DAYS 2013-14 TO 2018-19



TIME SPENT IN 2018-19 GOVERNMENT AND NON-GOVERNMENT TIME



BRIEFINGS COMPARISON 2014 - 2019



PASSAGE OF BILLS

Bills	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 28 January 2018	1 May 2018 to 30 June 2018	1 July 2018 to 29 November 2018	19 March 2019 to 30 June 2019
Introduced	57	72	26	8	43	16
Lapsed	0	0	5	0	11	0
Negated at Second Reading	1	0	3	0	0	0
Passed	50	58	30	5	35	21
Without Amendment	36	42	21	3	28	17
With Amendment	14	16	9	2	7	4
Number of Amendments	124	98	63	3	21	31

SUMMARY OF ACTIVITIES

	Forty-Eighth Parliament First Session 6 May 2014 to 30 June 2014	Forty-Eighth Parliament First Session 1 July 2014 to 30 June 2015	Forty-Eighth Parliament First Session 1 July 2015 to 30 June 2016	Forty-Eighth Parliament First Session 1 July 2016 to 30 June 2017	Forty-Eighth Parliament First Session 1 July 2017 to 30 November 2017 Forty-Ninth Parliament First Session 1 May 2018 to 30 June 2018	Forty-Ninth Parliament First Session 1 July 2018 to 29 November 2018 Forty-Ninth Parliament Second Session 19 March 2019 To 30 June 2019
Sitting Days ¹	11	44	42	53	39	34
Hours of Sitting ²	24	197	177	219	155	186
Bills Amended	0	10	14	16	11	11
Bills Passed	5	45	50	58	35	56
Questions on Notice	13	38	30	25	5	7
Petitions	0	9	1	1	2	3
Substantive Motions	14	41	36	32	39	35
Matters of Public Importance	0	0	3	0	0	1
Divisions	3	36	23	43	17	30
Ministerial Statements	2	0	1	1	2	1
Motions for the Disallowance of Regulations	0	0	0	0	0	0

¹ Does not include Estimates Committees meeting days

² Does not include Briefing Time

DEPARTMENT OUTPUTS

Summary and Description

Output Group 1:

Legislative Council Support Services

Output Summary

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

Output Description

Services provided under this Output Group include -

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

Outcomes to be achieved from this Output Group

- 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 Group 2: Payments Administered by the Legislative Council

Output Summary

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

Output 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*.

Activities undertaken as part of this Output Group include —

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

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

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

These standards seek to ensure that:-

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

Each Member of the Legislative Council who does not hold a Parliamentary office has personal staff support funded to the level of one full-time equivalent employee. At Band 4 of the Tasmanian State Service Award.

HOUSE AND RELATED MATTERS

The following sets out a number of key matters over the reporting period.

Legislative Council Elections

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.

Elections for the Divisions of Montgomery, Nelson and Pembroke were conducted on Saturday, 4 May 2019.

Four candidates contested the Montgomery election. The Honourable Leonie Hiscutt was re-elected for a second term. Mrs Hiscutt defeated the Australian Labor Party candidate, Michelle Rippon with just over sixty per cent of the formal votes cast after the distribution of preferences. Mrs Hiscutt was first elected in 2013.

The election for the Division of Nelson saw ten candidates contest the seat. The former Member for Nelson, Jim Wilkinson, retired and did not re-contest the seat which he held for twenty-four years.

After the distribution of preferences, Meg Webb was elected with just over fifty-nine per cent of votes cast ahead of the Liberal Party candidate Nic Street with just under forty-one per cent of the vote after preferences.

The election in the seat of Pembroke saw five candidates nominate. The incumbent Member the Honourable Jo Siejka, who was first elected on 4 November 2017 in a by-election following the resignation of the late Vanessa Goodwin, was returned. Ms Siejka, a Member of the Australian Labor Party defeated the Liberal Party candidate, Kristy Johnson with approximately fifty-nine per cent of the vote after the distribution of preferences.

The Members elected hold their respective seats for six years with the next elections to be conducted in May 2025.

The writs for the return of the three Members were Tabled in the Legislative Council on Tuesday, 21 May 2019 and all the Members were sworn on that same day and took their respective seats in the Legislative Council.

Public Interest Disclosures Act 2002

It is a requirement for the Legislative Council to comply with the reporting requirements of s.86 of the above Act. Notwithstanding that the Legislative Council did not receive any disclosures or referred public interest disclosures or determined, referred or investigated any public interest disclosures it is still mandatory to list the reporting categories below:

(a)	Information as to how persons may obtain or access copies of the current procedures established by the public body under the Act.	None
(b)	The number and types of disclosures made to the relevant public body during the year and the number of disclosures determined to be a public interest disclosure.	None
(c)	The number of disclosures determined by the relevant public body to be public interest disclosures that it investigated during the year.	None
(d)	The number and types of disclosed matters referred to the public body during the year by the Ombudsman.	None
(e)	The number and types of disclosed matters referred during the year by the public body to the Ombudsman to investigate.	None
(f)	The number and types of investigations of disclosed matters taken over by the Ombudsman from the public body during the year.	None
(g)	The number and types of disclosed matters that the relevant public body has declined to investigate during the year.	None
(h)	The number and type of disclosed matters that were substantiated upon investigation and the action taken on completion of the investigation.	None
(i)	Any recommendations made by the Ombudsman that relate to the relevant public body.	None

Reports of the Joint Standing Committee on Integrity – Code of Conduct for Members of the Tasmanian Parliament

The Joint Parliamentary Standing Committee on Integrity presented its first report on this matter in November 2016 with a second reported presented to both Houses several weeks later. The first report contained several recommendations with the two key recommendations being:

- (1) That a single Code of Conduct for all Members of both Houses be adopted and the draft code prepared by the Integrity Commission form the basis of the single code and;
- (2) That the Integrity Commission Act 2009 be amended to enable the Integrity Commission to investigate complaints referred by at least three Members of Parliament into breaches of the code following examination by the House.

The second report of the Joint Parliamentary Standing Committee on Integrity recommended that a comprehensive Code of Conduct be pursued as a matter of priority with a view to implementing a comprehensive code prior to the end of the 2018 Parliamentary sitting year.

On a Motion moved by the Honourable Member for Hobart, Mr Valentine, the Legislative Council agreed to a Code of Conduct for Members of the Tasmanian Parliament on Tuesday, 27 November 2018 and forwarded the Resolution to the House of Assembly requesting its

concurrence. The House of Assembly agreed to the Code on Thursday, 29 November 2018. Copies of the Code were made available to all Members and published on the Legislative Council's web pages.

It is the first time in its history that the Legislative Council has agreed to a Code of Conduct for its Members. It was important that any Code adopted be applicable to Members of both Houses. The Code of Conduct is as follows:—

PREAMBLE

Members of Parliament recognise that their actions have an impact on the lives of all Tasmanian people. Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the State and the integrity of its institutions.

Compliance with the law may not always be enough to guarantee an acceptable standard of conduct. Members must not only act lawfully, but also in a manner that will withstand close public scrutiny.

This Code sets out ethical standards and principles to assist Members in observing expected standards of conduct in public office and to act as a benchmark against which their conduct can be measured.

Neither the law nor this Code is designed to be exhaustive, and there may be instances where Members find it necessary to adopt more stringent norms of conduct in order to protect the public interest, and to enhance public confidence and trust. In making choices about conduct, Members should have regard to community values and standards.

Members should also, where possible, avoid giving unnecessary offence to groups in the community whose beliefs and views differ from those held by the Members or by groups the Member represents.

Members are expected to promote and support this Code by leadership and example.

STATEMENT OF VALUES

This Code is derived from the fundamental values of the institution of the Parliament in this State. By adopting and upholding this Code, all Members of Parliament share in and support these values.

As Members of Parliament, we value:

- the public interest and the fundamental objective of public office to act solely in terms of the public interest;
- the improvement of the economic and social conditions of all Tasmanian people, and our service to our fellow citizens to achieve this;
- the promotion of human, social and environmental welfare through the responsible execution of our official duties;
- integrity, honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding, without harassment, victimisation or discrimination;

- respect for differences, equity and fairness in political dealings, with fellow Members of Parliament; and
- ethical political practices that support the democratic traditions of our State and its institutions, and the rejection of political corruption.

ETHICAL STANDARDS

Conflict of interest

A Member protects and upholds the public interest by taking all reasonable steps to avoid, disclose and manage any conflict of interest that arises, or is likely to arise, between their personal interests and their official duties.

A conflict of interest may be financial or non-financial and may be potential, actual or perceived.

A conflict of interest does not exist where the Member, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons.

Each Member is individually responsible for avoiding and managing conflicts of interest.

Declaration of personal interests

A Member is personally responsible for full and accurate disclosure of their financial and other interests, in accordance with their obligations under the *Parliamentary (Disclosure of Interests) Act 1996*.

Use of public office

A Member makes proper use of their office to represent and serve the community, conducting themselves in ways that maintains the trust and confidence of the public.

A Member must not use their influence as a Member to improperly obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or other persons.

A Member must not appoint their spouse, domestic partner or relative to a position in their own office.

A Member must not receive or seek to receive any fee, payment, retainer or reward, nor permit any compensation to accrue to their beneficial interest, for or on account of, or as a result of, their position as a Member, other than compensation to which they are entitled as a Member of Parliament.

Use of official information

A Member makes appropriate use of official information strictly for the purpose of performing their role as a Member of Parliament in the best interests of the public.

A Member must take care to protect confidential and official information in their possession or knowledge.

A Member must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties or position, for the advantage or benefit of themselves or another person.

Use of public resources

A Member uses public resources and assets strictly for the purpose of performing their role as a Member of Parliament, and in accordance with any rules and guidelines regarding the use of those resources and assets.

A Member must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

A Member must be scrupulous in ensuring the legitimacy and accuracy of any claim they make on the public account.

Gifts and benefits

A Member must adhere to standards of transparency and accountability in relation to gifts or benefits, and carry out their duties as a Member of Parliament without being influenced by gifts or benefits.

A Member must not solicit, encourage or accept gifts, benefits or favours which may improperly influence the Member in the exercise of their duties, or may give the appearance of improper influence. Exceptions to this are incidental gifts or customary hospitality of nominal value.

A Member must declare gifts and benefits received, as required by the *Parliamentary (Disclosure of Interests) Act 1996*.

Accuracy of statements

A Member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.

A Member must not mislead Parliament or the public in statements that they make.

Whether any misleading was intentional or unintentional, a Member is obliged to correct the Parliamentary record, or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.

Outside employment

A Member must manage employment outside of Parliament to ensure that any such employment does not interfere with their duties as a Member of Parliament.

A Member must not engage in any employment outside Parliament that involves a substantial commitment of time and effort to the extent that it interferes with their duties as a Member.

Upholding the principles of respect, justice and inclusion for all Tasmanians

Members agree to respect the religious and cultural beliefs of others, in accordance with the Universal Declaration of Human Rights.

Members agree to uphold the principles of justice and inclusion among our multicultural society, making efforts to generate understanding of all groups.

Members agree to recognise and value diversity as an integral part of Australia's social and economic future.

Members should promote reconciliation with Indigenous Australians.

Parliamentary conduct

A Member conducts themselves in Parliament in ways that will protect the public interest, and enhance public confidence and trust in Parliament.

A Member must observe proper standards of parliamentary conduct by complying with Standing Orders, and directions of the Presiding Officer.

A Member must take particular care to consider the rights and reputations of others before making use of the unique protection available under parliamentary privilege. This privilege should never be used recklessly or without due regard to accuracy.

GENERAL INFORMATION – NOT PART OF THE CODE

Advice for Members

Members may seek confidential advice from the Parliamentary Standards Commissioner in relation to any matter arising under this Code including advice on how to avoid or deal with a possible breach of this Code.

Members should seek professional advice if they have any concerns regarding a potential conflict of interest.

Members have a personal duty to make themselves aware of all legislation pertaining to the role of a Member of the Tasmanian Parliament.

In any public expressions, Members are expected not to set aside the constitutional values of the freedoms of speech, association and religion, or the principle of the separation of powers.

Breaches of the Code

A breach of this Code may be determined by the House.

Review of the Code

The Code will be reviewed every four years by the Parliamentary Joint Standing Committee on Integrity.

Re-establishment of Government Administration Committees A and B

On Tuesday, 19 March 2019 the Legislative Council again resolved to re-establish two Government Administration Sessional Committees in the following terms:—

1. SESSIONAL COMMITTEE A ON GOVERNMENT ADMINISTRATION

- 1.1 The Sessional Committee A on Government Administration is re-established.
- 1.2 The Committee consists of not less than 5 members.
- 1.3 The functions of the Committee are to inquire into and report on any matter relating to—
 - (a) Any Bill or other matter referred to it by the Council;
 - (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible—
 - i. The Treasurer
 - ii. The Minister for State Growth
 - iii. The Minister for Local Government
 - iv. The Minister for Health
 - v. The Minister for Police, Fire and Emergency Management
 - vi. The Minister for Science and Technology
 - vii. The Minister for Resources
 - viii. The Minister for Energy
 - ix. The Minister for Building and Construction
 - x. The Minister for Veterans Affairs
 - xi. The Minister for Disability Services and Community Development
 - xii. The Minister for Aboriginal Affairs
 - xiii. The Minister for Women
 - xiv. The Minister for Sport and Recreation
 - xv. The Minister for Human Services
 - xvi. The Minister for Housing
 - xvii. The Minister for Planning
 - (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.
- 1.4 And that the Members proposed to serve on the Committee be appointed by Resolution of the Council.

2. SESSIONAL COMMITTEE B ON GOVERNMENT ADMINISTRATION

- 2.1. The Sessional Committee B on Government Administration is re-established.
- 2.2 The Committee consists of not less than 5 members.
- 2.3 The functions of the Committee are to inquire into and report on any matter relating to—
 - (a) Any Bill or other matter referred to it by the Council;
 - (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible—
 - i. The Premier
 - ii. The Deputy Premier
 - iii. The Attorney-General
 - iv. The Minister for Justice
 - v. The Minister for Environment
 - vi. The Minister for Arts
 - vii. The Minister for Corrections

- viii. The Minister for Education and Training
 - ix. The Minister for Infrastructure
 - x. The Minister for Advanced Manufacturing and Defence Industries
 - xi. The Minister for Tourism, Hospitality and Events
 - xii. The Minister for Trade
 - xiii. The Minister for Parks
 - xiv. The Minister for Heritage
 - xv. The Minister for Primary Industries and Water
 - xvi. The Minister for Racing
- (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

The membership of the two Committees at that time was as follows:—

Government Administration Committee ‘A’ - Mr Finch, Ms Forrest, Mr Gaffney, Ms Lovell, Mr Valentine and Mr Willie.

Government Administration Committee ‘B’ - Ms Armitage, Mr Armstrong, Mr Dean, Mr Farrell, Ms Howlett, Ms Rattray and Ms Siejka

The 32 Sessional Orders to govern the operation of the two Committees were also agreed by the Council on Tuesday, 9 March 2019.

Chamber Refurbishment

Funding for the Chamber Refurbishment Project was carried forward into the 2018/19 financial year to enable the design development work to be completed, final drawings issued and contracts awarded prior to the end of the 2018 calendar year. This allowed a window for the works to be undertaken during the summer Parliamentary recess and be completed in a two stage process to fit in around the resumption of the Parliament in March 2019 and subsequent sittings up to and beyond the usual sitting break in May.

The refurbishment project was divided into several components – building and joinery work (Vos Construction); mechanical – air conditioning (Contact Group); lighting (Degree C) and furniture upholstery work (Rehab Upholstery).

Contracts were awarded in December 2018 and January 2019 and work commenced just prior to the Christmas break. The project was overseen by Architect, Mr David Button from Jaws Architects. Work continued after the usual summer holiday break. Given the nature of the work and its component parts, coupled with timing deadlines due to sittings and the fact that our preferred contractors had a great deal of other project work underway in addition to the Chamber work, a decision was taken to undertake the refurbishment work in two stages.

The first stage was completed prior to our first March 2019 sitting day and involved the following:

- Floor works including the installation of floor boxes throughout and associated cabling for data, power, USB ports and microphones which was undertaken by Vos Constructions and our own cabling sub-contractor.
- Removal of obsolete thermostat controls and other electrical fittings.
- Form openings in ceiling of passage outside Chamber for return air grilles to be fitted together with the commencement of other associated mechanical works around climate control and redundant plant.
- Clerks’ Table altered in width to allow additional floor space for Members’ desks.
- Removal of portion of plinth at rear of the Chamber to allow for adequate wheel chair access.

- Install perimeter timber pelmet for additional lighting and camera cabling.
- Re-upholstery of Members' couches and arm chairs.
- Commence electrical work associated with new Chamber lighting together with floor box and conduit layout.
- Re-install carpet and furniture ready for first sitting day.
- Joinery of Members' desks and associated cabinet and pigeon hole joinery for our Clerk of Papers and Advisers to be commenced off-site at Vos joinery workshop. [For installation at later time]

The second stage which was completed during the April/May 2019 break from 15 April to 16 May 2019, involved:

- Installation by Vos of all joinery work including Members' desks.
- Fit-off and balancing of all new audio by Redfish Technologies.
- Completion of the mechanical services upgrade in accordance with the agreed scope of works.
- Removal of existing pendant lights and the installation of ten custom made round pendant lights.
- Supply of ergonomic task chairs for the Table, Leader and Advisers, Clerk of Papers and Hansard.

The staged approach to completing the refurbishment resulted in all facets of the project being delivered to a very high standard.

The President made a statement to the Council on Tuesday, 21 May 2019 in relation to the Chamber Refurbishment Project as follows:—

“Honourable Members it is obvious to all that the working environment in the Chamber has undergone modification since the Quorum Call on 3 May. The planned Stage Two works have been undertaken and completed by our principal contractors, Voss Constructions, the Contact Mechanical Services Group and Degree C who have installed new lighting and other electrical services.

This completes the Chamber refurbishment with the exception of several ergonomic task chairs which are scheduled for delivery at the end of this month. I have no doubt that the results represent a vast improvement on the environment in which Members and our officers have previously had to work.

There is no doubt that the project had its challenges given the very sensitive and unique heritage value of the Chamber and the space in which our Architect, Mr David Button from Jaws Architects had to work. I believe he has executed his brief very well and I congratulate him and his Design Assistant, Laura Stucken, on their fine work. I also congratulate and acknowledge all of the contractors who have contributed to the end result including, Garrett Leitch from Voss; Brandon Servant – Project Engineer and Terence Ling - Building Services Engineer from Andrew Sutherland Consulting Engineers; Gary Collins – Project Manager from Degree C and his team; Micky Gelormini from Rehab Upholstery; and Stuart Hamilton and Landon Bannister from Southern Lighting. All have been thoroughly professional in their respective roles. I want to also extend thanks to Peter Hancox, Brett Godfrey and Chris Machin from our own ICT unit for their input throughout the project. Their technical skill and expertise has been invaluable. I want to finally acknowledge and thank Simon Carter from Voss Constructions who worked on this project physically in the Chamber from day one often from sun up to sun

down. His efforts have gone a long way in enabling the delivery of the refurbishment on time.

I well understand that the new seating and desk arrangements will take a little getting used to, however I do look forward to Members and Chamber Officers being able to undertake your work in this Chamber in much improved conditions.”



New President Elected

With the former President of the Legislative Council and Member for Nelson, Jim Wilkinson choosing to retire and not re-contest the seat of Nelson at the May 2019 election it was necessary for the Legislative Council Members to elect a new President. This election, by secret ballot, was conducted on Tuesday, 21 May 2019. As a result, the Member for Derwent, the Honourable Craig Farrell, MLC was elected as the Council's 31st President.

The Honourable Member is a member of the Australian Labor Party and becomes the first President of the Legislative Council since Responsible Government and the bi-cameral Parliament in Tasmania to be a member of a political party.

In accordance with the provisions of the Constitution Act 1934 and the Standing Orders the newly elected President attended at Government House on the same day to notify Her Excellency the Governor of his election to the office of President.

Opening of New Session

In accordance with the provisions of the Constitution Act 1934 Her Excellency the Governor prorogued the Parliament effective from 6.00 o'clock pm on Tuesday, 26 February 2019. By the same Proclamation a time of 11.00 o'clock am on Tuesday, 19 March 2019 in the Houses of Parliament was fixed by Her Excellency as the time and place for the commencement of the next Session of Parliament. As a consequence the Second Session of the Forty-Ninth Parliament was opened by Commission on Tuesday, 19 March 2019.

Her Excellency's Commissioners appointed by Letters Patent were the Honourable Jim Wilkinson, the Honourable Leonie Hiscutt and the Honourable Kerry Finch. The ceremony surrounding the Opening by Commissioners involves the Senior Commissioner issuing a command to the Usher of the Black Rod to let the Members of the House of Assembly know —

“The Commissioners desire their immediate attendance in the Council to hear the Commission read”.

With the Members of the House of Assembly in attendance the Clerk of the Council read the Letters Patent whereupon the Senior Commissioner, the Honourable Jim Wilkinson declared the Second Session of the Forty-Ninth Parliament open. The Senior Commissioner has the authority to do this, in the absence of the Governor by reason of the Letters Patent and the powers of the Commissioners who act in the name of the Governor.

It is customary that following Prorogation of the Parliament, but not following a General Election of the House of Assembly, Commissioners open a new session of the same Parliament.

Senate Vacancy

On Tuesday, 19 March 2019 the President advised the Council of a vacancy which had occurred on 21 January 2019 in the representation of the State of Tasmania as a result of the resignation of Senator David Bushby. The vacancy was notified by the Governor-General of the Commonwealth of Australia, Sir Peter Cosgrove to Tasmania's Governor pursuant to the provisions of Section 21 of the Commonwealth of Australia Constitution.

The President then informed the Council that Her Excellency the Governor of Tasmania, pursuant to Section 15 of the Constitution of the Commonwealth of Australia and on the advice of her Executive Council, had appointed Wendy Anne Askew on 6 March 2019 to fill the vacancy in the Senate. This appointment would expire fourteen days from the commencement of the next session of Parliament. As a consequence it was necessary for a Joint Sitting of both Houses of the Tasmanian Parliament to be conducted for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator David Bushby.

The Legislative Council by Resolution agreed that a Joint Sitting be held on Wednesday, 20 March 2019 at 9.30 o'clock in the forenoon in the House of Assembly Chamber to fill the vacancy. The Legislative Council also proposed Rules for the Joint Sitting which were conveyed to the House of Assembly by Message and seeking the agreement of the Assembly to the Joint Sitting which they subsequently did and that agreement was conveyed back to the Legislative Council by Message.

On Wednesday, 20 March 2019 the President advised the Council for completeness of the official record that following the Joint Sitting of the Parliament Wendy Anne Askew had been duly chosen to fill the Senate Vacancy.

A copy of the Minutes of Proceedings of the Joint Sitting was Tabled by the Clerk of the Legislative Council on Thursday, 21 March 2019.

Premier's Address

In accordance with Standing Order No. 10(2) the Leader of the Government presented the Premier's State of the State Address on Wednesday, 20 March 2019 which was Tabled. The Council further resolved that the Address be incorporated into the Hansard record. In addition the Leader of the Government Tabled documents entitled "Tasmanian Government Second Year Agenda – Building Your Future" and the "Royal Hobart Hospital site Master Plan Review and Update 2020-2050 Clinical Planning Taskforce Recommendations and Advice".

The Legislative Council's Standing Orders provide that an Address be presented to the Legislative Council by the Leader on behalf of the Premier within the first six sitting days of any calendar year in which the Governor has not opened the Parliamentary Session and an Address-in-Reply debate has not ensued.

A debate on the Address follows with the President proposing the Question "That the Address be noted". The debate resumed on Tuesday, 9 April 2019 and concluded on Thursday, 11 April 2019.

Select Committee on the Production of Documents

As noted in a previous Annual Report there have been in recent years difficulties experienced by Committees of the Parliament in obtaining access to documents from the Government which have been requested during the course of an inquiry. These events have again drawn attention to the tension which can exist between the Parliament and its properly constituted Committees when seeking to review the activity and decision making of Executive Government and the Executive's claims of immunity from the requirement to produce those documents.

As a consequence of these events the Honourable Member for Murchison, Ruth Forrest MLC proposed the appointment of a Select Committee of the Legislative Council to explore the

issue of non-disclosure and related matters. On Tuesday, 21 May 2019 the following Motion was agreed to —

That a Select Committee be appointed, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place, to inquire into and report upon the options for an agreed process to resolve disputes that arise regarding the production of papers, documents and records between the Government and the Legislative Council and its Committees including Joint Committees where Members of the Legislative Council have membership —

And that

Mr Dean;
Ms Forrest;
Mr Gaffney;
Ms Howlett;
Ms Webb; and
Mr Willie be of the Committee.

As at 30 June 2019 the Select Committee was continuing its work.

Justice and Related Legislation (Marriage Amendments) Bill 2018 (No. 47 of 2018)

This Bill was introduced into the House of Assembly by the Minister for Justice with the second reading moved by the Minister on 18 October 2018.

The Bill sought to make a number of consequential amendments to various Tasmanian Acts as a result of the Commonwealth Marriage Amendment (Definition and Religious Freedoms) Act 2017 which amended the Marriage Act 1961 to allow same-sex couples to marry.

During its passage through the Assembly the Bill was significantly amended. Those amendments, which were not drafted by the Office of Parliamentary Counsel went further than the provisions contained in the original Bill and included provisions relating to gender and the recognition of gender.

The Bill was not proceeded with in the Legislative Council prior to the end of the 2018 sitting year due to the uncertainty surrounding the workability of the amendments made to it in the Assembly. It was acknowledged that quite significant redrafting of various provisions by the Office of Parliamentary Counsel was required and that the intervening summer parliamentary recess would provide an opportunity for Members of the Legislative Council to give further consideration to the drafting of necessary amendments.

After prorogation of the Parliament in early 2019 the Council resumed consideration of the Bill in March-April 2019. An attempt to refer the Bill to the Council's Government Administration Committee 'B' for consideration and report was narrowly defeated on Division.

Consideration of the Bill in the Council commenced on Thursday, 21 March 2019. The second reading concluded on Tuesday, 2 April 2019 with the second reading being agreed on Division 8 ayes and 6 noes.

Before proceeding to consider the Bill in Committee of the Whole Council so much of Standing Order No. 155 was suspended to enable any Member who proposed an Amendment to the Bill to be able to speak more than three times in debate on the proposed amendment. This recognised that many of the new provisions in the Bill were not supported by the Government thereby allowing private Members additional flexibility to answer questions relating to the various proposals presented by way of amendments.

A significant number of amendments were agreed by the Legislative Council many of which corrected drafting errors. In total 16 clauses were heavily amended and an additional five new clauses added to the Bill. The short title of the Bill also required amendment as a consequence of the provisions added.

A significant number of amendments were made to Part 4 of the Bill which related to changes to the Births, Deaths and Marriages Registration Act 1999 and concerned aspects such as gender declarations, gender registrations, gender identity and what type of information is to be included on a birth certificate.

The Bill was read the third time on Tuesday, 9 April 2019 and returned to the Assembly with amendments.

Those amendments were fully agreed by the Assembly on Wednesday, 10 April 2019 and the Bill received the Royal Assent on Wednesday, 8 May 2019.

Parliamentary Fellowship Program – Parliament of Bhutan

In August 2018 the Legislative Council had the pleasure of hosting Parliamentary Officers from the National Assembly of Bhutan and the National Council of Bhutan as part of a Parliamentary Fellowship Program.

The Fellowship Program is conducted in collaboration with the International Institute for Democracy and Electoral Assistance. The Institute is an international organisation, made up of member states including Australia, with a mandate to advance democracy worldwide.

The two Parliamentary Officers, Mr Tashi Dargay and Mr Tshering Dorji were able to learn something about how the Parliament of Tasmania functions by meeting with various Parliamentary Officers and observing proceedings in both Houses of the Parliament.

Meetings were also had outside of the Parliament with the Chief Parliamentary Counsel, the Tasmanian Electoral Commissioner, the Ombudsman, the Auditor-General and Officers from the Tasmanian Protocol Office in the Department of Premier and Cabinet.

The Legislative Council was extremely pleased to be involved with the visit and extend our hospitality. It is hoped that Members and Officers from the Tasmanian Parliament may at some time in the future be hosted by the Parliament of Bhutan.

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 Legislative Council, 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 for Government and Members to deal with complex or contentious issues.

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

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

Briefings can take up a significant portion of a sitting day. Briefings, although not compulsory, are well attended by Members.

Briefing times are kept and presented as part of the Council's 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.

By Resolution of the Council briefing sessions may be recorded and a transcript provided to all Honourable Members.

Details of briefings conducted are as follows:-

	Briefings	Date
1	Housing Land Supply Bill 2018 (No. 19)	11 July 2018
2	Justice and Related Legislation (Marriage and Gender Amendments) Bill 2018 (No. 47)	12 July 2018
3	Police Offences Amendment (Prohibited Insignia) Bill 2018 (No. 21)	21 August 2018
4	Metro Tasmania Amendment Bill 2018 (No. 14)	22 August 2018
5	Police Offences Amendment (Prohibited Insignia) Bill 2018 (No. 21)	22 August 2018
6	Police Offences Amendment (Prohibited Insignia) Bill 2018 (No. 21)	23 August 2019
7	Natural Resource Management Amendment Bill 2018 (No. 14)	23 August 2018
8	Water and Sewerage Corporation Amendment (Crown Involvement Facilitation) Bill 2018 (No. 24)	28 August 2018
9	Police Offences Amendment (Prohibited Insignia) Bill 2018 (No. 21)	29 August 2018
10	Project 2018	30 August 2018
11	Terrorism (Restrictions on Bail and Parole) Bill 2018 (No. 20)	30 August 2018
12	Battery of the Nation and Project Marinus	30 August 2018

13	National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 (No. 28)	18 September 2018
14	Surveillance Legislation Amendments (Personal Police Cameras) Bill 2018 (No. 29)	19 September 2018
15	Statutory Rules 2017, No. 108, Public Health (Infringement Notices) Amendment Regulations	20 September 2018
16	Unaccompanied Homeless Children in Tasmania	20 September 2018
17	Police Offences Amendment (Consorting) Bill 2018 (No. 37)	20 September 2018
18	Update on North East Line	25 September 2018
19	Early Education Update	26 September 2018
20	Police Offences Amendment (Consorting) Bill 2018 (No. 37)	26 September 2018
21	Residential Tenancy Bill 2018 (No. 32)	27 September 2018
22	Electricity Supply Industry Amendment (Price Cap) Bill 2018 (No. 13)	31 October 2018
23	Water and Sewerage Legislation (Crown Governance and Pricing) Amendment Bill 2018 (No. 53)	31 October 2018
24	Family Violence Reforms Bill 2018 (No. 39)	31 October 2018
25	Justice and Related Legislation (Miscellaneous Amendments) Bill 2018 (No. 35)	21 November 2018
26	Crime (Confiscation of Profits) Bill 2018 (No. 34)	21 November 2018
27	Building Legislation (Miscellaneous Amendments) Bill 2018 (No. 27)	21 November 2018
28	Macquarie Point Development Corporation Amendment Bill 2018 (No. 50)	21 November 2018
29	Justice and Related Legislation (Miscellaneous Amendments) Bill 2018 (No. 35)	22 November 2018
30	Burial and Cremation Amendment Bill 2018 (No. 56)	28 November 2018
31	Justice and Related Legislation (Marriage and Gender Amendments) Bill 2018 (No. 47)	28 November 2018
32	Brand Tasmania Bill 2018 (No. 46)	28 November 2018
33	Land Use Planning and Approvals Amendment (Tasmanian Planning Policies and Miscellaneous Amendments) Bill 2018 (No. 48)	29 November 2018
34	Macquarie Point Development Corporation Amendment Bill 2018 (No. 50)	29 November 2018
35	Justice and Related Legislation (Marriage and Gender Amendments) Bill 2018 (No. 47)	19 March 2019
36	Gas Industry Bill 2018 (No. 40)	20 March 2019
37	Gas Safety Bill 2018 (No. 41)	20 March 2019
38	Gas (Consequential Amendments Bill) 2018 (No. 42)	20 March 2019
39	Justice and related Legislation (Marriage and Gender Amendments) Bill 2018 (No. 47)	20 March 2019
40	Royal Flying Doctor Service	21 March 2019
41	Justice and related Legislation (Marriage and Gender Amendments) Bill 2018 (No. 47)	21 March 2019
42	Electoral Amendment Bill 2019 (No. 3)	3 April 2019
43	Mental Health Amendment Bill 2018 (No. 43)	10 April 2019
44	Supreme Court Civil Procedure Amendment Bill 2018 (No. 52)	10 April 2019
45	Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Bill 2018 (No. 58)	10 April 2019

46	Security and Investigations Agents Amendment Bill 2018 (No. 51)	11 April 2019
47	Biosecurity Bill 2019 (No. 15)	21 May 2019
48	Battery of the Nation and Marinus (second interconnector) initiatives	22 May 2019
49	Short Stay Accommodation Bill 2018 (No. 66)	22 May 2019
50	Health Miscellaneous Amendments Bill 2019 (No. 12)	22 May 2019
51	Greater Hobart Bill 2019 (No. 11)	23 May 2019
52	Forest Practices Amendment Bill 2018 (No. 61)	23 May 2019
53	Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Bill 2018 (No. 58)	23 May 2019
54	Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment Bill 2018 (No. 64)	29 May 2019
55	Bus Review briefing.	29 May 2019
56	Registration to Work with Vulnerable People Amendment Bill 2018 (No. 65)	29 May 2019
57	Greater Hobart Bill 2019 (No. 11)	29 May 2019
58	Biosecurity Bill 2019 (No. 15)	30 May 2019
59	First Home Owner Grant Amendment Bill 2019 (No. 24)	19 June 2019
60	Disability Services Amendment Bill 2019 (No. 10)	19 June 2019
61	Salmon Farming	20 June 2019

Family Members Providing Support in Members' Offices

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

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

DEPARTMENT STAFF

Staff of the Legislative Council

(Full-Time Equivalent Employees as at 30/6/2019 – 27)

Clerk of the Council	Mr David Pearce
Deputy Clerk	Ms Catherine Vickers
Clerk-Assistant & Usher of the Black Rod and Secretary, Joint Standing Committee on Subordinate Legislation	Mr Stuart Wright
Director – Corporate Services	Mrs Nicole Muller
Committee Secretaries	Ms Gabrielle Woods Ms Natasha Exel Mrs Jenny Mannering
Parliamentary Officer – Bills and Papers	Mr Mark Bailly
Parliamentary Officer - Finance	Mr Craig Thorp
Executive Assistant to the President and Clerk	Mrs Sandra Phillips
Executive Assistants	Miss Julie Thompson Ms Allison Waddington
Parliamentary Adviser to the Leader of the Government	Ms Mandy Jenkins
Electorate Officers	Mr Griffin Blizzard Ms Annette Branch Ms Debbie Cleaver Ms Elli Coleman Ms Genevieve Cooley Mr Jonathon Heather Ms Lucinda McNeil Mr Leigh Noye Ms Melissa Partridge Ms Bonnie Phillips Ms Megan Rodger Ms Karen Shirley Ms Suzie Somann-Crawford Ms Yvonne Stone Ms Meghan Windram
Parliamentary Officer – Support Services (Casual)	Mr Leigh Matthews
Administration and Communications Officers	Mrs Mandy Lowrie Mrs Robyn Everist

New Staff Appointments

During the year the following staff were appointed:

Mr Leigh Noye	-	Electorate Officer to the Honourable Member for Huon
Ms Genevieve Cooley	-	Electorate Officer to the Honourable Member for Launceston
Mrs Robyn Everist	-	Administration and Communications Officer

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.

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 recognise those employees across both Houses and the Joint Services areas who have 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 are 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 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 Tasmanian Parliament follows other Australian parliamentary jurisdictions who have in place similar award schemes.

The certificates of service which are presented are 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.

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 2019)
RBF defined benefit scheme	7
Tasmanian Accumulation Scheme (TAS)	14
Other complying superannuation schemes	10
Total	31

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 attends these seminars whenever possible. The 2019 seminar was held in Hobart in January. This provided an opportunity for a majority of Legislative Council staff to attend.

The Legislative Council is also able to nominate officers to undertake the Parliamentary Law, Practice and Procedure Program (PLPPP). The course is conducted with the participation of ANZACATT. This program provides an overview of the constitutional and legal frameworks underpinning Australia and New Zealand's parliamentary systems, as well as practical knowledge of parliamentary law and practice.

In addition to the twelfth annual meeting of Electorate Officers, Executive Assistants and other Legislative Council officers held in Hobart in December 2018, other courses of training were attended by selected staff during the reporting period.

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.

Workplace Health and Safety

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

Elements of Workplace Health and Safety have been addressed through —

- the maintenance of plant and equipment through a single maintenance contract;
- the progressive removal and upgrading of engineering services throughout the building complex as part of the continuing works program on site;
- the introduction of an Employee Assistance Program; and
- work station ergonomic assessments.

Additional Workplace Health and Safety issues such as work practices, including the mental health of our staff and the provision of ergonomically designed facilities remain a focus.

The working conditions of elected Members and officers in the Legislative Council Chamber continues to be a priority.

Works have now been completed on the refurbishment project within the Chamber which provides an improved working environment and addresses disability access, workplace amenity and health and safety requirements.

Electorate Offices

The Legislative Council is responsible for the electorate offices of Members. The offices are located in various areas of the State and are staffed by electorate officers appointed by the President in accordance with the provisions of the *Parliamentary Privilege Act 1898*. Electorate Officers play a vital role in the support of Members of the Legislative Council and the constituents who they represent across the fifteen electoral divisions.

In terms of electorate office staff, the 15 Legislative Council Members have funding available equivalent to the cost of one full-time equivalent (FTE) employee at Band 4 of the Tasmanian State Service Award – General Stream.

The Leader of the Government has staff support in the Parliament House Office provided by a full time permanent staff member of the Legislative Council. Support of a full time permanent staff member of the Legislative Council in the Montgomery electorate office in Ulverstone is also provided.

The main electorate office overhead costs continue to be funded from provisions made available in the budget of Legislature-General.

The Legislative Council's budget is required to meet other electorate office costs. These include communications, equipment for staff, the provision of other office equipment,

stationery and other sundry items. The Legislative Council also meets the cost of temporary staff required to support the office during times when staff members are on leave.

The Member for Hobart currently has an electorate office based at Parliament House.

The Members for Launceston, Windermere and Rosevears are all located on the Ground Floor of the Henty House building in Launceston. The remaining ten Members of the Legislative Council have individual offices located in their electorates. Offices are located in Devonport, Wynyard, Scottsdale, Moonah, New Norfolk, Huonville, Bellerive, Rokeby, Sorell and Kingston.

Electorate offices continue to operate very successfully in the Legislative Council. The electorate offices have increased the profile of Members and awareness of the role of the Legislative Council. Constituents continue to express appreciation that their elected representatives in the Legislative Council are located within the electorate and are accessible.

Constituents are becoming increasingly aware of the service and support being provided by Legislative Council electorate officers. Our electorate officers have treated all constituents and others entering the offices with the utmost respect and courtesy. It is expected that the activity level and resource requirements will not reduce.

The issues and areas of interest dealt with within the Electorate Offices vary greatly however common work and themes include:

- Assisting constituents with completion of paperwork;
- Seeking community feedback through newsletter and survey mailouts;
- Liaising with State and Federal Minister Offices and local councils;
- Supporting local schools, community groups and businesses;
- Assisting constituents with local government issues, including:
 - Road and footpath maintenance issues;
 - Planning process;
 - Community consultation issues.
- Assisting constituents with service provider issues, including:
 - Telstra;
 - Aurora and Tas Networks;
 - Tas Water;
 - Metro Tasmania;
 - NBN;
 - NDIS.

Some matters of concern raised within Electorate offices in the reporting year involved:

- Housing;
- Social Security;
- Public and private land amenity;
- Building and development;
- Vegetation;
- Road safety;
- Health care;
- Education;
- Corrections;
- Infrastructure;
- Child safety;
- Age Care;

- Transport;
- Immigration;
- Legislative issues; and
- Climate Change.

In addition to working with constituents, Electorate Officers support Members in a range of parliamentary work from researching issues, writing speeches, organising the MLC's parliamentary papers and ensuring the MLC is prepared for the Chamber and committee work.

The Legislative Council's electorate officers are a highly skilled and professional group of parliamentary employees who not only support elected Members in the discharge of their constitutional and parliamentary responsibilities but also provide important and valuable assistance to many people in the community.

Meeting of Legislative Council Electorate Officers and Staff

The annual meeting of Electorate Officers and other Legislative Council Staff was held in Hobart on Thursday, 6 and Friday, 7 December 2018.

The meeting of Legislative Council Electorate Officers and Executive Assistants 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 organised by the Director – Corporate Services and Deputy Clerk. It was well attended and included a number of briefings.

Richard Bingham, Chief Executive Officer of the Tasmanian Integrity Commission gave a presentation on the importance of ethical conduct for representatives holding public office, the primary objectives of the Commission and the meaning of misconduct and associated risk.

Senior Sergeant Michelle Plumpton provided insight to the Tasmanian Government Safe at Home program and its work in the prevention of family violence. This was followed by a mindfulness session from Sarah Manns from Mindful Intent providing an introduction to the practice of mindfulness and tools which can be used by individuals to increase their personal productivity, satisfaction and happiness.

The next meeting will be held in Hobart in December 2019.

COMMITTEES

Overview

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

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

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

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

Two Legislative Council Sessional Committees, first appointed on 12 October 2010, were re-established on 12 June 2018, following the prorogation of the Parliament for the purposes of the State Election in early 2018, and on 19 March 2019 at the commencement of the Second Session of the Forty-Ninth Parliament, following a prorogation, to inquire into and report on any matter relating to –

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

Ministerial portfolio allocations for each Sessional Committee have changed from time to time in response to changes to Government Ministries.

STANDING COMMITTEES: STATUTORY IN NATURE

Public Accounts

The Public Accounts Committee is a Joint Standing Committee of the Tasmanian Parliament established under the *Public Accounts Committee Act 1970* (the Act).

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

Functions of the Committee

In accordance with section 6 of the Act, the Committee must inquire into, consider and report to the Parliament on any matter referred to the Committee by either House relating to:

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

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

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

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

Committee Activity

Completed Inquiries

The Committee presented the following report:

No. 6 of 2018: *Review of Selected Public Works Committee Reports* was Tabled 30 August 2018.

Prorogation of Parliament

- (1) Parliament was prorogued on 27 February 2019.
- (2) The Second Session of the Forty-Ninth Parliament commenced 19 March 2019 and Committee Members of the House of Assembly and Legislative Council were appointed.

Work in Progress

- (1) A follow-up review of Auditor-General Reports:
 - (a) No. 11 of 2013-14: Compliance with the Alcohol, Tobacco and Other Drugs Plan 2008-13;
 - (b) No. 1 of 2013-14: Fraud control in local government;
 - (c) No. 12 of 2013-14: Quality of Metro Services; and
 - (d) No. 3 of 2014-15: Motor vehicle fleet management in government departments.

A draft report is under consideration by the Committee.

- (2) A follow-up review of a number of Public Works Committee approved project works including:
 - (a) Colebrook Main Road, Richmond – Heavy Vehicle Link Road;
 - (b) Construction of Dunalley Primary School; and
 - (c) George Town Hub.

A draft report is under consideration by the Committee.

- (3) A follow-up review of Auditor-General Reports:
- (a) No. 8 of 2015-16: Provision of Social Housing; and
 - (b) No. 11 of 2015-16: Compliance with legislation.

A draft report is under consideration by the Committee.

- (4) The Committee self-initiated an inquiry to review the Tasmanian Government Fiscal Sustainability Report 2016.
- (5) The Committee self-initiated an inquiry into the Office of the Ombudsman to inquire into and report upon the Office of the Ombudsman and Health Complaints Commissioner with particular reference to the:
- (a) Functions of the Office;
 - (b) Resourcing of the Office;
 - (c) Performance of the Office; and
 - (d) Any other matters incidental thereto.

Briefings

The Committee received a number of briefings throughout the year to assist it in its work including:

The Auditor-General, Mr Rod Whitehead:

- 2018-19 and 2019-20 Annual Plans of Work; and
- Special Care Packages for Out of Home Care.

The Secretary of the Department of Treasury and Finance, Mr Tony Ferrall:

- Implementation of the *Financial Management Act 2016*.

Department of Treasury and Finance:

- Legislation to amend the *Fee Units Act 1997*.

Committee Membership

Legislative Council

Hon Ivan Dean MLC Chair
Hon Ruth Forrest MLC Deputy Chair
Hon Josh Willie MLC (from 28 May 2019)
Hon Michael Gaffney MLC (to 23 May 2019)

House of Assembly

Mr Scott Bacon MP
Mrs Joan Rylah MP (from 19 March 2019)
Mr John Tucker MP (from 19 March 2019)
Mr Adam Brooks MP (to 11 February 2019)
Mr Rene Hidding MP (to 25 February 2019)

Public Works

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

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

Subordinate Legislation

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

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

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

During the reporting period of the First Session of the Forty-Ninth Parliament the Committee held a total of seven (7) meetings. The Committee examined forty-nine (49) instruments of subordinate legislation that had been published in the Government Gazette.

The Parliament was prorogued on 26 February 2019.

During the reporting period of the Second Session of the Forty-Ninth Parliament the Committee held a total of two (2) meetings. The Committee examined twenty-five (25) 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 writing, in relation to regulations imposing significant increases in fees, explanations of some provisions and other issues of concern. The majority of queries were resolved to the Committee's satisfaction using this mechanism to obtain further information.

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

FISHERIES (MARINE PLANT) RULES 2017 (S.R. 2017, No. 57)

FISHERIES AMENDMENT RULES 2017 (S.R. 2017, No. 58)

FISHERIES (GENERAL AND FEES) AMENDMENT REGULATIONS (No. 2) 2017 (S.R. 2017, No. 60)

FISHERIES (GENERAL AND FEES) AMENDMENT REGULATIONS (No. 3) 2017 (S.R. 2017, No. 61)

FISHERIES (ABALONE) RULES 2017 (S.R. 2017, No. 94)

FISHERIES (GENERAL AND FEES) AMENDMENT REGULATIONS (No. 4) 2017 (S.R. 2017, No. 96)

PUBLIC HEALTH (TOBACCO SELLER'S LICENCE) AMENDMENT REGULATIONS 2017 (S.R. 2017, No. 92)

PUBLIC HEALTH (INFRINGEMENT NOTICES) AMENDMENT REGULATIONS 2017 (S.R. 2017, No. 108)

MINERAL RESOURCES AMENDMENT REGULATIONS 2018 (S.R. 2018, No. 20)
LAND USE PLANNING AND APPROVALS AMENDMENT REGULATIONS 2018 (S.R. 2018, No. 52)
VEHICLE AND TRAFFIC (VEHICLE STANDARDS) AMENDMENT REGULATIONS 2018 (S.R. 20189, No. 61)
VEHICLE AND TRAFFIC (VEHICLE OPERATIONS) AMENDMENT REGULATIONS 2018 (S.R. 20189, No. 62)
TRAFFIC (COMPLIANCE AND ENFORCEMENT) AMENDMENT REGULATIONS 2018 (S.R. 20189, No. 63)
POISONS REGULATIONS 2018 (S.R. 2018, No. 79)
POISONS (APPLICATION OF UNIFORM STANDARD) ORDER (S.R. 2018, No. 90)
CLARENCE CITY COUNCIL PUBLIC PLACES BY-LAW (No. 1 of 2018)

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

PUBLIC HEALTH (INFRINGEMENT NOTICES) AMENDMENT REGULATIONS 2017 (S.R. 2017, No. 108)

On 24 August 2018 the Department of Health briefed the Committee regarding these Regulations.

Regulations were resolved as “examined” on 24 August 2018.

A Report regarding the Committee’s findings was Tabled in both Houses of Parliament on 25 September 2018.

PROVISION OF DOCUMENTATION IN ACCORDANCE WITH STATUTORY PROVISIONS

The Committee has continued to encounter difficulties at times in obtaining documentation, including relevant certificates from some Departments and Local Government Authorities, in accordance with relevant statutory provisions. As a result of these difficulties, the Committee has experienced unreasonable delays on occasion in fulfilling its statutory functions in accordance with section 8 of the Subordinate Legislation Committee Act 1969. These difficulties have been outlined in previous Annual Reports of the Committee.

A meeting was convened with the Premier during the reporting period to formally discuss these concerns. Whilst improvement has been noted by some Departments, there appears to remain a general lack of training, support and knowledge within certain Agencies regarding the process for the making of statutory rules. Whilst the Office of Parliamentary Counsel has published a Manual for the Preparation of Statutory Rules, it is evident to the Committee that this Manual has not been utilized consistently by Departmental Officers as should be the case.

Committee Membership – First Session of the Forty-Ninth Parliament

Legislative Council

Hon Craig Farrell MLC
Hon Tania Rattray MLC (Chair)
Hon Rob Valentine MLC (Deputy Chair)

House of Assembly

Mr Adam Brooks MP
Mr Mark Shelton MP
Ms Alison Standen MP

Committee Membership – Second Session of the Forty-Ninth Parliament

Legislative Council

Hon Craig Farrell MLC (*resigned 21 May 2019*)

Hon Ruth Forrest MLC (Deputy Chair)

Hon Tania Rattray MLC (Chair)

Hon Meg Webb MLC (*appointed 28 May 2019*)

House of Assembly

Mr Mark Shelton MP

Ms Alison Standen MP

Mr John Tucker MP

Integrity

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

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

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

The Joint Integrity Committee has the following functions:

- (a) to monitor and review the performance of the functions of an integrity entity;
- (b) to report to both Houses of Parliament, as it considers appropriate, on the following matters:
 - (i) matters relevant to an integrity entity;
 - (ii) matters relevant to the performance of an integrity entity's functions or the exercise of an integrity entity's powers;
- (c) to examine the annual reports of an integrity entity and any other report of an integrity entity and report to both Houses of Parliament on any matter appearing in or arising out of such reports;
- (d) to report to the Legislative Council or House of Assembly on any matter relevant to an integrity entity's functions that is referred to it by the Legislative Council or House of Assembly;
- (e) to review the functions, powers and operations of the Integrity Commission at the expiration of the period of 3 years commencing on the commencement of this section and to table in both Houses of Parliament a report regarding any action that should be taken in relation to this Act or the functions, powers and operations of the Integrity Commission;
- (f) to provide guidance and advice relating to the functions of an integrity entity under this Act;
- (g) to refer any matter to the Integrity Commission for investigation or advice; and

- (h) to comment on proposed appointments to be made under section 14(1)(e), (f) or (g), section 15 and section 27 of the *Integrity Commission Act 2009*.

The Joint Committee is not authorised to:

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

This Committee is administered by officers of the House of Assembly. The following Members of the Legislative Council served on the Committee during the reporting period:—

Hon Rosemary Armitage MLC (from 28 May 2019)

Hon Ivan Dean MLC (Chair)

Hon Mike Gaffney MLC (to 23 May 2019)

Hon Rob Valentine MLC

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 cannot be made public until the Committee has reported to Parliament and Tabled the associated documents or the documents have been published to the Parliament of Tasmania website in accordance with a resolution of the Committee.

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.

Inquiries

Legislative Council Select Committee on Firearms Law Reforms

The Legislative Council Select Committee on Firearms Law Reforms in Tasmania was established in the Legislative Council on 22 May 2018.

The Committee called for submissions in Tasmania's three daily papers on 26 May 2018. Written submissions were due by close of business Friday, 3 August 2018. The Inquiry received 111 submissions.

During the 2018/19 reporting period the Committee held three (3) meetings. After the closing date for submissions, the Government announced that it was withdrawing its proposed firearms law reforms. As the Inquiry's Terms of Reference were specifically drafted to address the Government's proposed reforms, the Committee no longer had a valid Terms of Reference. After taking considered advice, the Committee determined that the Inquiry should not progress and reported the decision to the Legislative Council in its Final Report on 30 August 2018.

Committee Membership:

Hon Robert Armstrong MLC (Deputy Chair)

Hon Ivan Dean MLC (Chair)

Hon Mike Gaffney MLC

Hon Leonie Hiscutt MLC

Hon Tania Rattray MLC

Hon Jo Siejka MLC

Legislative Council Select Committee on Tasmanian Irrigation

The Legislative Council Select Committee on Tasmanian Irrigation was initially established in the Legislative Council on 14 November 2017. After the prorogation of Parliament in 2018, the Committee was re-established in the Legislative Council on 22 May 2018.

The Committee called for submissions in Tas Country on Friday, 24 November 2017 and Tasmania's three daily papers on Saturday, 25 November 2017. Written submissions were due by close of business Friday, 15 December 2017. Fifteen (15) submissions were received.

During the 2018/19 reporting period, the Committee met four (4) times, including one (1) day of public hearings at which four (4) witnesses presented verbal evidence.

The Committee concluded and Tabled its Final Report on 25 September 2018.

Committee Membership

Hon Ivan Dean MLC

Hon Greg Hall MLC (Chair to 28 January 2018)

Hon Craig Farrell MLC (Deputy Chair from 30 May 2018)

Hon Leonie Hiscutt MLC

Hon Tania Rattray MLC (Deputy Chair to 28 January 2018, Chair from 30 May 2018)

Legislative Council Select Committee on Short Stay Accommodation in Tasmania

The Legislative Council Select Committee on Short Stay Accommodation in Tasmania was established in the Legislative Council on 22 May 2018.

The Committee called for submissions in Tasmania's three daily papers on Saturday, 16 June 2018. Written submissions closed on Friday, 10 August 2018. The Committee received a very strong response of one hundred and ninety-two (192) submissions.

During the reporting period the Committee held nine (9) meetings (some over multiple days). The meetings included nine (9) days of hearings. The Inquiry is ongoing.

Committee Membership:

Hon Robert Armstrong MLC
Hon Rosemary Armitage MLC (Chair)
Hon Tania Rattray MLC
Hon Rob Valentine MLC (Deputy Chair)
Hon Josh Willie MLC

Legislative Council Select Committee on Production of Documents

The Legislative Council Select Committee on Production of Documents was established in the Legislative Council on 21 May 2019.

Committee Membership:

Hon Ivan Dean MLC
Hon Ruth Forrest MLC (Chair)
Hon Jane Howlett MLC (Deputy Chair)
Hon Meg Webb MLC
Hon Josh Willie MLC

During the reporting period the Committee held one (1) meeting. The Inquiry is ongoing.

Legislative Council Select Committee on AFL in Tasmania

The Legislative Council Select Committee on AFL in Tasmania was established in the Legislative Council on 20 September 2018.

The Committee called for submissions in Tasmania's three daily papers on Saturday, 28 January 2019. Written submissions closed on Friday, 17 March 2019. Eighteen (18) submissions were received.

During the 2018/19 reporting period the Committee held four (4) meetings.

The Inquiry is ongoing.

Committee Membership:

Hon Robert Armstrong MLC
Hon Ivan Dean MLC (Chair)
Hon Kerry Finch MLC (Deputy Chair)
Hon Mike Gaffney MLC (to 6 August 2019)
Hon Jane Howlett MLC
Hon Jo Siejka MLC

Estimates Committees

2019-20 State Budget

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 *Appropriation Bills (Nos 1 and 2) of 2019*, 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 23 May 2019 contained the following provisions:-

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

And that –

Hon Kerry Finch MLC
Hon Ruth Forrest MLC
Hon Mike Gaffney MLC
Hon Sarah Lovell MLC;
Hon Rob Valentine MLC; and
Hon Meg Webb MLC,
be of Committee A

and

Hon Rosemary Armitage MLC
Hon Robert Armstrong MLC
Hon Ivan Dean MLC
Hon Jane Howlett MLC
Hon Tania Rattray MLC
Hon Jo Siejka MLC and
Hon Josh Willie MLC
be of Committee B

That the Estimates Committees report upon the proposed expenditures contained in the Appropriation Bills (No. 1 and No. 2) and Budget Papers by no later than Friday 14 June 2019. And that the schedule emailed to Members on 2 May 2019 be adopted as the Estimates Committee timetable.

Committee A met on five (5) occasions and Committee B on six (6) occasions.

Government Businesses Scrutiny Committees

On 20 November 2018 the Legislative Council again established two Government Businesses Scrutiny Committees to inquire into Government Businesses on Tuesday 4 and Wednesday 5 December 2018.

That the Legislative Council establish two Government Business Scrutiny Committees:

And that –

Hon Kerry Finch MLC,
Hon Ruth Forrest MLC,
Hon Mike Gaffney MLC,
Hon Sarah Lovell MLC,
Hon Rob Valentine MLC, and
Hon Josh Willie MLC,

be of Committee A

and

Hon Rosemary Armitage MLC,
Hon Robert Armstrong MLC,
Hon Ivan Dean MLC,
Hon Craig Farrell MLC,
Hon Jane Howlett MLC,
Hon Tania Rattray MLC, and
Hon Jo Siejka MLC
be of Committee B

The following businesses were scrutinised —

- *Motor Accident Insurance Board*
- *Tasmanian Public Finance Corporation*
- *Aurora Energy Pty Ltd*
- *Tasmanian Water and Sewerage Corporation Pty Ltd*
- *Port Arthur Historic Management Authority*
- *Metro Tasmania Pty Ltd*
- *Tasmanian Railway Pty Ltd*
- *Tasracing Pty Ltd*

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

Sessional Committees

Government Administration Committee A

The Committee held its first meeting of the reporting period on 11 July 2018. The Committee held nine (9) general meetings.

Committee Membership

Hon Kerry Finch MLC
Hon Ruth Forrest MLC
Hon Mike Gaffney MLC (Chair)
Hon Sarah Lovell MLC (Deputy Chair)
Hon Rob Valentine MLC
Hon Meg Webb MLC (*appointed 23 May 2019*)
Hon Josh Willie MLC (*to 23 May 2019*)

The Committee met a total of twenty-nine (29) times to 30 June 2019, including meetings and hearings related to the inquiries into the Acute Health Services in Tasmania and Horizontal Fiscal Equalisation System.

Inquiries

The Committee had one ongoing inquiry during the reporting period. The Committee established a new inquiry during the reporting period into the Horizontal Fiscal Equalisation Fiscal System.

The details of the inquiries for the reporting period are listed below.

Acute Health Services in Tasmania

On 28 June 2017 Legislative Council Government Administration Committee A resolved to form a Sub-Committee to inquire into acute health services in Tasmania. Hon Rob Valentine MLC was elected Chair of the inquiry and Hon Ruth Forrest MLC was elected Deputy Chair. The third Member of the sub-committee was Hon Kerry Finch MLC (substitute Member).

The Sub-Committee called for submissions in Tasmania's three daily papers on Saturday, 8 July 2017. Written submissions were due by close of business on Friday 18 August 2017. Thirty-five (35) submissions were received. After the sub-committee was re-established following the commencement of the Forty-Ninth Parliament of Tasmania, the Sub-Committee resolved to re-advertise for submissions and a total of nine (9) submissions were updated and resubmitted.

During the reporting period 2018-19, the Committee held seventeen (17) meetings (some over multiple days) in relation to the inquiry, including seven (7) days of public hearings where eleven (11) witnesses gave evidence.

The Committee concluded and Tabled its Final Report on 18 June 2019.

Horizontal Fiscal Equalisation System

The Committee met on 20 November 2018 and resolved to conduct an inquiry into the impact of the Commonwealth Grants Commission horizontal fiscal equalisation system in Tasmania. On 21 November 2018 the Committee presented a Special Report on a Resolution to Commence Inquiry (the Inquiry) in accordance with Sessional Order 5 (14).

The Inquiry adopted the following Terms of Reference:

To inquire into and report upon the impact of the Commonwealth Horizontal Fiscal Equalisation (HFE) system as assessed by the Commonwealth Grants Commission (CGC) as it applies to Tasmania's expenses and delivery of services with particular regard to:

- (1) Tasmania's assessed and actual expense per capita per category compared to the National average expense per capita per category; and
- (2) Impact of direct Commonwealth payments on Tasmania's GST receipts.

Committee Membership

Hon Kerry Finch MLC
Hon Ruth Forrest MLC (Chair)
Hon Mike Gaffney MLC
Hon Sarah Lovell MLC
Hon Rob Valentine MLC
Hon Meg Webb MLC

The Inquiry was advertised in Tasmania's three daily regional newspapers. The Inquiry also directly contacted a number of persons and organisations with specific knowledge or expertise and invited them to provide evidence to the Inquiry.

Four submissions were received and the Inquiry conducted a public hearing in Hobart on 20 May 2019. The Inquiry is ongoing.

Submissions and transcripts are included on the web-page and these should be read in conjunction with the Committee Report when presented. A list of submissions will be provided in Appendix 1 of the Report.

Government Administration Committee B

Committee Membership

Hon Robert Armstrong MLC
Hon Rosemary Armitage MLC
Hon Ivan Dean MLC (Chair)
Hon Craig Farrell MLC (to 21 May 2019)
Hon Jane Howlett MLC
Hon Tania Rattray MLC (Deputy Chair)
Hon Jo Siejka MLC
Hon Josh Willie MLC (appointed 23 May 2019)

The Committee met a total of twenty-one (21) times from 1 July 2018 to 30 June 2019, including meetings and hearings relating to the inquiries into Blueberry Rust and the North East Rail Corridor.

Inquiries

BLUEBERRY RUST IN TASMANIA

The Committee finalised the Inquiry into Blueberry Rust in Tasmania which had been initiated by resolution of the Committee's own motion in September 2017.

The Final Report of the Sub-Committee was accepted by Government Administration 'B' as the Final Report of the Sub-Committee and the Report was Tabled on Wednesday, 19 September 2019.

The Report made ten recommendations.

The Government in its response to the Report acknowledged that *'The process of this inquiry and the final report have helped inform the Government's ongoing approach to improving our biosecurity system'*. The Government was in support of nine of the recommendations and support in principle of one recommendation.

Committee Membership

Hon Rosemary Armitage MLC
Hon Ivan Dean MLC (Chair)
Hon Kerry Finch MLC (Deputy Chair)
Hon Tania Rattray MLC
Hon Josh Willie MLC

North-East Rail Corridor

The Committee commenced an inquiry by resolution on 11 October 2018 to inquire into the future use of Tasmania's North-East Rail Corridor.

Committee Membership

Hon Rosemary Armitage MLC (Chair)
Hon Robert Armstrong MLC (Deputy Chair)

Hon Ivan Dean MLC
 Hon Craig Farrell MLC (to 21 May 2019)
 Hon Jane Howlett MLC
 Hon Sarah Lovell MLC (substituted for Hon Jo Siejka MLC)
 Hon Tania Rattray MLC

The Committee called for submissions in Tasmania's three daily papers on Saturday, 23 September 2017. Written submissions were due by close of business on Friday, 13 October 2017. Sixty-three (63) submissions were received by the Inquiry.

Public hearings were held in Launceston on 5 & 6 February and 16 & 17 April 2019, Victoria on 8 May 2019, New Zealand on 10 & 11 May 2019 and in Hobart on 20 and 30 May 2019. Forty-three individuals, representing either themselves or 20 groups or organisations, provided verbal evidence at these hearings.

After the prorogation of Parliament, the Inquiry was re-established on 19 March 2019. The Hon Rosemary Armitage MLC was elected Chair and Hon Robert Armstrong MLC was elected Deputy Chair.

As of 30 June 2019, the Inquiry was ongoing.

Committee Secretariat Summary

Statistics for Committees 2018-19

Name of Committee	No. Meetings	Hearing Days	No. Submissions	No. Witnesses	Status at 30 June 19
Estimates Committees					
Estimates Committee A (<i>established 13/5/19 and Report presented 14 June 2019</i>)	5	4	-	-	Concluded
Estimates Committee B (<i>established 13/5/19 and Report presented 14 June 2019</i>)	6	4	-	-	Concluded
Government Business Scrutiny Committees					
Government Businesses Scrutiny Committee A (<i>established 20 Nov 2018 and Report presented 18 Dec 2018</i>)	4	1	-	-	Concluded
Government Businesses Scrutiny Committee B (<i>established 20 Nov 2018 and Report presented 14 Dec 2018</i>)	4	1	-	-	Concluded
Select Committees					
Firearms Law Reforms	3	-	-	-	Concluded
Short Stay Accommodation	9	9	192	43	Ongoing
Tasmanian Irrigation	4	1	15	4	Concluded
Production of Documents	1	-	-	-	Ongoing
AFL in Tasmania	4	-	18	-	Ongoing
Sessional Committees					
Government Administration Committee A					
<i>Horizontal Fiscal Equalisation</i>	5	1	4	3	Ongoing
<i>Acute Health Services</i>	17	7	35	11	Concluded
Government Administration Committee B	4	-	-	-	
<i>Blueberry Rust in Tasmania</i>	7	1	26	3	Concluded
<i>North East Rail Corridor</i>	10	8	63	43	Ongoing

APPENDIX A
Members of the Legislative Council
(as at 30 June 2019)

MEMBER	ELECTORATE DIVISION	PARTY
Armitage, Hon Rosemary Lois <i>Third Deputy Chair of Committees</i>	Launceston	Independent
Armstrong, Hon Robert Henry	Huon	Independent
Dean, Hon Ivan Noel	Windermere	Independent
Farrell, Hon Craig Maxwell President	Derwent	Australian Labor Party
Finch, Hon Kerry	Rosevears	Independent
Forrest, Hon Ruth Jane <i>Deputy President and Chair of Committees</i>	Murchison	Independent
Gaffney, Hon Michael Victor	Mersey	Independent
Hiscutt, Hon Leonie Anne <i>Leader of the Government in the Legislative Council</i>	Montgomery	Liberal Party
Howlett, Hon Jane Colleen <i>Deputy Leader of the Government in the Legislative Council</i>	Prosser	Liberal Party
Lovell, Hon Sarah Elizabeth	Rumney	Australian Labor Party
Ratray, Hon Tania Verene <i>Deputy Chair of Committees</i>	McIntyre	Independent
Siejka, Hon Joanna Claire	Pembroke	Australian Labor Party
Valentine, Hon Robert Henry Francis <i>Second Deputy Chair of Committees</i>	Hobart	Independent
Webb, Hon Megan Therese	Nelson	Independent
Willie, Hon Joshua Barton	Elwick	Australian Labor Party

APPENDIX B

Official Visitors to the Legislative Council

His Excellency Mr Kristiarto Legowo
Ambassador of Indonesia

Tuesday 10 July 2018

Mr. Long Zhou
Consul General of China

Tuesday, 18 June 2019

APPENDIX C

Financial Statements

Financial Report of the Legislative Council for the period ending on 30 June 2019 including the Independent Audit Report.

Independent Auditor's Report

To the Members of Parliament

Legislative Council

Report on the Audit of the Financial Statements

Opinion

I have audited the financial statements of the Legislative Council (the Council), which comprises the statement of financial position as at 30 June 2019 and statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies, other explanatory notes and the statement of certification by the Clerk of the Council (the Clerk).

In my opinion, the accompanying financial statements:

- (a) presents fairly, in all material respects, the financial position of the Council as at 30 June 2019 and its financial performance and its cash flows for the year then ended
- (b) are in accordance with the *Financial Management and Audit Act 1990* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statement* section of my report. I am independent of the Council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial statements in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

My audit is not designed to provide assurance on the accuracy and appropriateness of the budget information included in the financial statements.

...1 of 3

To provide independent assurance to the Parliament and Community on the performance and accountability of the Tasmanian Public sector
Professionalism | Respect | Camaraderie | Continuous Improvement | Customer Focus

Strive | Lead | Excel | To Make a Difference

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

Responsibilities of the Clerk for the Financial Statements

The Clerk is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and the financial reporting requirements of the Section 27(1) of the *Financial Management and Audit Act 1990* and for such internal control as determined is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Clerk is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council is to be dissolved by an Act of Parliament.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Clerk.
- Conclude on the appropriateness of the Clerk's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit

...2 of 3

To provide independent assurance to the Parliament and Community on the performance and accountability of the Tasmanian Public sector
Professionalism | Respect | Camaraderie | Continuous Improvement | Customer Focus

Strive | Lead | Excel | To Make a Difference

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

Responsibilities of the Clerk for the Financial Statements

The Clerk is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, and the financial reporting requirements of the Section 27(1) of the *Financial Management and Audit Act 1990* and for such internal control as determined is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Clerk is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council is to be dissolved by an Act of Parliament.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Clerk.
- Conclude on the appropriateness of the Clerk's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit

...2 of 3

To provide independent assurance to the Parliament and Community on the performance and accountability of the Tasmanian Public sector
Professionalism | Respect | Camaraderie | Continuous Improvement | Customer Focus

Strive | Lead | Excel | To Make a Difference

evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Council to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Clerk regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



Stephen Morrison
Assistant Auditor-General Financial Audit Services
Delegate of the Auditor-General

Tasmanian Audit Office

29 October 2019
Hobart

...3 of 3

To provide independent assurance to the Parliament and Community on the performance and accountability of the Tasmanian Public sector
Professionalism | Respect | Camaraderie | Continuous Improvement | Customer Focus

Strive | Lead | Excel | To Make a Difference

Table of Contents

Statement of Certification	2
Statement of Comprehensive Income for the year ended 30 June 2019	3
Statement of Financial Position as at 30 June 2019	4
Statement of Cash Flows for the year ended 30 June 2019	5
Statement of Changes in Equity for the year ended 30 June 2019	6
Notes to and forming part of the Financial Statements for the year ended 30 June 2019	7

Statement of Certification

The accompanying Financial Statements of the Legislative Council are in agreement with the relevant accounts and records and have been prepared in compliance with the Treasurer's Instructions issued under the provisions of the *Financial Management and Audit Act 1990* to present fairly the financial transactions for the year ended 30 June 2019 and the financial position as at the end of the year.

At the date of signing, I am not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.



David Pearce

Clerk

13 August 2019

Statement of Comprehensive Income for the year ended 30 June 2019

	Notes	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Continuing operations				
Revenue and other income from transactions				
Revenue from Government				
	3.1	7,048	7,225	6,941
		-	573	43
Total revenue and other income from transactions		7,048	7,798	6,984
Expenses from transactions				
Employee benefits	4.1	6,262	6,698	6,274
Depreciation and amortisation	4.2	3	17	16
Supplies and consumables	4.3	798	709	695
Total expenses from transactions		7,063	7,424	6,985
Net result from transactions (net operating balance)		(15)	374	(1)
Net result		(15)	374	(1)
Comprehensive Result		(15)	374	(1)

This Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Budget information refers to original estimates and has not been subject to audit.

Explanations of material variances between budget and actual outcomes are provided in Note 2.1 of the accompanying notes.

Statement of Financial Position as at 30 June 2019

	Notes	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Assets				
<i>Financial assets</i>				
Cash and deposits	9.1	-	-	-
Receivables	5.1	28	6	7
<i>Non-financial assets</i>				
Plant and equipment	5.2	2,408	2,312	1,755
Total assets		2,436	2,318	1,762
Liabilities				
Payables	6.1	58	123	70
Employee benefits	6.2	580	694	565
Total liabilities		638	817	635
Net assets (liabilities)		1,798	1,501	1,127
Equity				
Reserves	8.1	764	764	764
Accumulated funds		1,034	737	363
Total equity		1,798	1,501	1,127

This Statement of Financial Position should be read in conjunction with the accompanying notes.

Budget information refers to original estimates and has not been subject to audit.

Explanations of material variances between budget and actual outcomes are provided in Note 2.2 of the accompanying notes.

Statement of Cash Flows for the year ended 30 June 2019

	Notes	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities				
Cash inflows				
Appropriation receipts - recurrent		7,048	7,225	6,941
Appropriation receipts – works and services		-	573	43
GST receipts		70	141	89
Total cash inflows		7,118	7,939	7,073
Cash outflows				
Employee benefits		(6,250)	(6,572)	(6,241)
GST Payments		(70)	(142)	(89)
Supplies and consumables		(798)	(652)	(685)
Total cash outflows		(7,118)	(7,366)	(7,015)
Net cash from (used by) operating activities	9.2	-	573	58
Cash flows from investing activities				
Cash outflows				
Payments for acquisition of non-financial assets		-	(573)	(58)
Total cash outflows		-	(573)	(58)
Net cash from (used by) investing activities		-	(573)	(58)
Net increase (decrease in cash and cash equivalents held		-	-	-
Cash and deposits at the beginning of the reporting period		-	-	-
Cash and deposits at the end of the reporting period	9.1	-	-	-

This Statement of Cash Flows should be read in conjunction with the accompanying notes.

Budget information refers to original estimates and has not been subject to audit.

Explanations of material variances between budget and actual outcomes are provided in Note 2.3 of the accompanying notes.

Statement of Changes in Equity for the year ended 30 June 2019

	Reserves	Accumulated Funds	Total Equity
	\$'000	\$'000	\$'000
Balance as at 1 July 2018	764	363	1,127
Total comprehensive result	-	374	374
Balance as at 30 June 2019	764	737	1,501

	Reserves	Accumulated Funds	Total Equity
	\$'000	\$'000	\$'000
Balance as at 1 July 2017	764	364	1,128
Total comprehensive result	-	(1)	(1)
Balance as at 30 June 2018	764	363	1,127

This Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Notes to and forming part of the Financial Statements for the year ended 30 June 2019

Note 1	Council Output Schedules	8
1.1	Output Group Information.....	8
1.2	Reconciliation of Total Output Groups Comprehensive Result to Statement of Comprehensive Income...	9
Note 2	Explanations of Material Variances between Budget and Actual Outcomes	9
2.1	Statement of Comprehensive Income	9
2.2	Statement of Financial Position	9
2.3	Statement of Cash Flows	10
Note 3	Income from Transactions	10
3.1	Revenue from Government	10
Note 4	Expenses from Transactions	11
4.1	Employee benefits.....	11
4.2	Depreciation and amortisation.....	12
4.3	Supplies and consumables.....	13
Note 5	Assets	13
5.1	Receivables.....	13
5.2	Plant and equipment.....	13
Note 6	Liabilities	16
6.1	Payables.....	16
6.2	Employee benefits.....	16
6.3	Superannuation	17
Note 7	Commitments and Contingencies	17
7.1	Schedule of Commitments	17
Note 8	Reserves	17
8.1	Reserves	17
Note 9	Cash Flow Reconciliation	18
9.1	Cash and deposits.....	18
9.2	Reconciliation of Net Result to Net Cash from Operating Activities.....	18
Note 10	Financial Instruments	18
10.1	Risk Exposures.....	18
10.2	Categories of Financial Assets and Liabilities	19
Note 11	Events Occurring After Balance Date	19
Note 12	Significant Accounting Policies	20
12.1	Objectives and Funding.....	20
12.2	Basis of Accounting.....	20
12.3	Reporting Entity.....	21
12.4	Functional and Presentation Currency	21
12.5	Changes in Accounting Policies	21
12.6	Comparative Figures	21
12.7	Rounding.....	22
12.8	Taxation.....	22
12.9	Goods and Services Tax.....	22

Note 1 Council Output Schedules

1.1 Output Group Information

Comparative information has not been restated for external administrative restructures.

Budget information refers to original estimates and has not been subject to audit.

Output Group 1 – Legislative Council Support Services

	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Continuing operations			
Revenue and other income from transactions			
Revenue from appropriation	3,548	4,297	3,929
Total revenue and other income from transactions	3,548	4,297	3,929
Expenses from transactions			
Employee benefits	2,762	3,233	3,261
Depreciation and amortisation	3	17	16
Communications	-	86	81
Travel	-	44	75
Information technology	-	129	92
Other expenses	798	414	206
Total expenses from transactions	3,563	3,923	3,731
Net result from transactions (net operating balance)	(15)	374	198
Expense by output			
Output group 1	3,563	3,923	3,731
Total	3,563	3,923	3,731
Net Assets			
Total assets deployed for Output Group 1		2,318	1,762
Total liabilities incurred for Output Group 1		(817)	(635)
Net assets deployed for Output group 1		1,501	1,127

Output Group 2 – Payments administered by the Legislative Council

	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Continuing operations			
Revenue and other income from transactions			
Revenue from appropriation	3,500	3,501	3,055
Total revenue and other income from transactions	3,500	3,501	3,055
Expenses from transactions			
Travel and Communication	387	248	241
Parliamentary salaries and allowances	2,924	3,057	2,864
Parliamentary travelling allowances	153	143	92
Parliamentary Committee fees and allowances	36	53	57
Total expenses from transactions	3,500	3,501	3,254
Net result from transactions (net operating balance)	-	-	(199)
Expense by output			
Output group 2	3,500	3,501	3,254
Total	3,500	3,501	3,254

1.2 Reconciliation of Total Output Groups Comprehensive Result to Statement of Comprehensive Income

	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Total comprehensive result of Output Groups	(15)	374	(1)
Comprehensive result	(15)	374	(1)

Note 2 Explanations of Material Variances between Budget and Actual Outcomes

Budget information refers to original estimates as disclosed in the 2018-19 Budget Papers and is not subject to audit.

Variances are considered material where the variance exceeds 10 per cent of Budget estimate and \$10,000.

2.1 Statement of Comprehensive Income

	Note	Budget \$'000	Actual \$'000	Variance \$'000	Variance %
Appropriation revenue – works & services	(a)	-	573	(573)	(573)
Depreciation	(b)	3	17	(17)	466
Supplies and consumables	(c)	798	709	89	11

Notes to Statement of Comprehensive Income variances

(a) The increase appropriation revenue – works & services is due to the funding not being provided in the original 2018-19 budget. Funding was carried forward and reappropriated from the unspent funds in 2017-18 financial year due to delays in completion of works in 2017-18 because of Heritage sensitivities and sittings of the House.

(b) The increase in depreciation is due a higher value of depreciating assets.

(c) The decrease in supplies and consumables reflects the efficiency in the discretionary spending in the operation of the Council.

2.2 Statement of Financial Position

Budget estimates for the 2018-19 Statement of Financial Position were compiled prior to the completion of the actual outcomes for 2018-19. As a result, the actual variance from the Original Budget estimate will be impacted by the difference between estimated and actual opening balances for 2018-19. The following variance analysis therefore includes major movements between the 30 June 2018 and 30 June 2019 actual balances.

	Note	Budget \$'000	Actual \$'000	Variance \$'000	Variance %
Receivables	(a)	28	6	(22)	(78)
Payables	(b)	58	123	(65)	(112)

Notes to Statement of Financial Position variances

(a) The decrease in receivables is due to efficiency in receiving expected payments.

(b) The increase in payables is due to higher than expected outstanding invoices at end of the financial year.

2.3 Statement of Cash Flows

	Note	Budget \$'000	Actual \$'000	Variance \$'000	Variance %
Appropriation receipts – works and services	(a)	-	573	573	(573)
GST receipts	(b)	70	142	72	102
GST Payments	(b)	(70)	(142)	(72)	(102)
Supplies and consumables	(c)	(798)	(652)	(146)	(18)

Notes to Statement of Cash Flows variances

(a) The increase appropriation revenue – works & services is due to the funding not being provided in the original 2018-19 budget. Funding was carried forward and reappropriated from the unspent funds in 2017-18 financial year due to delays in completion of works in 2017-18 because of Heritage sensitivities and sittings of the House.

(b) The variance GST receipts and payments is due to the works and services undertaken in the Legislative Council Chamber that was not anticipated in the original 2018-19 budget.

(c) The decrease in supplies and consumables reflects the efficiency in the discretionary spending in the operation of the Council.

Note 3 Income from Transactions

Income is recognised in the Statement of Comprehensive Income when an increase in future economic benefit related to an increase in an asset or a decrease of a liability has arisen that can be measured reliably.

3.1 Revenue from GOVERNMENT

Appropriations, whether recurrent or capital, are recognised as revenues in the period in which the Council gains control of the appropriated funds.

Revenue from Government includes revenue from appropriations, appropriations carried forward under section 8A(2) of the *Public Account Act 1986* and Items Reserved by Law.

The Budget information is based on original estimates and has not been subject to audit.

	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Appropriation revenue – recurrent			
Current year	3,935	3,972	3,928
Items Reserved by Law			
R003 Parliamentary Salaries and Allowances (<i>Parliamentary Salaries, Superannuation and Allowances Act 2012 (No. 18 of 2012)</i>)	2,924	3,057	2,864
R004 Travelling Allowances (<i>Parliamentary Salaries, Superannuation and Allowances Act 2012 (No. 18 of 2012)</i>)	153	143	92
R005 Members' Committee Fees and Allowances (<i>Parliamentary Salaries, Superannuation and Allowances Act 2012 (No. 18 of 2012)</i>)	36	53	57
Total	7,048	7,225	6,941
Appropriation revenue – works and services	-	573	43
Total	-	573	43
Total revenue from Government	7,048	7,798	6,984

Legislative Council

Financial Statements 30 June 2019

10

Note 4 Expenses from Transactions

Expenses are recognised in the Statement of Comprehensive Income when a decrease in future economic benefit related to a decrease in asset or an increase of a liability has arisen that can be measured reliably.

4.1 Employee benefits

Employee benefits include, where applicable, entitlements to wages and salaries, annual leave, sick leave, long service leave, superannuation and any other post-employment benefits.

(a) Employee expenses

	2019 \$'000	2018 \$'000
Wages and salaries	5,653	5,351
Annual leave	270	250
Long service leave	139	57
Fringe benefits tax	138	153
Superannuation	498	483
Total	6,698	6,274

Superannuation expenses relating to defined benefit schemes relate to payments into the Consolidated Fund. The amount of the payment is based on an employer contribution rate determined by the Treasurer, on the advice of the State Actuary. The current employer contribution is 12.95 per cent (2018: 12.95 per cent) of salary.

Superannuation expenses relating to defined contribution schemes are paid directly to superannuation funds at a rate of 9.5 per cent (2018: 9.5 per cent) of salary. In addition, departments are also required to pay into the Consolidated Fund a "gap" payment equivalent to 3.45 per cent (2018: 3.45 per cent) of salary in respect of employees who are members of contribution schemes.

(b) Remuneration of Key management personnel

2019	Short-term benefits		Superannuation	Other Benefits and Long-service Leave	Termination Benefits	Total
	Salary	Other Benefits				
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<i>Key management personnel</i>						
Clerk – David Pearce	254	20	32	4	-	310
Deputy Clerk – Catherine Vickers	182	19	25	12	-	238
Total	436	39	57	16	-	548

2018	Short-term benefits		Superannuation	Other Benefits and Long-service Leave	Termination Benefits	Total
	Salary	Other Benefits				
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<i>Key management personnel</i>						
Clerk – David Pearce	252	18	33	(5)	-	298
Deputy Clerk – Sue McLeod (1-7 July 2017)	-	-	-	(11)	11	-
Deputy Clerk – Catherine Vickers (31 July 2017)	167	7	22	21	-	217
Total	419	25	55	5	11	515

Key management personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the agency, directly or indirectly.

Remuneration during 2018-19 for key personnel is set by the *Parliamentary Privilege Act 1898*. Remuneration and other terms of employment are specified in employment contracts. Remuneration includes salary, motor vehicle and other non-monetary benefits. Long-term employee expenses include long service leave, superannuation obligations and termination payments.

(c) Related party transactions

In accordance with AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors, related party transactions are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements judged in the surrounding circumstances. The size or nature of the item, or a combination of both, could be the determining factor. The Clerk is required to determine the materiality of any related party transactions.

The Clerk is also required to determine if additional action is required to ensure compliance with the disclosure requirements of AASB 124, including identification of related parties, identification of related party transactions and the adequacy of these disclosures.

There are no related party transactions requiring disclosure.

4.2 Depreciation and amortisation

All applicable Non-financial assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of their service potential.

Key estimate and judgement

Depreciation is provided for on a straight line basis, using rates which are reviewed annually. Major depreciation periods are:

Computer equipment	3 years
Furniture and fittings	10 years
Office equipment	10 years

(a) Depreciation

	2019 \$'000	2018 \$'000
Furniture and fittings	4	5
Computer equipment	6	3
Total	10	8

(b) Amortisation

	2019 \$'000	2018 \$'000
Leasehold improvements	7	8
Total	7	8
Total depreciation and amortisation	17	16

4.3 Supplies and consumables

	2019	2018
	\$'000	\$'000
Audit fees – financial audit	16	15
Resource support	112	98
Communications	91	81
Information technology	129	92
Travel and transport	75	75
Regional office support	92	148
Committee expenses	17	19
Consultancy	41	49
Meal allowance	20	15
Maintenance	7	20
Uniforms	9	10
Stationery	10	6
Other supplies and consumables	90	67
Total	709	695

Note 5 Assets

Assets are recognised in the Statement of Financial Position when it is probable that the future economic benefits will flow to the Council and the asset has a cost or value that can be measured reliably.

5.1 Receivables

In 2017-18 receivables were recognised at amortised cost, less any impairment losses, however, due to the short settlement period, receivables were not discounted back to their present value. In addition, receivables were subject to an annual review for impairment, where there was objective evidence that, as a result of one or more events that occurred after the initial recognition, the future cash flows have been affected.

From 2018-19, the Council recognises receivables at amortised cost using the effective interest method. Any subsequent changes are recognised in the net result for the year when impaired, derecognised or through the amortisation process. The Council recognises an allowance for expected credit losses for all debt financial assets not held at fair value through profit and loss. The expected credit loss is based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at the original effective interest rate.

For trade receivables, the Council applies a simplified approach in calculating expected credit losses. The Council recognises a loss allowance based on lifetime expected credit losses at each reporting date. The Council has established a provision matrix based on its historical credit loss experience for trade receivables, adjusted for forward-looking factors specific to the receivable.

	2019	2018
	\$'000	\$'000
Receivables	6	7
Less: Provision for impairment	-	-
Less: Expected credit loss	-	-
Total	6	7
Settled within 12 months	6	7
Total	6	7

5.2 Plant and equipment

(i) Valuation basis

Heritage assets comprising antique furniture, artworks and artefacts are recorded at fair value. All other Non-current physical assets, including work in progress, are recorded at historic cost less accumulated depreciation and accumulated impairment losses.

Cost includes expenditure that is directly attributable to the acquisition of the asset. Purchased software that is integral to the functionality of the related equipment is capitalised as part of that equipment.

When parts of an item of plant and equipment have different useful lives, they are accounted for as separate items (major components) of plant and equipment.

Fair value is based on the highest and best use of the asset. Unless there is an explicit Government policy to the contrary, the highest and best use of an asset is the current purpose for which the asset is being used or build occupied.

(ii) Asset recognition threshold

The asset capitalisation threshold adopted by the Council is \$5,000. Assets valued at less than \$5,000 are charged to the Statement of Comprehensive Income in the year of purchase (other than where they form part of a group of similar items which are material in total). Antique furniture and artworks and artefacts are treated as discrete groups of assets and all items in these groups are recorded as non-current assets.

(iii) Revaluations

The Council has adopted a revaluation threshold of \$5,000.

Assets are grouped on the basis of having a similar nature or function in the operations of the Council.

Assets are revalued with sufficient regularity to ensure they reflect fair value at balance date.

(a) Carrying amount

	2019 \$'000	2018 \$'000
Antique furniture		
At fair value (13 August 2015)	1,180	1,131
Total	1,180	1,131
Artworks and Artefacts		
At fair value (15 July 2015)	488	488
Total	488	488
Leasehold improvements		
At cost	55	55
Less: Accumulated amortisation	(37)	(30)
Total	18	25
Furniture and Fittings – Work in progress		
At cost	-	68
Total	-	68
Furniture and Fittings		
At cost	724	131
Less: Accumulated depreciation	(108)	(104)
Total	616	27
Computer equipment		
At cost	100	100
Less: Accumulated depreciation	(90)	(84)
Total	10	16
Total property, plant and equipment	2,312	1,755

Antique Furniture was independently re-valued on 13 August 2015 by Mr A F Colman, Approved Government Valuer. Artworks and Artefacts were independently re-valued at 15 July 2015 by Mr W N Hurst, Fine Art Consultant. Valuations were based on a replacement value. The revaluation movements are reflected in the asset revaluation reserve in equity.

(b) Reconciliation of movements

Reconciliations of the carrying amounts of each class of Property, plant and equipment at the beginning and end of the current and previous financial year are set out below. Carrying value means the net amount after deducting accumulated depreciation and accumulated impairment losses.

2019	Antique Furniture Level 3	Artwork and Artefacts Level 3	Leasehold improvements	Furniture and Fittings WIP	Furniture and Fittings	Computer Equipment	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying value at 1 July	1,131	488	25	68	27	16	1,755
Transfer into FF (from FF WIP)	-	-	-	-	68	-	68
Transfer out of FF WIP (into FF)	-	-	-	(68)	-	-	(68)
Gains/losses recognised in other comprehensive income	-	-	-	-	-	-	-
Additions	49	-	-	-	525	-	574
Depreciation and amortisation	-	-	(7)	-	(4)	(6)	(17)
Carrying value at 30 June	1,180	488	18	-	616	10	2,312

2018	Antique Furniture Level 3	Artwork and Artefacts Level 3	Leasehold improvements	Furniture and Fittings WIP	Furniture and Fittings	Computer Equipment	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying value at 1 July	1,131	488	33	25	37	9	1,726
Gains/losses recognised in other comprehensive income	-	-	-	-	-	-	-
Additions	-	-	-	43	-	15	58
Depreciation and amortisation	-	-	(8)	-	(5)	(3)	(16)
Carrying value at 30 June	1,131	488	25	68	27	16	1,755

(c) Level 3 significant valuation inputs and relationship to fair value

Description	Fair value at 30 June	Significant unobservable inputs used in valuation	Possible alternative values for level 3 inputs	Sensitivity of fair value to changes in level 3 inputs
	\$'000			
Antique Furniture	1,131	A – Rarity of asset B – Age of asset C – Condition of asset	Valuing antique furniture is an inexact science and it is not likely, that alternative values, applying other inputs would result in materially different values.	Not applicable
Artwork and Artefacts	488	A – Rarity of asset B – Age of asset C – Condition of asset	Valuing artwork and artefacts is an inexact science and it is not likely, that alternative values, applying other inputs would result in materially different values.	Not applicable

Note 6 Liabilities

Liabilities are recognised in the Statement of Financial Position when it is probable that an outflow of resources embodying economic benefits will result from the settlement of a present obligation and the amount at which the settlement will take place can be measured reliably.

6.1 Payables

Payables, including goods received and services incurred but not yet invoiced, are recognised at amortised cost, which due to the short settlement period, equates to face value, when the Council becomes obliged to make future payments as a result of a purchase of assets and services.

	2019 \$'000	2018 \$'000
Creditors	123	70
Total	123	70
Settled within 12 months	123	70
Total	123	70

6.2 Employee benefits

Liabilities for wages and salaries and annual leave are recognised when an employee becomes entitled to receive a benefit. Those liabilities expected to be realised within 12 months are measured as the amount expected to be paid. Other employee entitlements are measured as the present value of the benefit at 30 June, where the impact of discounting is material, and at the amount expected to be paid if discounting is not material.

A liability for long service leave is recognised, and is measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date.

	2019 \$'000	2018 \$'000
Accrued salaries	26	21
Annual leave	238	206
Long service leave	430	338
Total	694	565
Expected to settle wholly within 12 months	358	324
Expected to settle wholly after 12 months	336	241
Total	694	565

6.3 Superannuation

The Council does not recognise a liability for the accruing superannuation benefits to Council employees. This liability is held centrally and is recognised with the Finance-General Division of the Department of Treasury and Finance.

Note 7 Commitments and Contingencies

7.1 Schedule of Commitments

	2019 \$'000	2018 \$'000
By maturity		
<i>Operating lease commitments</i>		
One year or less	175	149
From one to five years	93	76
Total	268	225

The Council has entered into a number of operating lease agreements for plant and equipment, where the lessors effectively retain all risks and benefits incidental to ownership of the items leased. Equal instalments of lease payments are charged to the Statement of Comprehensive Income over the lease term, as this is representative of the pattern to be derived from the leased property. Motor vehicle lease payments are made monthly with lease periods of either 12, 18 or 24 months. Lease payments for photo copy machines are made quarterly with lease periods of either 48 or 60 months.

Note 8 Reserves

8.1 Reserves

	2019 \$'000	2018 \$'000
Asset revaluation reserve		
Balance at the beginning of financial year	764	764
Balance at end of financial year	764	764

Note 9 Cash Flow Reconciliation

Cash means notes, coins, any deposits held at call with a bank or financial institution, as well as funds held in the Special Deposits and Trust Fund, being short term of three months or less and highly liquid. Deposits are recognised at amortised cost, being their face value.

9.1 Cash and deposits

Cash and deposits includes the balance of the Special Deposits and Trust Fund Accounts held by the Council, and other cash held, excluding those accounts which are administered or held in a trustee capacity or agency arrangement.

	2019 \$'000	2018 \$'000
Special Deposits and Trust Fund balance		
Legislative Council operating account	-	-
Total	-	-
Total cash and deposits	-	-

9.2 Reconciliation of Net Result to Net Cash from Operating Activities

	2019 \$'000	2018 \$'000
Net result	374	(1)
Depreciation and amortisation	17	16
(Increase) decrease in Receivables	1	21
Increase (decrease) in Employee entitlements	128	9
Increase (decrease) in Payables	53	12
Net cash from (used by) operating activities	573	58

Note 10 Financial Instruments

10.1 Risk Exposures

(a) Risk management policies

The Council has exposure to the following risks from its use of financial instruments:

- credit risk; and
- liquidity risk.

The Clerk has overall responsibility for the establishment and oversight of the Council's risk management framework. Risk management policies are established to identify and analyse risks faced by the Council, to set appropriate risk limits and controls, and to monitor risks and adherence to limits.

(b) Credit risk exposures

Credit risk is the risk of financial loss to the Council if a customer or counterparty to a financial instrument fails to meet its contractual obligations.

The carrying amount of financial assets recorded in the Financial Statements, net of any allowances for losses, represents the Council's maximum exposure to credit risk without taking into account any collateral or other security.

The value of receivables as at 30 June is immaterial and with an expected loss rate of 0% the value of receivables is recorded at the gross carrying amount as at balance date.

(c) Liquidity risk

Liquidity risk is the risk that the Council will not be able to meet its financial obligations as they fall due. The Council's approach to managing liquidity is to ensure that it will always have sufficient liquidity to meet its liabilities when they fall due.

The Council does not have any significant exposure to liquidity risk.

The following tables detail the undiscounted cash flows payable by the Council by remaining contractual maturity for its financial liabilities. It should be noted that as these are undiscounted, totals may not reconcile to the carrying amounts presented in the Statement of Financial Position:

2019	Maturity analysis for financial liabilities						More than 5 Years	Undiscounted Total	Carrying Amount
	1 Year	2 Years	3 Years	4 Years	5 Years	\$'000			
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
Financial liabilities									
Payables	123	-	-	-	-	-	-	123	
Total	123	-	-	-	-	-	-	123	

2018	Maturity analysis for financial liabilities						More than 5 Years	Undiscounted Total	Carrying Amount
	1 Year	2 Years	3 Years	4 Years	5 Years	\$'000			
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
Financial liabilities									
Payables	70	-	-	-	-	-	-	70	
Total	70	-	-	-	-	-	-	70	

10.2 Categories of Financial Assets and Liabilities

	2019	2018
	\$'000	\$'000
Financial assets		
Receivables	6	7
Total	6	7
Financial Liabilities		
Trade Creditors	123	70
Total	123	70

Note 11 Events Occurring After Balance Date

The Public Sector Union Wages Agreement 2018 was registered by the Tasmanian Industrial Commission on 19 August 2019. As part of the terms of this agreement Legislative Council employees covered by the Tasmanian State Service Award are entitled to receive an increase of 2.1 per cent per annum effective from the pay period commencing on 13 December 2018.

The Council paid this retrospective increase for the period 13 December 2018 to 30 June 2019 on 18 September 2019. The total for this period was \$30k.

There have been no other events subsequent to balance date which would have a material effect on the House's financial statements as at 30 June 2019.

Note 12 Significant Accounting Policies

12.1 Objectives and Funding

The Legislative Council is the Upper House of the Parliament and functions as a House of Review.

The role of the Members of the Legislative Council is twofold:

- To examine the merits of legislation from alternative perspectives and to authorise expenditure of State monies; and
- To provide a parliamentary check on the Government of the day. In modern time, the Legislative Council has expanded from the base of being a purely legislative body to a House that involves itself with the examination and analysis of actions, decisions and workings of the Executive Government.

The overall objectives of the Legislative Council remain constant over time. Services may increase with parliamentary evolution, but are invariant in the medium term. The major objectives and responsibilities of the Clerk of the Legislative Council are to:

- Support the Legislative Council in its constitutional role;
- To provide an accurate retrieval and assessment system of precedent, law, history and parliamentary method necessary for the effective functioning of the Legislative Council and its Committees;
- Provide effective apolitical support including administrative, research, policy and procedural support and advice to the President of the Legislative Council and other elected Members;
- Ensure the effective custody of documents including journals, records and papers of the Legislative Council, the responsibility of which, in accordance with Standing Orders, is vested in the Clerk of the Legislative Council;
- Ensure the effective functions of Standing, Sessional and Select Committees including the provision of adequate and appropriate resources;
- Accurately prepare and present legislation, once passed through both Houses, to Her Excellency the Governor for the Royal Assent;
- Promote public awareness of the purpose, functions and work of the Legislative Council;
- Maximise the potential of all staff through effective human resource practices; and
- Efficiently manage resources, both financial and human.

The Council is funded by Parliamentary appropriations and Reserved-by Law allocations. The financial statements encompass all funds through which the Council controls resources to carry on its functions.

12.2 Basis of Accounting

The Financial Statements are a general purpose financial report and have been prepared in accordance with:

- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board; and
- The Treasurer's Instructions issued under the provisions of the *Financial Management and Audit Act 1990*.

The Financial Statements were signed by the Clerk on 13 August 2019.

Compliance with the Australian Accounting Standards may not result in compliance with International Financial Reporting Standards, as the AAS include requirements and options available to not-for-profit organisations that are inconsistent with IFRS. The Department is considered to be not-for-profit and has adopted some accounting policies under the AAS that do not comply with IFRS.

The Financial Statements have been prepared on an accrual basis and, except where stated, are in accordance with the historical cost convention. The accounting policies are consistent with the previous year except for those changes outlined in Note 12.5.

12.3 Reporting Entity

The Financial Statements include all the controlled activities of the Council.

12.4 Functional and Presentation Currency

These Financial Statements are presented in Australian dollars, which is the Council's functional currency.

12.5 Changes in Accounting Policies

(a) Impact of new and revised Accounting Standards yet to be applied

In the current year, the Council has adopted all of the new and revised Standards and Interpretations issued by the Accounting Standards Board that are relevant to its operations and effective for the current annual reporting period. These include:

The following applicable Standards have been issued by the AASB and are yet to be applied:

- **AASB 9 *Financial Instruments*** - the objective of this Standard is to establish principles for the financial reporting of financial assets and financial liabilities that will present relevant information to users of financial statements for their assessment of the amounts, timing, uncertainty of an entity's future cash flows, and to make amendments to various accounting standards as a consequence of the issuance of AASB 9. AASB 9 has replaced accounting for impairment losses with a forward looking expected credit loss approach. The Department has applied AASB 9 retrospectively and has not restated comparative information which was reported under AASB 139. Any differences arising from the adoption of AASB 9 have been recognised directly to equity. The effect of the change in impairment model to that of expected credit loss under AASB 9 is shown below.
- **AASB 16 *Leases*** – The objective of this Standard is to introduce a single lessee accounting model and require a lessee to recognise assets and liabilities. This Standard applies to annual reporting periods beginning on or after 1 January 2019. The standard will result in most of the Council's operating leases being brought onto the Statement of Financial Position and additional note disclosures. The calculation of the lease liability will take into account appropriate discount rates, assumptions about the lease term, and required lease payments. A corresponding right to use asset will be recognised, which will be amortised over the term of the lease. There are limited exceptions relating to low-value leases and short-term leases. Operating lease costs will no longer be shown. The Statement of Comprehensive Income impact of the leases will be through amortisation and interest charges. The Council's current operating lease cost is shown at notes 7.1. In the Statement of Cash Flows, lease payments will be shown as cash flows from financing activities instead of operating activities. Further information on the Council's current operating lease position can be found at note 7.1. The financial impact is estimated to increase offsetting Assets and Liabilities by approximately the amounts outlined in the commitments note.
- **AASB 1058 *Income of Not-for-Profit Entities*** - The objective of this Standard is to establish principles for not-for-profit entities that apply to transactions where the consideration to acquire an asset is significantly less than fair value principally to enable a not-for-profit entity to further its objectives, and the receipt of volunteer services. This Standard applies to annual reporting periods beginning on or after 1 January 2019. The impact is enhanced disclosure in relation to income of not-for-profit entities. It is not anticipated that there will be any financial impact.

12.6 Comparative Figures

Comparative figures have been adjusted to reflect any changes in accounting policy or the adoption of new standards.

21

12.7 Rounding

All amounts in the Financial Statements have been rounded to the nearest thousand dollars, unless otherwise stated. As a consequence, rounded figures may not add to totals. Amounts less than \$500 are rounded to zero and are indicated by the symbol "...".

12.8 Taxation

The Council is exempt from all forms of taxation except Fringe Benefits Tax and Goods and Services Tax.

12.9 Goods and Services Tax

Revenue, expenses and assets are recognised net of the amount of Goods and Services Tax, except where the GST incurred is not recoverable from the Australian Taxation Office. Receivables and payables are stated inclusive of GST. The net amount recoverable, or payable, to the Australian Taxation Office is recognised as an asset or liability within the Statement of Financial Position.

In the Statement of Cash Flows, the GST component of cash flows arising from operating, investing or financing activities which is recoverable from, or payable to, the Australian Taxation Office is, in accordance with the Australian Accounting Standards, classified as operating cash flows.

Legislative Council
Parliament of Tasmania
Hobart Tas 7000
Telephone: 03 6212 2300
Website: www.parliament.tas.gov.au