



# Annual Report

DEPARTMENT OF THE  
LEGISLATIVE COUNCIL



2012-13







# Legislative Council

Parliament House East Melbourne Victoria 3002 Australia

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18 September 2013

The Hon Bruce Atkinson MLC  
President of the Legislative Council  
Parliament House  
EAST MELBOURNE 3002

Dear Mr President

I have pleasure in forwarding to you my report to the Legislative Council on the operations of the Department of the Legislative Council for the year ended 30 June 2013.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Wayne Tunnecliffe'.

Wayne Tunnecliffe  
**Clerk of the Legislative Council**



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## Clerk's Overview

I have pleasure in presenting my report on the operations of the Department of the Legislative Council for 2012-13.

The highlight of the year was undoubtedly the staging of the Legislative Council's 5th regional sitting in Bendigo. The first regional sitting was conducted in Ballarat in 2001 and was followed by further sittings in Benalla, Colac and Lakes Entrance prior to the sitting in Bendigo.

There is no doubt that regional sittings play a significant role in better educating the public about proceedings in Parliament. Staff in the department certainly enjoy playing a part in this process. We also worked very closely with staff from the City of Greater Bendigo and we are indebted to their support and assistance.

The one disappointing aspect of the day was the relatively low number of visitors despite an extensive advertising process throughout the local area, which particularly targeted schools and community groups. The Bendigo Town Hall was a perfect setting for the sitting and could accommodate a large number of people. Unfortunately for much of the time it was relatively empty. For future regional sittings we need to give careful consideration as to the best way to maximise the value of such events.

The year was also marked by the conclusion of the Parliamentary Officers' EBA negotiations which had unfortunately gone on for much longer than expected. This was principally due to the necessity to maintain the alignment of quantum salary increases of parliamentary staff to those in the public service. This means that the Public Sector EBA needs to be completed before our own, and the protracted negotiations between the Government and the CPSU meant that we were unable to pass on the salary increases to our staff as soon as we would have liked.

One of our major priorities held over from 2011-12 which was completed during the year was the review of the Attendant Group. The principal reason for the review was to explore options for Attendant roles and career development. The maintenance and improvement of services standards, the necessity to adapt in the context of changed service requirements and budget conditions and improved opportunities for career enrichment and

advancement were seen as the primary criteria for evaluating the options considered in the review which was carried out over a period of six months. It was important to reassure the Attendants that they should not feel threatened by the review and that no jobs would be lost. The recommendations have now been adopted and will largely be implemented by natural attrition.

During the year there were a number of changes to some of the Acts which affect the administration of the Parliament. These include the *Protected Disclosure Act 2012*, the *Parliamentary and Public Administration Legislation Amendment Act 2013*, and the new *Parliamentary Salaries and Superannuation Allowances Regulations 2013*. The additional administrative work caused by these changes has been undertaken on a collective basis by staff in all three parliamentary departments.

Further changes were made during the year to the *Parliamentary Committees Act 2003* resulting in a reduction in the number of joint investigatory committees from 14 to 12. The merging of four committees into two has had implications for the staffing of the committees and the reassignment process which was managed jointly by the Assistant Clerks Committees in the Council and the Assembly was progressing well at the end of the reporting period.

So far as committees are concerned the new Council standing committees have now completed their second full year of operation. Whilst the level of activity in the Council committee office has been lower than expected, each of the committees has received references from the Council and has efficiently completed their inquiries and tabled reports. The level of committee activity saw a reduction in the number of staff in the Council committee office. We will continue to monitor the situation and will make decisions relating to committee resourcing based on the level of activity and funding available. On the subject of the committee office budget, I am pleased to report that we have now secured an increase of \$150,000 in our output funding for the Council committees and the Government has foreshadowed the increased funding will also apply in 2014-15.

In closing I wish to thank all staff in the department for their hard work during the year. The department's vision is "to provide quality, apolitical, professional, innovative and integrated support services and information to the President, Members of the Legislative Council, and other clients, in the interests of Victorians". The small team of dedicated and high quality staff of the Council have, I believe, fulfilled that vision and they are to be commended for their unswerving efforts throughout the year.

Wayne Tunnecliffe

**Clerk of the Legislative Council**



# Departmental Vision

The vision of the Department is: To provide quality apolitical, professional, innovative and integrated support services and information to the President, Members of the Legislative Council and other clients, in the interests of Victorians.

## Departmental Goals

Within the context of the Parliament's Strategic Directions and the values defined therein – effective corporate governance, excellent service delivery and sustainability – the Department focused on three goals in the year under review. These are:

### Service Delivery

- To provide timely and accurate procedural advice to clients and ensure that the business of the Legislative Council and parliamentary committees administered by the Department is conducted in a timely manner, according to law, decisions of the Council, parliamentary practice and established committee policy.
- To promote public awareness and understanding of parliamentary democracy and of the role, functions and processes of the Legislative Council, Parliamentary Committees and the Parliament generally.
- To utilise modern and cost-effective technological information systems for the delivery of high level specialist support services to our clients, to implement records management best practices and to provide high quality reports and timely information services.

### Corporate Governance

- To ensure that departmental strategies, planning and directions are in accordance with the highest standards of governance and enable an effective system of ongoing improvement.

### People and Resources

- To implement fair and equitable staff management practices which develop the skills base of staff in order to achieve corporate, departmental and committee objectives.

- To ensure that departmental financial and physical resources planning and management is in accordance with the highest standards of compliance and accountability.

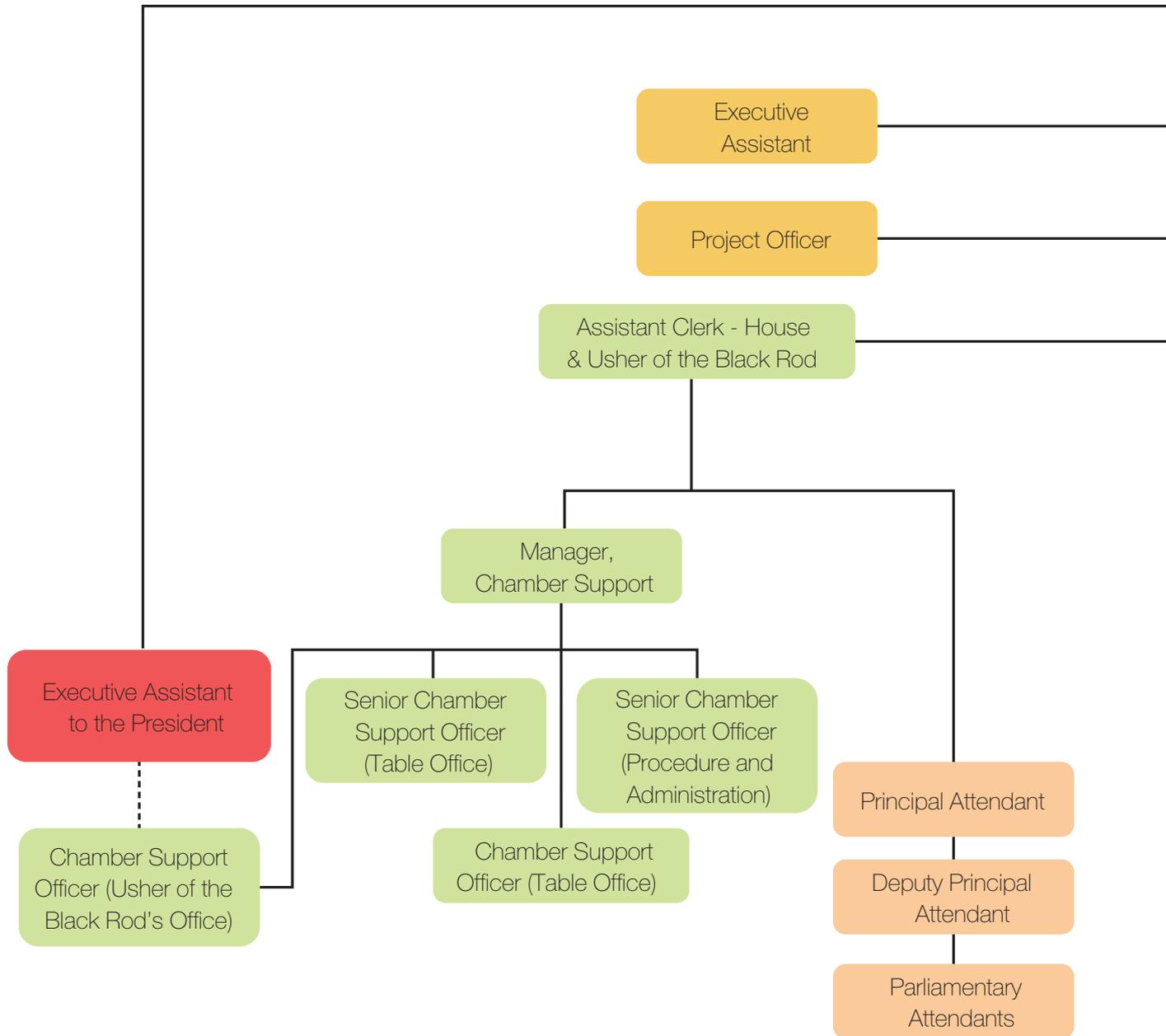
## Business of the Department

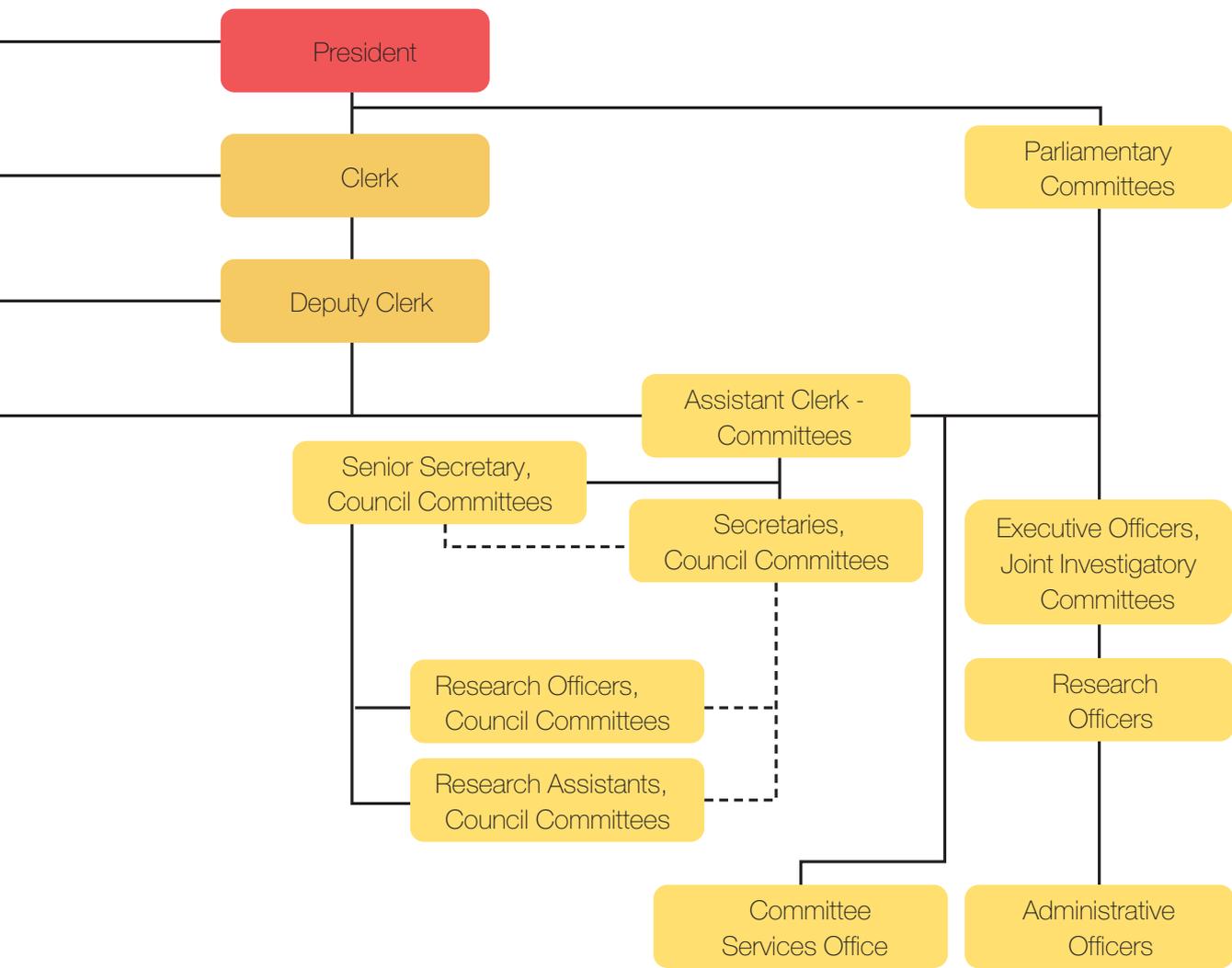
The business of the Department is to:

- provide procedural advice to Members of the Legislative Council;
- process legislation;
- prepare documentation required for sittings of the Legislative Council and Parliamentary Committees;
- prepare records of the proceedings of the Legislative Council;
- provide procedural and policy advice to Parliamentary Committees;
- provide administrative and research assistance, and produce draft reports for Parliamentary Committees;
- provide information relating to the proceedings of the Legislative Council;
- provide operational support to Members of the Legislative Council;
- promote public awareness of the role, functions and processes of the Legislative Council and the Parliament;
- co-ordinate parliamentary events, functions and special visits; and
- provide a secure, safe and healthy workplace.



# Department of the Legislative Council Organisation Chart









# Service Delivery

## PROCEDURAL ADVICE

### Advice to the President and Members

The Department's principal function is to provide advice to the President and Members on matters before the House. The advice is usually given in several ways – on an ad hoc basis, verbally or in writing. When the House is sitting, the President will often be called upon to rule on a matter as it arises and to assist the Chair a good deal of work is often done in anticipation of this occurring. Occasionally the President will reserve his ruling on a matter until a later date.

During 2012-13 there were three major occasions when the President made a ruling or statement from the Chair which are worthy of comment in this report. These concerned the right of reply procedure, the use of social media in the Chamber, and the withdrawal of the Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011.

### Right of Reply Procedure

On 21 June 2012, a right of reply from a councillor from the City of Kingston was tabled in the House following which the Member who was the subject of the right of reply attempted to make a 90 second statement upon its content. The Member was not permitted to do so on the basis that there have been previous rulings preventing Members from making personal explanations on the same day as the presentation of a right of reply. The President undertook to further consider the matter.

Subsequently on 15 August 2012, the President ruled that he would continue to deny Members the opportunity to make 90 second statements or personal explanations on the same day as a right of reply is tabled in relation to statements they have made in the House. The basis for this ruling is that the immediate response by the Member concerned could trigger a mechanism for continuing debate between the Member and the citizen. The President also indicated his view that the House should first

be afforded the opportunity of acquainting itself with the right of reply prior to any immediate comment by Members or possible consideration of the right of reply.

### Use of Social Media in Chamber

During Questions Without Notice on 21 February 2013, a Member raised a point of order to the effect that another Member had accused him on a twitter feed of having made an inappropriate gesture towards her. In responding, the President referred to recent similar issues in the Legislative Assembly which had given rise to an inquiry by that house's Standing Orders Committee and said he would be discussing the issue with the Speaker.

The President stated that the Parliament was now confronted with the issue of the use of technology, including twitter accounts, to convey information outside of the Chamber, and Members used it extensively during the proceedings, particularly during Question Time. Members were tweeting or re-tweeting information that they cannot even substantiate as being accurate. The President indicated his concern at this emerging practice and desires that Members would act responsibly and would recognise that, when they made comments through social media, these should be honest and fair. Finally, the President said that it was incumbent on Members to inform their staff, who obviously were listening to proceedings, of the Parliament's guidelines on the use of social media and other forms for communication.

### Withdrawal of Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011

On 20 February 2013, the President ruled that the Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011 introduced by Ms Colleen Hartland was in breach of section 62 of the *Constitution Act 1975* and therefore ordered that the bill be withdrawn.

Section 62 of the Act provides that a bill for appropriating any part of the Consolidated Fund or for imposing any duty, rate, tax, rent, return or impost must originate in the Legislative Assembly. The bill, which proposes to extend the benefits under the *Accident Compensation Act 1985* by introducing a presumption that certain diseases suffered by a firefighter are due to the nature of their employment, does not in itself appropriate money from the Consolidated Fund as the scheme under the *Accident Compensation Act 1985* is not funded by the budget. The scheme, however, is a fully funded scheme paid for by employers.

However, the principal reason for the President's decision was that, because the primary purpose of the bill is to extend the benefits under the accident compensation scheme, and a consequence would be the imposition of a further tax or impost on employers, it was therefore in breach of section 62 of the *Constitution Act 1975*. Consistent with past practice the Chair has always ruled that a bill that causes increased costs, whether as a tax or other impost, must originate in the Legislative Assembly, whether or not that is the primary purpose of the bill.

### Amendments to bills in Committee of the Whole

Clerks and Table Office staff assist Members, including Ministers, with amendments to bills. Proposed amendments are checked and in some cases, in consultation with the Office of Chief Parliamentary Counsel, altered in order to comply with Standing Orders, constitutional provisions relating to legislative powers and custom and practice of the Council.

Once amendments are authorised for the Chamber, running sheets are drafted to assist the chair of the Committee of the whole Council, Members and Ministers to proceed through the bill and relevant amendments.

48 Bills were considered in Committee of the whole in the Council in 2012-13. 32 sets of amendments were circulated, comprising a total of 207 proposed amendments.

### Production of Documents

2012-13 saw the continuing trend of recent years of non-Government parties obtaining information by way of ordering the production of documents in the Council. Eleven new orders were passed by the Council in

the reporting period, two less than the previous year. All motions were moved by members of either the Australian Greens or the Australian Labor Party.

The Government continued its practice of not opposing the initial motions for the production of the documents, but considering the request and providing the requested documents only when they deemed it appropriate. The Government fully complied with eight out of the eleven orders made in 2012-13, but was not prompt in doing so, only complying with two out of the eight orders within the requested deadline. There are currently three orders still outstanding that have each received a response from the Government requesting more time, however, despite the Government's failure to comply with these three of resolutions by the due date, only one follow-up motion was moved, which is yet to be resolved by the House.

### Procedure Committee

A result of changes to the Standing Orders adopted on 6 October 2010, the newly named Procedure Committee supersedes the old Standing Orders Committee, reflecting the wider ambit of the Committee's responsibilities, which encompass any matter relating to the Council's proceedings.

The Committee met once during 2012-13, and as at the end of the reporting period, the President had referred one new matter for consideration — use of unparliamentary language — bringing the total number of matters referred to the Committee during the 57<sup>th</sup> Parliament to eight.

### Procedural Review Meetings

Following each sitting week the proceedings are reviewed by Chamber Officers, staff from the Table Office and Council Committee Office who support the Chamber, and staff from the Joint Committee Office who attend on a rotation basis. The Procedural meetings are regarded as an important training and development activity which better equips staff with the knowledge that underpins the operations of the Chamber. This is the core business of the Department. The process followed in the review meetings is that one staff member leads each day's discussion by identifying matters of interest which have occurred during the sitting. The Clerks assist by providing commentary and the staff are invited to give their views on procedure which have occurred in the House.

## COUNCIL SITTINGS AND DOCUMENTATION

### Sitting Day Business Meetings

Each sitting day, in an idea first borrowed from the Senate, the Clerks and chamber staff meet prior to the sitting of House for approximately 15 minutes to discuss any business and potential procedural issues likely to come before the House that day.

Given the sittings of the Council can often be unpredictable, these meetings have proven to be an important communication tool within the department for the last several years, ensuring all chamber officers and other relevant staff are fully aware of, and prepared for, the business or possible business to be dealt with each sitting day.

### Sittings of the House

in 2012-13, the Council met for a total of 17 sitting weeks, the same number as the previous financial year, in addition to the regional sitting in Bendigo on 6 September 2012.

With the exception of the regional sitting, where it only sat for one day, the Council sat three days each week (Tuesday to Thursday), and did not utilise its ability to sit on a Friday during this reporting period.

In total, the Council sat for just under 454 hours in 2012-13. The average length of each sitting day was 8 hours and 25 minutes, which is slightly lower than the 2011-12 average of 8 hours and 59 minutes.

Legislative Council sitting patterns for the past ten years are on page 16. A breakdown of the time spent in different items of business in 2012-13 appears in the chart on page 17. Appendix D contains selected statistics relating to the sittings of the Council for the past five years.

### Resignation and election of new Member

The Hon. Martin Pakula was re-elected to the Legislative Council in the 2010 State Election representing the Western Metropolitan Region. He resigned his seat on 26 March 2013 in order to seek election to the Legislative Assembly, resulting in a casual vacancy in the Council.

In accordance with section 27A of the *Constitution Act 1975* a joint sitting of the Council and Assembly was conducted on 8 May 2013 at which Mr Cesar Melhem was elected to hold the seat rendered vacant by Mr Pakula. Mr Melhem was subsequently sworn-in as a Member of the Council for the Western Metropolitan Region on 9 May 2013.

### Parliamentary Publications

The Department is responsible for the preparation and circulation of a number of parliamentary publications. In 2012-13 the following documents were issued:

NOTICE PAPERS (DAILY)	52
MINUTES (WEEKLY)	18
COMMITTEE OF THE WHOLE COUNCIL SUPPLEMENT	17
UNANSWERED QUESTIONS ON NOTICE	10
ADJOURNMENT MATTERS AWAITING RESPONSE	10

The volume of Questions on Notice asked in 2012-13 was stable relative to the previous few years. Excepting four sitting days where the submitted questions on notice numbered in the hundreds, the average number of questions asked each sitting day was eight.

The Committee of the Whole Council Supplement is issued alongside the weekly Minutes if the Council considered any Bills in Committee of the Whole for that sitting week. It details amendments considered in Committee of the Whole, and records any divisions that took place.

## Sitting Statistics

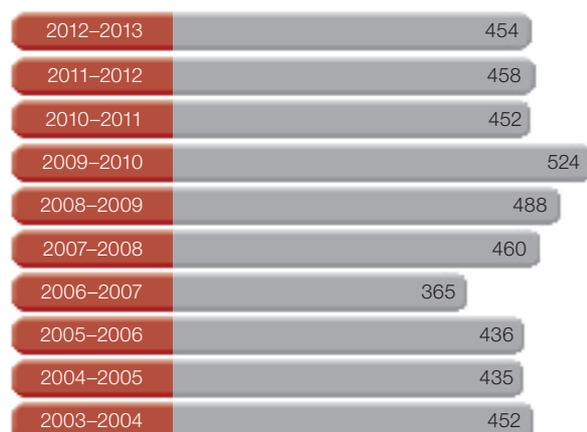
Sitting Days, Legislative Council,  
2003–4 to 2012–13



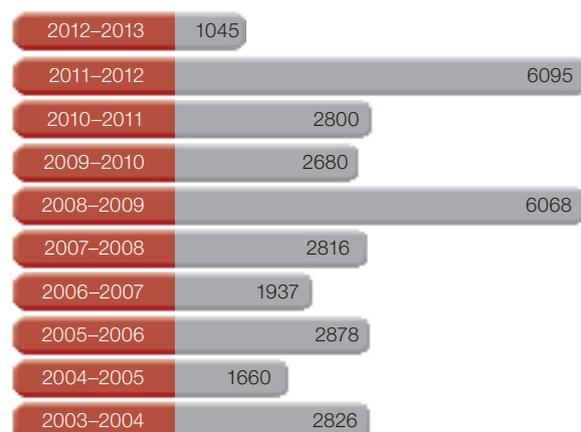
Average Length of Daily Sittings (Hours),  
Legislative Council, 2003–4 to 2012–13



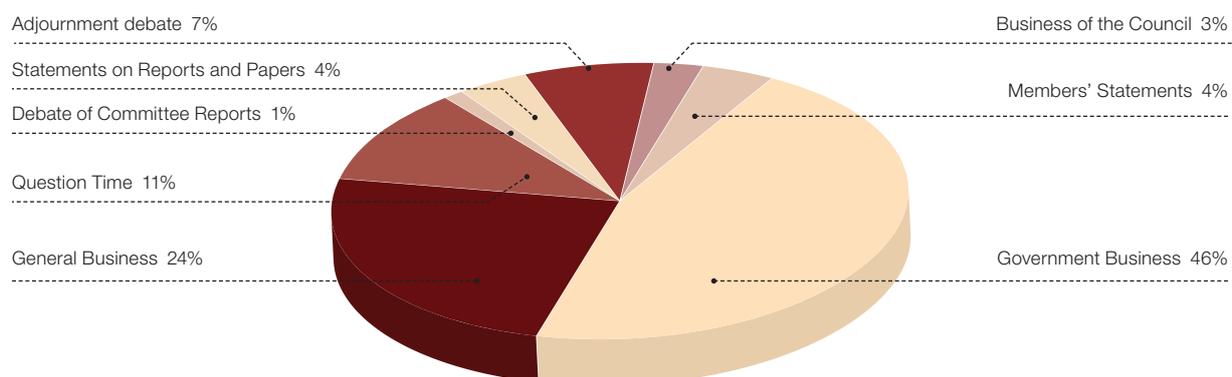
Sitting Hours, Legislative Council,  
2003–4 to 2012–13



Questions on Notice processed by the  
Department of the Legislative Council,  
2003–4 to 2012–13



## Breakdown of Business 2012–13



- *Government business includes Government sponsored legislation and motions and ministerial statements.*
- *General business includes legislation and motions initiated by members of the non-Government parties.*
- *Business of the Council includes time spent on presentation of petitions, giving notices, presentation of papers (excluding motions to take note of Committee Reports), privilege matters, personal explanations and condolence motions.*

## PROCEDURAL RESEARCH PROJECTS

### Procedural Bulletins

Since the commencement of the 54th Parliament in 1999, the Department has published biannual Procedural Bulletins, which provide an account of the most significant events, procedural issues and rulings from the Chair for each half year (what used to be known as the Autumn and Spring Sittings). During 2012-13, bulletins for February to June 2012 and August to December 2012 were published and distributed to Members of the Council, various staff and the Clerks of each of the other Houses of the Australasian parliaments.

### External Procedural Publications

The Department contributes to a number of external procedural publications on a regular basis. The most significant of these within Australasia is *Parliament Matters* which is produced by the Australia and New Zealand Association of Clerks-at-the-Table (ANZACATT). This group produces two editions of its bulletin each year.

Members of the Department contribute articles to other parliamentary publications on a semi-regular basis including *Australasian Parliamentary Review* which is the journal of the Australasian Study of Parliament Group and *The Table*, the journal of the

Society of Clerks-at-the-Table in Commonwealth Parliaments.

### Rulings from the Chair 1979–2012

The seventh edition of *Rulings from the Chair* (48th to 57th Parliaments) was drafted and nearing completion by the end of the period under review. This volume provides a ready reference of useful procedural precedents to assist the Clerks in advising the President and other Members.

### Legislative Council Practice and Procedure Manual

During the reporting period the Department continued to develop a substantial volume with the working title *Legislative Council: Practice and Procedure Manual*. A number of Council staff are involved in associated research, writing and/or editing of the document. Ultimately, the purpose is to produce a manual which will complement the Standing Orders by outlining the House's practices in greater detail, including the citation of notable rulings and events.

By the conclusion of the year under review, further significant work had been done and the vast majority of chapters had been either completed or drafted to at least first draft stage.

## DATABASE MANAGEMENT

### Questions on Notice Database

The Questions on Notice Database provides a fully searchable database of questions and answers, which allows users to easily search for and track the progress of questions on notice asked in both Houses of Parliament.

At the beginning of 2012-13 the database contained data for the Council up to September 2011. Staff worked over the second half of 2012 to retrospectively upload outstanding questions and answers, bringing it up to date in time for the beginning of the 2013 sittings.

The database is now updated on a sitting weekly basis and can be accessed via the Parliament of Victoria website.

### Tabled Documents Database

The Tabled Documents Database is a searchable database containing information on all documents, including electronic copies of some reports, tabled in the Parliament from 2012 onwards. It is available to Members and the public through the Parliament of Victoria website.

The database first went live in February 2012 and is updated on a sitting daily basis. The tabling guidelines issued jointly by the Assembly and Council have also been updated to include the requirement for tabling agencies to provide an electronic copy of reports for tabling for uploading to the database.

## PROVISION OF INFORMATION

### Legislative Council Information Sheets

Currently 21 information sheets containing a range of procedural and historical information about the Legislative Council, its Committees and the Chamber are available online through the Parliament of Victoria website and in hard copy from the Legislative Council Table Office.

Following a review of the format and content, work on updating the information sheets was undertaken in the 2012-13 reporting period. Significant progress has been made to date and it is expected the newly designed information sheets will be published towards the end of 2013.

### Register of Members' Interests

Under the *Members of Parliament (Register of Interests) Act 1978*, Members are required to provide details of their interests. This information is required from new Members upon their election to Parliament (i.e. Primary Return) and from all existing Members by 29 August each year (i.e. Ordinary Return). Members may also lodge variations to their interests at any time during the year. This information is contained in a register which is maintained by the Clerk of the Parliaments, currently the Clerk of the Legislative Assembly. However, by arrangement between the Houses, the Department of the Legislative Council continues to maintain the Register of Members' Interests on behalf of the Clerk of the Parliaments.

During 2012-13, the following reports were prepared and tabled:

- Summary of Returns — June 2012 and Summary of Variations notified between 21 June 2012 and 5 October 2012 and Summary of Primary Return — September 2012
- Cumulative Summary of Returns, 30 September 2012
- Summary of Primary Return — May 2013 and Summary of Variations notified between 6 October 2012 and 24 June 2013

Ordinary Return forms will be sent to all Members of Parliament on 1 July 2013 and a summary of those returns, together with a Cumulative Summary as at 30 September 2013, will be tabled in October 2013.

## Review of House Readers and Auto-text Database

House readers are used by the President, Deputy President, Ministers and members to guide them through complicated procedural processes in the Legislative Council. The auto-text database is utilised by Chamber Officers to produce the Minutes of the Proceedings, providing for the input of standard template entries, which assists staff in saving time and reducing errors when creating this document.

Several reader and auto-text entries have been updated and refined to reflect changes to procedures and terminology resulting from new or slightly differing practices that occurred in the House during 2012-13. However, no significant changes were made to the House Readers and Auto-text Database following the detailed review undertaken at the conclusion of the 56th Parliament.

## PUBLIC AWARENESS AND EDUCATION

### YMCA Youth Parliament

The 26th YMCA Youth Parliament was staged at Parliament House on 2, 3 and 5 July 2012. The "Opening Ceremony" was held in the Council chamber, and was officially declared open by the "Youth Governor" who, along with participants, was joined at the ceremony by Members of Parliament, YMCA organizers and other guests.

Over the three days, Members assisted as Acting Presidents or Speakers during debates in the respective chambers. These debates were conducted as consistently as practicable with parliamentary procedure and proceedings and were recorded by Hansard for a day in both the Council and Assembly. At the conclusion of the sittings, the "Bills" were presented to then Treasurer, the Hon. Kim Wells MP, at the closing ceremony in the Assembly.

The Assembly this year were responsible for the planning and conduct of the event and were supported by the Assistant Clerk – House and Usher of the Black Rod and the Senior Chamber Support Officer (Procedure and Administration) with many other staff assisting during debates.

### Open Day

Open Day was held this year on 24 March 2013. The three Departments hosted information displays and staff were on hand to answer questions from visitors. It was a great opportunity for the public to tour Parliament House and this year, to learn more about the front steps restoration project.

The Buildings and Grounds Unit had a large display in Queen's Hall with prints of architectural plans and information about the building works currently in progress. The Public Record Office Victoria and the Victorian Auditor-General's Office also hosted display stands.

Displays in Queen's Hall from Hansard/Broadcast and Committees were also very popular with visitors. The Presiding Officers met visitors and chatted about their roles.

The Victoria Police Show Band entertained visitors in the gardens over the lunch break and graduates from the Victorian College of the Arts played at the front of the building, enticing passers-by to come up the steps past the hoarding.

The day attracted 2500 visitors who took the opportunity to look around the building and meet staff.

### Australasian Study of Parliament Group

The Department's commitment to parliamentary related education is reflected in its ongoing support via corporate membership and executive participation in the Australasian Study of Parliament Group (ASPG). The Victorian Chapter of the ASPG holds seminars at Parliament House featuring guest presenters several times each year. The Victorian Chapter is by far the most active branch in Australia and has the largest membership of any branch.

During 2012-13, the Clerk held the position of Chair of the Victorian Chapter; the Assistant Clerk – Committees was Honorary Secretary of the Chapter and the Senior Secretary of Council Committees was acting Honorary Treasurer. The Clerk's Executive Assistant provides support to all three roles.

The Victorian Chapter conducted four seminars during the reporting year:

*Codes of conduct and political lobbying*, September 2012, presented by Bill Forwood, former Parliamentary Secretary and Leader of the Opposition in the Legislative Council and David White, former State Government Minister;

*Westminster in the Pacific: the challenge of bringing parliamentary government to developing nations*, November 2012, presented by Nathan Moshinsky, QC, former Solicitor-General of the Solomon Islands and Simon Johnston, Twinning Project Coordinator, New South Wales Parliament;

*Separation of Powers: the independence of the Courts and the Parliament*, March 2013, presented by the Hon. Marilyn Warren AC, Chief Justice of the Supreme Court and the Hon. Bruce Atkinson, President of the Legislative Council; and

*Hung Parliaments: are they good for Parliament?* June 2013, presented by Harry Jenkins, former Speaker of the House of Representatives and Bernard Wright, Clerk of the House of Representatives.

### Presentations for Internal and External Groups

The Department is committed to promoting a greater understanding of the Parliament's history, structure, role and responsibilities. To this end, it actively supports events such as Open Days and the annual YMCA Youth Parliament by assisting with their organization and the provision of staff and administrative resources.

The Clerks and Assistant Clerks also gave various presentations during the course of 2012-13 at several staff orientations and for programs organized by ANZACATT. In addition, the:

- Assistant Clerk – House and Usher of the Black Rod gave a lunchtime presentation at Melbourne Legacy in August 2012 titled 'The History and Role of the Usher of the Black Rod'.
- Assistant Clerk – Committees gave presentations to the Doncaster Probus Group covering the role of the Clerk, Usher of the Black Rod, the Council and our bicameral Parliament (July 2012) and to a parliamentary intern group regarding the Legislative Council since the 2003 constitutional changes (March 2013).

Another way in which the Department contributed to public awareness of the Parliament was via the

attendant group who regularly assisted with public tours conducted at Parliament House.

### Role of the Office of the Chief Parliamentary Counsel

On 5 June 2013, the Department hosted a presentation delivered by Mr John Butera, First Deputy Chief Parliamentary Counsel on the role of the Office of the Chief Parliamentary Counsel. The presentation covered the current general role of the Office in the legislative process, including the drafting of Bills, amendments and regulations and how the role has changed over the years, especially with the introduction of information technology. Over 35 Parliamentary officers attended the presentation.

## SPECIAL EVENTS AND PROMOTIONAL ACTIVITIES

### Bendigo Regional Sitting

It has now become accepted practice for Regional Sittings to be held once in each Parliament. The Government identifies the region in which each House will sit and chooses the date.

As mentioned in the last Annual Report, the Legislative Council held its 5th Regional Sitting in Bendigo on Thursday, 6 September 2012. The venue for the event was the Bendigo Town Hall. The Council has previously sat in Ballarat, Benalla, Colac and Lakes Entrance.

Regional sittings continue to play an important role in educating the public about the processes of Parliament and the proceedings are designed to reflect, as much as possible, a typical sitting day in the Legislative Council.

The Chamber was set up and configured as close as possible to the Legislative Council Chamber in Melbourne with all tables adorned with red table cloths to symbolize the colouring of the Upper House. The Government parties were seated to the right of the President's Chair and the non-Government parties sat to the left of the President's Chair. The public gallery was able to accommodate up to 250 people at any one time.

The Clerk of the Legislative Council read the Proclamation issued by the Governor of Victoria under the *Constitution Act 1975* empowering the Legislative Council to sit in Bendigo, as well as issuing an Order declaring the Bendigo Town Hall and its surrounds to be a 'Parliamentary Precinct' under the *Parliamentary Precincts Act 2001*. The Presiding Officer was thus given all of the powers necessary to control and manage those areas during the sitting.

After the President took the Chair, he invited the Very Reverend John Roundhill, Anglican Dean of Bendigo to read the Prayer, after which the President and Party Leaders made their own welcoming speeches. Councillor Alec Sandner, the Mayor of the City of Greater Bendigo was then invited into the Chamber to address the House. Mayor Sandner welcomed the Legislative Council Members to Bendigo and thanked them for giving the region the opportunity to again host such an historical event.

The sitting, which ran from 9.30 am until 6.43 pm, included debate on legislation, tabling of reports and petitions, questioning of Ministers about Government policy and performance, and debate on two Government motions – one concerning support for Bendigo and the Northern Victoria Region and the other recommending that "gold" be declared the mineral emblem for the State of Victoria.

The sitting was webcast live on the internet.

The regional sitting was attended by a number of school groups within Bendigo and surrounding areas, members of the public and a number of current and former Members of the Federal and State Parliament giving them the opportunity to view the Legislative Council in action.

The Department wishes to record its thanks to Councillor Alec Sandner, Mayor of the City of Greater Bendigo and his staff for their assistance and particularly Mr Terry Karamaloudis, Major Events Manager and Mr Raph Beh, Major Events Officer for their exceptional hospitality and assistance during the regional sitting.

The planning and co-ordination of the regional sitting was conducted primarily by Andrea Agosta, Project Officer, together with other Legislative Council managers and members of various parliamentary departments, under the oversight of the Deputy Clerk.

## HOSPITALITY AND VISITORS

### Official Visitors and Delegations

A number of distinguished visitors and delegations visit the Parliament each year and special arrangements are customarily made for their reception. During 2012-13, the Department assisted in arrangements for the reception for the following visitors and delegations:

**10 July 2012** – His Excellency Mr Hideaki Ohmura, Governor of Aichi Prefecture, paid an official visit to Victoria. As part of the Governor's program for the three day visit he made an official call on the Presiding Officers which included afternoon tea, a signing of the Visitor's Books, and the exchanging of gifts. The arrangements for the visit were co-ordinated by the Protocol and Special Events Branch of the Department of Premier and Cabinet.

**16 August 2012** – Officers of the Secretariat of the House of Representatives in Thailand made a study visit to the Parliament where they were briefed by the Clerks and the Secretary of the Department of Parliamentary Services. The program for the visit was arranged by the Legislative Assembly.

**17 August 2012** – A delegation from the Parliament of Ireland visited the Parliament as part of a program arranged by the International and Community Relations Office of the Parliament of Australia. During the visit they received a briefing from the Clerk on the abolition of Upper Houses and the Presiding Officers hosted a lunch in the delegation's honour.

**23 August 2012** – A delegation from the Parliament of Vietnam visited the Parliament and made an official call on the Presiding Officers. The arrangements for the visit were co-ordinated by the President's Office.

**2 November 2012** – A delegation from the Kingdom of Morocco visited the Parliament and received briefings from the Clerk on the three levels of government in Australia and from officers of the Department of Parliamentary Services. The arrangements for the visit were co-ordinated by the President's Office.

**23 November 2012** – A delegation from the Parliament of Greece visited the Parliament and the Presiding Officers hosted a luncheon in the delegation's honour. The arrangements for the visit were co-ordinated by the Speaker's Office.

**21 February 2013** – A delegation from the Tokyo Medical Centre visited the Parliament and made an official call on the Presiding Officers who also hosted a lunch in the delegation's honour. The arrangements for the visit were co-ordinated by the President's Office.

### Australian Political Exchange Council Delegations

During 2012-13, the Parliament hosted two delegations under the auspices of the Australian Political Exchange Council. The first of these was a delegation from the Parliament of New Zealand which visited on 8 October 2012 and received a briefing from the Clerk on the three levels of government in Australia and attended a lunch hosted in their honour by the Presiding Officers.

The second delegation from the Socialist Republic of Vietnam visited the Parliament on 17 June 2013. The delegation also received a briefing from the Clerk on the three levels of government in Australia and attended a lunch hosted in their honour by the Presiding Officers.

### Delegations from the National Assembly of Kenya

In recent years the Parliament has been providing assistance to the National Assembly of Kenya following that country's transition to a new constitution. The principal features of the new arrangements have been the re-establishment of an Upper House and the establishment of 47 local assemblies throughout the country. As part of the assistance process the Parliament has hosted several delegations from the National Assembly of Kenya, and in February 2012, the President led a delegation to Kenya which conducted a series of meetings and briefings there with Members and officers.

From 5 to 15 November 2012, the Parliament hosted a further visit by officers from the National Assembly of Kenya who undertook a detailed program which involved observing the proceedings of the two houses and the committees, meetings with the Presiding Officers, Members, the Department Heads and other officers of the Parliament.

From 13 to 19 June 2013, the Parliament also hosted a visit by members of the Kiambu County Assembly in Kenya. This is one of the newly established county assemblies. The delegation which was led by the Speaker held a range of meetings with Members and officers of the Parliament.



# Corporate Governance

## DEPARTMENTAL MANAGEMENT AND PLANNING

### Whistleblowers Protection Act 2001/ Protected Disclosure Act 2012

The main purpose of the *Whistleblowers Protection Act 2001* is to encourage and facilitate the making of disclosures of improper conduct by public officers, which includes Members of Parliament.

The Parliament of Victoria has procedures in place for handling disclosures made under the Act. Those procedures include a system for reporting disclosures of improper conduct or detrimental action by Victorian Members of Parliament. The system enables such disclosures to be made to the President of the Legislative Council, if the disclosure relates to a Member of the Legislative Council, or the Speaker of the Legislative Assembly, if the disclosure relates to a Member of the Legislative Assembly.

The coverage of the Act specifically excludes certain persons, including parliamentary officers. This means that disclosures about parliamentary officers cannot be made under the Act. Parliamentary officers are, however, entitled to make disclosures under the Act, as are all members of the public.

Section 8 of the procedures state that the Presiding Officers will ensure a secure register is established to keep account of the status of whistleblower disclosures and that this information will be published in the relevant annual report of the Department of the Legislative Council and the Department of the Legislative Assembly.

In 2012-13, no disclosures were made to the President under the *Whistleblowers Protection Act 2001*.

The *Protected Disclosure Act 2012* came into operation on 10 February 2013 and replaced the *Whistleblowers Protection Act 2001*. The purpose of the Act is to encourage and facilitate the making of disclosures of improper conduct by public officers and public bodies and establish a system for matters to be investigated. The Act provides protection from detrimental action to any person affected by a protected disclosure whether it is a person who makes a disclosure, witness, or a person who is subject of an investigation.

Section 19 of the Act enables disclosures relating to Members of Parliament and Ministers of the Crown to be protected disclosures. Disclosures about Members of the Victorian Parliament must be made to the relevant Presiding Officer, Clerk or Deputy Clerk. In accordance with the Act, it is then the role of the relevant Presiding Officer to determine whether to refer the disclosure to the Independent Broad-based Anti-corruption Commission for assessment.

Under section 65 of the Act, the Presiding Officers will issue *Procedures for making a disclosure about a Member of Parliament*, which will outline the process that will be followed when assessing disclosures under the Act. These procedures will be based on the procedures previously issued under *Whistleblowers Protection Act 2001*.

A significant change under the *Protected Disclosure Act 2012* is that protected disclosures can now also be made about ministerial officers, parliamentary officers, parliamentary advisers and electorate officers. These disclosures can be made directly to the Independent Broad-based Anti-corruption Commission.

In 2012-13, no disclosures were made to the President, the Clerk or Deputy Clerk under the *Protected Disclosure Act 2012*.

### Presiding Officer's Travel

During 2012-13, the President travelled overseas on one occasion to attend the Presiding Officers' and Clerks' Conference held at Honiara, Solomon Islands, from 24 to 26 July 2012. The President's travel and accommodation costs amounted to \$2,450.

### Members' Climate Survey

The Strategic Directions 2010-2014 adopted by the parliamentary departments for the 57th Parliament identified as one of the priority challenges and opportunities "the support of Members in fulfilling their role to the best of their ability". It was proposed that this objective be realised by firstly researching and validating Members' support requirements, and secondly, then delivering enhanced support services to Members.

PEG / SMG decided that the best way to gather the information necessary to realise this objective would be to undertake a detailed Members' Climate Survey. The Clerk was given the responsibility for the carriage of this objective on behalf of the Parliament. During the year, a project team comprising the Clerk, Deputy Clerk, Director – Resource Management, and Learning and Development Officer from the Department of Parliamentary Services developed a detailed questionnaire which has been signed off by the Presiding Officers and will be distributed to Members early in the new financial year. The survey which can be completed electronically seeks feedback from Members on how parliamentary staff can best support their role as a Member. The feedback received will form strategic planning and service evaluation by the parliamentary departments. The questions aim to identify opportunities for improvement to a range of services provided to Members and it is intended that the survey will become an annual event. This will mean that the Parliament's strategic objectives can be monitored and adjusted as appropriate.

## PHYSICAL RESOURCES

### Security

Since 2009 and the transfer of prime responsibility for Parliament's security function to the Security and Electorate Properties Unit (SEPU), the Usher of the Black Rod has remained the Legislative Council's representative on the Security Operations Group (SOG). This Group meets prior to the commencement of every sitting week with relevant parliamentary officers, Protective Services Officers and our private security provider. The SOG is a means of sharing information, raising issues and, generally, preparing for any security related matters in the week ahead.

During 2012-13 a Risk Management Group was also formed consisting of staff from SEPU, the Usher of the Black Rod, Serjeant-at-Arms and the Manager, Buildings and Maintenance. This Group is in the process of assessing and addressing certain specific security risks within Parliament House.

## WORKPLACE MAINTENANCE

### Members' Office Relocations and Fit Outs

The Attendant team and Assistant Clerk – House and Usher of the Black Rod liaised with Buildings and Grounds Services Unit in relation to several Member office moves and refurbishments. Included amongst these was the relocation of several Council Members into newly fitted out offices above the Parliamentary Library due to the project to repair and waterproof the front steps of the building. This project is expected to continue throughout 2013.

## USE OF PRECINCTS

### Council Chamber and Meeting Rooms

The President, on advice from the Department, deals with requests for use of the Council Chamber, the Legislative Council Committee Room (LCCR) and, on occasions, the Knight Kerr Room. Co-ordination of arrangements for those venues and their servicing is undertaken by the Assistant Clerk – House and Usher of the Black Rod and Attendant staff.

Apart from Legislative Council sittings, the Chamber was used throughout the year for a number of events and meetings including television filming, lectures, youth summits and debating competitions.

### Functions

The Department assisted in providing services for various functions staged in the Legislative Council Chamber, Queen's Hall, the Legislative Council Committee Room, the Knight Kerr Room and the Parliamentary Gardens. As well as major functions, these included numerous luncheons, dinners, book launches, exhibitions and other events, all of which required support and a staffing presence from departmental staff after hours, including weekends.



# People and Resources

## HUMAN RESOURCES MANAGEMENT

### Parliamentary Officers (Non Executive Staff – Victoria) Single Enterprise Agreement

The Parliamentary Officers (Non-Executive Staff – Victoria) Single Enterprise Agreement 2009 expired on 30 June 2011. The Parliament has an agreement to align with pay outcomes of VPS agreement negotiations. The Community and Public Sector Union and individual bargaining representatives lodged their log of claims with the Parliamentary Departments on 3 June 2011 and negotiations for a new Parliamentary Officers (Non-Executive Staff – Victoria) Enterprise Agreement commenced on 24 August 2011 after approval of Parliament's Management Log was given by the Public Sector Industrial Relations Sub-Committee of Cabinet. A Parliament Enterprise Agreement Bargaining Committee (comprising management and employee representatives) was established in the reporting period with terms of reference that aimed to encourage full and open communication between the parties. The Department's management representative was the Deputy Clerk.

During the reporting period, the Committee met on 2 more occasions, taking the total number of meetings to 15. The final meeting was held on 10 August 2012.

Agreement between the State Government and the CPSU on the State-wide VPS Agreement was reached on 28 July 2012. In order for the Parliament to preserve the "Nexus Agency" status to ensure the same wages outcome for Parliamentary staff, a submission was made to Government by 29 October 2012. After a number of conciliation meetings between the Parliament, the CPSU and the Fair Work Commission, an "in principle" agreement was reached on 14 September 2012.

The submission to Government seeking approval for the ballot was lodged on 12 October 2012 and approval was granted by Government on 17 December 2012. A ballot was held closing on 23 January 2013 with 212 of 214 votes in favour of the EBA. The submission to the Fair Work Commission was lodged on 24 January 2013 and a hearing held by it on 8 February 2013. The EBA was approved by the Commission with an effective date of 15 February 2013.

### Equal Opportunity Officers

As part of the Department's ongoing commitment to providing a non-discriminatory and harassment free workplace, it continued to support the role of staff previously appointed as Equal Opportunity Officers. The continuation of this process is part of a larger commitment by the Parliament to provide a safe and secure working environment. The emphasis on equal opportunity at Parliament focuses on target areas such as 'workplace bullying'. Workplace bullying covers a wide range of discriminatory and unsatisfactory forms of behaviour in the workplace. The focus on these forms of behaviour exemplifies the Department's continuing commitment to an active system that aims to limit and eradicate passive forms of workplace discrimination and harassment as well as the more overt type.

### Fatigue Management

As reported in the last Annual Report, the extended sitting hours of each House of Parliament has been identified by the Parliamentary departments as a contributing risk to the occupational, health and safety of staff. The Parliament's risk management process has identified fatigue management as a strategic risk. A report commissioned by the Parliamentary departments in 2010 identified a number of localised and unscheduled work practices that carried significant potential to create an unacceptable level of fatigue related risk. As a result, a number of recommendations were made to address and mitigate the risks.

The Senior Management Group (of which the Deputy Clerk is a member), assisted by the Organisation Development Unit Staff, identified risks with the various business units and developed safe work plans for those units where appropriate. Those plans identified hazard and general risk indicator factors and control measures to deal with those factors. A Parliament-wide fatigue Management Policy was drafted and was expected to be formally approved by the Parliamentary Executive Group in the next reporting period. In addition to this a Fatigue Management Training Plan was developed that will provide relevant training for staff in roles particularly impacted by the extended sitting hours. The training is scheduled to occur in July/August 2013.

This department has already taken a number of steps to address fatigue including the introduction of hourly rosters in the House for Chamber and other staff as well as the introduction of a roster to ensure that the majority of staff do not work two late nights in succession as well as other measures when sittings have been extended beyond 10.00 pm.

### Occupational Health and Safety Committee

The Legislative Council continued to have a management representative (Assistant Clerk – House and Usher of the Black Rod) and a staff representative (from the Attendant Group) on the Occupational Health and Safety Committee throughout the reporting period. The Committee worked actively both at the practical level of resolving occupational health and safety matters brought before it by departmental representatives and also at the policy development level.

### Review of Attendant Group

Following a request from the Attendant Group for a review of their role in terms of structure, functions and the potential to redevelop staff capabilities, an organisational strategy and performance consultant was engaged in 2012-13. This consultant met with attendants individually and as a group, as well as with senior management and staff from the Organisational Development Unit. After gathering related information, including the work practices of attendant groups in other Australian jurisdictions, his report was submitted in early 2013.

The report's recommendations were founded on the criteria that:

- service standards to Members and visitors would be maintained and preferably improved;
- the Council would have the scope to adapt in the context of changed service requirements and budget conditions; and
- the Attendant Group would be provided with improved opportunities for career enrichment and advancement.

In broad terms, the recommendations ensured that:

- all existing attendants would retain their position;
- any reduction in staff numbers or restructuring would be done on a transitional basis and via natural attrition (most likely over a number of years);
- through this gradual process, there would be a shift towards somewhat fewer full-time positions and their replacement with part-time, sitting day roles;
- the Department would assist attendants to upgrade their skills if they wished to progress their career through the transition; and
- eventually two full-time positions would exist with supervisory, administrative and other responsibilities outside of the "traditional" attendant role.

By the end of the year under review, the report's final recommendations had been accepted by the Clerk, an Options and Recommendations Paper had been distributed to affected staff, and consultation had occurred with the CPSU.

## COMMUNICATION

### General Staff Meetings

Regular general staff meetings continued to be held during 2012-13. The meetings are conducted by the Presiding Officers and allow staff from all parliamentary departments to come together to hear and exchange information about what is occurring in Parliament generally. At these forums, service awards are presented to staff who have completed more than 5 years service with the Parliament. It also provides the Presiding Officers, management and other invited guests the opportunity to convey information that affects all parliamentary staff as well as providing staff the opportunity to ask questions and raise matters of general interest. The meetings are very well attended by staff and assist with communication in all areas of the organisation.

## PROFESSIONAL AND PERSONAL DEVELOPMENT

### Australasian Clerks Meeting

Every two years a meeting of Clerks in Australia, Norfolk Island and New Zealand is held in conjunction with the annual ANZACATT professional development seminar. During the year the biennial Clerks' meeting was held on 21 January 2013 and was attended by the Clerk. The program was divided into four sessions – practice and procedure, parliamentary privilege, parliamentary administration and support, and inter-jurisdictional issues. A range of papers and presentations were made on such issues as social media in the Chamber, publication of Chair's rulings, new additions and updates to procedural manuals, statutory secrecy provisions, video Hansard on demand services, the Ombudsman and parliamentary privilege, ICT governance and strategic planning, budget pressures and funding issues, and assistance to Members in staff selection and management.

### Presiding Officers and Clerks Conference

The 43rd Conference of Presiding Officers and Clerks was hosted by the National Parliament of the Solomon Islands, held in Honiara from 24 to 26 July 2012. Both the President and Clerk presented papers. The President's paper was on Achieving Financial Independence for the Parliament and the Clerk's paper was entitled Reporting Deadlines and the Termination of Committee Inquiries.

The Conference was attended by most Presiding Officers and Clerks from both Australia and the Pacific. In what was an innovation in the conference program a half day session was also held on the twinning arrangements currently being undertaken between Australian jurisdictions and the Pacific. In what was also a first, representatives of the Parliament of the Autonomous Region of Bougainville also attended.

The 44th conference will be hosted by the Legislative Assembly for the Australian Capital Territory in Canberra in July 2013.

### ANZACATT Professional Development Seminar

The annual ANZACATT Professional Development Seminar was hosted by the Australian Parliament in Canberra between 22 and 24 January 2013.

This annual 3 day Seminar is rotated between Australian and New Zealand Parliaments. It aims to help Clerks and other parliamentary officers expand their knowledge of parliamentary systems and procedure, as well as the administrative practices essential to the smooth operation of Parliament.

The theme for the seminar was "Parliament Works! People, Practice & Place". A broad range of issues were discussed, including staff training, budgets and finances, procedure and traditions, building infrastructure and technological innovations.

Andrew Young, Assistant Clerk – Committees and Peter Lochert, Secretary, Department of Parliamentary Services presented a paper on Parliament securing greater funds and greater independence from the Executive. The paper detailed the difficulties parliaments have in determining their funding independent of government. The presentation examined Australian and New Zealand jurisdictions, with particular focus on issues and challenges faced in Victoria.

A total of 98 delegates attended the Seminar from Australasian Parliaments as well as Officers from the House of Lords and House of Commons, United Kingdom, Scotland, Wales, South Africa, Canada and the United States of America.

The Northern Territory Parliament will host the next Seminar in Darwin in January 2014.

### Parliamentary Law Practice and Procedure Course

The Parliamentary Law Practice and Procedure Course organized by ANZACATT was conducted at the University of Tasmania for the fourth time from 27 June to 2 July 2013. The course is open to Australian and New Zealand parliamentary staff who have a university degree at Bachelor level or higher. The course modules comprise constitutional foundations and framework; law, custom and procedure; privileges; control, oversight and scrutiny; and the legislative process. Included in the course is a panel of Clerks which is designed to focus on procedural aspects and contemporary issues in Parliament, and allows students to ask questions about topics and issues of interest. Chiara Edwards, Chamber Support Officer, Usher of the Black Rod's Office, attended the course.

## Australasian Study of Parliament Group Conference

The annual conference of the Australasian Study of Parliament Group (ASPG) was held in Darwin in October 2012 at the Northern Territory's Parliament House. The theme of the conference was *Constitutions: reviewed, revised and adapted*. The conference was attended by the Clerk, the Assistant Clerk – House, the Assistant Clerk – Committees and the Senior Secretary, Council Committees.

## PARLIAMENTARY JOINT INVESTIGATORY COMMITTEES

The joint investigatory committees are established under the *Parliamentary Committees Act 2003* and their functions and powers are governed by both the Act and the Standing Orders of both Houses. A joint investigatory committee must inquire into and report to the Parliament on any relevant matter referred to it by either House or by Order of the Governor in Council published in the Government Gazette. Such committees may also inquire into any annual report or other document relevant to the functions of the committee that is laid before either House. During 2012-13, the Department was responsible for the administration of seven joint investigatory committees. The Legislative Assembly was responsible for the administration of seven other joint investigatory committees.

The major change during the reporting period was brought about by legislation establishing the Accountability and Oversight Committee (AOC) administered by the Council and the Independent Broad-Based Anti-Corruption Commission Committee administered by the Assembly. This increased the number of statutory joint committees from 12 to 14.

### Accountability and Oversight Committee

The Committee was established as part of the 'integrity' legislation in 2012. The powers and functions of the committee are contained in amendments to the *Parliamentary Committees Act 2003* and the *Ombudsman Act 1973*. The Committee's role is to oversee the Ombudsman, the Freedom of Information Commissioner and the Victorian Inspectorate in respect of Ombudsman officers.

Members were appointed to the committee by both Houses in February 2013 and the Committee had its first meeting in March 2013.

### Economic Development and Infrastructure Committee

During 2012–13 the Committee had one active inquiry: Inquiry into local economic development initiatives in Victoria. The Committee received the inquiry reference from the Legislative Assembly on 20 June 2012. The terms of reference asked the Committee to look at the range of economic development initiatives in Victoria. In particular the Committee was requested to investigate:

- the roles of local, state and federal governments in these initiatives
- the differences in how metropolitan, interface, and rural councils undertake these initiatives
- barriers to success for local economic development
- best practice examples of local economic development initiatives.

The Committee received 76 written submissions to the inquiry. It held nine days of public hearings in Melbourne, Bendigo, Ballarat, Mansfield, Dandenong, Geelong and Traralgon. The Committee also conducted site inspections to local council offices, local businesses and key stakeholders in these cities.

The Committee will table its final report by 31 July 2013.

### Education and Training Committee

The Education and Training Committee worked on two references and tabled one final report during the reporting period.

#### ***Inquiry into Agricultural Education and Training in Victoria***

The Legislative Assembly gave the Committee terms of reference on 10 February 2011 to evaluate the extent and effectiveness of agricultural education programs in Victoria and to consider whether the workforce training needs of the agricultural sector are being met.

The Committee commenced the inquiry in July 2011 and received 102 written submissions. The Committee also

held fourteen days of public hearings throughout the state, as well as travelling to New Zealand and Canberra.

The Committee tabled its final report in November 2012. The 45 recommendations set out in the report provide a framework for a system of agricultural education and training that supports a world-class agriculture sector into the future. Key recommendations include a promotional campaign to lift the image of agriculture and increase aspiration for agricultural careers; providing greater support for schools and teachers to deliver agricultural education and training; and reducing the barriers to participation in post-school agricultural education and training.

### ***Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools***

This inquiry was referred to the Committee by the Legislative Assembly on 23 October 2012. The terms of reference ask the Committee to consider the extent, benefits and potential of music education in Victorian schools.

The Committee called for submissions to the inquiry in November 2012 and received 244 written submissions. The Committee also held ten days of public hearings, including site visits to four schools. In addition, the Committee held a number of forums to gather evidence from students, school leaders and music teachers. For the first time, the Committee used information technology to conduct public hearings, holding online forums with staff and students from schools participating in the South Gippsland Cluster Music Program.

The Committee is required to table its final report by 30 September 2013.

## **Environment and Natural Resources Committee**

The Committee worked on three references during the reporting period.

### ***Inquiry into flood mitigation infrastructure in Victoria***

On 10 February 2011, the Committee received a reference for consideration and report on matters relating to flood mitigation infrastructure in Victoria, with particular reference to:

- best practice and emerging technology for flood mitigation and monitoring infrastructure including river gauges;
- the management of levees across the State; and
- waterways management including the nature and extent of vegetation clearing activities within waterways.

The Committee received over one hundred submissions to the inquiry, and was originally due to report by 31 May 2012. However, due to the 2012 floods in northern Victoria, the report date was amended to the end of August 2012. During May 2012 the Committee conducted further site inspections in northern Victoria, and held public hearings at Numurkah. The report was tabled in the Parliament on 29 August 2012.

### ***Inquiry into the establishment and effectiveness of Registered Aboriginal Parties***

On 10 February 2011, the Committee received a reference for consideration and report on the establishment and effectiveness of Registered Aboriginal Parties, with particular reference to:

- the policies of the Victorian Aboriginal Heritage Council in relation to the appointment of Registered Aboriginal Parties (RAPs)
- the support available to the Council in making decisions about the appointment of RAPs, and
- the effectiveness of Registered Aboriginal Parties.

Regional hearings and site inspections were conducted in the west, east and north of the State in 2012, and there were three public hearings held in Melbourne. The Committee received 70 written submissions, and the Committee also travelled to New Zealand on 12-15 June 2012 to evaluate and compare the Indigenous heritage system in that country. In August 2012 the Committee conducted site inspections at Mt William (Lancefield) and Sunbury. The report of the Committee was tabled in the Parliament on 14 November 2012.

### ***Inquiry into rural drainage in Victoria***

On 10 October 2012 the Committee received a reference for an inquiry into matters relating to rural drainage in Victoria (but not including irrigation drainage or regional urban and metropolitan drainage), with particular reference to:

- The historical basis for the establishment and operation of former drainage schemes including management arrangements
- The status of rural drainage across Victoria, including effectiveness, regulation, ownership, responsibility and maintenance on both public and private land
- The benefits of rural drainage for both productive land and environment together with community expectations for rural drainage programs
- The impacts of rural drainage, including on other land holders and the environment including waterways, wetlands, flora, fauna and water quality
- Options for improved rural drainage management across Victoria, including regulation, institutional and funding arrangements, operation, responsibility and maintenance on both public and private land, and
- The Committee's report on the Inquiry into flood mitigation infrastructure in Victoria

The Committee conducted site inspections and held public hearings in regional Victoria and in Melbourne, and received 74 submissions. In February 2013, the Committee visited Western Victoria, and inspected drainage systems in and around Port Fairy, and Macarthur, where it inspected the Eumeralla Drainage Scheme. In the same month the Committee visited Tooradin and Gippsland, and inspected drainage systems at Dalmore Road, Yarragon, Trafalgar and Moe. Public hearings were held in Hamilton, Warragul and Melbourne. The report of the Committee was tabled in the Victorian Parliament on 26 June 2013.

### **Law Reform Committee**

The Law Reform Committee had two active inquiries during the reporting period. The Committee tabled two reports during the 2012-13 year.

### ***Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and Their Families and Carers.***

This inquiry was referred to the Committee by the Legislative Assembly on 10 February 2011. The Committee called for submissions in July 2011 and received 60 submissions. The Committee convened public hearings with 72 witnesses representing 37 organisations. The final report of the Inquiry was tabled on 5 March 2013.

### ***Inquiry into Sexting***

This inquiry was referred to the Committee by the Legislative Assembly on 1 September 2011. The Committee called for submissions in May 2012, and received 60 submissions. The Committee convened public hearings with 45 witnesses representing 20 organisations. The Committee also undertook a study tour to Canada and the United States of America and met with 55 people representing 34 organisations. The final report of the Inquiry was tabled on 29 May 2013.

### ***Inquiry into Access by Donor-Conceived People to Information about Donors***

This inquiry was referred to the Committee by the Legislative Assembly on 10 February 2011. The final report of the Inquiry was tabled on 28 March 2012. An interim government response to the report was tabled on 11 October 2012. The Assisted Reproductive Treatment Amendment (Access by Donor-Conceived People to Information about Donors) Bill 2013, which implements a number of the Committee's recommendations, is currently before the Parliament.

### **Outer Suburban/Interface Services and Development Committee**

#### ***Inquiry into Liveability Options in Outer Suburban Melbourne***

The inquiry was referred to the Committee by the Legislative Assembly on 10 February 2011 with a reporting date of 10 February 2012, which was subsequently extended to 13 September, and then to 14 November 2012.

The Committee received 80 submissions and heard from 209 witnesses over the course of the inquiry. The final report of the Inquiry was tabled on 12 December 2012.

### ***Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne***

The inquiry was referred to the Committee by the Legislative Assembly on 10 February 2011, with a reporting date of 10 February 2012, which was subsequently extended to 13 December 2012 and then to 29 May 2013.

The Committee received 95 submissions and heard from 267 witnesses over the course of the inquiry. The final report of the Inquiry was tabled on 27 June 2013.

### **Road Safety Committee**

The Road Safety Committee had two active inquiries during the reporting period, tabling one report in December 2012 and receiving another reference in November 2012.

### ***Inquiry into Motorcycle Safety***

On 10 February 2011, the Legislative Assembly referred a reference to the Road Safety Committee to inquire into motor cycle safety. By the commencement of the reporting year, the Committee had received 76 submissions and held the majority of its public hearings. In 2012-13, the Committee held additional public hearings and conducted an international trip to meet with a range of relevant stakeholders, including federal and local government agencies, non-government agencies, riders' groups, research institutes, training organisations, industry associations, and insurance companies. As part of its trip, the Committee visited the United Kingdom, Sweden, The Netherlands, Strasbourg, Belgium and France.

The Committee tabled its final report for the *Inquiry into Motorcycle Safety* on 12 December 2012, which comprised 63 recommendations.

### ***Inquiry into Serious Injury***

On 29 November 2012, the Legislative Assembly referred another reference to the Committee to inquire into the nature and extent of serious injury in

motor vehicle accidents in Victoria. In February, the Committee made a call for submissions and advertised the terms of reference in the two major Victorian newspapers. In response, 36 submissions were received from interested stakeholders, community groups, government agencies, research centres and individual community members.

The Committee has convened public hearings and will table its final report in 2013-14.

### **Committee Services Office**

As in past years, the joint investigatory committees received a range of administrative and project support services from the Committee Services Office which administers and finances whole of committees activities, physical and information resources and accommodation.

### **Dispute Resolution Committee**

The Dispute Resolution Committee is established under section 65 B of the *Constitution Act 1975*. The Committee comprises 7 members of the Assembly and 5 members of the Council. The Act defines a Disputed Bill as a Bill which has passed the Assembly and, having been transmitted to and received by the Council not less than 2 months before the end of the session, has not been passed by the Council within 2 months after the Bill is so transmitted, either without amendment or with such amendments only as may be agreed to by both the Assembly and the Council. A Disputed Bill may only be referred to the Dispute Resolution Committee by a resolution of the Assembly and the Committee must seek to reach a Dispute Resolution within 30 days after the Bill has been referred. During the reporting period no Bills were referred to the Committee.

## **COUNCIL STANDING COMMITTEES**

### **Standing Committee on Environment and Planning**

On 13 November 2012, the Legislation Committee was referred an inquiry into the application of the Regulatory Impact Statement process. The Terms of Reference focussed on impact assessment models, economic modelling and methodology, cost to government and possible legislative reform. The Committee received ten submissions and held four

days of public hearings including one in Canberra. The Committee is required to table its final report in the Legislative Council by 29 November 2013.

The Legislative Council did not refer any inquiries to the References Committee during this period.

### Standing Committee on Economy and Infrastructure

In 2012-13, the Standing Committee on Economy and Infrastructure tabled three reports in the Legislative Council.

The Legislation Committee met in August 2012 to finalise its report on the Road Safety Amendment (Car Doors) Bill 2012. This followed eight public hearings and the receipt of 94 written submissions in the first half of 2012. On 28 August 2012 the Committee tabled its report in the Legislative Council, which recommended the Bill be withdrawn and key elements of the Bill instead be implemented by changes to regulations and an improved enforcement process.

In the second half of 2012, the References Committee completed its inquiry into Commonwealth payments to Victoria. The reference had been received in February 2012, and following a call for submissions in the first half of 2012, the Committee held a public hearing with the Assistant Treasurer and representatives from the Department of Treasury and Finance in October 2012. The Committee tabled its final report in the Legislative Council on 27 November 2012.

On 17 April 2013, the Legislation Committee was referred an inquiry into the Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011. The Terms of Reference specifically focussed on the constitutionality of the Bill and whether it could be initiated in the Legislative Council, and not the policy issues behind the Bill. The Committee received six submissions and held three public hearings during the eight week period it was given to complete the inquiry. The Committee tabled its final report in the Legislative Council on 12 June 2013.

### Standing Committee on Legal and Social Issues

The Legal and Social Issues Legislation Committee tabled its first report towards the end of the previous reporting period and in October 2012 received new terms of reference to inquire into the performance of the Australian Health Practitioner Regulation Agency.

The Committee called for written submissions late in 2012. Fifty-five submissions were received from a wide range of health practitioner organisations, consumers, and other stakeholders. The Committee commenced public hearings in December 2012 with evidence from the Department of Health. The Australian Health Practitioner Regulation Agency provided evidence in April 2013 with further six witnesses giving evidence in May and June.

The Committee will continue taking evidence in the second half of 2013 and must table its final report no later than 29 November 2013.

The Legal and Social Issues References Committee received no references during the reporting period.

## FINANCE

### Departmental Funding

Funding for the Legislative Council in 2012-13 was provided in three ways — Special Appropriations, the annual Parliament Appropriation Act and access to some Prior Years' Surplus.

Special Appropriations cover the payment of Members' salaries and allowances pursuant to the *Parliamentary Salaries and Superannuation Act 1968*, under which prescribed salary, allowances and superannuation contributions are automatically appropriated. They also cover the fixed appropriation for the Council paid under the *Constitution Act 1975*. Funding for the parliamentary joint investigatory committees in 2012–13 was also included in the Parliament's Appropriation Act. The *Appropriation (Parliament 2012/2013) Act 2012* provided funds for the Legislative Council on the basis of provision of outputs, covering salaries and overtime, operating expenses, subsidiary expenses associated with the employment of personnel, including both Members and staff employed in the parliamentary precinct (i.e., payroll tax, superannuation levy, WorkCover levy) and parliamentary printing.

The *Appropriation (Parliament 2012/2013) Act 2012* again provided separate funds for each parliamentary department, as well as the Auditor-General, rather than on a 'global' one-line basis as was the case with the remainder of the public sector. This approach continues to ensure that the Legislative Council's annual budget is guaranteed by law. In order to meet the additional costs in 2012-13 to fund the staffing and operating

costs of the Council Standing Committee system, the Department sought and was again granted a one-off access to its Prior Years' Surplus by the Treasurer.

For budgeting purposes, the 'Department of the Legislative Council' is treated as an output group which is required to meet certain performance targets in delivering outputs in return for the Department's budget resources. Those outputs, which are grouped on a quantity, quality and timeliness basis in the budget documents, represent a summary of the Department's main functions in relation to the sittings of the Council and some education and public relations related activities. A detailed account of those outputs and their performance measures appears at Appendix G to this report. The sources of the Council's budget for 2012-13 were:

### Special Appropriations

Members' salaries and allowances and superannuation contributions  
\$10,636,850

Clerk and expenses of the Legislative Council  
\$200,000

Auditor-General's Office Audit  
\$16,500

### Parliament Appropriation Act

Provision of outputs  
\$2,861,000

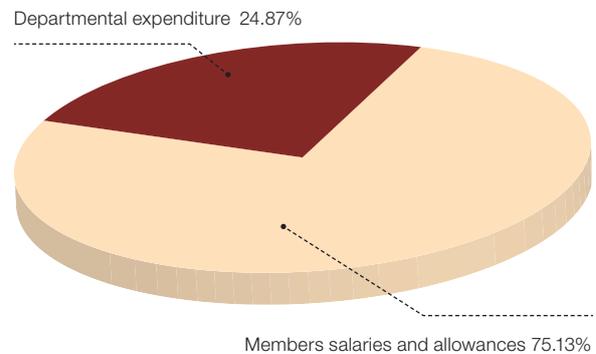
*Prior Years' Surplus*  
\$443,000

**TOTAL \$14,157,350**

The *Appropriation (Parliament 2013/2014) Act 2013* provides \$3,081,000 to the Legislative Council for the provision of outputs only. The detailed figures for 2012-13 for the Department appears in the expenditure statements at Appendix F to this report and a breakdown of expenditure for the Legislative Council on a percentage basis is depicted in the following charts:

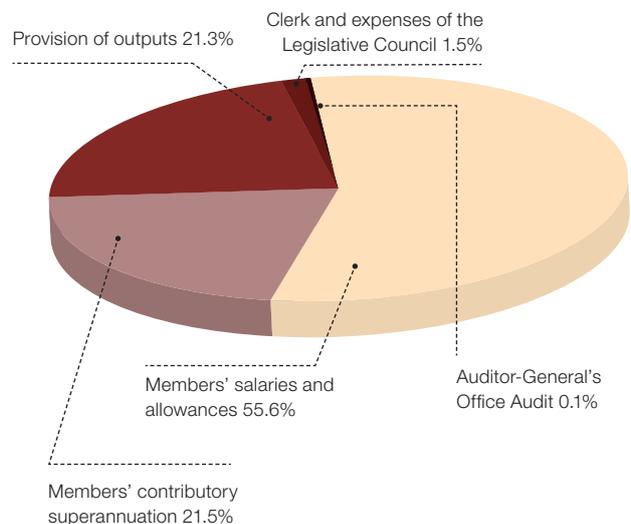
### Budget (%) members and departmental, 2012-13

*N = \$14,157,350 (Source: Appendix F)*



### Actual Expenditure (%), members and departmental, 2012-13

*N = \$13,504,117 (Source: Appendix F)*



## Joint Investigatory Committees Budget Arrangements

\$6.678 million was appropriated by the *Appropriation (Parliament 2012/2013) Act 2012* for the operations of Joint Investigatory Committees in 2012-13. Expenditure was also incurred for the financial audit of the Auditor General's office, which is overseen by the Public Accounts and Estimates Committee. The joint committees' appropriation is separate from the appropriations for each House department. The Parliamentary Joint Investigatory Committees group is, for budgeting purposes, also treated by the Government as an output group that is required to meet certain performance targets in delivering outputs in return for its budget resources, notwithstanding that one of the key roles of parliamentary committees is to scrutinize government administration and the Executive. Detailed accounts of those outputs and their performance measures appear at Appendices H and I to this report.

## Public Accounts and Estimates Committee Hearing

The Presiding Officers and Department Heads appeared before the Public Accounts and Estimates Committee hearing on 13 May 2013 in connection with its inquiry into the 2013-14 Budget Estimates.

The hearing began with a Powerpoint presentation highlighting the Parliament's achievements in 2012-13 and the challenges for the following year. Foremost among those challenges were the implementation of further output funding cuts, the part funding of Council Standing Committees and the two new joint oversight committees, the funding of the new Parliamentary Officer and Electorate Officer Enterprise Bargaining Agreements, meeting unfunded increases in electorate office rents and at 157 Spring Street, increase in utilities costs, increased IT leasing and communications and security costs. At the hearing the Presiding Officers agreed to provide further details relating to the amount spent on gifts and entertainment for 2012-13 and the amount expected to be spent on gifts and entertainment in 2013-14.

At the conclusion of the reporting period this information was being prepared for transmission to the Public Accounts and Estimates Committee.

## Legislative Council Budget 2013–14

The *Appropriation (Parliament 2013/14) Act 2013* provides for an estimate of output funding for the Legislative Council for 2013-14 of \$3.081 million compared with \$2.861 million in 2012-13. The additional amount of output funding is predominantly for the ongoing funding required to effectively operate the Council Standing Committee Office, which was previously funded through the use of some retained prior years' surplus'. It is hoped that the additional funding will be sufficient to operate that Office as well as maintaining the current level of services provided by the department.



# Appendix A

## Role of the Legislative Council Staff

### Clerk's Office

The Department's administration is headed by the Clerk whose main role is to provide policy, procedural and management advice to the President and Members of the Council on all matters relating to the operations of the Council and the Committees which it services. The Clerk is assisted by the Deputy Clerk who is responsible for the day to day management of the Department. The Clerk is required to provide an accurate record of the decisions and proceedings of the Council and to ensure that the passage of legislation is in accordance with legislative and procedural requirements. As Department Head, he has overall responsibility for the financing, staffing and administration of the Department and is a member of the Parliamentary Executive Group. The Clerk's Office is also responsible for the management of projects and special events as well as a number of other administrative and operational matters. Other staff in the Clerk's Office are the Executive Assistant to the Clerk and the Project Officer. The Clerk is also Honorary Assistant Secretary to the Victoria Branch of the Commonwealth Parliamentary Association. The Department accordingly provides some support services to the Branch. The Deputy Clerk also maintains the Register of Members' Interests on behalf of the Clerk of the Parliaments.

### Chamber Support Office

The Chamber Support Office undertakes the functions of the Table Office, procedural research and President's administrative assistance. These functions are the overall responsibility of the Assistant Clerk – House and Usher of the Black Rod and managed by the Manager, Chamber Support Office. The Chamber Support Office is comprised of the Manager, two Senior Chamber Support Officers and two Chamber Support Officers, including the Chamber Support Officer (Usher of the Black Rod's Office) who also provides assistance to the President's

Office. The Office provides the daily operation of the Table Office, procedural research and publications and administrative assistance to the President's Office. The production and management of public documents which underpin the sittings of the House and official record keeping responsibilities of the Clerk are a priority for the Table Office. Procedural research, writing publications and web content, administrative assistance for the department and involvement in significant projects, such as Youth Parliament, Open Day and Openings of Parliament are other important aspects of the broader Chamber Support Office.

### Attendant Staff

Under the direction of the Assistant Clerk – House and Usher of the Black Rod, the Principal Attendant manages and supervises a team of Attendants. The Principal Attendant provides general assistance to the Table Officers and attends to various requirements of Members, especially during the sittings of the Council. He also plays a ceremonial role on parliamentary occasions such as the Opening of Parliament and in greeting and escorting dignitaries on official calls at Parliament House. The Attendants' group is generally responsible for the daily cleaning and maintenance of offices, meeting rooms and other areas of the Council precincts, the provision of security and enquiry services, and a daily courier service within and outside the building. Attendant staff also provide services for the sittings of the House, meetings of Parliamentary Committees and at functions held at Parliament House. The Attendant team also contributes to the security function of the building by, amongst other things, performing the Attendant – Security Control Room function and mail scanning function for which training and accreditation is required. Some Council Attendants also perform public tour duties on a daily basis as part of the Parliament's civic engagement function.

## Committees' Office

The Department is responsible for administering 7 of the Parliament's 14 Joint Investigatory Committees – Accountability and Oversight, Economic Development and Infrastructure, Education and Training, Environment and Natural Resources, Law Reform, Outer Suburban/Interface Services and Development and Road Safety. Centralised support services are provided by the Committee Services Office. On 1 August 2013, a number of Joint Investigatory Committees will merge and the number will reduce to 12. The Department is also responsible for administering the Council Standing Committee Office which was established at the commencement of the 57<sup>th</sup> Parliament. The Assistant Clerk – Committees is responsible for the provision of accurate and timely advice, and effective and efficient support services to relevant joint investigatory committees (for which the Department has administrative responsibility), Council Standing Committees and any other select and standing committees which may be appointed by the Legislative Council. The support services provided by the Committees' Office include the provision of financial resources and adequate and competent staff, the analysis of evidence and the presentation of reports to Parliament. The Assistant Clerk – Committees is responsible to the President for the oversight of the operations of those committees and their secretariats whose role is to provide administrative, research, procedural and budgetary support. Consultants are engaged from time to time depending on the inquiries before the committees.

## President's Office

The President's Office is comprised of two staff: an Executive Assistant and the Chamber Support Officer (Usher of the Black Rod's Office). The Executive Assistant provides advice and assistance to the President on matters of parliamentary administration, official delegations and ceremonial events. The Chamber Support Officer supports the Executive Assistant in this role and in relation to projects sponsored by the President, in addition to performing more general chamber support and procedure duties as part of the Chamber Support Office /Table Office unit.



## Appendix B

The following Staff were employed in the Department of the Legislative Council as at 30 June 2013

WAYNE TUNNECLIFFE	Clerk
MATTHEW TRICARICO	Deputy Clerk
STEPHEN REDENBACH	Assistant Clerk – House and Usher of the Black Rod
ANDREW YOUNG	Assistant Clerk – Committees
LINDA SHATILKO	Executive Assistant to the Clerk
ANDREA AGOSTA	Project Officer
JESSICA LALOR	Executive Assistant to the President
VIVIENNE BANNAN	Manager, Chamber Support
ANNALIES ENGWERDA	Senior Chamber Support Officer (Procedure and Administration)
ANTHONY WOODLEY	Senior Chamber Support Officer (Table Office)
ANNEMARIE BURT	Chamber Support Officer (Table Office)
CHIARA EDWARDS	Chamber Support Officer (Usher of the Black Rod's Office)
GREGORY MILLS	Principal Attendant
MICHAEL STUBBINGS	Deputy Principal Attendant
PETER ANASTASIOU	Parliamentary Attendant
PATRICK BORIBON	Parliamentary Attendant (Clerk's Post)
PHILIP STOITS	Parliamentary Attendant (Security Control Room)
CHRIS WELSTEAD	Parliamentary Attendant
NICHOLAS PARASKAVAS	Parliamentary Attendant (part-time)

### **Council Committees Office**

RICHARD WILLIS	Senior Secretary (Standing Committee on Legal and Social Issues)
KEIR DELANEY	Secretary (Standing Committee on Environment and Planning)
ROBERT McDONALD	Secretary (Standing Committee on Economy and Infrastructure)
SARAH HYSLOP	Research Assistant
SEAN MARSHALL	Research Assistant
ANTHONY WALSH	Research Assistant

### Joint Investigatory Committees

#### **Economic Development and Infrastructure Committee**

SEAN COLEY	Executive Officer
MATT NEWINGTON	Committee Administrative Officer
KELLY BUTLER	Research Officer

### **Education and Training Committee**

KERRY RISELEY	Executive Officer
STEPHANIE DODDS	Committee Administrative Officer
ANITA MADDEN	Research Officer

### **Environment and Natural Resources Committee**

GREG GARDINER	Executive Officer
KAREN TAYLOR	Committee Administrative Officer

### **Law Reform Committee**

VAUGHN KOOPS	Executive Officer
HELEN ROSS-SODEN	Committee Administrative Officer

### **Outer Suburban/Interface Services and Development Committee**

NATHAN BUNT	Executive Officer
NATALIE-MAI HOLMES	Committee Administrative Officer
MICHELLE SUMMERHILL	Committee Administrative Officer
CHARLOTTE FREW	Research Officer
SCOTT MARTIN	Research Officer

### **Road Safety Committee**

YUKI SIMMONDS	Executive Officer
CHRISTIANNE CASTRO	Committee Administrative Officer
JOHN ALIFERIS	Research Officer

### **Accountability and Oversight Committee**

KYLIE JENKINS	Executive Officer
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The following staff were employed in the Department on an ongoing, part-time or casual basis during 2012-13:

QUENTIN CORNELIUS
VICKY DELGOS
AMIE GORDON
ROSALIND HEARDER
LISA KAZALAC
VATHANI SHIVANANDAN
NATALIE TYLER
IVAN ZWART



# Appendix C

## Members of the Legislative Council – 57th Parliament As at 30 June 2013

Region	Name	Party
Eastern Metropolitan Region	Mr Bruce Atkinson	LIB
	Mr Richard Dalla-Riva	LIB
	Mrs Jan Kronberg	LIB
	Mr Shaun Leane	ALP
	Mr Brian Tee	ALP
Eastern Victoria Region	Mr Philip Davis	LIB
	Mr Peter Hall	NAT
	Mr Edward O'Donohue	LIB
	Mr Johan Scheffer	ALP
	Mr Matt Viney	ALP
Northern Metropolitan Region	Mr Greg Barber	AG
	Mr Nazih Elasmr	ALP
	Mr Matthew Guy	LIB
	Ms Jenny Mikakos	ALP
	Mr Craig Ondarchie	LIB
Northern Victoria Region	Ms Candy Broad	ALP
	Ms Kaye Darveniza	ALP
	Mr Damian Drum	NAT
	Ms Wendy Lovell	LIB
	Mrs Donna Petrovich	LIB
South Eastern Metropolitan Region	Mr Gavin Jennings	ALP
	Mrs Inga Peulich	LIB
	Mr Gordon Rich-Phillips	LIB
	Mr Adem Somyurek	ALP
	Mr Lee Tarlamis	ALP
Southern Metropolitan Region	Mrs Andrea Coote	LIB
	Ms Georgie Crozier	LIB
	Mr David Davis	LIB
	Mr John Lenders	ALP
	Ms Sue Pennicuik	AG
Western Metropolitan Region*	Mr Khalil Eideh	ALP
	Mr Andrew Elsbury	LIB
	Mr Bernie Finn	LIB
	Ms Colleen Hartland	AG
	Mr Cesar Melhem	ALP
Western Victoria Region	Mr David Koch	LIB
	Mr David O'Brien	NAT
	Ms Jaala Pulford	ALP
	Mr Simon Ramsay	LIB
	Ms Gayle Tierney	ALP

**LP** Liberal Party 18 Members

**ALP** Australian Labor Party 16 Members

**AG** Australian Greens 3 Members

**NAT** The Nationals 3 Members

Total 40 Members

\*The Hon Martin Pakula resigned as a Member of the Legislative Council on 26 March 2013.

Mr Cesar Melhem was sworn in as a Member of the Legislative Council on 9 May 2013.



## Appendix D

### Selected statistics relating to sittings of the Legislative Council, 2008-09 to 2012-13

	2008-09	2009-10	2010-11	2011-12	2012-13
<b>Number of days House met</b>	48	51	46	51	52
<b>Number of hours House met</b>	487 hrs 31 mins	523 hrs 52 mins	451 hrs 47 mins	457 hrs 58 mins	453 hrs 40 mins
<b>Average number of hours per sitting day</b>	10 hrs 9 mins	10 hrs 16 mins	9 hrs 49 mins	8 hrs 59 mins	8 hrs 43 mins
<b>Bills dealt with</b>					
Initiated in L.C.	2	5	5	11	6
Received from L.A.	92	98	66	87	83
Passed without amendment	78	80	65	89	81
Passed with amendments	14	14	11	3	4
Defeated	3	4	0	1	3
Lapsed	0	0	7	0	0
Withdrawn	0	0	0	0	1
Ruled out of Order	0	0	0	0	0
<b>Sets of amendments circulated</b>	55	39	47	30	32
<b>Bills considered in Committee of the Whole</b>	34	48	52	57	48
<b>Questions on notice processed</b>	6,068	2,680	2,800	6,095	1045
<b>Petitions Tabled</b>	157	124	71	57	81
<b>Signatories to petitions</b>	118,815	53,340	24,106	17,652	32,903
<b>Papers tabled</b>	1,542	1,469	1,426	1,483	1,653
Annual reports	325	327	327	309	327
Statutory Rules	173	162	144	178	192
Planning scheme amendments	508	502	468	469	507
Proclamations	37	53	74	49	62
Other (including special reports, Parliamentary Committee reports etc)	499	425	413	454	565
<b>Production of documents</b>	108	892	512	24	58



## Appendix E

### Legislative Council Standing Committees

	SCEI		SCEP		SCLSI		PC
	LC	RC	LC	RC	LC	RC	
<b>Deliberative Meetings</b>	4	4	7	0	9	0	1
<b>Public Hearings</b>	3	1	8	0	8	0	0
<b>Visits/Inspections</b>	0	0	0	0	0	0	0
<b>Reports Presented</b>	2	1	0	0	0	0	0
<b>Discussion Papers</b>	0	0	0	0	0	0	0

**SCEI** Standing Committee on Economy and Infrastructure

**SCEP** Standing Committee on Environment and Planning

**SCLSI** Standing Committee on Legal and Social Issues

**LC** Legislation Committee

**RC** References Committee

**PC** Procedure Committee (Legislative Council)

### Joint Investigatory Committees

	AOC	EDIC	ENRC	ETC	LRC	OSISDC	RSC
<b>Deliberative Meetings</b>	3	11	18	12	14	19	9
<b>Public Hearings</b>	0	48	25	61	20	1	11
<b>Visits/Inspections</b>	0	18	2	5	16	0	1
<b>Reports presented</b>	0	0	3	1	2	2	1
<b>Discussion papers</b>	0	0	0	0	0	0	0

**AOC** Accountability and Oversight Committee

**EDIC** Economic Development and Infrastructure Committee

**ETC** Education and Training Committee

**ENRC** Environment and Natural Resources Committee

**LRC** Law Reform Committee

**OSISDC** Outer Suburban/Interface Services and Development Committee

**RSC** Road Safety Committee



# Appendix F

## Legislative Council Expenditure Statements, 2012-13

2011-12	EXPENDITURE	2012-13	2012-13
Actual \$		Budget \$	Actual \$
1,972,835	Staff salaries, allowances and overtime	2,052,900	1,934,278
610,709	Subsidiary expenses (1)	676,900	633,143
493,426	General expenses	671,200	446,186
89,220	Parliamentary printing	103,000	60,831
15,300	Auditor-General's Office audits	16,500	16,300
<b>3,181,490</b>	<b>TOTAL – DEPARTMENTAL</b>	<b>3,520,500</b>	<b>3,090,738</b>

## Legislative Council – Members – Special Appropriations

2011-12	EXPENDITURE	2012-13	2012-13
Actual \$		Budget \$	Actual \$
7,368,753	MEMBERS SALARIES AND ALLOWANCES	7,730,600	7,507,129
2,906,250	MEMBERS CONTRIBUTORY SUPERANNUATION	2,906,250	2,906,250
<b>10,275,003</b>	<b>TOTAL – MEMBERS</b>	<b>10,636,850</b>	<b>10,413,379</b>
<b>13,456,493</b>	<b>TOTAL</b>	<b>14,157,350</b>	<b>13,504,117</b>

NOTE:

1. Subsidiary expenses include long service leave and recreation leave provision, payroll tax, employer superannuation and WorkCover contributions.
2. This information is provided for the benefit of Members. A complete set of the financial statements of the Parliament of Victoria is provided in the Department of Parliamentary Services Annual Report for 2012-13.



# Appendix G

## Major Outputs and Performance Measures – Legislative Council

Major Outputs/Deliverables Performance Measures	Unit of Measure	Target	Actual
Procedural Support, Documentation Preparation and Provision of Information for Council			
<b>Quantity</b>			
Procedural references updated biannually	number	2	2
<b>Quality</b>			
Bills and amendments processed accurately through all relevant stages and other business of the House conducted according to law, Standing and Sessional Orders	per cent	100	100
Member satisfaction with accuracy, clarity and timeliness of advice	per cent	90	90
<b>Timeliness</b>			
Documents tabled within time guidelines	per cent	95	95
House documents and other Sitting related information available online one day after sitting day	per cent	98	98
<b>Cost</b>			
Total output cost(a)	\$ million	14.2	13.5



# Appendix H

## Joint Investigatory Committees - Expenditure Statements, 2012-13

2011-12 Actual \$	Joint Investigatory Committee	2012-13 Budget \$	2012-13 Actual \$
487,466	Drugs and Crime Prevention <sup>1</sup>	413,200	382,149
362,139	Economic Development <sup>2</sup>	335,200	305,686
421,613	Education and Training <sup>2</sup>	351,350	318,350
302,353	Electoral Matters <sup>1</sup>	338,824	338,135
437,864	Environment and Natural Resources <sup>2</sup>	391,850	366,886
485,880	Family and Community Development <sup>1</sup>	477,550	465,465
418,101	Law Reform <sup>2</sup>	435,900	407,318
370,325	Outer Suburban/Interface Services Development <sup>2</sup>	380,285	377,573
948,834	Public Accounts and Estimates <sup>1</sup>	974,200	816,119
341,063	Road Safety <sup>2</sup>	361,100	312,143
358,999	Rural and Regional <sup>1</sup>	379,700	372,240
542,352	Scrutiny of Acts and Regulations <sup>1</sup>	514,700	390,808
n.a.	Accountability and Oversight Committee <sup>3</sup>	50,000	58,538
840,998	Committee Services Office <sup>4</sup>	1,274,141	979,426
n.a.	Auditor-General's recruitment	n.a.	102,789
<b>6,341,955</b>	<b>TOTAL</b>	<b>6,678,000</b>	<b>5,993,625</b>

### Notes

1. Committees administered by the Legislative Assembly: Drugs and Crime Prevention; Electoral Matters; Family and Community Development; Independent Broad-Based Anti-Corruption Commission; Public Accounts and Estimates; Rural and Regional; Scrutiny of Acts and Regulations.
2. Committees administered by the Legislative Council: Accountability and Oversight; Economic Development; Education and Training; Environment and Natural Resources; Law Reform; Outer Suburban/Interface Services and Development; Road Safety.
3. A single, short term budget was established to administer the Accountability and Oversight Committee and the Independent Broad-Based Anti-Corruption Commission Committee following their establishment during the reporting period.
4. Both House Departments jointly administer the Committee Services Office. Its budget includes rental payments for committee accommodation and various other administrative overheads for whole of committees operations.



# Appendix I

## Major Outputs and Performance Measures — Joint Investigatory Committees

Major Outputs	Unit of Measure	Target 2012-13	Actual 2012-13
<b>Quantity</b>			
Reports tabled per annum	Number	28	39
<b>Quality</b>			
Committee members satisfied that advice about procedure, research and administration is responsive, clear, objective and prompt	Percent	80%	98% <sup>1</sup>
Inquiries conducted and reports produced in compliance with procedural and legislative requirements	Percent	95%	95%
<b>Timeliness</b>			
Reports tabled in compliance with procedural and legislative deadlines	Percent	95%	100%
<b>Total output cost</b>	<b>\$ million</b>	<b>6,678,000</b>	<b>5,993,625</b>

Note:

1. Based on client survey (Members on joint investigatory committees) conducted in May 2013.



# Appendix J

## Supplementary Information as at 30 June 2013

### General Stores on Hand

As at 30 June 2013, the Table Office had the following stores on hand which were valued at cost:

Letterhead paper	\$954.00
Envelopes	\$7994.72
Other Stores incl. Pads, with Compliments slips, etc	\$6605.36



# Appendix K

## Non-current physical assets

The Black Rod

Departmental uniforms

Furniture and fittings - Includes desks, credenzas, filing cabinets, chairs, refrigerators, hall stands, bookcases, wardrobes, works of art, safes, desk lamps, glassware and crockery.

Office equipment - Photocopiers, television sets, DVD players, video recorders, video camera, digital cameras, video projectors, portable discussion sound system etc.

Communications - Telephones, mobile telephones, two-way radios, facsimile machines, audio systems, etc.

Computer equipment - Personal desktop computers, lap top computers, printers, scanners, file servers etc.



# Appendix L

## Administration of Acts

By order under the *Administrative Arrangements Act 1983* the administration of Acts of the Parliament is vested in Ministers and, accordingly, a number of Acts have been assigned to the Premier. In several instances, however, the work involved in administering those Acts is, in practice, either wholly or partly the responsibility of the parliamentary departments.

The Department of the Legislative Council is involved in the administration of a number of Acts, including:

- Constitution Act 1975
- Members of Parliament (Register of Interests) Act 1978
- Parliamentary Administration Act 2005
- Parliamentary Committees Act 2003
- Parliamentary Precincts Act 2001
- Parliamentary Salaries and Superannuation Act 1968
- Protected Disclosure Act 2012



EXIT



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