



Annual Report

DEPARTMENT OF THE
LEGISLATIVE COUNCIL



2011-12



Legislative Council

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12 September 2012

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 2012.

Yours sincerely

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 2011-12.

In the year the Council sat on 54 occasions with the average length of sitting of 8 hours and 58 minutes being a slight drop on the previous year's average of 9 hours and 49 minutes per sitting. The sitting year was particularly notable for the number of occasions the sittings were extended and the number of Bills considered in Committee of the whole. On eight occasions the House agreed to motions to extend the sitting beyond 10.00 pm and on three of those occasions the sitting continued after midnight. During the year 97 bills were considered and of those 57 bills went into Committee of the whole. The number of bills considered in committee continues an increasing trend and reflects the capacity of the Council to provide sufficient time in its weekly program for more detailed scrutiny of legislation than is possible in the Legislative Assembly.

2011-12 also saw the first full year of operation of the new Council Standing Committee system and the committees have effectively utilized the provisions of the Standing Orders which provide for them to meet on Wednesday evenings after the Council has adjourned, usually by 7.00 pm. A reasonable assessment of the new system will conclude that it is not yet operating at its maximum capacity, principally because the number of bills referred to the Legislative Council committees has been relatively low. However, a number of very valuable reports have already been tabled, especially from the references committees.

The biggest challenge for the department regarding the new Council committee system has been to provide adequate resources to run the system if even at a modest level. To this end the Department is grateful to the Treasurer for approving our application to access our prior years' surplus and therefore supplement the Council's output funding budget. A further submission to again access our prior years' surplus for this purpose will be made for 2012-13 once the Council's final budget position for 2011-12 is known.

The year was notable for the staging of the Australasian Study of Parliament Group Conference in October 2011. The conference with the theme of "*The Executive versus The Parliament: Who Wins?*" attracted a record number of registrations and presenters and as a result had to be moved from the Chambers to Queen's Hall. The conference was largely managed by Legislative Council staff and I sincerely thank them both as Chair of the Victorian Chapter and Clerk of the Legislative Council for their work.

Also notable was the staging of the ANZACATT Professional Development Seminar in January 2012. Under the theme of "*Agents for change and custodians of Parliamentary traditions; the role of the Parliamentary Officer past and future*", the seminar was attended by parliamentary officers from all jurisdictions in Australia and New Zealand as well as some overseas jurisdictions and the feedback received by the ANZACATT Executive was highly favourable. Arrangements for the seminar were mainly co-ordinated by Legislative Council staff on behalf of the Parliament. I thank them most sincerely for their efforts.

2012-13 will see the fifth regional sitting of the Legislative Council in Bendigo on 6 September 2012. Arrangements for the sitting are well advanced and staff in the department are working closely with those of the City of Greater Bendigo to ensure the event is a success. The Council is fortunate to be meeting at the Bendigo Town Hall which is a building of great historical significance and in some ways is reminiscent of Parliament House itself. I am sure it will be highly successful and showcase the Legislative Council as a highly effective house of review in the Parliament of Victoria.

The Parliament Appropriation Bill for 2012-13 has provided for a decrease of 2.48% in the Council's output funding budget for that financial year. This is consistent with funding outcomes of the other output groups within the Parliament and public sector agencies generally. It is necessary to note here that the decrease in funding will cause some cost pressures and the Council's budget will need to be

carefully managed. The principal cost pressures will arise from staging the regional sitting for which no additional funding has been received, the outcomes of the new Parliamentary Officers Enterprise Bargaining Agreement and the extent to which the Government will fund these increases, and therefore the resulting shortfall to be met from the Legislative Council output funding, and the ongoing management of the Council's Standing Committee Office and its dependence on the application for prior years' surplus being approved.

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". I am satisfied that this objective has been achieved at a very high level and staff in the Department are to be again applauded for their efforts.

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

In meeting its Vision, the Department of the Legislative Council was guided by six operational goals in the year under review. These are:

1. To provide timely and accurate procedural advice to clients and to 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.
2. 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.
3. 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.
4. To implement fair and equitable staff management practices which develop the skills base of staff in order to achieve corporate, departmental and committee objectives.
5. 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.

6. 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:

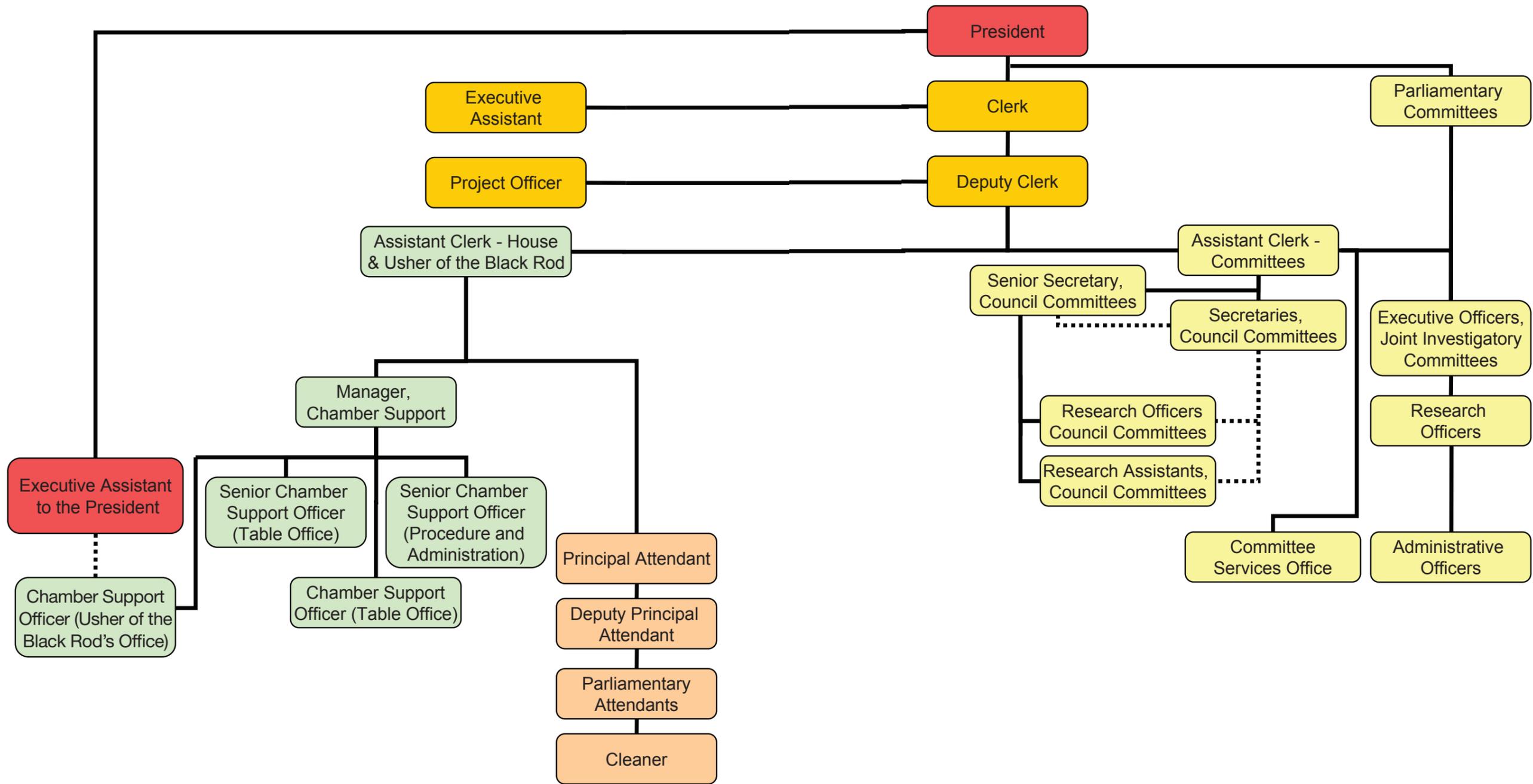
- provide procedural advice to Members of the Legislative Council;
- process legislation;
- prepare documentation required for sittings of the Legislative Council and Parliamentary Committees;
- prepare records of the proceedings of the Legislative Council;
- provide procedural and policy advice to Parliamentary 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

Organisation Chart



Organisation Chart



Procedure and Advice

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 can be 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 the matter arising. Occasionally the President will reserve his ruling on a matter until a later date.

Some of the more notable written rulings which were given in 2011-12 and required advice from the Department are:

Effect of Sub Judice Rule When Sentencing Not Completed

On 12 October 2011, the President made a ruling in relation to a motion listed on the Notice Paper which requested documents relating to the transfer of a now deceased criminal. A prisoner had recently been convicted of the murder but had not yet been sentenced. In his ruling the President referred to *May's Parliamentary Practice* which states that when in a criminal case there is a delay between conviction and sentence, the sub judice restriction remains in force until the sentence has been passed. Although the motion simply requested certain documents, the President stated that the debate may potentially stray into areas that were still before the court and would therefore be covered by the sub judice rule. The President therefore ruled that the debate on the motion should not proceed at the current time.

Termination of Committee Inquiries

On 19 April 2012, the President made a statement to the House in relation to the proposal of the Legal and Social Issues References Committee to investigate possible inconsistencies in evidence given by a witness after the Committee's report had been tabled and the reporting deadline had expired. The Committee's intention had

been advised to the Council in its report. The President was asked to rule on whether the Committee's proposed course of action was appropriate given that references committees do not have the power to self reference and that the report had already been tabled. In advising the House the President said that he was unable to give a ruling on the matter because the Council had the capacity to further direct the Committee to take or not to take particular action. However, he was of the opinion that the tabling of a report did not preclude a Standing Committee from investigating a matter arising from evidence it has received which it considers might undermine the integrity of the committee system itself. The President conceded that this was a grey area which had not been the subject of previous rulings and that he would refer the matter to the Procedure Committee for its consideration. Subsequently, on 3 May 2012, the Council adopted a motion to refer the matter to the Procedure Committee and that until the Committee had tabled its report, all standing committees are required to complete their investigations and any other matters by the reporting date.

Content of Notices of Motion

After a notice of motion was given relating to the media office of the Opposition, the President stated that he had concerns about whether or not the motion was appropriate and the motion was ruled out of order. Other notices of motion of a similar nature were, however, already listed on the Notice Paper. Later that day, the President made a ruling to clarify his position as to what was the appropriate subject matter for notices of motion. In his ruling the President reiterated the long standing practice that motions should not contain matters that are not relevant to each other; should consist of a clear and succinct proposition at which the House can decide on; should not consider matters that offend the sub judice principle; should not offend the same question rule; should not exceed approximately 250 words with limited quotations; and should not contain offensive or unparliamentary language. In his ruling the President also referred to a recent trend for Members to give notice of motions that could be considered frivolous, ironic or sarcastic, given in a spirit of mockery or simply designed to sit on the Notice Paper with no likelihood of being debated.

The President stated that this practice was not appropriate and was demeaning to the House, and that he would refer to the matter to the Procedure Committee for investigation.

Constitutional Implications of the Transport (Compliance and Miscellaneous) Amendment (Fares) Bill 2012

On 6 June 2012, the President, following points of order raised by the Government as to whether this Bill infringed the provisions of the Constitution by making an impost on the Consolidated Fund, ruled that the Bill was competent to be introduced in the Legislative Council. The Bill sought to limit the capacity of the Director of Public Transport to raise public transport fares until 2014. Government speakers had argued that the Bill affected Government estimates because public transport fare increases had been factored in and that therefore the Bill could be regarded as a budget measure which could only be introduced in the Legislative Assembly. In his ruling the President accepted that a budget was a document of two parts – income and expenditure – and that it was clear that the Legislative Council could not introduce a Bill that impacted on the expenditure side of the budget but that there was no such impediment to the introduction of a Bill that impacted on the income side of the budget. In making his ruling the President referred to Section 62 of the *Constitution Act 1975* which applies to bills that directly appropriate part of the Consolidated Fund. The President concluded that based on the information he had been given, debate on the Bill could proceed in the Council.

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.

57 Bills were considered in Committee of the whole in the Council in 2011-12. 30 sets of amendments were circulated, comprising a total of 235 proposed amendments.

Production of Documents

Throughout 2011-12 the Council agreed to numerous resolutions ordering the production of certain documents. Despite there no longer being any Standing or Sessional Orders relating to orders for the production of documents, this period saw a continuing trend of recent years of non-Government parties obtaining information by way of ordering documents. Throughout the year 13 new orders for the production of documents were passed by the Council. No motions ordering the production of particular documents were defeated and all 13 orders were agreed to without division. On each occasion, the motions have been moved by Members of either the Australian Greens or the Australian Labor Party.

The Government has adopted a practice, similar to that of the previous Government, of not opposing the initial motions for the production of the documents, but considering the request and providing the sought documents only if it is deemed appropriate to do so. Four resolutions remain outstanding from the first half of 2011, two of which were partially complied with and two which were refused on separate grounds. Of the 13 resolutions passed by the Council in 2011-12, the Government openly refused to provide documents on three occasions. The Government's refusal to comply were on the grounds that the Council lacked power to order the production of documents, they were acting in the State's best interests and the documents fell under cabinet confidentiality. Of the remaining 10 resolutions –

- six were fully complied with;
- one was refuted on the grounds of the Council's power, but the document was still provided;
- one was only partially complied with due to the demand it would place on time and resources;
- one was not complied with as no documents were available under the terms of the resolution, however, a document was provided that might have been of interest to the Council; and
- one remains outstanding.

Despite the Government's failure to comply with a number of resolutions, there were only two follow-up resolutions in relation to two separate previous orders for documents, both of which were agreed to without division.

Procedure Committee

While the Procedure Committee is yet to meet during the 57th Parliament, two matters have been referred for its consideration in the current reporting period.

The first, referred by the House, requires the Committee to inquire into the capacity of the Council's standing committees to continue investigations into a reference after the reporting date has passed; an issue that arose in connection with the Legal and Social Issues References Committee's inquiry into organ donation in Victoria.

The second, referred by the President, is for the Committee to consider the scope and application of the anticipation rule, particularly as it impacts on question time in the House.

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 Investigatory Committee Office who attend on a rotation basis. They are designed as a means of better equipping staff with the knowledge that underpins the operations of the Chamber. 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. The procedural review meetings are regarded as an important learning tool especially to prospective Chamber staff.

COUNCIL SITTINGS AND DOCUMENTATION

Sitting Day Business Meetings

The practice of Chamber staff meeting prior to the House commencing on a sitting day continued over the 2011-12 reporting period.

Each sitting day the Clerks and Chamber staff meet prior to the House meeting for approximately 15 minutes to discuss the likely business for the day. Given the unpredictable nature of sittings of the Council, the aim of the meetings is to ensure all relevant staff are aware of potential procedural issues, and to discuss possible alternative courses of action in relation to procedural matters. The meetings have proved to be an important communication tool within the department and ensure all of those involved in the Chamber are fully aware of the business or possible business each day.

Sittings of the House

In 2011-12, the Council met for a total of 17 sitting weeks, which is up from 14 weeks in the previous financial year (the lower number due to the State Election held in November 2010).

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 458 hours in 2011-12. The average length of each sitting day was 8 hours and 59 minutes, which is slightly lower than the 2010-11 average of 9 hours and 49 minutes.

Legislative Council sitting patterns for the past ten years are on page 16. A breakdown of the time spent on different items of business in 2011-12 appears in the graph on page 17. Appendix D contains selected statistics relating to the sittings of the Council for the past five years.

Parliamentary Publications

The Department is responsible for the preparation and circulation of a number of parliamentary publications. In 2011-12 the following documents were issued:

NOTICE PAPERS (DAILY)	53
MINUTES (WEEKLY)	17
COMMITTEE OF THE WHOLE COUNCIL SUPPLEMENT	17
UNANSWERED QUESTIONS ON NOTICE	10
ADJOURNMENT MATTERS AWAITING RESPONSE	10

An unusually large number of Questions on Notice were submitted by Members in the second half of 2011, which at one point required a two volume issue of both the Notice Paper and the Unanswered Questions on Notice booklet. The volume of submitted questions, however, decreased in 2012.

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, 2002–3 to 2011–12



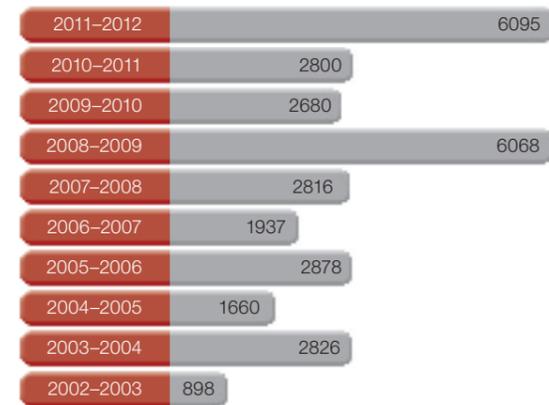
Average Length of Daily Sittings (Hours), Legislative Council, 2002–3 to 2011–12



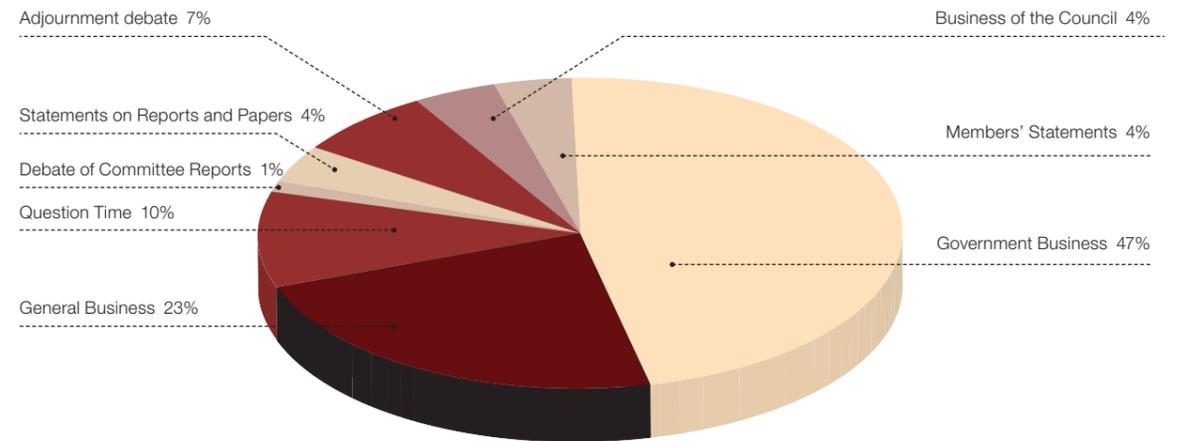
Sitting Hours, Legislative Council, 2002–3 to 2011–12



Questions on Notice processed by the Department of the Legislative Council, 2002–3 to 2011–12



Breakdown of Business 2011–12



- 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 six month sitting period. During 2011-12, bulletins for February to June 2011 and July to December 2011 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 1979–2011

The sixth edition of *Rulings from the Chair* (48th to 57th Parliaments) was drafted and published during the reporting period. This volume provides a ready reference of useful procedural precedents to assist the Clerks in advising the President and other Members.

Guide to Procedure for Members

The Chamber Support Unit completed a new publication for Members of the Council, *Guide to Procedure in the Chamber* during 2010-11. The Guide provided an overview of how the Parliament is constituted, parliamentary terminology, procedures and procedural sources, including references to more specific information such as relevant standing orders.

A second edition for new and continuing Members in the 57th Parliament, was released early in the 2011-12 period and a third edition, incorporating new sessional orders, will be published early in 2012-13.

Acting Presidents' Seminars

Since the commencement of the new Parliament, an Acting Presidents' Seminar has been held, and more are planned to be held in the next reporting period. These seminars, which are also attended by the Clerk and Deputy Clerk, are intended to ensure that the Acting Presidents are adequately equipped when presiding in the Chamber. The seminars are designed to cover the basic rules regarding the conduct of Members and the conduct of debate and putting questions from the Chair. They involve a mixture of theory and discussion of actual case studies from matters arising in the House.

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 significant rulings and events.

By the conclusion of the year under review, the majority of chapters had been written to at least first draft stage, although considerably more work will be required prior to publication.



Information Management

DATABASE MANAGEMENT

Questions on Notice Database

The Questions on Notice Database project aims to provide a fully searchable database of questions and answers, which will allow Members and Ministers to easily track the progress of questions on notice asked in both Houses of Parliament. A project team from both House Departments has been working for several years with external database developers to develop a system to manage the workflow of questions, beginning with a Member submitting a question, through to it being edited and published and then finally being answered by the Minister.

The database was used and tested by staff of both Houses for the first half of 2011, and all questions and answers from the current Parliament are currently being loaded in the database. Whilst it was initially hoped the database could be launched in 2010, a number of minor technical difficulties were encountered, requiring further development to be undertaken. The database is now operational and can be accessed by public users via the Parliament of Victoria website.

At the conclusion of the reporting period the database was up to date for the Council to September 2011. Due to the large volume of questions lodged in the Council in 2011-12, staff are working retrospectively to bring the database up to date. It is envisaged that this will be completed in time for the beginning of the 2013 sittings.

Tabled Documents Database

The Department of the Legislative Council and the Department of the Legislative Assembly, in conjunction with the Parliamentary Library, completed development of the Tabled Documents database with implementation beginning at the start of 2012. The aim of the database is to make information about tabled documents, together with electronic copies of some reports, available to Members and the public through a searchable database on the Parliament of Victoria website.

Initially the database was commissioned to prepare for the potential implementation of the Public Finance and Accountability Bill 2009, which would have expanded the ability of Government agencies to table reports out of session. The Bill was not passed by the Legislative Council before the end of the 56th Parliament and lapsed, however, it was decided to proceed with the development of the database as an information resource for Members and the public.

The database had a 'silent' launch at the beginning of 2012 and Council Table and Assembly Procedure Offices' staff have been inputting data and monitoring its operation for outstanding functional issues. Front end users can now access and search the database from the Parliament of Victoria website, and it is hoped that copies of tabled documents will gradually become available via the database as staff begin to upload electronic copies of documents retrospectively.

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.

A review of the format and content of information sheets was undertaken by the Table Office in 2011-12 with a view to making them more relevant and accessible to the general public. Recommendations were finalised in June 2012 and work on updating the information sheets for 'look and feel' and written content will commence in the 2012-13 reporting period.

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 2011-12, the following reports were prepared and tabled:

- Summary of Returns — June 2011 and Summary of Variations notified between 29 June 2011 and 7 October 2011
- Cumulative Summary of Returns, 30 September 2011
- Summary of Variations notified between 8 October 2011 and 7 December 2011
- Summary of Primary Return, April 2012 and Summary of Variations notified between 8 December 2011 and 21 May 2012
- Summary of Variations notified between 22 May 2012 and 20 June 2012

Ordinary Return forms will be sent to all Members of Parliament on 1 July 2012 and a summary of those returns, together with a Cumulative Summary as at 30 September 2012, will be tabled in October 2012.

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 and the auto-text database is used by Chamber Officers to produce the Minutes of the Proceedings, allowing them to use short cut keys to input standard entries, thus saving time and reducing errors when copying text.

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 over the 2011-12 reporting period, 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.



Education and Community Relations

PUBLIC AWARENESS AND EDUCATION

YMCA Youth Parliament

The 25th YMCA Youth Parliament was staged at Parliament House on 11, 12 and 14 July 2011. On this occasion, the "Opening Ceremony" was held in Queen's Hall as lighting works had necessitated the Council Chamber's closure. The Legislative Council Committee Room (LCCR), along with the Assembly Chamber, were subsequently used for debates.

As usual, the Youth Parliament was officially declared open by the "Youth Governor" who, along with participants, was joined at the ceremony by Members, YMCA organizers and other guests. Members assisted as Acting Presidents in ensuing debates in the Assembly Chamber and LCCR. These debates were conducted as consistently as practicable with parliamentary procedure and proceedings were recorded by Hansard. At the conclusion of the sittings, the "Bills" were presented to the Premier at the closing ceremony in the Assembly Chamber.

The planning and conduct of the event was 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

The Parliament's Open Day was held on Sunday, 25 March 2012. The three Parliamentary Departments and a number of individual work units hosted information displays and staff were on hand to answer questions from visitors. The Victorian Electoral Commission, the Public Record Office Victoria and the Auditor-General's Office again also hosted display stands.

The event attracted well over 4,000 visitors to Parliament House and the Parliamentary Gardens.

Legislative Council personnel, together with officers from the other parliamentary departments, acted as guides and provided information to visitors.

As visitors entered Parliament House, they received an Open Day tour map providing details of the route to be taken and the various displays. Visitors were free to meander throughout the building but within the confines of the tour route. Entertainment was provided in the gardens and refreshments were available for the public.

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 2011-12, the Clerk held the position of Chair of the Victorian Chapter and the Assistant Clerk – Committees was Honorary Secretary of the Chapter. The Clerk's Executive Assistant provides support to both these roles.

In addition to running four seminars during the reporting year, significant work was committed to organising the ASPG national conference on 7 and 8 October 2011. The conference was hosted by the Victorian Chapter for the first time since 2002 and was staged at Parliament House. 133 delegates from Australia and New Zealand attended to participate and listen to presentations on the theme of *The Executive Versus The Parliament: Who Wins?* The official welcome was presided over by The Hon. Bruce Atkinson, MLC, President of the Legislative Council, and The Hon. Ken Smith, MP, Speaker of the Legislative Assembly. Many of the papers presented have subsequently been published in the *Australian Parliamentary Review* – the journal of the Australasian Study of Parliament Group (Autumn 2012, Vol 27 No.1).

Parliamentary Internship Program

The Internship Program is co-ordinated by the Parliamentary Library with participating universities. The Department participated in a seminar presentation to students and assisted with interns' projects.

SPECIAL EVENTS AND PROMOTIONAL ACTIVITIES

Bendigo Regional Sitting

The Legislative Council will hold its 5th Regional Sitting in Bendigo on Thursday, 6 September 2012. The venue will be the Bendigo Town Hall. Detailed arrangements for the Sitting are being handled by the Legislative Council's Project Officer.

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 2011-12, the Department assisted in arrangements for the reception for the following visitors and delegations:

8-9 September 2011 – A delegation of Sergeant-at-Arms officers from the National Assembly of Kenya received briefings on a range of matters relating to the Victorian Parliament. During their visit the Clerks hosted a luncheon in their honour. The program for the visit was arranged by the Legislative Assembly.

11 October 2011 – The Presiding Officers hosted a lunch in honour of a delegation from the Parliament of Malta led by the Speaker of the House of Representatives. The program for the visit was arranged by the Legislative Assembly.

19 October 2011 – The Presiding Officers hosted a lunch for the Governor, the Honourable Alex Chernov and Mrs Chernov, which was also attended by the Party Leaders and the Clerks. The President's Office co-ordinated arrangements for the visit.

25 October 2011 – A delegation from the City of Sao Paulo visited the Parliament as part of a wider program aimed at gaining an understanding of project implementation in Melbourne and Sydney. The

President and Speaker met with the group, and the arrangements for the visit were co-ordinated by the President's Office.

9 December 2011 – The Honourable Don Harwin MLC, President of the Legislative Council of New South Wales, undertook a series of meetings with officers across the Parliament. During the visit the Presiding Officers hosted a lunch in his honour which was attended by the Department Heads. The arrangements for the visit were co-ordinated by the Legislative Council.

19-20 January 2012 – Ms Anna Daniel, Head of Chamber Secretariat, National Assembly of Wales, received briefings on a range of Chamber related matters in the Parliament. The Clerks hosted a lunch in her honour and arrangements for the visit were co-ordinated by the Legislative Council.

7 February 2012 – The Presiding Officers hosted lunch in honour of a delegation from the House of Representatives from the Republic of Cyprus. The arrangements for the visit were co-ordinated by the Legislative Assembly.

27 February 2012 – A parliamentary delegation from the former Yugoslav Republic of Macedonia met with the Presiding Officers and Clerks and toured Parliament House. Arrangements for the visit were co-ordinated by the President's Office.

26 March 2012 – A parliamentary delegation from Greece met with the Presiding Officers and Clerks. Arrangements for the visit were co-ordinated by the Legislative Assembly.

19 April 2012 – The President of the Republic of Lebanon, His Excellency General Michel Sleiman, paid an official call on the Parliament and was welcomed by the Presiding Officers. The President was formally welcomed by the Presiding Officers during the proceedings in each House. Arrangements for the visit were co-ordinated by the President's Office.

27 June 2012 – A delegation from the Nanchang Municipal People's Congress met with the Presiding Officers and Clerks and discussed a range of issues. Arrangements for the visit were co-ordinated by the Legislative Council.

SISTER STATE DELEGATIONS

Delegation from Aichi Prefectural Assembly

A delegation from the Aichi Prefectural Assembly led by the Vice Chairperson Mr Katsuhiko Fukaya, undertook an official visit to Victoria from 1 to 4 November 2011 and were hosted by the Presiding Officers. During the visit the delegation attended the Melbourne Cup, the Melbourne Cricket Ground, and travelled to the Yarra Valley visiting both Domaine Chandon Winery and Healesville Sanctuary. The delegation also attended an official dinner at Federation Square hosted by the Presiding Officers, visited Government House, Parliament House for a working lunch, Elwood Secondary College, Port Phillip City Council, and the Melbourne Sports and Aquatic Centre. Arrangements for the visit were co-ordinated by the President's Office.

Delegations from Jiangsu Provincial Peoples Congress

A delegation from the Jiangsu Provincial People's Congress led by Deputy Secretary, Mr Lu Zhaipeng, visited the Parliament on 30 November 2011 and met with the Presiding Officers. During the visit the delegation also visited the Department of Sustainability and Environment, the Environment Protection Authority and called on the Premier. Arrangements for the visit were co-ordinated by the Legislative Assembly.

A delegation from Jiangsu Provincial People's Congress led by Mr Wang Baoshen, Director of the Office of Committee on Agricultural and Rural Affairs of Jiangsu Provincial People's Congress, visited the Parliament on 13 December 2012. The Presiding Officers hosted a dinner in the delegation's honour and arrangements for the visit were co-ordinated by the Legislative Assembly.

A delegation from Jiangsu Provincial People's Congress led by Vice Chairwoman Madam Bai Suning, visited the Parliament from 17 to 19 April 2012 for an official visit. During their visit the delegation undertook a range of engagements and inspections, including a meeting with the Governor. The Presiding Officers hosted an official dinner in their honour and the arrangements for the visit were co-ordinated by the Legislative Assembly.

AUSTRALIAN POLITICAL EXCHANGE COUNCIL DELEGATION

On 21 May 2012, a delegation from the parliaments from the Association of the South East Asian Nations visited the Parliament of Victoria under the auspices of the Australian Political Exchange Council. The delegation 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.

ATTACHMENT OF OFFICERS FROM THE NATIONAL ASSEMBLY OF KENYA

From 21 to 30 May 2012, the Parliament hosted an attachment by five officers from the National Assembly of Kenya led by Mr Stephen Ruge, First Clerk Assistant. The attachment was arranged following a visit to Kenya earlier in 2012 led by the President of the Legislative Council. As Kenya is in transition to a new parliamentary model following the adoption of a new Constitution providing for a bicameral parliament, the delegation was keen to observe the parliamentary model in Victoria and the concepts and principles on the relationship between the two Houses and their operation. During their attachment, the delegation was able to observe the proceedings in the Houses while they were in session and much of the work done in both House departments to support the sittings. Whilst at the Parliament the delegation also received detailed briefings from officers of the Department of Parliamentary Services. The arrangements for the attachment were co-ordinated by the Legislative Council.



Physical Resources

WORKPLACE MAINTENANCE

Council Chamber Lighting Project

The planning and decision making in relation to the Council Chamber Lighting Project was described in the 2010-11 Annual Report. Actual installation commenced during the mid-year recess, early July 2011. The project was completed on schedule on 5 August 2011, ready for the resumption of sittings on 16 August. The project was very complex due to the building's structure and age, availability of the Council Chamber itself, public access to the building and the differing lighting requirements for broadcast purposes and occupational health and safety. The project was very successfully managed by the Department of Parliamentary Services.

Opposition Advisers' Box

Although an Adviser's Box is included at floor level in the north-east corner of the Chamber, this is occupied only by ministerial advisers, as well as public servants who attend to assist Ministers during the Committee stage of bills.

In order to provide the Opposition with a similar facility, the President determined that an Opposition Advisers' Box (or space) be established in the south-east corner of the Chamber, which occurred in late 2011-12 with the assistance of Buildings and Grounds Services Unit. Unfortunately, there were practical difficulties with providing an access point to this area from close by, necessitating access from the other end of the Chamber and along the side South Reserve/Gallery. This did not appear to be causing undue difficulties in the short period the Opposition Advisers' Box was operational in the period under review.

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 fit-outs, some of which were funded by the Department. Included amongst these was the

establishment of a new Member's office on the ground level in a space that, for security reasons, had become obsolete as an entry/exit point of the building. Several other Council Members will need to be relocated from their offices in 2012–13 as a precursor to a major project to repair and waterproof the front steps of the building.

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 and the Knight Kerr Room. Co-ordination of arrangements for those venues and their servicing is undertaken by attendant staff under the Assistant Clerk – House and Usher of the Black Rod's direction. Apart from Legislative Council sittings, the Chamber was used throughout the year for a number of events/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.



Human 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. During the reporting period, the Committee met on 13 occasions. The Department's management representative is the Deputy Clerk.

Negotiations are expected to conclude between the Parliament and the CPSU and individual bargaining representatives within three months after agreement is reached between the State Government and the CPSU on the State wide VPS Agreement. Compliance with this timeline will enable pay increases to take effect for Parliamentary Officers from the same date as agreement is reached with the new VPS Agreement.

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

Fatigue management has been identified by the Parliamentary departments as an area of concern from a risk management and occupational, health and safety perspective. This has partly been as a result of legislation, associated regulations and guidelines creating higher expectations of employers and employees to identify, manage and reduce such risks along with a wider community awareness of the impact work factors have on general health and well-being.

In 2010, Professor Drew Dawson of the Sleep Research Institute, University of South Australia, was engaged to review the Parliamentary departments' implementation of the Fatigue Management and Prevention Project and identify any other area of concern for further action. Prof. Dawson's Fatigue Risk Management report identified a number of localised and unscheduled work practices that carried significant potential to create an unacceptable level of fatigue-related risk, included amongst these risks were poor work performance, work-related accident injury at work or while travelling to and from the workplace and long term effects of work intensity on health and well-being. As a result, a number of recommendations were made to address and mitigate the risks. One of his overarching recommendations was to deal with fatigue management as an OH&S issue, rather than

manage it industrially. The Deputy Clerk, assisted by the Organisation Development Unit Staff, will lead a working group including representatives from Parliament's Occupational Health and Safety Committee, to develop appropriate treatments to manage the risks in a consistent manner across the Parliament.

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 and its committees continued to have a management representative and staff representatives 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 level, including consideration of fatigue risk management in light of a recent report submitted to PEG by an expert academic on the subject.

Review of Attendant Group

In last year's Annual Plan, one of the major initiatives proposed for 2011-12 was to undertake a review of the attendant group's functions and skills with a view to redeveloping the capabilities of the group. The attendant group has not been subject to a review for some time and the proposed completion date for the project was June 2012. The project, however, was delayed pending completion of the protracted negotiations regarding the next Parliamentary Officers Enterprise Bargaining Agreement and the review did not proceed during the year as planned. However, in late June 2012 it was decided to proceed with the review in early 2012-13. It is expected that the consultant proposed to undertake the project will be determined and briefed in 2012-13.

COMMUNICATION

General Staff Meetings

Regular general staff meetings continued to be held during 2011-12. 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

Presiding Officers and Clerks Conference

The 42nd Conference of Presiding Officers and Clerks was held at Parliament House in Brisbane from 11 to 14 July 2011. The conference was originally proposed to be hosted by the Parliament of Vanuatu. However, at very short notice the Parliament there indicated that it was unable to host the conference and the Parliament of Queensland stepped in and hosted a very successful conference with only a couple of weeks planning.

The conference was attended by Presidents, Speakers and Clerks from most jurisdictions in Australia and the Pacific. Both the President and Clerk presented papers at the conference. The President's paper was entitled "*Victoria's Dispute Resolution Committee and Parliamentary Involvement in the Appointment of Independent Statutory Officers*". In his paper the President suggested that the Dispute Resolution Committee was worthy of discussion not only due to its unique position as the only committee of its kind in Australia but also because of the unanticipated way it has been used since its inception in 2006. The President concluded that the processes and procedures of the committee exposed potentially serious implications for the bicameral system in Victoria.

The second part of the President's paper explored the process for appointing key independent statutory office holders, including floating the idea of confirmation hearings as a way to ensure bipartisan support for these appointments and to enable these appointees to undertake their role free of political interference.

The Clerk's paper was entitled "*Calling on the Ombudsman: The emerging trend in the Legislative Council of Victoria to refer matters to the Ombudsman for investigation*" and focused on the recent developments in the Legislative Council which has in 2008 and again in 2010 referred matters to the Ombudsman for investigation. The power to do so was not utilised for almost 35 years from the Ombudsman's establishment in 1973 and this emerging trend has implications for the Legislative Council as a House of Review and its committees to carry out their function of scrutinizing the Executive.

ANZACATT Professional Development Seminar

The annual ANZACATT Professional Development Seminar was hosted by the Victorian Parliament from 22 to 25 January 2012. This annual Seminar is rotated between Australian and New Zealand Parliaments. Mr Andrew Young, Assistant Clerk – Committees, Legislative Council, was primarily responsible for organising the Seminar, in his capacity as Chair, ANZACATT Professional Development Committee. He was assisted by Officers from the Legislative Assembly and Legislative Council, and in particular Ms Andrea Agosta and Ms Linda Shatilko, as well as the Department of Parliamentary Services.

The theme for the seminar was "Agents for change and custodians of Parliamentary traditions: the role of the Parliamentary Officer past, present and future". The President of the Legislative Council, the Hon. Bruce Atkinson, MLC opened the Conference. Keynote addresses were given by Mr Russell Grove, Clerk Emeritus, New South Wales Legislative Assembly and Mr Paul Higgins from Emergent Futures Pty Ltd.

A total of 98 delegates attended the Seminar, from Australasian Parliaments as well as Officers from the House of Lords and House of Commons, Prince Edward Island, Canada, the Scottish Parliament, the National Assembly of Wales and the New Hampshire, House of Representatives, United States of America.

Workshops were held on the evolution of the role of the Clerk and Parliamentary Officer; politics, the media, community engagement and Parliamentary Officers; ensuring support services for Members and Committees and resources for Parliaments: the Parliamentary Officer as advocate for the institution; and modernising Parliamentary procedure and administration for the 21st century: a unicameral and bicameral perspective.

Several Legislative Council staff attended the seminar including the Clerk, the Deputy Clerk and the Assistant Clerk – Committees, Vivienne Bannan, Manager, Chamber Support, Sean Coley, Committee Executive Officer, Annalies Engwerda, Senior Chamber Support Officer (Procedure and Administration), Greg Gardiner, Committee Executive Officer, Rosalind Hearder, Committee Research Officer, Kylie Jenkins, Committee Executive Officer, Kerryn Riseley, Committee Executive Officer, Anthony Walsh, Committee Research Assistant, and Anthony Woodley, Senior Chamber Support Officer. A number of these people either acted as workshop facilitators or presented papers at the Seminar.

The Australian Parliament will host the next Seminar in Canberra between 22 and 24 January 2013.

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 third time from 30 June to 5 July 2011. 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. The Clerk, together with three Clerks from other jurisdictions, comprised the Panel. Anthony Woodley, Acting Senior Client Services Officer, attended the course.



Administration and Planning

DEPARTMENTAL MANAGEMENT AND PLANNING

Whistleblowers Protection Act 2001

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 2011-12, no disclosures were made to the President under the *Whistleblowers Protection Act 2001*.

Presiding Officer's Travel

The President undertook four overseas visits during 2011-12 in his role as Presiding Officer. Details of each visit are as follows:

- The President led a parliamentary delegation to Chile and Peru from 23 July 2011 to 7 August 2011. The purpose of the visit was to promote closer economic and cultural ties with Chile, in conjunction with their bicentenary celebrations for the national government, and the election of a new national government in Peru. The visit involved meetings with government, industry associations and companies, including Australian companies operating in Chile and Peru and a keynote address and attendance at the Sustainable Cities of the Future conference convened by Australian Urban Systems. The President's travel costs were \$16,887.
- The President visited China from 17 September 2011 to 6 October 2011 as part of a delegation led by the Speaker. The purpose of the visit was to enhance the sister state relationship with the Jiangsu province and to develop relationships with the Inner Mongolia Autonomous Region and the Shandong Province. The President's travel costs were \$4,920.
- The President led a parliamentary delegation to Kenya from 18 February 2012 to 25 February 2012. The purpose of the visit was to assist the Kenyan National Assembly in their transition under a new Constitution to a bicameral parliament by holding a series of briefings and meetings with Members and officers of the National Assembly on the method of administering a bicameral Parliament in Victoria. The President's travel costs were \$8,132.
- The President led a parliamentary delegation to Japan from 13 May 2012 to 19 May 2012. The purpose of the visit was to further enhance Victoria's sister state relationship with the Aichi Prefecture and further explore opportunities for Victorian investment whilst in Tokyo, Nagoya and Osaka. The President's travel costs were \$8,564.

Annual Plan Changes for 2012-13

In May each year representatives from each of the Department's units meet to discuss and determine the Department's main priorities for the ensuing financial year.

The Annual Plan for 2012-13 will be restructured to more closely link the Department's strategic objectives with those of the Parliamentary Departments – excellent service delivery, sustainability with a focus on the long term view and effective corporate governance. The 6 broad Departmental goals used previously will be condensed into 3 – Service delivery, Corporate Governance and People and Resources, all of which are derived from Parliament's strategic objectives.

PARLIAMENTARY COMMITTEES

Parliamentary Joint Investigatory Committee System

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 2011-12, the Department was responsible for the administration of six joint investigatory committees: Economic Development and Infrastructure; Education and Training; Environment and Natural Resources; Law Reform; Outer Suburban/Interface Services and Development; and Road Safety. The Legislative Assembly was responsible for the administration of six other joint investigatory committees.

Economic Development and Infrastructure Committee

During the 2011-12 financial year, the Economic Development and Infrastructure Committee had two active inquiries. It tabled one final report.

Inquiry into greenfields mineral exploration and project development in Victoria

On 10 February 2011, the Committee received a reference from the Legislative Assembly to inquire into and report to Parliament on greenfields mineral

exploration and project development in Victoria. The Committee received submissions from 60 organisations and took evidence from 80 witnesses representing 44 organisations during Inquiry investigations. The Committee also conducted site visits to two mines in regional Victoria and travelled to South Australia to take evidence at public hearings.

The Committee's final report tabled on 22 May 2012 contained 25 recommendations addressing important issues for Victoria's resources sector, including the industry's legislative and regulatory framework; finance and taxation arrangements; geoscientific research and education; land management; and environmental protection.

Inquiry into local economic development initiatives in Victoria

The terms of reference for an Inquiry into local economic development initiatives in Victoria were received from the Legislative Assembly on 20 June 2012. As required by the terms of reference, the Committee must table its final report by 24 June 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 the Education of Gifted and Talented Students

This inquiry was referred to the Committee by the Legislative Assembly on 10 February 2011. The terms of reference asked the Committee to consider the effectiveness of current programs and provisions for gifted and talented students, ways to provide more educational opportunities for these students and possibilities to enhance support for gifted students, their families, and teachers.

The Committee received 118 written submissions and held ten days of public hearings, including site visits to six schools. In addition, the Committee held two forums: a forum for primary school principals; and a forum for the parents of gifted and talented students.

The Committee tabled its final report on 20 June 2012. The report found that while some individual programs and schools are very effectively catering for gifted students, on the whole, the Victorian education system

is not currently meeting the needs of the State's gifted students. The Committee's 65 recommendations provide a comprehensive framework for ensuring that all gifted students in Victoria are given the opportunity to meet their full potential wherever they live and attend school.

The Government's response is due by December 2012.

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 called for submissions in July 2011. 102 written submissions had been received by the end of the reporting period. The Committee held 14 days of public hearings. These hearings were conducted in Melbourne, Shepparton, Ballarat, Horsham, Glenormiston, Ellinbank, Canberra and at four schools. The Committee also visited New Zealand to learn about effective agricultural education programs operating in that country.

The Committee will table its final report by 16 November 2012.

Environment and Natural Resources Committee

The Environment and Natural Resources Committee worked on three references during the reporting period.

Inquiry into the environment effects statement process in Victoria

This inquiry lapsed with the dissolution of the 56th Parliament, but was reinstated by the Legislative Council on 4 May 2011. The Committee subsequently received briefings on the terms of reference. Deliberations were conducted in July-September 2011. The Committee reported on 1 September 2011. The Government responded on 1 March 2012.

Inquiry into flood mitigation infrastructure in Victoria

The 2010-11 floods were the biggest on record for catchments in the west and north-west of the State

and were the largest in decades in other areas such as the south-west. 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.

An initial briefing from the Department of Sustainability and Environment was held on 6 June 2011. Regional hearings and site inspections were conducted across the State in 2011-12, and public hearings were also held in Melbourne. The Committee received over 100 submissions to the inquiry. The Committee was originally due to report by 31 May 2012. However, due to the 2012 floods in northern Victoria, the report date was amended to 30 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
- the support available to the Council in making decisions about the appointment of Registered Aboriginal Parties, and
- the effectiveness of Registered Aboriginal Parties.

An initial briefing from Aboriginal Affairs Victoria was held on 7 November 2011. Regional hearings and a site inspection 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. The Committee also travelled to New Zealand on 12-15 June 2012 to evaluate and compare the Indigenous heritage system in that country. The Committee is due to report by 28 September 2012.

Law Reform Committee

The Law Reform Committee had three active inquiries during the reporting period. The Committee tabled one report, and received one reference during the 2011-12 year.

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

The Inquiry into Access by Donor-Conceived People to Information about Donors was referred to the Committee by the Legislative Assembly on 10 February 2011. The Committee received 77 submissions from 61 individuals and organisations during the 56th and 57th Parliaments. The Committee convened public hearings and heard evidence from 20 witnesses appearing as individuals, and 31 witnesses representing 14 organisations. The final report of the Inquiry was tabled on 28 March 2012.

The Committee also convened a lunchtime briefing session for Members of Parliament on the report on 18 April 2012.

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 terms of reference were amended by the Legislative Assembly on 30 June 2011, and on 28 March 2012. The Committee received 59 submissions during the reporting period, and convened public hearings with 72 witnesses representing 37 organisations. The Committee will table its final report in 2012-13.

Inquiry into Sexting

The Inquiry into Sexting was referred to the Committee by the Legislative Assembly on 1 September 2011. The terms of reference were amended by the Legislative Assembly on 28 March 2012. The Committee called for submissions in May 2012, and had formally accepted 41 submissions by the end of the 2011-12 year. The Committee will convene public hearings, and table its final report in 2012-13.

Outer Suburban/Interface Services and Development Committee

The Outer Suburban/Interface Services and Development Committee worked on two references during the reporting period.

Inquiry into Liveability Options in Outer Suburban Melbourne

This 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 2012. The Committee was asked to consider a number of matters relevant to the liveability of Melbourne's outer suburbs, including recent State planning policies, population growth, house prices, the cost of living, medical/health and support services and national and international best practice in urban renewal.

During the reporting period, the Committee held 32 public hearings, 18 of which were hosted by outer suburban councils and combined with site visits in those municipalities.

The Committee will continue to work on this inquiry in the next reporting period.

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

This 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. The Committee was asked to investigate: existing public and private infrastructure provision in Melbourne's outer suburbs and assess its capacity to accommodate increased population growth; options for reducing the pressures on infrastructure and essential services; the skills mix of outer suburban residents; the role of small business, local councils and community groups in developing local expertise; the value of sister city relationships; and local manufacturing capacity and export development opportunities for businesses operating in the outer suburbs.

During the reporting period, the Committee held 27 public hearings, 18 of which were hosted by outer suburban councils and combined with site visits in those municipalities.

The Committee will continue to work on this inquiry in the next reporting period.

From 4 to 20 May 2012 the Committee conducted an overseas study tour to gather information relevant to addressing the Terms of Reference for both of the above inquiries. The Committee met with organisations and individuals in Canada (Vancouver, Calgary and Toronto), Switzerland (Zurich) and the United Kingdom (London).

Road Safety Committee

The Road Safety Committee was re-established on Thursday 5 May 2011 and is working on one reference which was issued prior to the commencement of the Committee.

Inquiry into Motorcycle Safety

The Inquiry into Motorcycle Safety was referred to the Committee by the Legislative Assembly on 10 February 2011.

Throughout 2011-12 the Committee received and analysed 76 submissions, and undertook 5 days of public hearings in Melbourne and 6 days in regional Victoria. The Committee also conducted an Open Forum in Melbourne.

The original reporting date for the inquiry was 30 June 2012, which has been extended to 13 December 2012.

Committee Services Office

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

Chairs Panel

This Panel, consisting of chairs of each of the joint investigatory committees and chaired by the Presiding Officers, is established to discuss inquiry, procedural and administrative matters of common concern to all committees. The Panel met on 28 March 2012 to discuss a range of matters, including: broadcasting of committee proceedings; procedural and statutory rules relating to public and *in camera* oral evidence; practice relating to the publication of submissions to committee inquiries; and financial management of joint investigatory committees.

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 Economy and Infrastructure

On 5 April 2011, the Legislative Council referred to the Economy and Infrastructure References Committee an inquiry into the measurement, including budget measures, of primary health and aged care services and outcomes. The Committee advertised for written submissions in July 2011, receiving a total of 30 responses from a wide range of stakeholders. On 2 November 2011, a sub-committee held public hearings with five organisations. The Committee tabled its final report in the Legislative Council on 6 December 2011.

On 13 March 2012, the Road Safety Amendment (Car Doors) Bill 2012 was referred to the Economy and Infrastructure Legislation Committee for inquiry, consideration and report. The Committee advertised for public input in April 2012 and received a total of 94 written submissions. Over 3 Wednesday evenings, the Committee held 8 public hearings with a range of stakeholders, including the sponsor of the Bill, Mr Greg Barber, MLC. The Committee will table its final report after Parliament resumes in 2012-13.

On 28 February 2012, the Economy and Infrastructure References Committee was referred an inquiry into Commonwealth payments to Victoria. The Committee called for written submissions and by the end of June 2012, a total of 5 submissions had been received. Further work will be undertaken on the reference in the second half of 2012 and the Committee is due to report to the Legislative Council by 30 November 2012.

Standing Committee on Legal and Social Issues

The Standing Committee on Legal and Social Issues tabled two reports in 2011/12, one each from the References and Legislation Committees.

The References Committee tabled its final report into Organ Donation on 29 March 2012. The report examined options and mechanisms to increase organ donation in Victoria including an analysis of legislative, procedural and governance frameworks and various disclosure and consent arrangements. The Inquiry received a total of 36 written submissions and heard from 37 witnesses in 21 public hearings over 5 days. The Legal and Social Issues References Committee conducted 10 deliberative meetings during the reporting period.

On the 27 March 2012, the Legislative Council referred the Wills Amendment (International Wills) Bill 2011 to the Legal and Social Issues Legislation Committee. The Committee was required to consider and examine the practical benefits to Victorians of having a simplified process of recognition of international wills in Victoria, noting the large number of Victorians either born overseas or who have family residing overseas. The Legislation Committee tabled its report on 20 June 2012. Five written submissions were received and further evidence was obtained in three public hearings on 30 May 2012.

Standing Committee on Environment and Planning

On 24 May 2012 the Environment and Planning References Committee tabled its final report on the Inquiry into Environmental Design and Public Health in Victoria. The Committee received 63 submissions and held 31 separate hearings. Members of the Committee also conducted five site visits to locations around Melbourne and Geelong.

On 30 August 2011 the Environment and Planning Legislation Committee received terms of reference from the Legislative Council to inquire into the Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011 (and related matters). The Committee received 47 submissions on the Bill and held 16 separate hearings. Members of the Committee also visited South Australia to take evidence and inspect beverage container recycling facilities. The Committee's final report was tabled in the Legislative Council on 29 February 2012.



Financial Management

FINANCE

Departmental Funding

Funding for the Legislative Council in 2011-12 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 2011–12 was also included in the Parliament's Appropriation Act.

The *Appropriation (Parliament 2011/2012) Act 2011* 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 2011/2012) Act 2011* 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 ensures that the Legislative Council's annual budget is guaranteed by law.

In order to meet the additional costs in 2011-12 to fund the staffing and operating costs of the newly established Council Standing Committee system, the Department sought and was 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 2011-12 were:

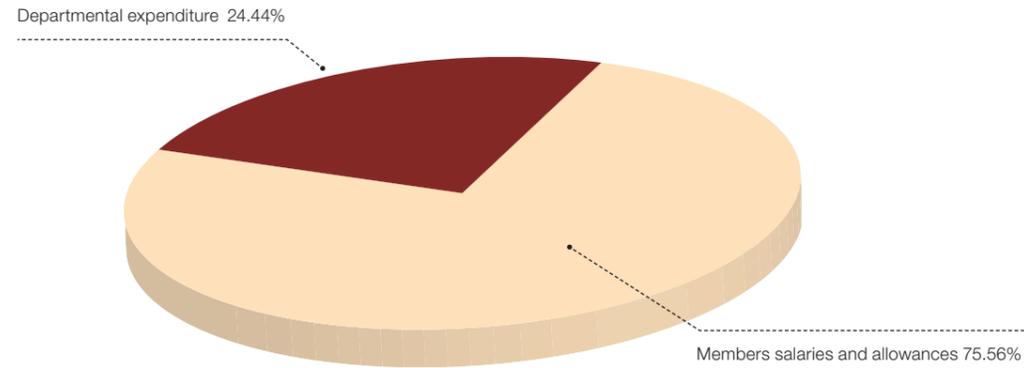
<i>Special Appropriations</i>	
Members' salaries and allowances and superannuation contributions	\$10,972,353
Clerk and expenses of the Legislative Council	\$200,000
Auditor-General's Office Audit	\$15,500
<i>Parliament Appropriation Act</i>	
Provision of outputs	\$2,934,000
<i>Prior Years' Surplus</i>	\$400,000
TOTAL	\$14,521,853

The *Appropriation (Parliament 2012/2013) Act 2012* provides \$2,861,000 to the Legislative Council for the provision of outputs only.

The detailed figures for 2011-12 for the Department appears in expenditure 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:

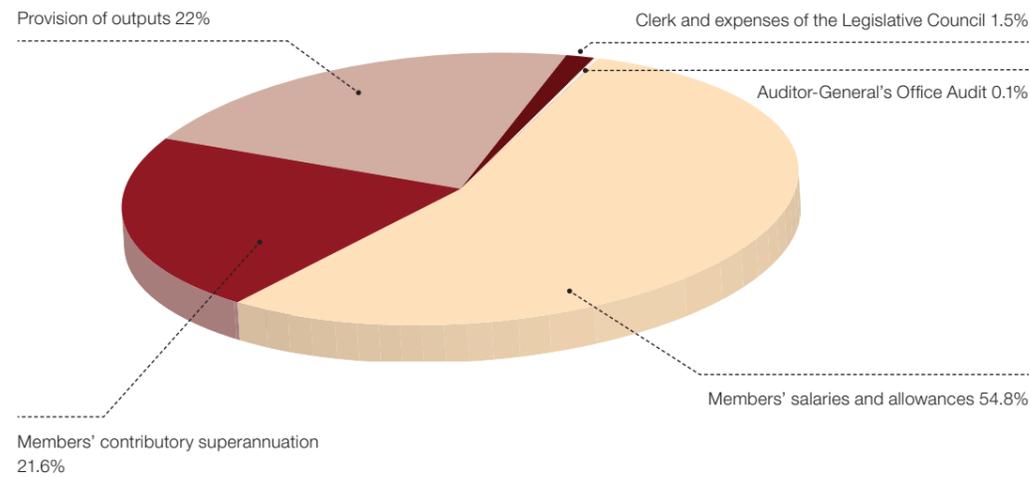
Budget (%) members and departmental, 2011-12

N = \$14,521,853 (Source: Appendix F)



Actual Expenditure (%), members and departmental, 2011-12

N = \$13,456,493 (Source: Appendix F)



Joint Investigatory Committee Budget Arrangements

\$6.899 million was appropriated by the Appropriation (Parliament 2011/2012) Act 2011 for the operations of Joint Investigatory Committees in 2011-12. This 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. The expenditure figures for the committees and the outputs and performance measures appear at Appendices H and I.

Public Accounts and Estimate Committee Hearing

The Presiding Officers and Department Heads appeared before the Public Accounts and Estimates Committee hearing on 7 May 2012 in connection with its inquiry into the 2012-13 Budget Estimates. The hearing began with a Powerpoint presentation highlighting the Parliament's achievements in 2011-12 and the challenges for the following year. Foremost among those challenges were the implementation of output funding cuts, the funding of the new Parliamentary Officer and Electorate Officer Enterprise Bargaining Agreements, funding the Council and Assembly regional sitting costs, meeting an unfunded increase in electorate office rents, resourcing the new Council's standing committees and the two new joint

oversight committees, funding the waterproofing of the front steps of Parliament House and the resourcing of critical Parliament Precinct Program projects, a consideration of the costs and risks related to the discontinuation of the stonework restoration, and the relocation of electorate offices.

At the hearing the Presiding Officers agreed to provide further details relating to the cost of tourism to Parliament House such as catering, delivering tours and security, the estimate of senior public service travel for the Parliament which was incorrectly answered in the Committee's questionnaire sent to the Parliament, and the details how the Presiding Officers intend to publically disclose their travel.

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

Legislative Council Budget 2012-13

The Appropriation (Parliament 2012/13) Act 2012 provides for an estimate of output funding for the Legislative Council for 2012-13 of \$2.861 million. When compared with the budget for 2011-12 of \$2.934 million this represents a decrease of 2.48% excluding any proposed escalation figures in the forward estimates.

The reduced level of output funding, which is consistent with the decrease in output funding provided to the other output groups within the Parliament, will cause considerable cost pressures in the Department going forward arising from factors such as the proposed Bendigo regional sitting, the outcome of the new EBA, and the Council Standing Committee Office particularly because of its dependence on supplementation through retained prior years' surplus'.

Continuing to provide services in the context of a reduction in resources will require careful planning and management by the department's senior management team in 2012-13 and beyond.



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 Unit 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). 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 and a cleaner. 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 6 of the Parliament's 12 Joint Investigatory Committees – 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.

The Department is also responsible for administering the Council Standing Committee Office which was established at the commencement of the 57th 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 2012

WAYNE TUNNECLIFFE
Clerk of the Legislative Council

MATTHEW TRICARICO
Deputy Clerk

ANDREW YOUNG
Assistant Clerk – Committees

STEPHEN REDENBACH
Assistant Clerk – House and Usher of the Black Rod

LINDA SHATILKO
Executive Assistant to the Clerk

ANDREA AGOSTA
Project Officer

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)

JESSICA LALOR
Executive Assistant to the President

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)

NICHOLAS PARASKAVAS
Parliamentary Attendant

CHRIS WELSTEAD
Parliamentary Attendant

QUENTIN CORNELIUS
General Hand

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)

VICKY DELGOS
Research Officer

ROSALIND HEARDER
Research Officer

LISA KAZALAC
Research Officer

SARAH HYSLOP
Research Assistant (Maternity Leave)

SEAN MARSHALL
Research Assistant

ANTHONY WALSH
Research Assistant

JOINT INVESTIGATORY COMMITTEES

Economic Development and Infrastructure Committee

YUKI SIMMONDS
Executive Officer (Maternity Leave)

SEAN COLEY
Executive Officer

MATT NEWINGTON
Committee Administrative Officer

SCOTT MARTIN
Research Officer

Education and Training Committee

KERRY RISELEY
Executive Officer

NATALIE TYLER
Committee Administrative Officer

ANITA MADDEN
Research Officer

Environment and Natural Resources Committee

GREG GARDINER
Executive Officer

KAREN TAYLOR
Committee Administrative Officer

KELLY BUTLER
Research Officer

IVAN ZWART
Research Officer

Law Reform Committee

VAUGHN KOOPS
Executive Officer

HELEN ROSS-SODEN
Committee Administrative Officer

AMIE GORDON
Research Officer

VATHANI SHIVANANDAN
Research Officer

Outer Suburban/Interface Services and Development Committee

NATHAN BUNT
Executive Officer

NATALIE-MAI HOLMES
Committee Administrative Officer

CHARLOTTE FREW
Research Officer

Road Safety Committee

KYLIE JENKINS
Executive Officer

CHRISTIANNE CASTRO
Committee Administrative Officer

JOHN ALIFERIS
Research Officer

The following staff were employed in the Department on an ongoing, part-time or casual basis during 2011-12:

CHERELYN BREARLEY

ALEX DOUGLAS

KRISTIN RICHARDSON

MARIA SCOTT

CAROLINE WILLIAMS



Appendix C

Members of the Legislative Council – 57th Parliament

From 21 December 2010

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
Northern Metropolitan Region	Mr Matt Viney	ALP
	Mr Greg Barber	AG
	Mr Nazih Elasmir	ALP
	Mr Matthew Guy	LIB
	Ms Jenny Mikakos	ALP
Northern Victoria Region	Mr Craig Ondarchie	LIB
	Ms Candy Broad	ALP
	Ms Kaye Darveniza	ALP
	Mr Damian Drum	NAT
South Eastern Metropolitan Region	Ms Wendy Lovell	LIB
	Mrs Donna Petrovich	LIB
	Mr Gavin Jennings	ALP
	Mrs Inga Peulich	LIB
	Mr Gordon Rich-Phillips	LIB
Southern Metropolitan Region	Mr Adem Somyurek	ALP
	Mr Lee Tarlamis	ALP
	Mrs Andrea Coote	LIB
	Ms Georgie Crozier	LIB
	Mr David Davis	LIB
	Mr John Lenders	ALP
	Ms Sue Pennicuik	AG

Region	Name	Party
Western Metropolitan Region	Mr Khalil Eideh	ALP
	Mr Andrew Elsbury	LIB
	Mr Bernie Finn	LIB
	Ms Colleen Hartland	AG
	Mr Martin Pakula	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
		40 Members



Appendix D

Selected statistics relating to sittings of the Legislative Council, 2007-08 to 2011-12

	2007-08	2008-09	2009-10	2010-11	2011-12
Number of days House met	51	48	51	46	51
Number of hours House met	459 hrs 59 min	487 hrs 31 min	523 hrs 52 min	451 hrs 47 min	457 hrs 58 min
Average number of hours per sitting day	9 hrs 1 min	10 hrs 9 min	10 hrs 16 min	9 hrs 49 min	8 hrs 59 min
Bills dealt with					
Initiated in L.C.	9	2	5	5	11
Received from L.A.	86	92	98	66	87
Passed without amendment	75	78	80	65	89
Passed with amendments	7	14	14	11	3
Defeated	3	3	4	0	1
Lapsed	0	0	0	7	0
Withdrawn	1	0	0	0	0
Ruled out of Order	1	0	0	0	0
Sets of amendments circulated	37	55	39	47	30
Bills considered in Committee of the Whole	29	34	48	52	57
Questions on notice processed	2,816	6,068	2,680	2,800	6,095
Petitions Tabled	60	157	124	71	57
Signatories to petitions	27,956	118,815	53,340	24,106	17,652
Papers tabled	1,406	1,542	1,469	1,426	1,483
Annual reports	328	325	327	327	309
Statutory Rules	169	173	162	144	178
Planning scheme amendments	430	508	502	468	469
Proclamations	26	37	53	74	49
Other (including special reports, Parliamentary Committee reports etc)	453	499	425	413	454
Production of documents	20	108	892	512	24



Appendix E

Statistics relating to Joint Investigatory Committees administered by the Department of the Legislative Council

	EDIC	ENRC	ETC	LRC	OSISDC	RSC
Deliberative Meetings	20	17	8	12	9	13
Public Hearings	42	101	136	74	59	68
Visits/Inspections	2	12	15	1	13	4
Reports presented	1	1	1	1	0	0
Discussion papers	0	0	0	0	0	0

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

Statistics relating to Legislative Council Standing Committees

	SCEI		SCEP		SCLSI		PC
	LC	RC	LC	RC	LC	RC	
Deliberative Meetings	6	7	9	12	4	11	0
Public Hearings	8	5	16	30	0	21	0
Visits/Inspections	0	0	2	5	0	0	0
Reports Presented	0	1	1	1	1	1	0
Discussion Papers	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)



Appendix F

Legislative Council Expenditure Statements, 2011-12

2010-11	EXPENDITURE	2011-12	2011-12
Actual \$		Budget \$	Actual \$
1,651,182	STAFF SALARIES, ALLOWANCES AND OVERTIME	2,120,000	1,972,835
560,191	SUBSIDIARY EXPENSES (1)	668,521	610,709
322,563	GENERAL EXPENSES	635,479	493,426
101,499	PARLIAMENTARY PRINTING	110,000	89,220
14,875	AUDITOR-GENERAL'S OFFICE AUDITS	15,500	15,300
2,650,310	TOTAL - DEPARTMENTAL	3,549,500	3,181,490

Legislative Council - Members - Special Appropriations

2010-11	EXPENDITURE	2011-12	2011-12
Actual \$		Budget \$	Actual \$
7,190,421	MEMBERS SALARIES AND ALLOWANCES	7,778,353	7,368,753
6,120,000	MEMBERS CONTRIBUTORY SUPERANNUATION	3,194,000	2,906,250
13,310,421	TOTAL - MEMBERS	10,972,353	10,275,003
15,960,731	TOTAL	14,521,853	13,456,493

NOTE:

- Subsidiary expenses include long service leave and recreation leave provision, payroll tax, employer superannuation and WorkCover contributions.
- 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 2011-12.



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			
Quantity			
Procedural references updated biannually	number	2	2
Quality			
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	100
Timeliness			
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
Cost			
Total output cost(a)	\$ million	10.9	13.4

Note: The total actual output cost for 2011-12 is higher than the budget target. This is due to a three year actuarial assessment of Members defined benefits superannuation costs, required under the Parliamentary Salaries and Superannuation Act 1968, which was completed after the publication of the 2011-12 Budget.



Appendix H

Joint Investigatory Committees - Expenditure Statements, 2011-12

2010-11 Actual \$	Committee	2011-12 Budget \$	2011-12 Actual \$
346,343	Drugs and Crime Prevention ¹	592,742	487,466
243,065	Economic Development ²	329,063	362,139
197,503	Education and Training ²	489,571	421,613
256,175	Electoral Matters ¹	326,975	302,353
300,203	Environment and Natural Resources ²	497,514	437,864
258,857	Family and Community Development ¹	503,770	485,880
289,284	Law Reform ²	450,566	418,101
284,463	Outer Suburban/Interface Services Development ²	432,477	370,325
757,913	Public Accounts and Estimates ¹	992,156	948,834
220,216	Road Safety ²	361,825	341,063
230,895	Rural and Regional ¹	370,160	358,999
450,646	Scrutiny of Acts and Regulations ¹	630,200	542,352
692,735	Committee Services Office ³	921,981	840,998
220,420	Auditor-General's Office, Performance Audit	n.a.	n.a.
4,728,718	TOTAL	6,899,000	6,341,955

Notes

1. Committees administered by the Legislative Assembly: Drugs and Crime Prevention; Electoral Matters; Family and Community Development; Public Accounts and Estimates; Rural and Regional; Scrutiny of Acts and Regulations.
2. Committees administered by the Legislative Council: Economic Development; Education and Training; Environment and Natural Resources; Law Reform; Outer Suburban/Interface Services and Development; Road Safety.
3. 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 committee operations.



Appendix I

Major Outputs and Performance Measures — Joint Investigatory Committees

Major Outputs	Unit of Measure	Target 2011-12	Actual 2011-12
Quantity			
Reports tabled per annum	Number	25	40
Quality			
Committee members satisfied that advice about procedure, research and administration is responsive, clear, objective and prompt	Percent	80%	96% ¹
Inquiries conducted and reports produced in compliance with procedural and legislative requirements	Percent	95%	100%
Timeliness			
Reports tabled in compliance with procedural and legislative deadlines	Percent	95%	100%
Total output cost	\$ million	6.899	6.342

Note:

1. Based on client survey (Members on joint investigatory committees) conducted in May 2012.



Appendix J

Supplementary Information as at 30 June 2012

General Stores on Hand

As at 30 June 2012, the Table Office had the following stores on hand which were valued at cost:

Letterhead paper	\$688.00
Envelopes	\$8120.85
Other Stores incl. Pads, with Compliments slips, etc	\$5114.50



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 administration of 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

