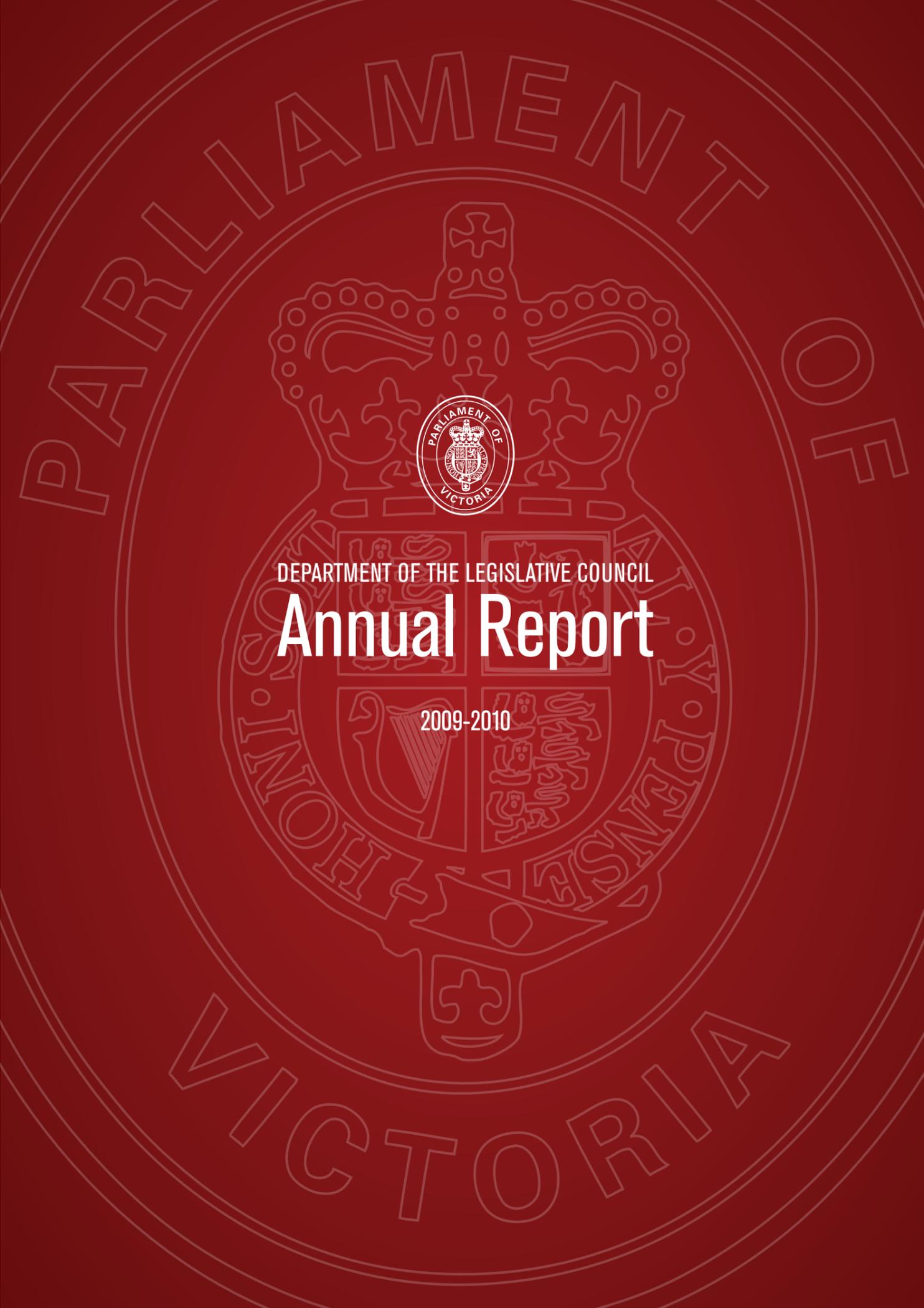


DEPARTMENT OF THE LEGISLATIVE COUNCIL



2009-2010

Annual Report



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Annual Report

2009-2010



Legislative Council

Parliament House East Melbourne Victoria 3002 Australia
Telephone 61 3 9651 8911 Facsimile 61 3 9650 5253 Email council@parliament.vic.gov.au

15 September 2010

The Hon Robert Smith 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 2010.

Yours sincerely

Wayne Tunnecliffe
Clerk of the Legislative Council

CLERK'S OVERVIEW	8	INFORMATION MANAGEMENT	24
VISION	10	Database Management	25
Departmental Goals	11	Questions on Notice Database	25
Business of the Department	11	Tabled Documents Database	25
Department of the Legislative Council Organisation Chart	12	Provision of Information	26
PROCEDURE AND ADVICE	14	Register of Members' Interests	26
Procedural Advice	15	Transfer of Committee Records to Public Record Office Victoria	26
Advice to the President and Members	15	Parliament Website Redevelopment	26
Parliamentary Privilege - No Precedence over other Business	15	EDUCATION AND COMMUNITY RELATIONS	28
Right of Reply—President's Ruling on Eligibility of Corporations to Make Submissions	15	Public Awareness And Education	29
Planning Bill Emanating from Dispute Resolution Process	15	YMCA Youth Parliament	29
Planning: Amendment VC67	16	Open Day 2010	29
Amendments to Bills in Committee of the Whole	16	Australasian Study of Parliament Group	29
Standing Orders Committee Inquiry into an Upper House Committee System	17	Hospitality And Visitors	29
Production of Documents	17	Official Visitors and Delegations	29
Procedural Review Meetings	18	Sister State Delegations	30
Council Sitings and Documentation	18	Australasian Political Exchange Council Delegation	31
Sitting Day Business Meetings	18	Official Visits	31
Sittings of the House	19	PHYSICAL RESOURCES	34
Parliamentary Publications	19	Workplace Maintenance	35
Sitting Statistics	20	Council Chamber Lighting	35
Breakdown of Business 2009-10	21	Use of Precincts	35
Procedural Research Projects	21	Council Chamber and Meeting Rooms	35
Procedural Bulletins	21	Functions	35
External Procedural Publications	21	HUMAN RESOURCES	36
Rulings from the Chair 1979–2010	21	Human Resources Management	37
Guide to Procedure for Members	23	Equal Opportunity Officers	37
Legislative Council: Practice and Procedure Manual	23	Fatigue Management	37
		Occupational Health and Safety Committee	37
		Communication	37
		General Staff Meetings	37

Professional and Personal Development	38	APPENDICES	54
ANZACATT Professional Development Seminar	38	Appendix A	55
Parliamentary Law, Practice and Procedure Course	38	Role of the Legislative Council Staff	55
Presiding Officers and Clerks' Conference	38	Clerk's Office	55
		Table Office	55
		Attendant Staff	56
		Committees' Office	56
		President's Office	56
ADMINISTRATION AND PLANNING	40	Appendix B	57
Departmental Management and Planning	41	Staff employed as at 30 June 2010	
Whistleblowers Protection Act 2001	41	Appendix C	59
Parliamentary Committees	41	Members of the Legislative Council 56th Parliament	
Parliamentary Joint Investigatory Committees	41	Appendix D	60
Resourcing Joint Investigatory Committees	41	Selected statistics relating to sittings of the Legislative Council, 2005-06 to 2009-10	
Economic Development and Infrastructure Committee	42	Appendix E	61
Education and Training Committee	42	Statistics relating to Joint Investigatory Committees Administered by the Department of the Legislative Council	61
Environment and Natural Resources Committee	44	Statistics relating to the Legislative Council Committees	61
Law Reform Committee	44	Appendix F	62
Outer Suburban/Interface Services and Development Committee	45	Legislative Council Expenditure Statements, 2009-10	
Road Safety Committee	46	Appendix G	63
Committee Services Office	46	Major Outputs and Performance Measures - Legislative Council	
Council Committees	46	Appendix H	64
Resourcing Council Committees	46	Joint Investigatory Committees Expenditure Statement, 2009-10	
Standing Committee on Finance and Public Administration	47	Appendix I	65
Select Committee on Train Services	48	Major Outputs and Performance Measures - Joint Investigatory Committees	
Legislation Committee	48	Appendix J	66
Dispute Resolution Committee	48	Official Calls, 2009-10	
FINANCIAL MANAGEMENT	50	Appendix K	67
Finance	51	Supplementary Information as at 30 June 2010	
Joint Investigatory Committee Budget Arrangements	53	Appendix L	68
Public Accounts and Estimate Committee Hearing	53	Non-current physical assets	
		Appendix M	69
		Joint Investigatory Committees Expenditure Statement, 2009-10	
		STAFF OF THE LEGISLATIVE COUNCIL	70

Clerk's Overview

I have pleasure in presenting my report on the operations of the Department of the Legislative Council for 2009-10.

The year saw the Legislative Council evolve further into its new role as a House of Review. There was a marked increase in the number of Bills being taken into Committee of the whole and orders for the production of documents, together with an increase in the activities of the Council Committee Office. A series of interesting procedural issues arose during the year which occupied the time of both the Committee staff and those of us providing advice to them. It is pleasing to report that we have further increased the number of staff to service both the Standing Committee on Finance and Public Administration and the select committees which are appointed from time to time.

With the tabling of the Standing Orders Committee report on the new Upper House Committee System and with the expectation that the Council will endorse the Committee's recommendations, it is likely that the Council Committee Office will significantly change in the next Parliament through the appointment of three new Standing Committees, each with a References and Legislation Committee. Allocating staff and bedding down the new system will be the major challenge for the Department in 2011.

A major issue for the Department in 2010-11 will be the completion of the 56th Parliament and the Opening of the new Parliament, which could take place any time between late December this year and February 2011. It is hoped that live web broadcasting of the Council will commence in 2011 and plans are in hand to upgrade the Chamber lighting as a matter of priority to facilitate this project.

Other challenges in the new financial year will be the commencement of negotiations for the new Parliamentary Officers Enterprise Bargaining Agreement, a review of certain business units in the Department and addressing the issue of fatigue management arising from long sittings. It is also hoped that a significant amount of progress on the Legislative Council Practice and Procedure volume will be made and that it can be published some time in the near future.

In closing I would like to again express my appreciation of the efforts of all of the staff in the Department, both at Parliament House and at the Committees. Their efforts have again ensured that our objectives have been met. It is a pleasure to be part of the Legislative Council team and my gratitude goes to everybody in the Department.

Wayne Tunnecliffe

Clerk of the Legislative Council

Clerk's Overview

Vision

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.

Vision

Departmental Goals

In meeting its Vision, the Department of the Legislative Council is guided by seven operational goals. These are:

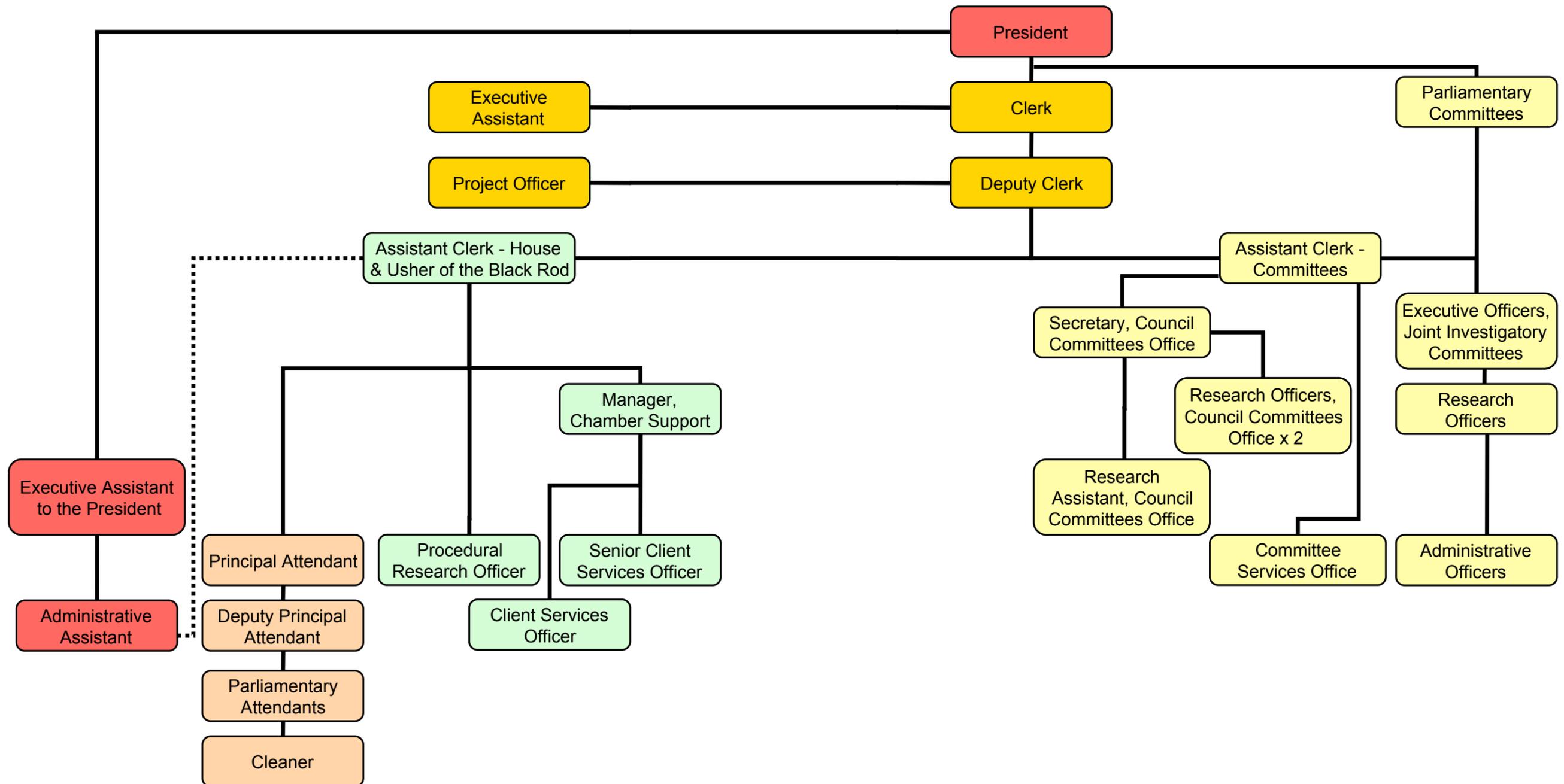
1. To provide timely and accurate procedural advice to clients and to ensure that the business of the Legislative Council and of the parliamentary committees administered by the Department is conducted in accordance with the law, decisions of the Council, parliamentary practice and established committee policy.
2. 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 and timely information services.
3. To promote public awareness and understanding of parliamentary democracy and of the role, functions and processes of the Legislative Council, the Committees and the Parliament generally.
4. To provide the Legislative Council's Members and staff with a safe and healthy working environment, to ensure and enhance the Legislative Council's maintenance and security, and to assist in the management and use of the wider parliamentary precincts.
5. To implement fair and equitable staff management practices which develop the skills base of staff in order to achieve corporate, departmental and committee objectives.
6. 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.
7. To ensure that departmental financial and resource 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;
- 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 to parliamentary committees;
- provide information relating to the proceedings of the 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



Procedural Advice

Advice to the President and Members

The Department's principal function is to provide advice to the President and Members on matters before the House. The advice is usually given in several ways – on an ad-hoc basis, verbally or in writing. When the House is sitting, the President will often be called upon to rule on a matter as it arises and a good deal of work is often done to assist the Chair 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 2009-10 and required advice from the Department are:

Parliamentary Privilege — No Precedence over other Business

On 11 August 2009, the President made a statement on a matter relating to parliamentary privilege which was raised by Mr Theo Theophanous in a letter to the President dated 28 July 2009. Mr Theophanous had raised a matter of privilege in which he claimed that the Crown Prosecutor in Mr Theophanous' recent committal hearing breached parliamentary privilege by quoting from a second-reading speech he gave in the Legislative Council on 9 February 2006 on the Crimes (Sexual Offences) Bill 2006.

Under Standing Orders, when a matter of privilege is raised by a Member with the President, the President is required to determine as soon as practicable whether the matter warrants precedence over other business. If the President decides that the matter warrants precedence, he is required to inform the Council of this decision and the Member who raised the matter may forthwith move a motion without notice in relation to the matter.

The President, having examined the matter, was not convinced the matter merited precedence. He noted Mr Theophanous was absent and therefore the provisions of the Standing Order could not

have been fully complied with. He noted that this did not prevent Mr Theophanous from pursuing the matter by giving notice of motion when he returned to the Chamber.

Right of Reply—President's Ruling on Eligibility of Corporations to Make Submissions

On 23 February 2010, after the President had presented a right of reply from the Shire of Melton and Councillor Renata Cugliari he made a statement to the House about the Council's practice in relation to the right of reply. He explained to the Chamber that it had been suggested to him that a right of reply should be restricted to individuals and should not apply to entities or corporations which claim to be adversely affected in reputation, injured in occupation or trade or that their privacy has been unreasonably invaded. The President stated that the practice of permitting non-individuals to make a submission for a right of reply was based on a ruling by Speaker Kidd in the New Zealand Parliament who concluded that a 'person' included a corporation because a corporation's reputation can be prejudiced by an adverse reference in the House as much as an individual. Furthermore, the President concluded, the Interpretation of Legislation Act 1984 defines a 'person' as including 'a body politic or corporate as well as an individual'.

Planning Bill Emanating from Dispute Resolution Process

On 5 May 2010, the President read a Message from the Assembly informing the Council that the Assembly had agreed to the Planning and Environment Amendment (Growth Areas Infrastructure Contribution) Bill 2009 with the amendments recommended by the Dispute Resolution Committee. The Message sought confirmation that the Legislative Council have agreed to the Bill with such amendments.

The President reminded the House that a Bill of this nature was introduced and debated and

the second reading negated in the Chamber in February 2010. Standing Order 7.06 effectively states that the Council cannot, within six months of the same Session, debate two bills of similar content. The President noted that the Message from the Assembly contained both the Bill and the schedule of amendments which had been made by the Assembly but in substance the Bill was the same. Therefore, the President indicated that he could not accept a motion for the first reading of the Bill at that stage.

Pursuant to the President's ruling, the House suspended the relevant Standing Order on the next day's sitting so as to enable consideration of the Bill.

Planning: Amendment VC67

On 22 June 2010, the Hon Justin Madden, Minister for Planning moved pursuant to section 46H of the Planning and Environment Act 1987, that amendment VC67 to the Planning Provisions be ratified. Subsequently, Mr Matthew Guy moved an amendment to the Minister's motion for the ratification of amendment VC67 to exclude a clause. Mr Viney sought advice from the Chair as to whether the House was competent to consider the amendment proposed by Mr Guy.

The President stated that the Chair could not make a determination as to the legality or otherwise of the contents of amendment VC67 to the Victoria Planning Provisions. The Chair could however, have a view about what the Parliament can or cannot do in relation to a ratification motion moved under section 46H of the Planning and Environment Act 1987.

It appeared to the President that there was some doubt about the Parliament's capacity to permit a ratification of part of the planning scheme amendment to which division 3 of part 3AA of the Act applies. However this was only his view.

In considering Mr Guy's amendment to the motion moved by Mr Madden, the President had to be satisfied that the amendment was relevant to the subject matter under consideration. This

requirement is normally interpreted liberally so as not to restrict unduly the rights of Members.

There did not appear to be any procedural basis for ruling the amendment out of order, however, substantial doubts were raised during debate on the ratification regarding the capacity of the House to consider the amendment. Other doubts were raised regarding the legitimacy of the Minister's motion.

The President took the matter under advisement to obtain further advice, including independent legal advice. The President did not allow any debate on the amendment from that point, as he believed that the debate should be adjourned until he had reported back to the House. The debate was subsequently adjourned.

Legal advice was tabled in the House two days later, on 24 June 2010, but a ruling from the Chair was still pending at the end of the reporting period.

Amendments to Bills in Committee of the Whole

One of the key services provided to all Members, including Ministers, is assistance with amendments to Bills.

In 2009-10, 48 Bills were considered in Committee of the Whole Council. 39 sets of amendments were circulated, comprising a total of 655 proposed amendments. 5 Bills had sets of amendments from more than one Member, with all 5 of these Bills having 2 sets of amendments circulated. Most notable amongst these in a numerical sense was the Accident Compensation Bill 2009 which had 199 proposed amendments from Ms Pennicuik of the Australian Greens and an additional 2 from Mr Rich-Phillips of the Opposition.

The Clerks and Table Office play a role in liaising with Members and their staff, Government departments and the Office of Chief Parliamentary Counsel in checking that proposed amendments to Bills comply with Standing Orders, Constitutional provisions relating to legislation, legislative powers and custom and practice of the Council.

More generally, the Clerks also discuss with Members and OCPC how complex amendments interact with Bills so that detailed advice may be given to the Deputy President and other Members participating in consideration of Bills in Committee. The Clerks work closely with the Deputy President to ensure that running sheets are prepared for every Bill in Committee, so that all Members understand questions before the Committee and how amendments may test other amendments and how competing amendments from different Members may be considered and dealt with.

As noted in last year's Report, the greater number of political parties represented in the Chamber in the 56th Parliament has correlated with an increased incidence of Bills to which amendments have been proposed from various parties, including the Government. There has also been a noticeable increase in the occasions on which various sets of amendments have been redrafted on multiple occasions, with consequent redrafting of running sheets as a result of the negotiations between parties.

Standing Orders Committee Inquiry into an Upper House Committee System

As outlined in last year's Annual Report, in September 2008 the House provided the Standing Orders Committee with a reference to inquire into and report on the establishment of new standing committees for the Legislative Council. The Committee's work up to the end of 2008-09 had included sub-committee visits to the Australian Senate and New South Wales Legislative Council in March 2009 and the tabling of an interim report in May 2009.

The Committee met on a further seven occasions during the year under review, with the inquiry's reporting date being extended another four times and the Final Report's tabling date eventually being 5 May 2010. The major recommendations contained in the Final Report on the Establishment of New Standing Committees for the Legislative Council can be summarized as follows:

- In line with the Australian Senate model (but on a reduced scale), the establishment of three pairs of committees, each consisting of a Legislation Committee and a References Committee;
- this twin committee structure to encompass three broad subject areas of Economy and Infrastructure, Environment and Planning, and Legal and Social Issues;
- a membership of 8 per committee, consisting of 4 Government members, 3 Opposition and 1 from minority parties/independents;
- the chairs of Legislation Committees to be Government Members and the chairs of References Committees to be drawn from non-Government ranks, with all chairs to have both deliberative and casting votes;
- the capacity for substitute members to be appointed to committees with full voting rights, and for participating members to exercise the same rights as normal members, except the right to vote;
- the three Legislation Committees to have self-referencing powers in relation to annual reports and departmental/agency performance, as well as the role of scrutinizing bills referred to them by the House; and
- References Committees only to conduct inquiries referred to them by the House.

Although the Standing Orders Committee made no specific recommendations, it noted the possibility of the number of joint investigatory committees being reduced should its central recommendations be accepted by the Council and by the Government in the 57th Parliament.

By the conclusion of 2009-10, the Council had not yet debated or agreed to the recommendations in the Final Report.

Production of Documents

Throughout 2009-10, the Council agreed to numerous resolutions ordering the production of documents. This continued a trend from 2008-09

which saw an increase in the use of these orders by the non-Government parties to obtain information from the Government. Throughout the year, 19 new orders for production of documents were passed by the Council, the highest number per year since the Sessional Order was introduced in 2007.

The Government has adopted a practice of not opposing the initial motions for the production of the documents, stating that it will consider the request and provide the documents if appropriate to do so. Of the 19 resolutions agreed to in 2009-10, in 8 cases the Government provided most of the documents requested, in 1 case it refused to provide the document on the grounds of Executive Privilege and in another it claimed the documents requested were not in possession of the Government. Numerous letters from the Attorney-General were received in relation to the remaining 9 resolutions stating that the Government was still in the process of assessing the documents relevant to the orders.

Five follow-up resolutions in relation to 18 previous orders for documents were also passed by the Council, condemning the Government for its failure to provide requested documents. These motions were supported by non-Government Members, but opposed by the Government.

One of these resolutions requested that numerous outstanding documents be provided by the Leader of the Government to the Clerk, and that the President appoint an independent legal arbiter to examine the documents to determine whether the Government's refusal to produce the documents is valid or not. This aimed to enforce the process outlined in Sessional Order 21, where a Member can dispute a claim of Executive Privilege and the matter can be referred to an independent legal arbiter for review. However, the Attorney-General wrote to the Clerk notifying him that (in his opinion) the Legislative Council does not have the power to compel the Government to provide documents to the Council or any appointed official such as an independent legal arbiter, and

therefore the Leader of the Government would not comply with the resolution of the House.

Procedural Review Meetings

Following each sitting week the proceedings are reviewed by the Clerks, staff from the Table Office and Council Committee Office who support the Chamber, and staff from the Joint Committee Office who attend on a rotation basis. 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

To best service the House most effectively, particularly in a Chamber which can be unpredictable, it is essential that all staff involved in servicing the Chamber work closely as a team. In what has been the practice for some years now and in an idea first borrowed from the Senate, all staff involved in servicing the Chamber meet as a group prior to each day's sitting to preview the likely events in the Chamber that day, and to discuss possible alternative courses of action in some procedural matters. The group meets at 11.45 am on Tuesdays and at 8:30 am on Wednesdays and Thursdays and meetings generally last for 15 minutes. The sitting day business meetings have proved to be an important tool in ensuring that the Council is serviced effectively because it ensures that all of those involved in the Chamber are fully aware of the business or possible business and its ramifications to be before the House each day.

Sittings of the House

In 2009-10, the Council met on at least one occasion every month except January, sitting for a total of 17 weeks. As per usual practice, the Council sat three days each week (Tuesday to Thursday) with the exception of November 2009 when a build up of legislation prompted the Council to extend one sitting week to include the Friday, and Budget week in May 2010 during which the Council only sat two days. Therefore, throughout the 2009-10 financial year the Council sat for a total of 52 days. No two sitting weeks were consecutive, with a break of at least one week falling in between.

In total, the House sat for 524 hours in 2009-10, the highest number of hours the Legislative Council has ever met in one financial year. The average length of each sitting was 10 hours and 16 minutes per day. This average is consistent with the average sitting hours for 2008-09, during which the Council sat for an average of 10 hours and 9 minutes each day.

Legislative Council sitting patterns for the past 10 years are on page 22. A Breakdown of the time spent on different items of business in 2009-10 can be seen on page 23. Appendix D contains selected statistics relating to the sittings of the Council for the past 5 years.

Parliamentary Publications

The Department is responsible for the preparation and circulation of a number of parliamentary publications. In 2009-10 the following documents were issued:

NOTICE PAPERS (DAILY)	52
MINUTES (WEEKLY)	17
COMMITTEE OF THE WHOLE COUNCIL SUPPLEMENT	17
UNANSWERED QUESTIONS ON NOTICE	11
ADJOURNMENT MATTERS AWAITING RESPONSE	11
PROGRESS ON COMMITTEE INVESTIGATIONS	11

The number of Questions on Notice submitted by Members decreased throughout the second half of 2009 from the unprecedented number of questions submitted in late 2008 and early 2009. Early 2010 saw another influx of questions, which again increased the size of the Unanswered Questions on Notice booklet as more and more questions remained unanswered. The document reached 571 pages in length in early 2010, but as more answers were received, it decreased in size to just over 300 pages at the end of June 2010.

The Committee of the Whole Council Supplement is issued as part of 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. During 2009-10, a Committee of the Whole supplement was issued after every sitting week, meaning that the Council considered a Bill in Committee of the Whole at least once every sitting week throughout 2009-10, significantly more frequent than in past years.

Sitting Statistics

**Sitting Days - Legislative Council
2000-01 to 2009-10**



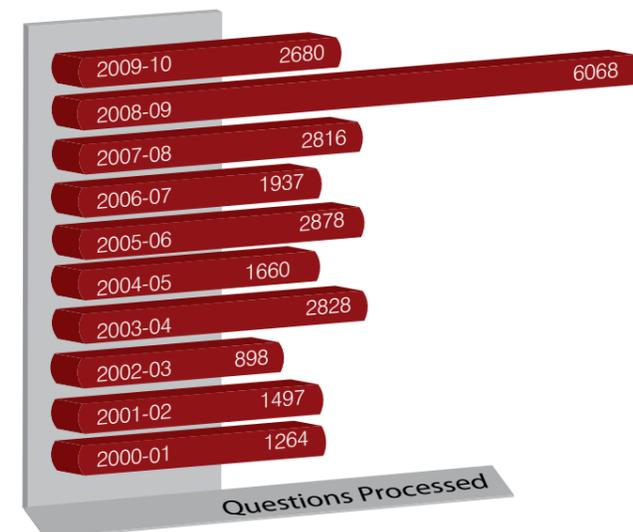
**Sitting Hours, Legislative Council
2000-01 to 2009-10**



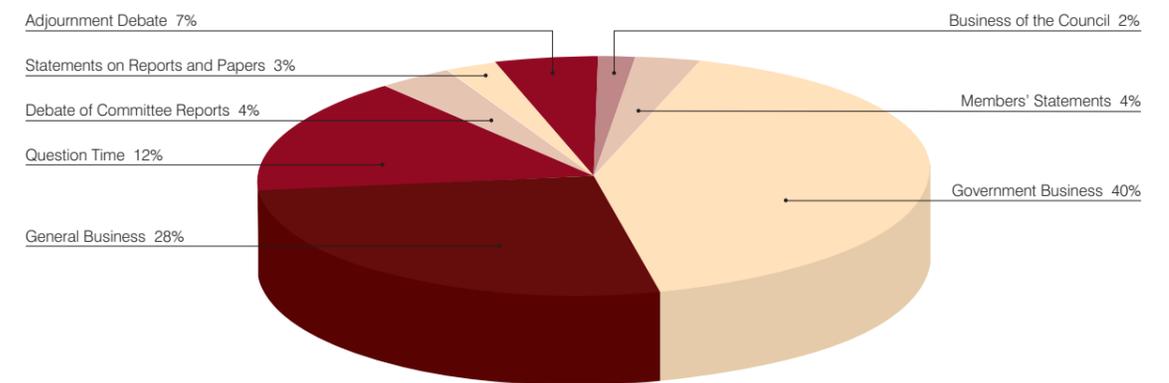
**Average Length of Sitting Days,
Legislative Council
2000-01 to 2009-10**



**Questions on Notice Processed,
Legislative Council
2000-01 to 2009-10**



Breakdown of Business 2009-10



- 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.

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.

In terms of overseas procedural publications, the Department's principal contribution is an annual entry in The Table which is produced by the House of Lords in the United Kingdom and is the journal of the Society of Clerks-at-the-Table in Commonwealth Parliaments.

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 2009-10, bulletins for February to June 2009 and July to December 2009 were published and distributed to Members of the Council, various staff and the Clerks of each of the other Houses of the Australasian parliaments.

Rulings from the Chair 1979-2010

The fourth edition of Rulings from the Chair (48th to 56th Parliaments) was completed in May 2010. This was a more extensive project for the Procedure and Table Office because it is the first annotated edition, not only incorporating additional rulings from 2009, but also summarizing significant changes to the Standing Orders (2006), Sessional Orders (2007 to 2009) and Constitutional changes enacted by the Constitution (Parliamentary Reform) Act 2003,



which have an effect on the relevance of some procedural precedents. 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 Table and Procedure office completed drafting of a new publication for Members of the Council, 'Legislative Council Members' Procedure Guide'. The publication will be released to Members in the second half of 2010 and will be a useful resource for new and continuing Members in the 57th Parliament.

Legislative Council Practice and Procedure Manual

During the reporting period the Department continued to develop a 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.

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.

A prototype database was completed in 2009 for user acceptance testing by Departmental staff. Throughout 2009-10 the database has been extensively tested to ensure the business requirements of the two Houses are met. Further development work has been undertaken and only a few minor issues remain to be resolved.

A considerable amount of work has also been undertaken capturing all of the questions asked from the beginning of the 56th Parliament. In January 2010, all 10,009 questions asked in the first three years of this Parliament and 8,995 answers provided were imported into the database. Further work is still to be done adding the further 1,572 questions asked and 1,484 answers provided to date in 2010.

Once final testing is undertaken, the database will be launched on the Parliament of Victoria website and become available to Members and the public.

Tabled Documents Database

The Tabled Documents Database project aims to make electronic copies of reports tabled in Parliament accessible through a searchable database. The initial focus of the project is to make these reports available to Members through Parliament's intranet site, although in future it is

hoped this could be expanded to make reports also available to the public through Parliament's website.

There are two main drivers for the project. Firstly, the database will provide easier access to reports tabled in Parliament to Members and the public, and reduce the current reliance on paper copies, which has environmental benefits. Secondly, the database aims to assist the Clerks of each House comply with potential new obligations placed on them by the Public Finance and Accountability Bill 2009. If the Bill is passed, it will significantly increase the number of reports that are able to be released when Parliament is not sitting, allowing Ministers to lodge reports with the Clerk on non-sitting days. Currently when a report is received by the Clerk when Parliament is not sitting, and when required by the relevant legislation, the Clerk e-mails a copy of the report to each Member. Given the potentially expanded number of reports being tabled when Parliament is not sitting, it is felt this is not the most efficient approach. Instead, it is planned that the Clerks could simply notify Members by e-mail of the titles of reports they have received, and Members could access the reports through a database if they wished to, reducing the potential burden on Parliament's e-mail system.

Preliminary discussions have taken place between the two House Departments and staff in the Library and IT units of the Department of Parliamentary Services regarding the development of the database. The Legislative Assembly currently have a Tabled Documents Database that lists all the reports tabled in that House, but not all electronic copies are included. Work is being undertaken to expand that database to include Legislative Council tabling information and make it easier to add electronic copies of reports. Following the implementation of this as an interim measure, further work will be undertaken to possibly transition the database to the Parliament of Victoria website.

Information Management

Provision of Information

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 2009-10, the following reports were prepared and tabled:

- Cumulative Summary of Returns, 30 September 2009
- Summary of Returns, June 2009 and Summary of Variations notified between 25 June 2009 and 15 September 2009
- Summary of Primary Returns, March 2010 and Summary of Variations notified between 16 September 2009 and 12 April 2010

Ordinary Return forms will be sent to all Members of Parliament on 1 July 2010 and a summary of those returns, together with a Cumulative Summary as at 30 September 2010, will be tabled in October 2010.

Transfer of Committee Records to Public Record Office Victoria

This year saw the completion of the transfer of all Legislative Council Committee records dated 1856-1992 to the Public Record Office Victoria (PROV). Records included minutes, correspondence, draft reports and transcripts of evidence from numerous Council Committees.

This collection of records documents the establishment of a number of Council Committees with significant details on the investigations and/or inquiries that they carried out which could be of considerable interest to researchers. Notable committees include the Select Committee on the Airport, which in 1935 investigated the most suitable location for Melbourne's Airport, and the Elections and Qualifications Committee which undertook over 50 investigations from 1856 to 1931 into the validity of elections.

The work took two years to complete, by a dedicated team from the Table Office who documented and physically prepared the records for transfer to PROV. The length of time spent on the task was, in part, due to the nature of the Council Committees which were established on an ad hoc basis over the past 150 years. Whilst some Committees had quite detailed inquiries which resulted in boxes of records, others had very specific inquiries that meant that their records were only a few pages in length. In all, more than 90 boxes of records were collated and indexed over the two year period. The records were previously stored in the ground floor of Parliament House and took up much needed storage space for new records.

In addition, detailed research into the history and activities of each Committee was undertaken by the Department in conjunction with PROV to ensure accuracy within the description of records. The research and documentation undertaken will enable users of the records to quickly and easily access them in the future.

Members of the public can now view the records at PROV with the permission of the Clerk of the Legislative Council. If required, the records can also be recalled to Parliament House by the Department at any time.

Parliament Website Redevelopment

2009-10 saw the completion of a two year project to redevelop and relaunch the Parliament of Victoria website. The project was led by staff from

the Library in the Department of Parliamentary Services, with input from the two House Departments. The Council was represented on the project team by the Manager, Chamber Support and a staff member from the President's Office.

Following broad consultation with various users of the Parliament website, scoping work was undertaken in 2008-09 to determine a new structure (information architecture) for the site along with a new design and new content management system. In 2009-10 the project team's focus became the build of the site and reorganising the content and navigation of the site to implement the agreed structure.

Staff from the Department of the Legislative Council were involved in the updating and rewriting of the "About Parliament" and "Visit Parliament" sections of the site, as well as the main Legislative Council pages, including sections on the President, House documents, information sheets and other publications. Council Committee staff and Joint Committee staff were

also involved in transitioning information relating to current and past committee inquiries to the new site.

As well as reorganising and updating the information, a key focus was making the site more accessible (complying with Level A of the W3C Web Content Accessibility Guidelines 1.0) and adding multimedia content, including YouTube videos and an updated virtual tour, to make the site more interactive and informative. The front page of the website is now dynamic, with the latest sitting day information and Committee news automatically published to the home page.

The new Parliament of Victoria website was launched in June 2010. Further work will be undertaken over the next few months to transition some remaining older committee inquiries to the new website. The project team has now changed roles and become an editorial team to manage the website on an ongoing basis and to implement continued improvements and additions to the content.

Education and Community Relations

Public Awareness and Education

YMCA Youth Parliament

The 23rd YMCA Youth Parliament was staged at Parliament House on 29 September and 1 October 2009. The "Opening Ceremony" was held in the Legislative Council Chamber at which the "Youth Governor", officially declared open the Youth Parliament. The President, Deputy Speaker and other Members from both Houses also participated in the ceremony and ensuing debates in both Chambers. The debates were conducted as consistently as practicable with parliamentary procedure, supported by the staff of both House departments. The proceedings were recorded by Hansard and at the conclusion of the sittings the "Bills" were presented to a Government representative.

Open Day

Open Day was held on Sunday, 21 March 2010. The three Departments hosted information displays and staff were on hand to answer questions from visitors. The Victorian Electoral Commission and the Public Record Office Victoria again hosted display stands.

The event attracted over 3,950 visitors to Parliament and the Parliamentary Reserve.

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

Planning for this Open Day was largely organised and conducted by Andrea Agosta, Project Officer of this Department, together with staff from the Office of Serjeant-at-Arms and assisted by staff from other parliamentary departments, under the oversight of the Assistant Clerk – House and Usher of the Black Rod.

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 as well as refreshments 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 of the Australasian Study of Parliament Group (ASPG) which holds seminars at Parliament House featuring guest presenters several times each year.

Individual membership of the ASPG is open to anyone with an interest in parliamentary related affairs, with a significant number of its members being parliamentarians and parliamentary officers. The Council's Procedural Research Officer was Honorary Secretary of the ASPG's Victorian Chapter and the Assistant Clerk – House and Usher of the Black Rod was a member of the executive committee in 2009-10.

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 2009-10, the Department assisted in arrangements for the reception for the following visitors and delegations:

4-16 August 2009 – Ms Jennie Reiyetsi from the Parliament of Nauru, Hansard and Library Departments visited the Parliament as part of the Commonwealth Parliamentary Association Branch twinning arrangement with Nauru. Arrangements from the visit were organised by the Legislative Assembly. During the visit, the Clerk provided her with an overview of the Legislative Council, the Executive Assistant to the President provided an overview of the President's Office, and the Deputy Clerk provided an introduction to the role and function of his office. The Presiding Officers also hosted a morning tea and she was also able to view Question Time in the Legislative Council on 12 August.

Education and Community Relations

20 August 2009 – Delegation from the National Assembly of Vietnam. The Presiding Officers hosted a lunch in honour of a delegation from the Parliament of Vietnam led by the Hon Mr Nguyen Van Son.

14-18 September 2009 – Delegation from the Commonwealth Parliamentary Association's UK Branch. Arrangements for the visit were organised by the Legislative Assembly. During the visit, the Presiding Officers hosted a dinner in the delegation's honour which was also attended by the Clerks.

15 October 2009 – Delegation from the Scottish Parliament led by the Presiding Officer, Mr Alex Fergusson MSP. Arrangements for the visit were organised by the Legislative Assembly. The Presiding Officers hosted a lunch in their honour which was also attended by the Clerks, and during the visit the delegation observed Question Time in both Houses.

26 October 2009 – Delegation from the Parliament of Vanuatu led by the Hon Philippe Boedoro MP, Second Deputy Speaker. Arrangements for the visit were organised by the Legislative Assembly. The Presiding Officers hosted a lunch in their honour which was also attended by the Clerks.

29 October 2009 – Delegation from the Parliament of Bosnia and Herzegovina led by Mr Ilija Filipovic, Speaker of the House of Peoples, and Mr Milorad Zivkovic, Speaker of the House of Representatives. Arrangements for the visit were organised by the Legislative Assembly. The Presiding Officers hosted a lunch in their honour which was also attended by the Clerks.

24 November 2009 – Delegation from Wuxi Municipal Peoples Congress led by Ms Yang Huiju, Vice President of the Standing Committee. During the visit, the Presiding Officers hosted a lunch in the delegation's honour attended by other Members and the Clerks. The delegation also viewed the proceedings in both Houses.

29-30 April 2010 – Presiding Officers from the Parliament of Western Australia and the Executive Manager of Parliamentary Services. The Hon Barry

House MLC, President of the Legislative Council, the Hon Grant Woodhams MLA, Speaker of the Legislative Assembly, and Mr Russell Bremner, Executive Manager of Parliamentary Services, inspected accommodation and meeting room arrangements at Parliament House and discussed the development of the Precinct Master Plan. Arrangements for the visit were organised by the Department of Parliamentary Services. The Presiding Officers hosted a lunch in their honour which was also attended by the three Department Heads.

23 April-10 May 2010 – Mr Andrew Someli, Deputy Clerk of Parliament of Tuvalu, undertook a CPA Education Trust Fund Attachment. An extensive programme was organised by the Legislative Assembly which included some time with Legislative Council officers and viewing Question Time in the Legislative Council on 5 May.

25 and 16 May 2010 – The Hon Michael Polley MP, Speaker of the House of Assembly, Parliament of Tasmania, accompanied by two Members of the Tasmanian Parliament and the Clerk-Assistant and Serjeant-at-Arms obtained an extensive overview of the Parliament of Victoria's operations. Arrangements for the visit were organised by the Legislative Assembly. During the visit the delegation observed Question Time in both Houses and the Presiding Officers, joined by the Clerks, hosted a dinner in their honour.

Sister State Delegations

Delegation from Jiangsu Provincial People's Congress

A delegation from the Jiangsu Provincial People's Congress led by Mr Chen Yubin, Vice Chairman of the Committee on Environment, Resources and Urban and Rural Construction, visited the Parliament to celebrate the 30th Anniversary of the sister state relationship between Jiangsu Province and the State of Victoria. Arrangements for the visit were organised by the President's Office, Legislative Council. During the visit the delegation was taken on a tour of Melbourne including the Sports and Arts precincts, Docklands and Eureka

Skydeck Tower as well as a day long visit to the Yarra Valley. The visit to the Yarra Valley included meeting volunteer fire fighters from Kinglake West and Kinglake Fire Brigades and viewing bushfire reconstruction areas. The day also included a visit to Rochford Winery and a visit to Healesville Sanctuary. A dinner in their honour was hosted by the Presiding Officer and the Clerks.

Visit of Chairman of the Standing Committee of Jiangsu Provincial Peoples Congress

Mr Liang Baohua, Chairman of the Standing Committee of Jiangsu Provincial People's Congress, accompanied by a delegation from the Congress, visited Victoria in December 2009 to celebrate the 30th Anniversary of the sister state relationship between Jiangsu Province and the State of Victoria. Arrangements for the visit were organised by the Department of Premier and Cabinet in conjunction with the President's office. On 14 December 2009, the Presiding Officers hosted a dinner at Parliament House in Mr Liang's honour which was attended by several Members from the Parliament of Victoria and the Clerks.

Delegation from the Aichi Prefectural Assembly

A Delegation from the Aichi Prefectural Assembly led by Mr Takamasa Suzuki, Vice Chairperson visited the Parliament from 26-29 January 2010. Arrangements for the visit were organised by the Legislative Assembly. During the visit the delegation attended the Australian Tennis Open, viewed the bushfire reconstruction effort in Kinglake and Marysville and toured the Yarra Valley. The Presiding Officers hosted a dinner in their honour which was also attended by the Clerks.

Attachment of Mr XU Yajun

Mr Xu Yajun from the Foreign Affairs Committee of the Jiangsu Provincial People's Congress undertook an attachment with the Parliament of Victoria from 9-20 November 2009. Mr Xu had earlier accompanied the delegation from Jiangsu led by Mr Chen Yubin, and remained

in Victoria following the departure of Victoria to undertake the attachment. Arrangements for the attachment were organised by the Clerk's Office of the Legislative Council, and the purpose of the attachment was to give Mr Xu, who has had a long involvement with the Victorian Parliament, a comprehensive understanding of the operations of the Victorian Parliament. His programme involved meetings with staff in all areas across the Parliament and included visits to several attractions in Victoria.

Australian Political Exchange Council Delegations

In 2009-10, a number of delegations visited the Parliament of Victoria under the auspices of the Australian Political Exchange Council. These visits are coordinated by Mr Geoff Barnett, formerly Executive Assistant to the President in the Legislative Council, who is now the Executive Officer of the Australian Political Exchange Council. The format for these visits usually involves a briefing from the Clerk on the three levels of government in Australia including a lunch hosted by the Presiding Officers. During the year the following delegations were hosted at Parliament House:

7 September 2009 – 18th delegation from China
19 October 2009 – 13th delegation from Vietnam
15 March 2010 – 14th delegation from Vietnam
21 June 2010 – 27th delegation from the United States of America

Official Visits

President's visit to the United States of America

In April 2010 the President, accompanied by the Clerk and the President's Executive Assistant, undertook an official visit to the United States of America. The principal purpose of the visit was to study security arrangements and visitor management in the light of proposed changes in this regard in the Victorian Parliament.

The visit took in the cities of Washington, Boston and Los Angeles. Whilst in Washington the delegation visited the White House and the White House Visitor Centre and received a briefing on the Visitor Centre. The delegation also visited the Capitol and inspected the newly built and impressive Visitor Centre there and met with the Directors of the Visitors Centre. The group also viewed the Senate Chamber whilst the Senate was in Session.

In Boston the delegation visited the Massachusetts State House and met with the Acting President and several other Senators. The delegation was taken onto the floor of the Senate Chamber and acknowledged and the President briefly addressed the Chamber and stressed the close links Victoria has with Massachusetts. The group toured the Capitol and visited and met with the Director of the Boston Athenaeum which has recently undergone a major refurbishment. Finally in Boston the delegation met with the Undersecretary, Business Development in Massachusetts.

In Los Angeles the delegation, at the invitation of the Commissioner for the Americas, attended a dinner hosted by the Victoria Racing Club to promote the 150th anniversary of the Melbourne Cup. This was a particularly valuable opportunity to promote not only the race but Victoria in general. The delegation also attended an ANZAC Day service at Los Angeles National Cemetery hosted jointly by the New Zealand and Australian Consuls-General.

The final part of the itinerary proposed that the delegation visit Sacramento and an extensive program of meetings and inspections had been arranged at the California State Capitol including a meeting with the President of the Senate. However, unforeseen circumstances resulted in the Sacramento leg of the visit being cancelled at short notice and the delegation returned to Melbourne two days earlier than planned.

The visit provided the President with particularly useful information which will assist him in making decisions in relation to the proposed front of house project and resulting security and visitor management arrangements.

Physical Resources

Workplace Maintenance

Council Chamber Lighting

Reference was made in last year's Annual Report to the Council Chamber Refurbishment project and the Council's inability to receive additional funds for the project. In that report it was indicated that the President was still considering the options still available to enable the project to proceed. Those options included accessing the Parliament's capital works depreciation funds and the Council's unspent appropriations or revising the scale of the project.

During 2009-10, the President decided to put the project on hold with a view to revisiting it in the context of the Parliament's Precinct Master Plan and further consideration of capital works projects priorities across the Parliament.

However, during the year the decision was taken to upgrade the lighting in the Legislative Council Chamber as a matter of priority. This is due to the lighting requirements of the Department of Parliamentary Services' Hansard project to web cast live the proceedings of the Legislative Council. Existing lighting levels in the Chamber do not meet current standards for a workplace generally and are inadequate to provide best quality video images of the Chamber when in session.

In May 2010, the President approved a fee proposal from FPPV Architects for the planning of the Legislative Council Chamber lighting upgrade. Once a design has been selected and funds for the project are secured, it is expected that works will commence in the second half of 2010 and that live video streaming of the Council's proceedings will commence at the beginning of the 57th Parliament in 2011.

Use of Precincts

Council Chamber and Meeting Rooms

The President, on advice from the Department, deals with requests for use of the Council Chamber, the Legislative Council Committee Room (LCCR) and the Council 'Club Room' meeting 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.

During the reporting period, the President decided that meeting rooms 3 and 4 would be converted to offices for Members, flowing on from the relocation of the Government Whip and the Leader of the Opposition in the Council from the front of the building. The loss of these meeting rooms has placed further pressure on the building's already limited capacity to meet the meeting room requirements of Members and staff, particularly on sitting days.

Functions

The Department assisted in providing services for various functions staged in the Legislative Council Chamber, Queen's Hall, the Legislative Council Committee Room, Room K, 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

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 in 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

In April 2009, the Department Heads received a report on the Fatigue Prevention and Management project. The report was commissioned because in recent years, fatigue management has become an area of concern from a risk management and occupational health and safety perspective. Nowadays there is an expectation on the part of employers to identify, manage and reduce such risks as well as there having been a general increase in awareness in the wider community of the impact work factors have on general health and wellbeing.

The report identified the risks involved with driving while fatigued from a long shift. It also concluded that in general the rest breaks of parliamentary staff during sitting periods were less than adequate when the Houses were sitting. The report proposed a strategic action plan which is under consideration by senior management. So far as the Council is concerned this Department will be reviewing its work

practices with the aim of managing fatigue more effectively in the future. A desirable outcome would be that staff be required to work until the House adjourns or later on only one night in each sitting week. An obvious way to achieve this would be through increased rostering but there are major consequences in relation to the existing conditions of staff and extensive consultation will be required to achieve change in this regard. Other options to be considered will include the increased use of taxis and the provision of overnight accommodation for staff, particularly for those who have to drive home, after late night sittings.

Occupational Health and Safety Committee

The Legislative Council continued to have a management representative and a staff representative 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 at the level of policy.

Communication

General Staff Meetings

Regular general staff meetings continued to be held during 2009-10. 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 have improved communication in all areas of the organisation.

Professional and Personal Development

ANZACATT Professional Development Seminar

The annual ANZACATT Professional Development Seminar was hosted by the Legislative Assembly for the Australian Capital Territory in Canberra from 26 to 29 January 2010. The theme for the seminar was "strengthening, securing and promoting Parliament". Keynote addresses were given by Professor John Uhr from the Australian National University, Mr Quentin Clements from the Centre for Democratic Institutions, Mr Chris Uhlmann, ABC Political Editor, and Mr Ian Harris, former Clerk of the House of Representatives. The Chief Minister for the Australian Capital Territory, Mr Jon Stanhope MLA, hosted a reception for delegates and the Speaker of the Legislative Assembly of the Australian Capital Territory, Mr Shane Rattenbury MLA hosted a welcome reception and also opened the Conference.

Workshops were held on parliamentary twinning arrangements, Parliamentary Studies Centre Strengthening Parliament project, international developments in benchmarking parliaments, the use of extra parliamentary watchdogs, parliamentary education and its role in promoting Parliament, balancing the need for security and the openness of Parliament, and the role of Presiding Officers and Members in strengthening Parliament.

Several Legislative Council staff attended the seminar including the Clerk, Andrew Young, Assistant Clerk – House and Usher of the Black Rod, Nathan Bunt, Committee Research Officer, Kier Delaney, Committee Research Officer, Sean Marshall, Committee Research Officer, and Richard Willis, Secretary, Council Committees Office. Andrew Young acted as co-presenter in the workshop on "Balancing the need for Security with the Openness of Parliament" and Richard Willis was a presenter on "Strengthening the Role of Committees".

Parliamentary Law Practice and Procedure Course

For the first time the Parliamentary Law Practice and Procedure Course organized by ANZACATT was conducted at the University of Tasmania from 16 to 21 July 2009. 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. Two Legislative Council Committee staff attended the course – Alexandra Douglas and Vaughn Koops – both of whom are Joint Investigatory Committee Executive Officers.

Presiding Officers and Clerks' Conference

From 7 to 10 July 2009 the Assistant Clerk – House and Usher of the Black Rod attended the 40th Presiding Officers and Clerks' Conference (POCC) in Tarawa, Kiribati. The POCC includes parliaments from Australia, New Zealand and the Pacific. The agenda items discussed at the meeting included procedural topics, such as the conduct of Question Time in the Australian Senate and right of reply in the South Australian Legislative Assembly, and emerging issues in parliaments, such as Ethics Familiarisation for Members in the Western Australian Legislative Assembly and a democratic benchmarking project for parliaments in the Pacific region involving the United Nations and parliamentary groups. The Assistant Clerk – House and Usher of the Black Rod presented a paper titled The Victorian Legislative Council's rapid transformation and the challenges to come, reflecting on changes in the operation of the

Council since recent Constitutional changes came into effect. The conference coincided with official celebrations of the 30th National Day of the Republic of Kiribati.

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 2009-10, no disclosures were made to the President under the Whistleblowers Protection Act 2001.

Parliamentary Committees

Parliamentary Joint Investigative Committee System

Throughout 2009-10, 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 is responsible for the administration of six other joint investigatory committees.

The joint investigatory committees are established by 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.

Resourcing Joint Investigative Committees

One of the factors that has shaped the nature of staff recruitment to joint committees over the last year, particularly since late 2009, has been the forthcoming conclusion of parliamentary sittings in early October 2010 and subsequent dissolution of the 56th Parliament, prior to the 27 November 2010 State Election. This is likely to result in a period of some months, until after the Opening of the 57th Parliament, when the joint committees will be inactive and alternative work needs to be identified for committee staff. As a result, there has been an increase in the proportion of staff recruitment on a fixed term basis, which is often less than ideal both for the staff involved and the committee secretariats as it tends to reduce the potential pool of applicants for vacancies. Although this approach to recruitment is not unusual given such circumstances, the need for it has been reinforced by the Council Standing Orders Committee's inquiry into an Upper House standing committee system which was outlined earlier section in this Report. This inquiry has added to uncertainty about the type of joint investigatory committee system that will operate in the 57th Parliament.

Economic Development and Infrastructure Committee

The Committee had two active inquiries, and received one government response, during the 2009-10 financial year.

Inquiry into Improving Access to Victorian Public Sector Information and Data

The Government Response to the Inquiry into Improving Access to Victorian Public Sector Information and Data was tabled on 2 February 2010, with all recommendations supported by Government, or supported-in-principle. In response to the Committee's report, the Victorian Government has 'committed to open access as the default position for the management of Public Sector Information and will commence development of an Information Management Framework in 2010.' An extract of the report has subsequently been reprinted in the academic publication *Access to Public Sector Information: law, technology and policy*.

Inquiry into Manufacturing in Victoria

The terms of reference for the Inquiry into Manufacturing in Victoria were received from the Legislative Assembly on 9 June 2009. The Committee received 65 submissions and conducted public hearings with 68 witnesses representing 40 organisations. A delegation of the Committee also conducted overseas investigations for the Inquiry into Manufacturing in Victoria and the Inquiry into State Government Taxation and Debt (see below), meeting 72 people from 38 organisations.

The final report of the Inquiry into Manufacturing in Victoria is expected to be tabled in the first sitting week following expiration of the 30 June 2010 reporting date.

Inquiry into State Government Taxation and Debt

The terms of reference for the Inquiry into Manufacturing in Victoria were received from

the Legislative Council on 29 July 2009. The Committee received 44 submissions and, by the end of the 2009-10 reporting period, had conducted public hearings with 11 witnesses representing six organisations.

The Committee tabled the Interim Report for the Inquiry on 25 February 2010, as required by the Inquiry's terms of reference.

Education and Training Committee

The Education and Training Committee had four references during the reporting period and tabled two reports.

Geographical Differences in the Rate in which Victorian Students Participate in Higher Education

The Committee tabled its final report in Parliament on 28 July 2009. The Report contained 32 recommendations to the Victorian Government, with the Government's response being tabled in Parliament on 23 February 2010.

Skills Shortages in the Rail Industry

The Committee completed its inquiry into skills shortages in the rail industry, which was referred by the Legislative Assembly on 4 December 2008. Mr Peter Thomson, on secondment from the Department of Transport, was appointed Senior Research Consultant for this inquiry.

The Committee received 25 written submissions in total. The Committee held a series of formal hearings involving 39 witnesses during the period under review. Participants included representatives of the main rail operators, government departments, industry associations and unions.

In August 2009, the Committee visited the Newport Rail Precinct to view the Downer EDI Rail Workshops and the Rail Skills Centre. In November 2009, various Committee members and staff toured the Automotive Centre of Excellence located in the Docklands.

In September 2009, the Committee travelled to Queensland to meet with representatives of the rail industry and relevant educational bodies. The Committee also toured QR Limited's Rollingstock and Component Services Workshop and inspected its Driver Training Centre in Rockhampton. The Committee then visited New Zealand in October 2009, to meet representatives of KiwiRail, and one of the industry's training organisations.

A staff member represented the Committee at the Railways Technical Society of Australasia's inaugural Meet the Railway People Expo in September 2009.

The Committee tabled a final report in Parliament on 5 May 2010. The report contained 12 recommendations to the Victorian Government, with the Government's response due by November 2010.

Potential for Developing Opportunities for Schools to Become a Focus for Promoting Healthy Community Living

On 4 December 2008 the Legislative Assembly provided the Committee with a reference to inquire into, consider and report on the potential for developing opportunities for schools to become a focus for promoting healthy community living. The inquiry's initial reporting date of 1 July 2010 was altered on 8 June 2010, with the Legislative Assembly resolving to extend the reporting date to 7 October 2010.

The terms of reference for this inquiry were originally advertised in June 2009. Further advertisements were placed in newspapers covering major non-metropolitan centres, local metropolitan newspapers and Shine, which is a magazine published by the Department of Education and Early Childhood Development. As of 30 June 2010, the Committee had received 142 written submissions.

Public hearings commenced in August 2009. The Committee held these on five occasions during the reporting period, involving representatives of

the Department of Education and Early Childhood Development, various health promotion bodies, and school-based health promotion programs. The public hearings also included a roundtable discussion held in June 2010 with representatives of seven Victorian Primary Care Partnerships. The dialogue focused on how to develop and maintain effective partnerships between schools, the community health sector and other organisations in order to promote healthy community living.

In September 2009, the Committee visited Queensland to meet with representatives of the Queensland Department of Education and Training, Queensland Health and the University of Queensland.

During October 2009, the Committee travelled to New Zealand to meet with a range of health promotion bodies and to visit best practice health promoting schools.

Administration of the Federal Government's Building the Education Revolution (BER) Program in Victoria.

The Committee received a reference from the Legislative Council on 14 April 2010 to inquire into, consider and report on the administration of the Federal Government's Building the Education Revolution (BER) program in Victoria. The Committee is required to provide an interim report to Parliament by 31 August 2010 and a final report to Parliament by 31 December 2010.

The terms of reference were advertised in June 2010 in *The Age*, *Herald Sun*, the education supplements of these two papers and *Shine* magazine.

Correspondence inviting submissions was sent to key stakeholders and to all Victorian school principals during June 2010. As of 30 June 2010, the Committee had received 12 written submissions.

In June 2010, the Committee was briefed by representatives of the Department of Education and Early Childhood Development,

Catholic Education Commission of Victoria and Independent Schools Victoria on issues pertaining to the terms of reference.

Environment and Natural Resources Committee

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

Inquiry into the Approvals Process for Renewable Energy Projects in Victoria

The Committee received its reference concerning opportunities to reduce red tape associated with the approvals process for renewable energy projects in Victoria on 4 December 2008. It advertised the terms of reference and called for written submissions in June 2009. The Committee subsequently received 39 written submissions.

The Committee focussed on the approvals process for wind farm projects in Victoria. To date, no other types of large-scale renewable energy projects have been constructed and subject to such an approvals process.

As part of this inquiry, the Committee held nine public hearings in Melbourne and regional Victoria. Representatives from the Victorian, New South Wales and South Australian governments briefed the Committee and three site visits were conducted in regional Victoria.

The Committee's report contained 40 recommendations that it believed would contribute to the reduction of red tape associated with the approvals process for renewable energy projects in Victoria. This report was tabled on 25 February 2010.

Inquiry into Soil Carbon Sequestration in Victoria

The Committee received a reference to consider soil carbon sequestration in Victoria on 2 September 2009. It advertised the terms of reference and called for written submissions that same month, receiving 34 submissions in

total, including a submission from the Victorian Government on 10 June 2010.

As part of this inquiry, the Committee held ten public hearings in Melbourne, regional Victoria and New South Wales. The Committee received a briefing from the Department of Sustainability and Environment and conducted five site visits in regional Victoria and New South Wales.

The report is due for tabling at the end of August 2010.

Inquiry into the Environment Effects Statement process in Victoria

The Committee received its reference to consider the environment effects statement process in Victoria, including the operation of the Environment Effects Act 1978 on 29 July 2009.

It advertised the terms of reference and called for written submissions in January 2010, receiving 58 submissions in total, including a submission from the Victorian Government on 28 April 2010.

As part of this inquiry, the Committee held six public hearings in Melbourne; two in Western Australia; and had two briefings from the Department of Planning and Community Development.

The report is due for tabling at the end of August 2010.

Law Reform Committee

The Law Reform Committee tabled one report and received two further references during the reporting period.

Review of the Members of Parliament (Register of Interests) Act 1978

This inquiry was referred to the Committee by the Legislative Assembly in late 2008. The Act sets out a code of conduct for members of the Victorian Parliament, and the requirements for members to register certain financial and other interests that have the potential to conflict with their public duties.

The Inquiry's final report was tabled in Parliament

on 9 December 2009, with the Government Response being tabled in Parliament on 14 April 2010. The Members of Parliament (Standards) Bill 2010, which implements a number of the Committee's recommendations, is currently before the Parliament.

Inquiry into Powers of Attorney

This inquiry was referred to the Committee by the Legislative Assembly in late 2008. The Committee was asked to consider how the existing power of attorney laws could be streamlined and simplified so that more Victorians could plan for their future financial, lifestyle and healthcare needs.

The Committee called for submissions to the inquiry in June 2009. The Committee received 75 submissions and held five days of public hearings, including a Seniors' Forum and a Culturally and Linguistically Diverse Communities Forum.

The reporting date was extended to 31 August 2010 by resolution of the Legislative Assembly on 13 August 2009.

Inquiry into Arrangements for Security and Security Information Gathering at State Government Construction Projects

This inquiry was referred to the Committee by the Legislative Council on 24 March 2010. The Committee has been asked to inquire into the arrangements for security and security information gathering at the desalination plant in Wonthaggi and other similar construction projects. In particular, the Committee has been asked to consider whether the rights of Victorians are respected, whether any breaches of privacy have or are likely to occur, and whether these arrangements are in the public interest.

The Committee called for submissions to the Inquiry in June 2010 and received 10 submissions.

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

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

This inquiry was referred to the Committee by the Legislative Council on 23 June 2010. The Committee has been asked to consider the legal, practical and other implications of making information about donors available to donor-conceived people regardless of the date of their conception.

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

Outer Suburban/Interface Services and Development Committee

The Committee received a reference from the Legislative Council on 29 July 2009 regarding the Impact of the State Government's Decision to Change the Urban Growth Boundary. The reference was advertised on 23 September 2009 and public hearings were held on 20 and 22 October 2009. The final report was tabled in Parliament on 24 November 2009 and the Government's formal response to this report was tabled on 27 May 2010.

The other report tabled during the period under review – on 26 May 2010 – concerned the Committee's inquiry into Sustainable Development of Agribusiness in Outer Suburban Melbourne 2010. This reference had been received from the Legislative Assembly on 9 October 2008 and had its original reporting date of 31 August 2009 extended on two occasions. As part of this inquiry, a sub-committee from the Committee travelled overseas from 10 to 27 July 2009 to learn about international initiatives in relation to such developments.

On the 13 August 2009, the Committee received from the Legislative Assembly, a new Inquiry into Farmers' Markets. The Committee is due to table its report in Parliament no later than 7 October 2010.

On 1 February 2010, Ms Danielle Green MP resigned from the Committee. The House then resolved that Mr. Craig Langdon MP be appointed to the Committee on that date.

Road Safety Committee

The Road Safety Committee tabled two reports and commenced a third during the reporting period.

Inquiry into the Process of Development, Adoption and Implementation of Australian Design Rules

This inquiry commenced during the previous reporting period, with interstate hearings and overseas briefings being conducted during 2009-10. The report was tabled on 25 November 2009 and contained 21 recommendations aiming to streamline the approval process for safe design for new vehicles. The Government response was tabled on 8 June 2010.

Inquiry into Pedestrian Safety in Car Parks

This inquiry commenced in April 2009. Investigations continued during this reporting period, with site visits to car park control centres, public hearings being held in Melbourne and interstate, and briefings conducted overseas.

The report, which included a minority report, was tabled on 26 May 2010 and contained 19 recommendations to improve pedestrians' safety in car parks.

Inquiry in Federal – State Road Funding Arrangements

This inquiry was referred to the Committee on 1 March 2007 but its commencement was delayed by more than two years due to other inquiries taking precedence. The terms of reference required the Committee to review the current funding arrangements in Australia, with a view to improving the economic efficiency and equity of federal-state road funding arrangements.

The inquiry commenced in December 2009, with twelve submissions being received, and public hearings and meetings being held in Melbourne and interstate. The report's tabling date is 1 September 2010.

Committee Services Office

As in past years, the joint investigatory committees received a range of administrative support services via a small work unit previously known as the Joint Committee Administration Office (JCAO). Its name change, to the Committee Services Office, coincided with the implementation of changes resulting from a review of its functions and structure. This review was overseen by a Committees Staffing and Business Processes Working Group consisting of both Assistant Clerks, several Executive and Research Officers and a representative from the Community and Public Sector Union.

The establishment of the Committee Services Office received the Clerks' support in the second half of 2009, which led to the appointment of Jason Ngam, as the Committee Services Coordinator (at VPS 3.2 level) in December 2009. This was followed by the recruitment of a full-time Administration Officer (Matt Newington) to join the existing part-time Administration Officer. A casual Administration Officer provides additional support.

The restructured office is now involved in a much wider range of projects and, at this stage, it will continue in its present form until early in the 57th Parliament.

Council Committees

Resourcing Council Committees

As noted in the Clerk's Overview in last year's Annual Report, the Department was looking closely at the appointment to the Council Committees Office of additional staff to supplement the existing establishment of two, ongoing staff (a Secretary, Council Committees Office and a Research Assistant). Not only were the Standing Committee on Finance and Public Administration and the Select Committee on Train Services already in existence, but it was anticipated that additional committee activity could occur in the lead up to the 2010 State Election.

The Department's principal difficulty was a lack of resources although, as noted by the Clerk, departmental expenditure levels were being monitored closely to try and identify possible funds. As a result of this process, the Council Committee Office was able to recruit two additional Research Officers late in 2009 who will remain in their positions until late October 2010. This has been a considerable assistance to the Office in meeting the requirements of its committees.

One additional difficulty encountered by the Council Committee Office – one shared by a number of the joint investigatory committees – has concerned Hansard's availability to cover committee public hearings. Depending on workload issues and the scheduling of hearings, particularly their proximity to parliamentary sitting weeks, Hansard has been unavailable to provide support on a number of occasions. This has resulted in private transcription services being used, although these do not always provide an equivalent service to the Parliament's own Hansard Unit and the consequent cost is an additional burden for the Department (or the committee in the case of joint investigatory committees).

Standing Committee on Finance and Public Administration

The Standing Committee on Finance and Public Administration conducted five self-generated references throughout the financial year comprising three on-going inquiries and two new inquiries.

During 2008-09, the Committee agreed to inquire into and report on Victorian departmental and agency performances and operations. During 2009-10, the Committee conducted public hearings and reported on the following Departments and agencies:

- Growth Areas Authority (24 March 2010);
- Department of Health – in relation to its January 2009 Heatwave Health Assessment Report (25 May 2010);

- Ombudsman Victoria regarding its October 2009 report into Brookland Greens Estate - Investigations into methane gas leaks (25 May 2010); and
- Victorian Bushfire Reconstruction and Recovery Authority (23 June 2010)

The Committee also conducted a hearing with the Department of Human Services in March 2010 with respect to the child protection program. The Committee will present its report on this matter in the latter part of 2010.

Other on-going inquiries related to:

- the capacity of hospitals to meet demand, standards and quality of care, resourcing and access levels, and the accuracy and completeness of performance data for Victorian public hospitals; and
- the estimated benefits and costs arising from the north-south pipeline, the Wonthaggi desalination plant, and the modernisation of irrigation infrastructure.

With respect to the public hospital inquiry, 48 written submissions were received and 3 days of public hearings were held during the financial year with evidence received from eleven organisations/individuals. The water infrastructure inquiry received 34 written submissions and conducted 4 days of public hearings during the financial year with evidence received from 13 organisations/individuals. Both these inquiries will continue into the next financial year.

In September 2009, the Committee established a new inquiry into the effectiveness of the Builders Warranty Insurance scheme in providing consumer protection, including the related role of government agencies and possible alternatives to the current scheme in Victoria. 43 written submissions were received and 3 days of public hearings were held during the financial year with evidence received from 14 organisations/individuals. The Inquiry is expected to conclude in the second half of 2010.

In March 2010, the Committee resolved to inquire into and report on Victorian Government decision

making, consultation and approval processes, and any knowledge and/or involvement of Ministers, Ministerial staff and/or Victorian Government officers since 1 December 2006 and in particular issues arising from media plans prepared within the Victorian Government since 1 December 2006. The initial focus of the inquiry was on the Windsor Hotel redevelopment planning process.

The Committee conducted 3 days of hearings during the financial year in relation to the Windsor Hotel issue and tabled an interim report on 13 April 2010. Certain ministerial staff were first invited, then summoned to give evidence at public hearings but were directed by the Attorney-General not to appear before the Committee. The Committee was expected to report the breach of witness summonses to the Legislative Council in the second half of 2010. As a consequence of the limitations to its investigations, in June 2010, the Committee referred the Windsor Hotel redevelopment planning probity and the associated media strategy probity on to the Victorian Ombudsman for investigation and report.

The Standing Committee held 15 deliberative meetings, 17 public hearings and tabled 5 reports during 2009-10.

Select Committee on Train Services

The Select Committee on Train Services was established by the Legislative Council in March 2009 to inquire into the factors leading to and causes of failures in the provision of metropolitan and V/Line train services. The Committee obtained 72 written submissions and received evidence from 19 organisations and individuals over the course of 6 days of public hearings from commencing in July 2009. A further 6 deliberative meetings were held in 2009-10.

On 5 May 2010 the Legislative Council agreed to amend the Committee's terms of reference to insert after the word "services" the following words:

"including the impact on those services as a result of the purchase, operation and implementation

and oversight by Government of the 'Myki' ticketing system in Victoria, including an examination of performance, costs and integration of the 'Myki' ticketing system."

The Legislative Council further agreed to extend the Committee's final reporting date to 30 September 2010.

The Committee tabled an interim report in the Legislative Council on 8 June 2010 which dealt with the original terms of reference dealing with train services. Investigations into the amended reference with respect to the Myki ticketing system, were to commence in July 2010.

The Select Committee held 6 deliberative meetings, a further 6 public hearings and tabled one interim report during 2009-10.

Legislation Committee

The Legislation Committee was not required to meet during 2009-10.

Dispute Resolution Committee

The Dispute Resolution Committee is established under section 65B 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 the Committee met on 8 occasions.

3 Bills were referred to the Committee during

the reporting period — the Planning Legislation Amendment Bill 2009, the Planning and Environment Amendment (Growth Areas Infrastructure Contribution) Bill 2009 and the Transport Legislation Amendment (Ports Integration) Bill 2010. The Committee reached a Dispute Resolution within the statutory period on the first 2 Bills, and both Houses gave effect to the Resolutions and subsequently, the Bills were passed by the Parliament as recommended by the Committee. The Committee has yet to meet and consider the third Bill.

Financial Management

Finance

Funding for the Legislative Council in 2009-10 was provided in two ways — Special Appropriations and the annual Parliament Appropriation Act.

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 2009-10 was also included in the Parliament's Appropriation Act.

The Appropriation (Parliament 2009/2010) Act 2009 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 2009/2010) Act 2009 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.

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 H to this report.

The sources of the Council's budget for 2009-10 were —

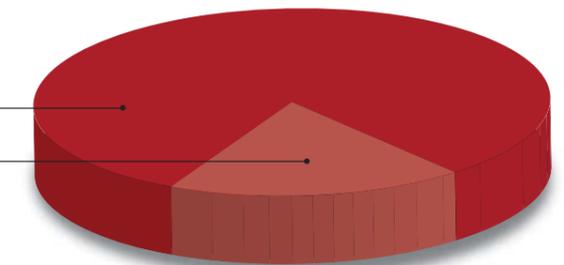
<i>Special Appropriations</i>	
Members' salaries and allowances	\$7,061,120
Members Contributory Superannuation	\$6,120,000
Clerk and expenses of the Legislative Council	\$200,000
Auditor-General's Office Audit	\$18,500
<i>Parliament Appropriation Act</i>	
Provision of outputs	\$2,786,000
TOTAL	\$16,185,620

The Appropriation (Parliament 2010/2011) Act 2010 provides \$2,855,000 to the Legislative Council for the provision of outputs only.

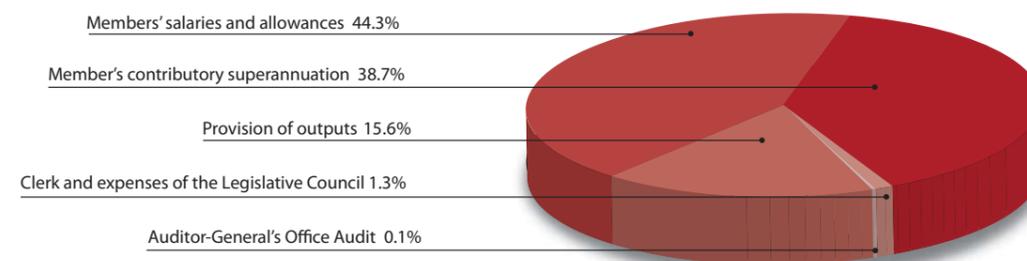
The detailed figures for 2009-10 for the Department appear in the expenditure statements at Appendix F to this report and a breakdown of expenditure for the Legislative Council on a percentage basis is depicted in the following charts:

Budget (%), members and departmental, 2009-10
N = \$16,185,620 (Source: Appendix F)

Members' salaries and allowances 81.44%
Departmental expenditure 18.56%



Actual Expenditure(%), Department of the Legislative Council, 2009-10
N = \$15,791,490 (Source: Appendix F)



Joint Investigatory Committee Budget Arrangements

\$6.370 million was appropriated by the Appropriation (Parliament 2009/2010) Act 2009 for the operations of Joint Investigatory Committees in 2009-10. This appropriation was separate from the appropriations for each House department.

The Parliamentary Joint Investigatory Committees group is, for budgeting purposes, also treated as an output group that is required to meet certain performance targets in delivering outputs in return for its budget resources. Detailed accounts of those outputs and their performance measures appear at Appendices H and I to this report.

Public Accounts and Estimates Committee Hearing

The Presiding Officers and Department Heads appeared before the Public Accounts and Estimates Committee hearing on 10 May 2010 in connection with its inquiry into the 2010-11 Budget Estimates. The hearing began with a powerpoint presentation highlighting the Parliament's achievements in 2009-10 and the challenges for 2010-11. Following the powerpoint presentation the Presiding Officers and Department Heads answered questions from the Committee.

During the hearing a number of questions were taken on notice which were followed up, together with the provision of additional information, by the Parliament to the Committee.

Following the public hearing into the budget estimates, the Committee also took evidence from the Presiding Officers and Department Heads on its inquiry into the Audit Act 1994. In February 2010, the Committee issued a discussion paper on a range of matters including the Auditor General's unique constitutional and parliamentary status as an independent officer of Parliament and the relationship of the Auditor General with the Committee. The paper proposes several options for legislative changes and the Committee is currently seeking feedback on these options from a range of stakeholders.

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 of the Legislative Council 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.

Table Office

The Assistant Clerk – House and Usher of the Black Rod is responsible for the oversight of the Table Office and is the President's Executive Officer. Under direction from the Clerk, he provides assistance in the day to day administration of the Department and, also the management of Attendant Staff. He is also required to provide policy advice to the President and Clerk as required.

The Usher is a central ceremonial figure at Openings of Parliament and Governors' Inaugurations. During sittings of the Council

he has various responsibilities, including the preparation of the Notice Paper and recording the proceedings of the Committee of the Whole. The Usher also attends to a range of operational matters such as the use of the Chamber and other meeting/function facilities, security of the building and its occupants and fire protection.

The Office provides procedural, research, writing and managerial support to the Legislative Council, the President, and senior officers of the Department and is responsible for the maintenance and expansion of the Department's procedural database.

The Assistant Clerk – House and Usher of the Black Rod is assisted by a Manager, Chamber Support and three other staff, who provide extensive administrative support to the Legislative Council Chamber during sittings of the House, Select Committees appointed from time to time, the Legislation Committee and to the Department and Members during non-sitting periods.

In sitting periods, Table Office personnel liaise closely with Government Departments, Parliamentary Counsel, contract printers and all other interested parties to ensure the timely presentation of documents to the House.

The Office is responsible for preparing, checking, recording, printing, storing and archiving the official records and papers of the Legislative Council. These include Acts, Bills, amendments, questions on notice, petitions, diverse papers and reports, Minutes of the Proceedings and Notice Papers. The Office serves as the general enquiry centre of the Department dealing with parliamentary, governmental, media and public enquiries.

The Office compiles information and provides parliamentary documents and stationery to Members as required. It also provides administrative support to the Department by processing and recording Departmental expenditure, and by sourcing and supplying equipment and stationery. In addition, the Office is the repository of procedural information in the Department, particularly through its development,

management and use of the Legislative Council's procedural database, books and manuals.

The Office compiles and distributes procedural bulletins, the Legislative Council's Rulings Book and information sheets and contributes related information to various internal and external procedural publications.

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 and at functions held at Parliament House.

Committees' Office

During the 56th Parliament the Department continues to be responsible for administering six of the Parliament's twelve 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 administrative support services are provided by the Joint Committee Administration Office which comprises some staff from this Department.

The Committees' Office is responsible for the provision of accurate and timely advice, and

effective and efficient support services to the joint committees. These support services include the allocation to each committee of adequate and competent staff and the provision of financial and physical resources to facilitate the analysis of evidence and the presentation of reports to Parliament. The Assistant Clerk – Committees has responsibility for the Executive Officers, Research Officers and Committee Administration Officers who provide administrative, research, procedural and budgetary support to each committee. Consultants are also engaged from time to time depending on the inquiries before the committees.

In addition to the joint committees, the Committee Office oversees Legislative Council appointed committees, including the Standing Orders, Legislation, Select and Standing Committees. During 2008-09, the Council's two select committees, its standing committee and the Legislation Committee were staffed primarily by the Secretary, Council Committees Office, a Research Assistant and a part-time, fixed term Research Officer.

The Assistant Clerk – Committees supervises all committees for which the Department is administratively responsible and is responsible to the President for the oversight of their operations.

President's Office

The President's Office is comprised of two staff, an Executive Assistant to the President and an Administrative Assistant, that service the needs of the President. The staff provide advice and assistance to the President in his role as the Ministerial Head of the Department on matters relating to the management of the Parliament and on a wide range of other matters including official dealings with other Parliaments and organisations, distinguished visitors, diplomatic calls and ceremonial events. The President's Administrative Assistant also provides administrative support to the Assistant Clerk – House and Usher of the Black Rod, providing a range of administrative services.

Appendix B

The following Staff were employed in the Department of the Legislative Council as at 30 June 2010.

WAYNE TUNNECLIFFE

Clerk of the Legislative Council

MATTHEW TRICARICO

Deputy Clerk

ANDREW YOUNG

Assistant Clerk – House and Usher of the Black Rod

STEPHEN REDENBACH

Assistant Clerk – Committees

ROBERT McDONALD

Manager, Chamber Support

LINDA SHATILKO

Executive Assistant to the Clerk

ANDREA AGOSTA

Project Officer

ANNA JURKIEWICZ

Executive Assistant to the President

RACHEL FLITMAN

Administrative Assistant, President's Office

ANNALIES ENGWERDA

Senior Client Services Officer

ANTHONY WOODLEY

Client Services Officer

SARAH HYSLOP

CHERELYN BREARLEY

Procedural Research Officers

RUSSEL BOWMAN

Principal Attendant

MICHAEL STUBBINGS

Deputy Principal Attendant

GREGORY MILLS

Parliamentary Attendant

PETER ANASTASIOU

Parliamentary Attendant

PATRICK BORIBON

Parliamentary Attendant

PHILIP STOITS

Parliamentary Attendant

GRAHAM TATNELL

Parliamentary Attendant

CHRIS WELSTEAD

Parliamentary Attendant

QUENTIN CORNELIUS

General Hand

Council Committees Office

RICHARD WILLIS

Secretary

SUSAN BRENT

Research Officer

ANTHONY WALSH

Research Officer

SEAN MARSHALL

Research Assistant

Joint Investigatory Committees

Economic Development and Infrastructure Committee

VAUGHN KOOPS

Executive Officer

SHANTHI WICKRAMASURYA

Committee Administrative Officer

YUKI SIMMONDS

Research Officer

JOSHUA SAUNDERS

Research Officer

Appendix C - Members of the Legislative Council - 56th Parliament

Education and Training Committee

KAREN ELLINGFORD

Executive Officer

NATALIE TYLER

Committee Administrative Officer

CATHERINE RULE

Research Officer

Environment and Natural Resources Committee

CAROLINE WILLIAMS

Executive Officer

KAREN TAYLOR

Committee Administrative Officer

TOM HOLDEN

Research Officer

KRISTIN RICHARDSON

Research Officer

Law Reform Committee

KERRY RISELEY

Executive Officer

HELEN ROSS-SODEN

Committee Administrative Officer

KERRY HARRISON

Research Officer

VATHANI SHIVANANDA

Research Officer

Outer Suburban/Interface Services and Development Committee

SEAN COLEY

Executive Officer

NATALIE-MAI HOLMES

Committee Administrative Officer

KEIR DELANEY

Research Officer

Road Safety Committee

ALEX DOUGLAS

Executive Officer

CHRISTIANNE CASTRO

Committee Administrative Officer

NATHAN BUNT

Research Officer

Committee Services Office

MARIA MARASCO

Joint Committee Administrative Officer

The following staff were employed in the Department on an ongoing, part-time or casual basis during 2009-10:

DEREK BENJAMIN

JASON BOULTER

TESS BURTON

DAVID DARRAGH

JESSICA DOOLEY

JENNIFER DUKE

JENNIFER JACKSON

PETER THOMSON

CAITLIN WHITEMAN

Region	Names	Party
Eastern Metropolitan Region	Mr Bruce Atkinson	LIB
	Mr Richard Dalla-Riva	LIB
	Mrs Jan Kronberg	LIB
	Mr Shaun Leane	ALP
	Mr Brian Tee	ALP
Eastern Victoria Region	Mr Philip Davis	LIB
	Mr Peter Hall	NAT
	Mr Edward O'Donohue	LIB
	Mr Johan Scheffer	ALP
	Mr Matt Viney	ALP
Northern Metropolitan Region	Mr Greg Barber	AG
	Mr Nazih Elasmr	ALP
	Mr Matthew Guy	LIB
	Ms Jenny Mikakos	ALP
	Mr Nathan Murphy*	ALP
Northern Victoria Region	Ms Candy Broad	ALP
	Ms Kaye Darveniza	ALP
	Mr Damian Drum	NAT
	Ms Wendy Lovell	LIB
	Mrs Donna Petrovich	LIB
South Eastern Metropolitan Region	Mr Gavin Jennings	ALP
	Mrs Inga Peulich	LIB
	Mr Gordon Rich-Phillips	LIB
	Hon Robert Smith	ALP
	Mr Adem Somyurek	ALP
Southern Metropolitan Region	Mrs Andrea Coote	LIB
	Mr David Davis	LIB
	Ms Jennifer Huppert	ALP
	Mr John Lenders	ALP
	Ms Sue Pennicuik	AG
Western Metropolitan Region	Mr Khalil Eideh	ALP
	Mr Bernie Finn	LIB
	Ms Colleen Hartland	AG
	Hon Justin Madden	ALP
	Mr Martin Pakula	ALP
Western Victoria Region	Mr Peter Kavanagh	DLP
	Mr David Koch	LIB
	Ms Jaala Pulford	ALP
	Ms Gayle Tierney	ALP
	Mr John Vogels	LIB

*The Hon Theo Theophanous resigned as a Member of the Legislative Council for the Northern Metropolitan Region on 1 March 2010 and Mr Nathan Murphy was sworn in as a Member of the Legislative Council on 9 March 2010 in his place.

ALP	Australian Labor Party	19 Members
LP	Liberal Party	15 Members
AG	Australian Greens	3 Members
NAT	The Nationals	2 Members
DLP	Democratic Labor Party	1 Member

Appendix D

Selected statistics relating to sittings of the Legislative Council, 2005-06 to 2009-10

	2005-06	2006-07	2007-08	2008-09	2009-10
Number of days House met	54	42	51	48	51
Number of hours House met	436hrs 47mins	365hrs 2mins	459hrs 59mins	487hrs 31mins	523hrs 52mins
Average number of hours per sitting day	8hrs 5mins	8hrs 41mins	9hrs 1mins	10hrs 9mins	10hrs 16mins
Bills dealt with					
Initiated in L.C.	3	3	9	2	5
Received from L.A.	91	77	86	92	98
Passed without amendment	92	74	75	78	80
Passed with amendments	3	2	7	14	14
Defeated	2	1	3	3	4
Lapsed	0	2	0	0	0
Withdrawn	0	0	1	0	0
Ruled out of Order	0	0	1	0	0
Sets of amendments circulated	35	36	37	55	39
Bills considered in Committee of the Whole	24	20	29	34	48
Questions on notice processed	2,878	1,937	2,816	6,068	2,680
Petitions Tabled	92	99	60	157	124
Signatories to petitions	20,592	12,528	27,956	118,815	53,340
Papers Tabled	1,127	1,155	1,406	1,542	1,469
Annual reports	328	326	328	325	327
Statutory rules	152	170	169	173	162
Planning scheme amendments	293	420	430	208	502
Proclamations	32	43	26	37	53
Other (including special reports, Parliamentary Committee reports etc)	228	196	453	499	425
Production of documents	0	0	20	108	892

Appendix E

Statistics relating to Joint Investigatory Committees administered by the Department of the Legislative Council, 2009-10

	EDIC	ETC	ENRC	LRC	OSISDC	RSC
Deliberative meetings						
Full committee	12	20	18	9	6	14
Sub committee	0	8	8	0	4	0
Public Hearings						
Full committees	7	7	11	7	3	8
Sub committees	6	1	13	2	5	0
Visits/Inspections						
Full committee	0	3	0	0	0	4
Sub committee	1	8	8	0	0	0
Reports presented	1	2	1	1	2	2
Discussion papers	0	0	0	0	0	0

Statistics relating to Legislative Council Committees

	LC	SCFPA	SCTS	SOC	SOCJ
Deliberative meetings					
Full committee	0	15	6	7	1
Sub committee	0	0	0	0	2
Public Hearings					
Full committees	0	17	6	0	0
Sub committees	0	0	0	0	0
Visits/Inspections					
Full committee	0	1	0	0	0
Sub committee	0	0	0	0	0
Reports presented	0	5	1	1	0
Discussion papers	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
LC	Legislation Committee
SCFPA	Standing Committee on Finance and Public Administration
SCTS	Select Committee on Train Services
SOC	Standing Orders Committee (Legislative Council)
SOCJ	Standing Orders Committee (Joint) – Legislative Council and Legislative Assembly

Appendix F

Legislative Council Expenditure Statements, 2009-10

2008-09 Actual	EXPENDITURE	2009-10 Budget	2009-10 Actual
1,481,239	STAFF SALARIES, ALLOWANCES AND OVERTIME	1,731,000	1,618,505
548,518	SUBSIDIARY EXPENSES (1)	604,000	587,662
428,386	GENERAL EXPENSES	544,000	385,478
90,838	PARLIAMENTARY PRINTING	107,000	72,006
15,225	AUDITOR-GENERAL'S OFFICE AUDITS	18,500	16,659
2,564,206	TOTAL – DEPARTMENTAL	3,004,500	2,680,310

Legislative Council – Members – Special Appropriations

2008-09 Actual	EXPENDITURE	2009-10 Budget	2009-10 Actual
6,658,178	MEMBERS SALARIES AND ALLOWANCES	7,061,120	6,991,180
5,821,022	MEMBERS CONTRIBUTORY SUPERANNUATION	6,120,000	6,120,000
12,479,200	TOTAL – MEMBERS	13,181,120	13,111,180
15,043,406	TOTAL	16,185,620	15,791,490

NOTE:

1. 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 2009-10.

Appendix G

Major Outputs and Performance Measures - Legislative Council

Major Outputs/Deliverables Performance Measures	Unit of Measure	2009-10 Target	2009-10 Actual
Procedural Support, Documentation Preparation and Provision of Information for Council			
Quantity			
Procedural references updated biannually	number	2	2
Security audit requirements met a year	number	2	2
Quality			
Bills and amendments processed accurately through all relevant stages	per cent	100	100
Constitutional, parliamentary and statutory requirements met	per cent	100	100
Member satisfaction with accuracy and timeliness of advice	per cent	80	87
Visitors satisfaction with service quality in relation to tours of Parliament	per cent	85	90
Timeliness			
House documents tabled within time guidelines	per cent	90	100
Parliamentary documents available one day after sitting day	per cent	98	100
Cost			
Total output cost	\$ million	16.2	16.1

Appendix H

Joint Investigatory Committees - Expenditure Statements, 2009-10

2008-09 Actual \$	Committee	2009-10 Budget \$	2009-10 Actual \$
391,048	Drugs and Crime Prevention ¹	475,100	469,860
269,800	Economic Development ²	410,800	377,823
518,896	Education and Training ²	458,500	436,294
393,227	Electoral Matters ¹	306,800	303,202
404,549	Environment and Natural Resources ²	435,800	403,510
406,789	Family and Community Development ¹	444,900	418,537
390,255	Law Reform ²	421,000	353,944
317,681	Outer Suburban/Interface Services and Development ²	367,300	352,641
853,903	Public Accounts and Estimates ¹	897,000	805,953
357,466	Road Safety ²	467,800	432,950
390,306	Rural and Regional Services and Development ¹	368,700	352,347
483,888	Scrutiny of Acts and Regulations ¹	577,600	542,531
724,386	Committee Services Office ³	867,700	821,536
5,925,193	Total	6,499,000	6,071,128

Notes

1 Committees administered by the Legislative Assembly:
 Drugs and Crime Prevention
 Electoral Matters (56th Parliament only)
 Family and Community Development
 Public Accounts and Estimates
 Rural and Regional Services and Development
 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 the rental payments for committee accommodation.

Appendix I

Major Outputs and Performance Measures - Joint Investigatory Committees

Major Outputs/Deliverables Performance Measures	Unit of Measure	2009-10 Target	2009-10 Actual
Procedural Support, Documentation Preparation and Provision of Information for Council			
Quantity			
Discussion/Issues Papers published per annum	number	1	1
Reports tabled per annum	number	28	43
Quality			
Committee Members satisfied with accuracy and timeliness of procedural, research and administrative advice	per cent	80	90
Inquiries conducted and reports produced in compliance with procedural and legislative requirements	per cent	100	100
Timeliness			
Reports tabled in compliance with procedural and legislative deadlines	per cent	100	100
Cost			
Total output cost	\$ million	6.6 (a)	6.5 (b)

Notes

a Target output cost includes \$95,000 worth of services received free of cost from VAGO.

b Amount invoiced for meeting all output targets.

Appendix J

Official Calls

Ambassador of the Oriental Republic of Uruguay, His Excellency Mr Alberto Leopoldo Fajardo Klappenbach

Consul General of the Republic of Lebanon, Mr Henri Castoun

Ambassador and Head of Delegation of the European Commission, His Excellency Mr David Daly

Ambassador of Italy, His Excellency Mr Gian Ludovico de Martino di Montegiordano

Ambassador of the Republic of Peru, His Excellency Mr Claudio de La Puente

Ambassador of the Kingdom of Spain, His Excellency Mr Carlos Sanchez de Boado y de la Valgoma

Ambassador of the Republic of Croatia, His Excellency Mr Vicencije Biuk

Ambassador of Republic of Indonesia, His Excellency Mr Primo Alui Joelianto

Ambassador of the Kingdom of the Netherlands, His Excellency Mr Willem Andreæ

High Commissioner for the People's Republic of Bangladesh, His Excellency Lt Gen Masud Uddin Chowdhury

High Commissioner for the State of Brunei Darussalam, His Excellency Mr Haji Adnan bin Haji Mohd. Ja'afar

British High Commissioner, Her Excellency Baroness Valerie Amos

Consul General of the Republic of Chile Mr Diego Velasco von Pilgrimm

Ambassador of the Republic of Lithuania, His Excellency Mr Dainis Petras Kamaitis

Ambassador of the Kingdom of Belgium His Excellency Mr Patrick Renault

High Commissioner of the Kingdom of Lesotho, Her Excellency Ms Ntsebe Kokome

Ambassador of the Slovak Republic Her Excellency Mrs Eva Ponomarenkova

Ambassador of the United States of America HE Mr Jeffrey Bleich

Ambassador of Greece, is Excellency Mr Alexios Christopoulos

High Commissioner for the Republic of Singapore His Excellency Mr Albert Chua

High Commissioner for the Republic of South Africa, His Excellency Mr Lenin Magigwane Shope

His Excellency Mr Oguz Özge, Ambassador of the Republic of Turkey

Appendix K

Supplementary information as at 30 June 2010

General Stores on Hand

As at 30 June 2010, the Table Office had the following stores on hand which were valued at cost:

Letterhead Paper	\$1,116.00
Envelopes	\$8,197.75
Other stores including pads, with compliment slips, etc	\$598.13

Appendix L

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 camera, 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 M

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



Annual Report Contact:

Project Officer
Department of the Legislative Council
Parliament of Victoria

Parliament House
Spring St, East Melbourne Vic 3002
Phone: +61 3 9651 8340
Fax: +61 3 9651 8973

www.parliament.vic.gov.au/council

